
MINUTES

Call to Order: Mr. Belmonte

Pledge of Allegiance Mayor Heller

Roll Call:

Ms. Liscio	Absent	Mr. Belmonte	Yes
Mr. Meshanko	Yes	Mayor Heller	Absent
Mr. Mrazik	Yes	Janet Sullivan, Tax Collector	Absent
Mr. O'Malley	Absent	Blaine Lucas, Solicitor	Yes
Mr. Porco	Absent	Paul Gaus, Engineer	Yes
Mr. Tomasic	Yes	Steven Morus, Manager	Yes

Opening of Bids for Sewer Point Repairs Mr. Gaus

BIDDER	BID	10% BID BOND
A. Merante Contracting	\$416,810.00	Yes all
B. Pepenella Co.	\$566,142.00	
Creative Enterprises	\$359,167.50	
Edward Sitarik Contracting	\$428,016.00	
Fleming Walker Inc.	\$398,867.00	
Frank J. Zottola Construction	\$473,210.00	
Glenn Johnston, Inc.	\$568,243.00	
Mongioli & Son	\$336,485.00	
Niando Construction	\$460,829.50	
Soli Construction	\$433,245.00	

Bids will be referred to Paul Gaus for review and report to council and the public works committee.

President's Report Mr. Belmonte

Mr. Belmonte noted that the mayor is unavailable as he is attending a Thanksgiving Ecumenical service.

Mayor's Report Mayor Heller

No report.

Tax Collector's Report

Ms. Sullivan

No report.

Police Chief's Report

Chief Fabrizi

No report.

Volunteer Fire Department Report

Chief Heller

No report.

Woodland Hills EMS Report

Adam Knight

No report.

Solicitor's Report

Blaine Lucas

Noted that the solicitor has worked with the code officer to clean up a lot of forms and ordinances.

Wilkesburg Penn Joint Water Authority Report

Vivian Broz

Ms. Broz reported on authority activities.

Also discussed the lead problem with the water that had been reported in the media. The test is part of a routine test handled every three years. Selected property owners are tested. The lead is coming from the service line at the house not from the water authority's line. The homeowner must take care of replacement.

Public Comment

Faith Katchmar, Kohrnak Lane – re: property owned on Avenue E, purchased several years ago. Noted that she put a lot of work into the property and complained about the letter she received from our code officer. The problem cited was not correct, the letter was sent to her late. She also raised some other issues.

Alan Katchmar, Kohrnak Lane – comments that the day they received the letter he spoke to the code officer and Mr. McChesney's response was that he sent letters to everybody on Avenue E and to residents on half of Avenue A and he just couldn't skip me.

Mr. Tomasic comments that the borough is trying to hire a code enforcement

officer in an effort to eliminate some of these problems.

Howard McFarland, 300 Barclay Avenue – re: vacant property on Barclay Avenue. Claims the code enforcement officer hasn't returned his calls .

Also complimented Jim Theilacker on a problem that developed during a rain storm with a part of the street. Jim made a repair quickly and Mr. McFarland appreciates it.

Mr. Morus comments that he has been working with Mr. McChesney and supervising him with regard to this vacant property and we have been in touch with the solicitor and it is proceeding.

Mr. Tomasic – comments that once we have a code officer in place it should relieve some of these problems.

Mr. Morus replies that it would help from the point of view that it's not so much that Bill is incompetent, it's that Bill is overwhelmed with work because he is part time. He is not just doing code enforcement, he is doing a number of things. I'm not saying that should excuse problems but that is the reason for them and as borough manager I take responsibility for them.

Mr. Tomasic – if we get this code officer up and running quickly it will be an advantage in terms of being able to deal with these problems.

Mr. Morus comments that it will certainly help.

Mr. Tomasic comments on vacant properties and asks what can the borough do when the owners walk away from them?

Mr. Morus comments this is the same situation he faced when he first started here with the Dunnsouth property on Woodside Road. There was something that had been going on for four or five years, before I came in 2000, and it continued for another six or seven years because the process can be slow. You go through a process, you get something done, the person starts making improvements and then the people back off of them and the magistrate won't go after them or you have to give them a break for whatever reason. There are a number of things that occur and I don't know what council and administration had done prior to that time but I know this is what we had faced with the Dunnsouth property. There are certain procedures that need to be followed and they are lengthy. At my previous experience with the Local Government Academy we did training on code enforcement, since that is the one thing unfortunately people do not realize because everybody has property rights that even protects the people who are poor property owners. The procedures are the same for everybody and if you don't follow them for everybody they can be seen as selective. I've brought this up before at times when council or residents have identified one or more

problem properties. I've mentioned before that we have to do the same thing for them as we do for everybody else and it is overwhelming when you only have a part time operation.

