

**BOROUGH OF GREEN TREE  
COUNCIL MEETING  
JUNE 5, 2023**

**Call to Order / Moment of Silence / Pledge of Allegiance**

Green Tree Borough Council met on Monday, June 5, 2023 at 7:30 pm in the Sycamore Room of the Green Tree Municipal Center, 10 West Manilla Avenue, Pittsburgh, PA 15220. Mr. Tintori noted that prior to tonight's meeting there was a public meeting for an audit presentation and general business matters.

**ROLL CALL**

*Members Present:*

Edward Schenck, Mayor  
Arthur Tintori, President  
Shannon Barron  
Rino Lindsey  
Ron Panza  
David Rea  
Craig Romanovich  
James Turocy

*Also Present:*

Judy Miller, Borough Manager  
Kate Diersen, Esq., Borough Solicitor  
Kim Beck, Stenographer

**APPROVAL OF THE MINUTES**

**May 1, 2023**

**Motion:**

**Mr. Romanovich made a motion, seconded by Mr. Lindsey, to approve the May 1, 2023 minutes as presented.**

**Motion carried unanimously.**

**HEARING OF THE CITIZENS**

**Christine Short – 251 Parkedge Road**

- A.** Ms. Short stated that the previous Police Chief was present at Summer Recreation drop-off and pick-up and blocked off Poplar Street when they were being escorted to the library, and asked if an officer would be present at Summer Recreation this year. Mayor Schenck stated that he anticipated that the Police Department would make this a priority during the day unless an emergency call came through that required their immediate assistance.
- B.** Ms. Short said that the former Chief also assisted in controlling traffic at the Farmers Market on Thursday evenings during the summer in past years. With the Farmers Market being revamped, they expect heavier traffic than usual and would appreciate the help of the Police Department to direct traffic entering and leaving the Farmers Market from Green Tree Road. Mayor Schenck stated that he would discuss this with the Police Department.
- C.** Ms. Short noted that more and more people are bringing their dogs to Green Tree Park, which is not allowed outside of the dog park. People have also been trying to bring their dogs to the Farmers Market inside Green Tree Park, which is an issue with the Health Department. Ms. Short stated that people have been bringing their dogs to softball and baseball games, which could cause an issue with young children running around. Ms. Miller stated that the Borough could consider reminding residents via the website that dogs are only permitted at the dog park.
- D.** Ms. Short said that the road conditions on some of the residential streets are horrible. There is a very large pothole on Parkedge Road, and a sinking dip at the corner of Poplar Street and Rhodes Avenue. Ms. Miller stated that the 2023 Road Program is on tonight's agenda, and that Rhodes Avenue is one of the streets on the list for repair.

- E. Ms. Short stated that she had listened to last month's Council meeting and had some issues with things that were said by Council members during the meeting. She said that while Council was discussing the Emergency Management Plan, they were discussing a particular person and it was said that before a person could be hired by the Borough, their taxes needed to be paid. She said that she felt this was inappropriate, and an apology should be made. She said she understands that sometimes people can get caught up in their emotions, but that Council members need to watch what they say during the meetings.

#### **David Pastorkovich – 1001 Norsis Drive**

- A. Mr. Pastorkovich and his wife walk their dog on Glencoe Avenue every night and have noticed an issue with speeding over the past six months. He is concerned for the residents who walk their dogs in the community every night, and for the families with young kids that are outside playing. There is no stop sign from Whiskey Hollow to Dale Drive, which allows cars to gather speed. Mr. Pastorkovich suggested that the Borough investigate the issue and consider putting a three-way stop at the intersection of Sheila Drive and Glencoe Avenue, which might help curtail the speeding. He said he understands the Borough's police force is limited at this time, but asked if an officer would be able to sit in that area to watch for speeding.
- B. The area between Sheila Ave and Whiskey Hollow along Glencoe Avenue gets very dark at night. This could cause an issue for people who walk their dog at night, especially with coyotes in the vicinity. Mr. Pastorkovich asked the Borough to consider putting another streetlight in that area.
- C. Mr. Pastorkovich voiced his concerns about the rise in vacant businesses in Green Tree and asked what the Borough was doing to help attract businesses into the area. Mr. Panza stated that Council had recently been discussing whether they needed to play a bigger role in promoting Green Tree and attracting new businesses.

Mr. Panza mentioned that a new business might be moving into the former Boston Market at 978 Greentree Road, and that hopefully they would be including some outdoor seating. Mr. Pastorkovich said that the Borough desperately needed some outdoor seating so families could walk up with their dogs and children to hang out. He offered to help with the promotion of the Borough, because he would like to see young families continue to move into the community. Mr. Panza said that they were considering creating a special sub-committee to focus on business development and would reach out to Mr. Pastorkovich for his involvement.

- D. There is a lot of hazardous material passing through the community via the railyard. With the recent events in East Palestine, Ohio, Mr. Pastorkovich asked where the Borough was regarding their Emergency Plan. Ms. Miller said that she has reached out to the rail company but has not gotten a response. She has had a conversation with the County Emergency Management to discuss the concerns. The Borough does not have jurisdiction over the rail company, and they have their own set of rules and protocols.

Mr. Pastorkovich recommended that the Borough consider reaching out to the County to have them hold a community meeting to give a thorough explanation of what would happen in the event of an emergency. Ms. Miller said that the appointment of an Emergency Management coordinator is on tonight's agenda. She stated that the Borough is on a good track to get everything going. Typically, part of any good plan is to do drills where the Borough would act through some scenarios and learn what people would do during those emergency situations.

#### **NEW BUSINESS**

##### **A. Finance and General Policy – Mr. Turocy**

###### **1. Motion:**

**Mr. Turocy made a motion, seconded by Mr. Lindsey, to ratify the actions of the Borough Manager in paying the May 2023 invoices from the General Fund totaling \$172,579.99; Sanitary Sewer Maintenance Fund totaling \$283,505.63; Payroll Account totaling**

\$204,317.60; Educational Service Agency totaling \$5,057.40; and Credit Card April 2023 \$3,210.37.

Motion carried unanimously.

2. **Motion:**

Mr. Turocy made a motion, seconded by Mr. Lindsey, to approve payment of the June 2023 invoices from the General Fund totaling \$168,973.52; Storm Sewer totaling \$2,282.35; Sanitary Sewer Maintenance Fund totaling \$72,785.33; Capital Projects totaling \$10,305.42; and Bond Fund totaling \$6,122.30.

Motion carried unanimously.

**B. Infrastructure – Mr. Romanovich**

1. Mr. Romanovich explained that this was an extension of the Borough's contract with Cargill, Inc. for the delivery of road salt. The original contract had all the road salt being delivered by June 30, but since we experienced a mild winter, the contract would be extended until December 31, 2023.

**Motion:**

Mr. Romanovich made a motion, seconded by Mr. Turocy, to authorize the Borough Manager to sign the agreement with Cargill, Inc. for the purchase of rock salt for the 2023-2024 winter season as a cost of \$88.96 per ton as submitted through the SHACOG Purchasing Alliance.

Motion carried unanimously.

2. **ADA Ramps Replacement Payment**

**Motion:**

Mr. Romanovich made a motion, seconded by Mr. Lindsey, to approve Payment No. 1 (First and Final) from Swede Construction Corporation for the ADA Ramps Replacement in the amount of \$23,900, in accordance with the Borough Engineer's correspondence dated May 19, 2023.

Ms. Miller explained that around \$20,000 of this payment will be funded by an ADA grant. The Borough will only be required to pay a little over \$3,500 of this bill. The Borough applied for another grant, CDBG Year 49, to replace additional ADA ramps.

Mr. Rea asked if this was the same issue that was recently brought to Ms. Miller's attention. Ms. Miller explained that Mr. Rea was referring to the ADA pedestrian crosswalk lights, which need to be brought up to ADA compliance.

Motion carried unanimously.

3. **Contract Award – 2023 Roadway and Storm Sewer Improvements**

**Motion:**

Mr. Romanovich made a motion, seconded by Mr. Lindsey, to award a contract to Mele & Mele & Sons, Inc. in the amount of \$648,387.50 for the 2023 Roadway and Storm Sewer Improvements, in accordance with the Borough Engineer's correspondence dated May 31, 2023 and the Borough Manager's correspondence dated June 1, 2023.