Mr. Tomasic – it's not for lack of effort it is more of a procedural problem that we have to go through.

Mr. Morus – in some cases there may have been lack of effort and some mistakes but generally there is so much going on that it makes it difficult to keep up with it when you have a part time operation.

Mr. Katchmar, Kohrnak Lane – comments that he spoke with the magistrate about having the community service kids clean up the properties that were cited but was told that the owners could come back to us for trespassing.

Mr. Lucas comments this is always frustrating, but state law imposes a fairly cumbersome process in terms of notices.

Alan Katchmar – thanked a number of people who helped with light up night .

Mike Belmonte – is there something the borough can do for the common good of Mr. McFarland and other neighbors where you have people who want to step in and help, but due to the legalities they cannot.

Mr. Lucas comments getting the consent of property owners for the borough or a private group to clean up is the best but most of the properties are absentee landlords or properties that have been abandoned. The magistrate can assess a fine then suspend it if the problem is rectified in specific amount of days and then say here are some resources available to you through a volunteer group. If that is the way it happens from the boroughs perspective that is great because otherwise you start to get into liability and insurance issues.

Mr. Tomasic comments that those kids are not volunteering.

Mr. Katchmar comments that they are sentenced to do it.

Mr. Tomasic replies than they are under the auspices of the borough so that would not be a volunteer.

Further discussion related to using community service kids, liability insurance, finding owners of abandoned property, and various options the magistrate may have to offer.

Committee Reports

Motion: Move to approve the plan submitted by Robert Lepre of 9 Greenwood Road to move his driveway entrance provided that there is no expense to the borough and that a manhole be installed for the sewer line to allow borough access.

Moved: Mr. Meshanko
Second: Mr. Tomasic

Roll Call Vote:

Mr. Meshanko –	Yes
Mr. Mrazik	Yes
Mr. Tomasic	Yes
Mr. Belmonte	Yes

Motion Move to approve the SHACOG salt prices

Moved: Mr. Meshanko
Second: Mr. Tomasic

Mr. Meshanko –	Yes
Mr. Mrazik	Yes
Mr. Tomasic	Yes
Mr. Belmonte	Yes

General Report:

1. The committee forwarded adjustments to the finance committee for the 2008 Capital Improvements plan. The adjustments are included in the preliminary budget that the finance committee will consider later in the meeting.
2. The committee reviewed snow and ice removal procedures with the foreman and discussed alternatives to overtime. The committee also discussed developing a written policy on snow/ice removal for future consideration by council.
3. Committee members reviewed sanitary sewer overtime work with the foreman as well as overtime use for other projects. Members agreed that the overtime work on Saturdays should continue to enable the borough to comply with consent order provisions.
4. Borough engineer Paul Gaus was asked by the committee to maintain the same schedule as 2007 for soliciting bids for paving in 2008. The committee will review roads to be paved in February, authorize bids in March and open bids in April. The option that asked the contractor to repair curbs will be eliminated from the bid specifications.

5. The engineer also reviewed storm water management (MS4) requirements of the borough with committee members and noted that we must ensure that plans and reports are on file in the borough office should we face an audit by the PA DEP.
6. Committee members reviewed work requested by Chalfant Borough over and above contractual requirements and noted that we may agree to do some of the work provided we have the time to follow proper procedure in accomplishing the tasks requested and that Chalfant agrees. The foreman will discuss this further with Chalfant representatives.
7. The foreman, engineer and manager reviewed completed work along Burlington Road and reported that information to the committee.
8. The foreman informed the committee that salt prices reported previously will increase by 55¢/ton due to a fuel surcharge in the contract. As noted previously, the cost of salt increased in the new contract negotiated by SHACOG to \$42.93/ton from \$34.51/ton.
9. The crew will review the status of the workout stations at the main park and may remove any stations that are deteriorating.

FINANCE COMMITTEE

Mr. Tomasic

Motion: Move to approve disbursements for the month of October in the following amounts:

\$370,188.82 General Fund
\$ 16,088.75 Capital Improvements Plan
\$164,982.81 Corrective Action/Capital 2
\$ 16,932.50 Pavement Program

Moved: Mr. Tomasic
Second: Mr. Meshanko

Detail of non-general fund items:

Capital 1: Codification update, brush hog, office computer network
Capital 2: Sanitary Sewer Corrective Action work and ALCOSAN bill
Pavement: Crack sealing work (which will be partially reimbursed by Chalfant and Wilkins) and engineering

Roll Call Vote:

Mr. Meshanko –	Yes
Mr. Mrazik	Yes
Mr. Tomasic	Yes

Mr. Belmonte Yes

Motion: Move to prepare and advertise an ordinance fixing the tax rate for the year 2008 and appropriating specific sums estimated to be required for the specific purposes of the municipal government.