Motion carried unanimously.

Mr. Lindsey asked if the Borough had a list of when each street in the Borough had last been paved. Ms. Miller said she could get a list prepared for Council to review.

Mrs. Miller explained that Fleet Street and Arla Drive were both on the original bid for 2023 street repair. The bid for Arla Drive came in at over \$320,000 and Fleet Street came in at around \$80,000. Due to these high costs, both streets will be pushed onto the 2024 street repair budget. Ms. Miller stated the Pennsylvania American Water has a water replacement program scheduled in 2023. The Borough is going to attempt to work with the water company to set up a reimbursement schedule with them, so the water company can pay for part of the street repair instead of patching roads that the Borough is already planning to re-pave. This has worked well for both the Borough and the water company in the past.

Mr. Lindsey asked why Arla Drive and Fleet Street were taken off the 2023 Road Paving program if they are in such bad condition. Ms. Miller explained that repairing these two streets in 2023 would put the project over budget for the year.

**4. Contract Award – 2023-2024 Roads and Sewer Maintenance Contract (Re-Bid)**

**Motion:**

**Mr. Romanovich made a motion, seconded by Mr. Lindsey, to award a contract to Casper Colosimo & Sons, Inc. for the 2023-2024 Roads and Sewer Maintenance Contract, in accordance with the Borough Engineer's correspondence dated June 2, 2023.**

**Motion carried unanimously.**

**5. Ordinance #1885**

**Amending Chapter 260 – Sewers**

Mr. Romanovich stated that there have been some instances in the Borough since the ordinance was passed that brought to light the need for the Borough to implement a minimum \$15,000 escrow when major repairs were required. This will allow the sale of the home to be processed prior to the repairs being made.

**Motion:**

**Mr. Romanovich made a motion, seconded by Mr. Lindsey, to pass Ordinance #1885 amending Chapter 260 of the Borough Code of Ordinances to update standards for when a private sewer lateral line repair can be deferred until after a property transfer.**

Mr. Lindsey explained that when Council had originally passed this ordinance, they did not anticipate putting any burden on anyone. Some residents do not have the extra money to make \$15,000 repairs on their sewer lines when selling a home. The way the current ordinance reads, a resident could not close on their home and get their proceeds until after the repair had been completed. This updated ordinance would allow the Borough to hold a minimum of \$15,000 escrow money for the repairs to be completed. If the repair is completed for less than the amount held, then the remaining funds would be returned to the seller.

Mr. Rea asked when the work would need to be completed. Mr. Lindsey said that work would need to be completed within 60 days of closing. The buyer would be responsible for selecting the contractor. Ms. Diersen explained that both the buyer and seller would be aware of the sewer line issues and the costs associated with fixing the issue before signing an agreement.

Mayor Schenck explained that the buyer would ultimately be responsible for the repairs if the work cost more than the amount held. Because of this, the buyer is going to be concerned about who is doing the work and how much it is expected to cost.

Mr. Lindsey stated that this ordinance was originally passed to help protect a new resident moving into the Borough from having to make a large, unexpected repair soon after purchasing the home. Mr. Rea said that a sewer line issue should come up during a regular home inspection. Mr. Lindsey explained that prior to this ordinance, a camera inspection was not required and not included in a regular home inspection. Mr. Romanovich stated that this ordinance was a part of the Consent Order. This option provides the best protection for both the buyer and the seller.

**Roll Call Vote:**

<b>Mr. Romanovich</b>	<b>Yes</b>
<b>Mr. Turocy</b>	<b>Yes</b>
<b>Ms. Barron</b>	<b>Yes</b>
<b>Mr. Lindsey</b>	<b>Yes</b>
<b>Mr. Panza</b>	<b>Yes</b>
<b>Mr. Rea</b>	<b>Abstain</b>
<b>Mr. Tintori</b>	<b>Yes</b>

Motion carried, 6-0-1.

**6. Pedestrian Traffic Control Devices – ADA upgrades at Greentree Road and Carnahan Road**

**Motion:**

Mr. Romanovich made a motion, seconded by Mr. Lindsey, to award a contract to Traffic Control Equipment & Supplies for the ADA upgrades to the pedestrian traffic control devices at Greentree Road and Carnahan Road in the amount of \$15,925, in accordance with the Borough Manager's correspondence dated June 2, 2023.

Mayor Schenck explained that the Borough was upgrading the pedestrian traffic control devices to comply with ADA regulations that require handicapped people to be able to activate them.

Motion carried unanimously.

**C. Planning and Zoning – Mr. Rea**

**1. Contract Award**

**137 Poplar Street Demolition**

Mr. Rea stated that the Borough only received one bid for the demolition of 137 Poplar Street. Based on the Borough Engineer's recommendation, the Borough has decided to reject the bid since only one had been received. The Borough will be sending the demolition project out to rebid.

**Motion:**

Mr. Rea made a motion, seconded by Mr. Romanovich, to reject the bid submitted by ORM Contracting Corporation in the amount of \$77,100 for the complete demolition and off-site disposal of the structure located at 137 Poplar Street, in accordance with the Borough Engineer's correspondence dated May 24, 2023.

Motion carried unanimously.

**Ordinance #1886****Amending Chapter 282 – Solid Waste**

Mr. Rea explained that the Planning Commission had considered two main concerns when revising the current ordinance; the time that residents are required to collect their garbage cans from the curb after garbage collection, and where garbage cans are permitted to be stored on the exterior of the home.

**Motion:**

Mr. Rea made a motion, seconded by Mr. Romanovich, to pass Ordinance #1886 amending Chapter 282, Article I §282-2 and Article II §282-4 of the Borough Code of Ordinances amending the garbage container's time for placement and requirements for storage.

Ms. Barron asked what the consequence was for residents who do not abide by the rules set forth in the ordinance. Mr. Rea explained that just like any other ordinance, the Borough's Code

Enforcement officer would visit the offending property to have a conversation and try to come up with a resolution. If the resolution was not followed, then a citation would be issued.

Mr. Tintori asked why this ordinance was being reviewed, since the Borough currently has an ordinance that could be enforced by the Code Enforcement Officer. He said he has not heard about there being major issues regarding where residents are storing their garbage cans. Mr. Tintori stated that on some streets, residents do not have anywhere else to store their garbage cans. He said he believes the Borough should attempt to enforce the current ordinance before making changes.

Mr. Rea stated that there is a section of the revised ordinance stating that the Borough Manager has the authority to make special exceptions if a resident is unable to store their garbage cans in the driveway area of their home. Mr. Turocy said that he had raised the concern with the Planning and Zoning Committee that he did not believe the Borough should prevent residents from storing their garbage cans on the side of their home. Some residents even have a fence that prevents the garbage cans from being visible from the street. He said he does not believe that storing garbage cans on the side of the house is creating any issues within the Borough.

Mr. Lindsey asked how these revisions would affect residents who participate in backyard collection. Ms. Miller explained that with the Borough Manager being allowed to make exceptions, anyone who is currently enrolled in the backyard collection would be exempt. Ms. Miller raised her concerns about what criteria would need to be followed for the Borough Manager to make an exception for a resident. She said she would like to have a threshold established as to what would be allowed for an exception.

Council discussed residents not having garbage cans and just having their garbage in bags. After a discussion it was agreed that residents are allowed to place bags of garbage at the curb the night before collection but are not allowed to store bags of garbage outside of their home during the week unless it is in a garbage can.

Mr. Lindsey stated that he did not agree with the Borough moving the time that residents are allowed to place their garbage curbside from 5:00 pm to 3:00 pm and asked if the 5:00 pm time had been causing issues for residents. Ms. Miller stated that she has had some calls regarding long work shifts that cause issues with placing garbage at the curb, but not very many. Mr. Lindsey said that residents need to call and get permission if they want to park in the street, and they should call to have an exception made if they need to place their garbage at the curb earlier than 5:00 pm.