Moved: Mr. Tomasic
Second: Mr. Mrazik

NOTE: Summary information on the preliminary 2008 budget and fee and tax rates are attached to this agenda starting on page 12. The millage rate is based on the assessed value provided by the county on its real estate website:

<http://www.county.allegheny.pa.us/munimap/profile.asp?muni=42>)

Voice Vote – all in favor

Motion: Move to authorize the borough manager to advertise the preliminary 2008 budget and capital improvements plan which may be considered for approval as a final budget at the December 19, 2007 regular meeting of Council.

Moved: Mr. Tomasic
Second: Mr. Meshanko

Note: The full preliminary budget will also be advertised on the borough's website at www.foresthillspa.org.

Voice Vote – all in favor

Motion: Move to approve the Minimum Municipal Obligation (MMO) calculation received from actuary Mike Pisula specifying that the borough's obligation to the police pension fund is estimated to be \$102,625 in 2008 and to the non uniform fund estimated to be \$20,816 in 2008.

Moved: Mr. Tomasic
Second: Mr. Meshanko

Voice Vote – all in favor

Motion: Move to adopt an ordinance of the Borough of Forest Hills, Allegheny County, Pennsylvania, amending Part 3 of Chapter 24 of the Forest Hills Borough Code of Ordinances, Special Taxation, to conform with Act 7 of 2007.

Moved: Mr. Tomasic
Second: Mr. Meshanko

Note: This meets the state mandated requirement which converts the Emergency & Municipal Services Tax (EMST) to the Local Services Tax (LST) with the rate remaining at \$52/year for all those working in the borough. The LST places the minimum salary for paying the tax at \$12,000 (current borough minimum is \$4,000) and requires that the tax be collected quarterly. Disabled veterans are also exempted.

Roll Call Vote:

Mr. Meshanko	Yes
Mr. Mrazik	Yes
Mr. Tomasic	Yes
Mr. Belmonte	Yes

General Report:

1. The committee reviewed comparative trash fees from other communities in Western PA and from elsewhere in the country. Western PA fees sampled ranged from \$100/year in Jefferson Hills Borough to \$180/year in Peters Township. Fees sampled from elsewhere ranged from \$100 in Lower Pottsgrove Township, PA to a base bid of \$356/year in Lower Gwynedd Township, PA which uses a form of the "pay as you throw" system and offers alternative pricing for those with less trash.
2. The investment policy draft will be reviewed by the committee at its December meeting.
3. The committee recommends that council update its fee resolution at the December 19, 2007 meeting to include changes to recreation, rental, trash and other fees discussed at recent committee meetings
4. The committee will review the 2008 preliminary budget and capital improvements plan approved tonight at its December 6 committee meeting. This meeting and all meetings related to budget preparation are open to the public. At this time council intends to approve a final budget for 2008 at its December 19, 2007 business meeting. Because 2007 is an election year, the new council may choose to reopen the 2008 budget in January.

BOROUGH PROPERTY COMMITTEE

Mr. Meshanko

General Report:

1. No bids were received for the following surplus property and each will be disposed of by the borough:

- a. One IBM Personal Wheelwriter Typewrite (inventory #00116)
 - b. Two Okidata Microline 321 nine (9) pin printers (inventory #00126 & 00157)
2. The foreman and manager reported on the investigation of the leak problem at the pool. American Leak Detection discovered a crack in an elbow in the line that returns water to the pool from the filter room. The crew has repaired the leak and the company pressure tested the line again to determine if that is the only leak (no further leaks were discovered). In discovering this leak, the crew also uncovered potential problems with the scum gutter which takes water from the pool to the filter room. We will evaluate these problems prior to obtaining bids for repairs to the pool joints.
 3. The public works crew will investigate installing concrete bollards or large decorative boulders between the Ryan Glen Park fence and Cascade Road to increase protection for those using the park.
 4. The committee forwarded adjustments to the finance committee for the 2008 Capital Improvements plan. The adjustments are included in the preliminary budget that the finance committee considered tonight.

PUBLIC SAFETY COMMITTEE

Mr. Tomasic

Motion: Move to authorize the proper Borough Officials to execute a settlement agreement with the Forest Hills Borough Police Union resolving a grievance with respect to the calculation of disability pension payments.

Moved: Mr. Tomasic
Second: Mr. Meshanko

Mr. Tomasic comments that all of council has received a packet with information about the three actions we are voting on tonight.

Roll Call Vote:

Mr. Meshanko	Yes
Mr. Mrazik	Yes
Mr. Tomasic	Yes
Mr. Belmonte	Yes

Motion: Move to approve an ordinance of the Borough of Forest Hills, Allegheny County, Pennsylvania, amending chapter 1, part 5 of the Forest Hills Borough code of ordinances, police pension.

Moved: Mr. Tomasic
Second: Mr. Mrazik

Mr. Lucas comments that the current police pension ordinance is a ragtag assortment of ordinances and amendments made over a period of 20 years or so. This amendment

will strip all that out and has a provision that the pension plan can be approved by a motion, a resolution of council and there is a coherent document now that assembles all that together.

Mr. Tomasic comments that all these motions intertwine but lead us all to the same goal. Whenever we were getting into the grievance procedure we were looking back through ordinances from 1990 and 2000 and you could not figure out where everything was going. A grievance, in reality, is usually used to try and come together to find common ground in terms of what things mean and the silver lining to this whole process is that we finally got something that everybody agrees to.

Mr. Lucas comments that the borough retained Randy Rhoades law firm that specializes in pension work, which is something that is beyond our expertise and even Mike Palumbo's expertise as labor counsel.

Mr. Belmonte inquires how long did this process take?

Mr. Tomasic responds a little over a year ago, around September of 2006.

Roll Call Vote:

Mr. Meshanko	Yes
Mr. Mrazik	Yes
Mr. Tomasic	Yes
Mr. Belmonte	Yes

Motion: Move to approve a resolution adopting an amended and restated police pension plan for the Borough of Forest Hills.

Moved: Mr. Tomasic
Second: Mr. Mrazik

Roll Call Vote:

Mr. Meshanko	Yes
Mr. Mrazik	Yes
Mr. Tomasic	Yes
Mr. Belmonte	Yes

Motion: Move to approve the appointment of Ron Bentz of 112 Parise Dr to the Civil Service Commission to fill the remainder of Rob Gatt's term (through February 2009).

Moved: Mr. Tomasic
Second: Mr. Meshanko

Voice Vote – all in favor

Motion: Move to approve the continuation of an agreement with Hoffman Kennels for animal control services in the borough.

Moved: Mr. Tomasic
Second: Mr. Meshanko

Note: The base fee increases from \$150/month to \$155/month.
Emergency and after hours call outs increase from \$45 per call to \$50.

Voice Vote – all in favor

General Report:

1. The committee is reviewing alternatives to the crime alert computer system and is reviewing a memo on the subject from Pat Aiello of the Neighborhood Crime Resistance Committee. This will be discussed further at the December meeting.
2. All committee members are asked to review the current TASER policy to determine if any changes or updates are required.
3. The Police confirmed that they are enforcing the no parking from 2 AM to 6 AM regulations although residents with a temporary need to park their car on the street may contact the department for permission to do so.
4. The Police expressed concern that residents may be afraid to use the 911 system to contact a police officer even if they do not have an emergency. Police officers each have a voice mailbox on the borough's phone system (412-351-7330) for non emergency messages. However, if a resident needs to contact an officer immediately about a non emergency issue after business hours they are permitted to use 911 to do so and should make the request of the 911 dispatcher even though the dispatcher asks for information on the nature of the caller's emergency.

OPERATIONS & POLICY COMMITTEE Mr. Mrazik

Motion: Move to approve the minutes of council for the October 17, 2007 meeting.

Moved: Mr. Mrazik
Second: Mr. Meshanko

Voice Vote – all in favor

Motion: Move to approve a resolution authorizing the execution of a cable franchise agreement between the borough and Verizon Pennsylvania, Inc.

Moved: Mr. Mrazik
Second: Mr. Tomasic

Mr. Belmonte comments this was discussed last month that Verizon is going to be giving Comcast competition. The Turtle Creek Council of Governments, of which we

are a member, had one of the borough's choose not to participate in this joint negotiation. Cohen and Associates conducted the negotiation on behalf of the COG, Verizon had a negotiator there and the good news was that this negotiation cost you the taxpayer nothing. Verizon gave a grant in the amount of \$20,000 that was divided up and there was left over money in the COG's RAD fund that made up that difference.