Ms. Short, a member of the Planning Commission, stated that the Planning Commission was asked to review the current ordinance due to several complaints in the Borough. Mr. Tintori said he was not aware of any complaints regarding garbage can storage. Ms. Short said that the Planning Commission was asked to review the ordinance, so they compared the Borough's ordinance to that of several local communities and they learned that many communities allow garbage to be placed curbside at 3:00 pm.

After further discussion, it was determined that the ordinance should be brought back to the Planning Commission for more review.

**Motion:**

**Mr. Rea made a motion, seconded by Mr. Lindsey, to table Ordinance #1886.**

**Motion carried unanimously.**

**D. Public Safety/Public Safety Equipment – Mr. Lindsey**

**1. Emergency Management Coordinator**

**Motion:**

**Mr. Lindsey made a motion, seconded by Mr. Turocy, to authorize the Borough Manager to forward to Governor Shapiro's office a recommendation to appoint W. David Montz as the Emergency Management Coordinator for Green Tree Borough.**

Mr. Lindsey stated that re-appointing Mr. Montz as the Emergency Management coordinator does not solve the problem that has been on the table for the past seven months. The Borough still needs to re-write and update the plan. Mr. Lindsey has spoken with Mr. Montz and explained that he is going to need to put together some sort of timeframe for updating the current Emergency Management plan, like the proposal received from Mr. Jim Eaborn.

**Motion carried unanimously.**

### **MAYOR'S REPORT**

- A. Mayor Schenck congratulated Officer Kevin Diamond on his recent marriage.
- B. Mayor Schenck met with Congressman Deluzio recently when he hosted a breakfast for the mayors in the area. He received contact information for Congressman Deluzio's staff members, which he passed along to the Borough Manager and members of Council. Congressman Deluzio said that the Borough can contact them with any questions they may have.
- C. The Garden Club recently held their Spring Festival, which went very well.
- D. The Civil Service Rules and Regulations are being updated. The Mayor hopes these rules and regulations will be updated soon and Council will get a recommendation from the Civil Service Commission regarding these updates.
- E. The Green Tree Police Department has a new police car. Once it is outfitted it will be put in service.
- F. Green Tree Borough Police officers have been visiting the Borough schools to get a feel for the facilities. They are learning what drills the schools have enacted in the event of an emergency situation.
- G. Mayor Schenck will be meeting with Lieutenant Rannigan to discuss various concerns in the Borough, including having a police presence at Summer Recreation and the Farmers Market, issues with dogs in Green Tree Park, and speeding on Glencoe Avenue.

### **COMMITTEE CHAIR REPORTS**

#### **A. Finance and General Policy – Mr. Turocy**

1. Mr. Turocy had nothing to report at this time.

#### **B. Infrastructure – Mr. Romanovich**

1. Borough staff is continuing to work with County Officials to finalize the C-25 and C-30 structure transfers. The remaining work is to be completed by outside agencies.
2. During the recent fiber optic line installation, it was discovered that some sewer lines were damaged. Most of these damages and other issues have been identified. All the agencies, both public and private, have been notified of these issues. PennDOT has been notified of the Borough's attempt to recover all associated expenses with the investigation and repairs of these pieces of property.

#### **C. Planning and Zoning – Mr. Rea**

1. Mr. Rea stated that the Planning Commission currently has 20 open projects, including a pending restaurant going into the building located at 987 Greentree Road.
2. Mr. Panza said that there is a restaurant that is rumored to be interested in moving into the building located at 978 Greentree Road, though nothing has been confirmed at this time. Mr. Panza asked if the Planning Commission would be able to request that a new business consider adding outdoor seating. Mr. Rea stated that the Planning Commission could suggest outdoor seating but could not

make it a requirement. Mr. Turocy said that in his experience with the Planning Commission, new businesses were usually open to suggestions that would help them generate additional business.