Roll Call Vote:

Mr. Meshanko Yes
Mr. Mrazik Yes
Mr. Tomasic Yes
Mr. Belmonte Yes

Motion: Move to introduce an amended and updated Code of Ordinances of the Borough of Forest Hills and to direct the proper Borough officials to undertake the necessary public notice and other actions so that Borough Council may consider the adoption of the Code of Ordinances of the Borough of Forest Hills at its regular January meeting.

Moved: Mr. Mrazik
Second: Mr. Meshanko

Voice Vote – all in favor

Motion: Move to accept the bid of Ray's Tree Service in the amount of \$16,680 for tree removals in 2008 as opened, reviewed and approved by the tree & shrub committee and borough arborist at their public meeting on November 14, 2007.

Moved: Mr. Mrazik
Second: Mr. Meshanko

Note: bids received and opened at the Tree & Shrub Committee's public meeting:

BIDDER	BID AMOUNT	BID BOND
Carl's Tree Service	\$17,985	Yes
Iron Mike's Tree Service	\$32,440	No
Ray's Tree Service	\$16,680	Yes

Roll Call Vote:

Mr. Meshanko Yes
Mr. Mrazik Yes
Mr. Tomasic Yes
Mr. Belmonte Yes

Motion: Move to approve an amended employment agreement/contract with borough manager Steve Morus which maintains existing provisions and adds an additional personal day and a contribution by the manager to his health care benefit costs similar to other borough employees.

Moved: Mr. Mrazik
Second: Mr. Tomasic

Council agrees it is well deserved.

Roll Call Vote:

Mr. Meshanko	Yes
Mr. Mrazik	Yes
Mr. Tomasic	Yes
Mr. Belmonte	Yes

General Report:

1. The manager complimented administrative assistant Siobhan Nicklow who handled the discussions with Ricoh for a new office copier to replace the Canon copier. The 5 year lease on the new copier will cost \$300.25 per month, a savings over the previous five year lease for the Canon copier at \$430.43 per month.
2. The committee is reviewing potential council committee and business meeting dates for 2008 and invites all elected officials including those who won a seat on council at this month's election to attend the December 6 committee meeting to discuss. Due to some conflicts, several traditional meeting dates may change in 2008. Members also asked the manager to discuss potential committee restructuring at a meeting in early 2008 which may create further changes in the meeting schedule.

PLANNING & ZONING COMMITTEE

Mr. Mrazik

General Report:

1. Committee members discussed a proposal from Wilkins Township to share the cost of hiring a full time code enforcement officer that would serve both communities. The committee decided to work toward hiring our own part time officer first before considering any changes in the plan. Interviews for those who have applied will begin soon.
2. Members heard representatives from Laurel Apartments discuss the proposed rental property ordinance and concerns they continue to have about it.

Old Business

Mr. Tomasic comments that there is not a committee for contract negotiations. We have a team that consists of myself, Frank Porco and Celeste Liscio. There have been a lot of comments made over the past year or so in terms of these negotiations and although the contract isn't finalized I have received some information from some

individuals that it may be very close to finality. I would like to be able, in the future, to explain everything about the contract negotiations whenever they are finalized. In line with the contract, if you look in your packet you will find page 14, #20, there is a grievance procedure sheet and I believe there is a misinterpretation of step 2 in this appeal process. I would like to have added to step#2 the following: that the Public Safety Committee shall report to the full council and at council's direction the chairman shall respond in writing. All I want to add to our internal policy is that they would hear the case, there would be no decision made, the case would be brought back to council and council would deal with it and direct the chairperson to respond within 30 days as in the language.

Mr. Lucas responds that you certainly can define an internal operating procedure to that effect.

Mr. Tomasic – when we do this does it need to be in a form of a motion?

Mr. Lucas - recommends for the record that this be entertained by motion and to make the bargaining units aware that this is the internal operating procedure.

Mr. Tomasic – would like to put this out to council for consideration.

New Business

Mr. Belmonte thanks Faith Katchmar for all the time she put into Light Up Night making it a success – Race For Grace, a fundraiser for a five year old girl with leukemia, will be held on Saturday, December 1st at 9:00 AM at the soccer stadium. A group of high school girls will be putting on this event.

Adjourn

adjourn by acclamation without objection

- **Next Council Committee meetings scheduled for Tuesday, December 4, 2007 (*Borough Property, Planning & Zoning, Public Works*) and Thursday, December 6, 2007 (*Finance, Operations & Policy, Public Safety*) at 7:00 PM.**
- **Next Council business meeting scheduled for Wednesday, December 19, 2007 at 7:00 PM.**