**D. Public Facilities and Equipment – Ms. Barron**

1. The Green Tree Public Library is hosting a Summer Reading kick-off event on Saturday, June 17<sup>th</sup> from 2:00 pm until 4:00 pm. This is a kick-off for the Summer Reading Challenge, which runs from June 17<sup>th</sup> through August 12<sup>th</sup>. This is a yearly program for children and adults. It will include a lot of programs all summer, and you can earn free books at the end of the challenge.
2. The Library has recently launched new experience kits. These kits offer free admission to several museums and historical sites around Pittsburgh. You can check them out with your Library card for a week at a time.
3. The Library is selling rocks that are being placed in the Library garden. These rocks can be engraved with the names of your loved ones.
4. Ms. Barron congratulated the Garden Club on their fantastic event in May. She said that her family attended the event and had a lovely time.
5. The key fob system that has been mentioned in past Council meetings has been installed. Borough staff will be trained in its use in the next few weeks.
6. A fence is being installed along the border of the Municipal Garden Park.

**E. Public Safety/Public Safety Equipment – Mr. Lindsey**

1. Mr. Lindsey asked if the Recreation Programming and Community Welfare committee had met to discuss the Emergency Management Plan. Mr. Panza stated that the committee had met and was considering asking the new Emergency Management coordinator to help implement a new plan. Mr. Lindsey asked if Council should formally reject the tabled proposal at tonight's meeting, or if they should put it on next month's agenda. After a brief discussion, it was agreed that the official rejection should be placed on a future agenda for consideration.
2. Mr. Lindsey stated that he believed Mr. Tintori publicly slandered a 40-year member of the Fire Company at last month's meeting by implying that his taxes were in arrears and asked for a public apology. Mr. Tintori said that he implied that the Borough would need to investigate the tax situation of anyone they did business with, not one specific person. He said he would need to review the previous meeting's minutes to determine what was said before considering giving a public apology.
3. The Green Tree Volunteer Fire Company and American Legion will be hosting their annual Flag Day Ceremony on June 14<sup>th</sup> at 7:00 pm. Mayor Schenck said that he will try to be in attendance.

**F. Recreation Programming and Community Welfare – Mr. Panza**

1. Mr. Panza stated that the Farmers Market Committee has been doing a great job in revamping and upscaling the Farmers Market. He was unaware that the Police Department has not been assisting with directing traffic this summer as has happened in the past.

Mr. Panza listed some of the food trucks that will be attending the Farmers Market this summer, including a Korean food truck, a meatball truck, and Cousin's Maine Lobster truck.

2. Mr. Panza reported that the Oktoberfest Committee met recently, and everything is scheduled on-track.

**PRESIDENT'S REPORT – Mr. Tintori**

- A. Prior to tonight's meeting, the Borough's auditor, Maher Duessel, gave a public audit presentation. According to the preliminary information, it appears that the Borough will have a clean audit. Maher Duessel will be sending their final report to the Borough very soon.



- B. Mr. Tintori explained that the recent Burger King closure was not strictly an issue in Green Tree. The franchisee owned six locations throughout the area and has closed all of them.
- C. Mr. Tintori complimented Lieutenant Rannigan for his transition over to Acting Police Chief. He said he has been doing a really good job.

**MANAGER'S REPORT – Ms. Miller**

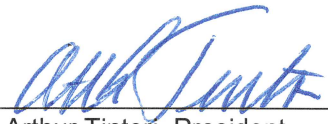
- A. Registration is open for the Summer Recreation program which will run from June 19<sup>th</sup> through July 21<sup>st</sup>.
- B. The Borough is offering three trips this summer; Urban Air Adventure Park, the Carnegie Science Center, and Splash Lagoon.
- C. The Wilson Park pool opened for the season on May 27<sup>th</sup>. Ms. Miller noted that there have been some technical difficulties with the aging pool system and gave credit to the pool's staff for moving mountains to make sure the pool stays open.

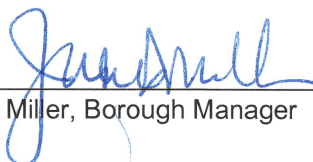
**ADJOURNMENT**

**Motion:**

**Mr. Panza made a motion, seconded by Mr. Lindsey, to adjourn the meeting at 8:58 pm.**

**Motion carried unanimously.**

  
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Arthur Tintori, President

  
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Judy Miller, Borough Manager