
MINUTES

Call to Order: Mr. Tomasic

Pledge of Allegiance: Mayor O'Malley

Roll Call:

Mr. Belmonte	Present	Mr. Porco	Absent
Mr. Burleigh	Present	Mayor O'Malley	Present
Mr. Erbeldinger	Present	Janet Sullivan, Tax Collector	Absent
Mr. Karas	Absent	Blaine Lucas, Solicitor	Present
Mr. Tomasic	Present	Paul Gaus, Engineer	Present
Ms. Wood	Present	Steven Morus, Manager	Present

Vice President Tomasic served as presiding officer in Mr. Porco's place.

President's Report: Mr. Tomasic

Mr. Tomasic announced executive sessions held during the past month including one held on August 5 and on August 10 to discuss contract negotiations.

Mr. Tomasic announced the historic marker dedication for Saturday, August 28, 2010 near the Senior Center, Avenue F side, at 10 AM. The marker recognizes the atom smasher located nearby. The Heinz History Center is sponsoring the installation.

Mayor's Report: Mayor O'Malley

The Mayor reported on activities and meetings attended during the past month including National Night Out activities on August 3.

Tax Collector's Report: Ms. Sullivan

No report.

Chief of Police Report: Chief Williams

Chief Williams presented his report on monthly activities.

Fire Chief's Report: Chief Theilacker

No report.

Woodland Hills EMS Report: Adam Knight

No report.

Solicitor's Report:

Blaine Lucas

Mr. Lucas followed up on several development matters discussed in committee including Rite Aid, Bacchus, the Shell Gas Station and Spee-D Mart. The revised Rite-Aid plans require variances very similar to the original ones, mostly related to some signage. That information has been received, and they're trying to reschedule a hearing with the Zoning and Hearing Board; it may or may not be on September 13, depending on availability of the Zoning Board members. The date will be advertised when it's set. Council also met with the architect working with CDC about potential redevelopment of the Bacchus Building. It doesn't appear to them that any of the relevant land use approvals will be able to go the whole way through the pipeline in September as they had originally hoped. They'll keep the council abreast of items. Shell and Spee-D Mart are basically building permit and renovation matters, they won't require planning commission, zoning board or borough council action, but they'll keep you abreast of those too.

Wilkesburg Penn Joint Water Authority Report:

Ms. Broz

Ms. Broz presented a report on authority business.

Public Comment – Agenda Items

At this time, citizens may address council on any issue appearing on today's agenda. Comments on non-agenda items will be taken at the end of tonight's meeting. Citizens are asked to use the microphone at the speaker's stand, clearly state their name and address for the record and keep comments brief and to the point (5 minutes or less). It would be helpful to spell the last name for the record.

Larry Sachs, Sharon Drive: – Commented on police overtime and vote under public safety committee meeting regarding movement of funds to fund overtime. He disagrees with the idea that it is worded as such that council will not have to vote on the issue again.

Committee Reports:

PUBLIC WORKS COMMITTEE

Mr. Belmonte

Motion: Move to approve the bid of Mario Palombo Contracting in the amount of \$12,958.00 for curb and sidewalk repairs to borough property on Filmore Road.

Moved: Mr. Belmonte
Second: Mr. Erbedinger

Bids were received and opened at the public works committee meeting on August 5 as follows:

	CONTRACTOR	BID BOND	TOTAL BID
1	Mario Palombo Contracting	√	\$12,958.00
2	Pampena Landscaping & Construction	\$2,188 (Check)	\$21,877.00
3	Kishmo, Inc.	√	\$17,450.10
4	Gulisek Construction	√	\$29,812.10
5	Thomas Didiano & Son, Inc.	√	\$25,460.00
6	Joseph Palmieri Construction	√	\$14,059.00
7	Satira Construction	√	\$18,186.00
8	Nunzio Pulice & Sons, Inc.	\$1,981 (Check)	\$19,804.00
9	JMK Concrete Specialists	√	\$18,258.40
11	R&B Contracting & Excavation	\$1,584.20 (Check)	\$15,842.00

Roll Call Vote: Mr. Belmonte Yes
 Mr. Burleigh Yes
 Mr. Erbeldinger Yes
 Ms. Wood Yes
 Mr. Tomasic Yes

Motion: Move to approve resolution number 1099 to approve the construction standards document prepared by the borough engineer.

Moved: Mr. Belmonte
 Second: Mr. Erbeldinger

Roll Call Vote: Mr. Belmonte Yes
 Mr. Burleigh Yes
 Mr. Erbeldinger Yes
 Ms. Wood Yes
 Mr. Tomasic Yes

General Report:

1. The manager reported that he has received little interest in the part time public works/pool operator position. The committee advised that we not advertise again and that we consider changing the assistant pool manager position to add that they must be or become a certified pool operator. The manager referred that recommendation to Cindy Simm for comment.

2. The borough engineer is working on a reply to the county health department regarding recent flooding in the vicinity of Filmore Road. The borough continues to study and work on improvements to the sewer line affecting homes there and through Atlantic Avenue.
3. The manager noted that dollars in the corrective action funds are becoming scarce and suggested that council may wish to move funds earmarked from the 2007 bond issue to the corrective action budget. The engineer and manager are working on estimates for costs for the remainder of the year and for the 2011 budget year to provide council with guidance on the sewer fee and whether an increase is necessary.
4. The committee is reviewing personnel costs related to corrective action work.

FINANCE COMMITTEE

Mr. Erbeldinger

Motion: Move to approve payment of bills for the month of July in the following amounts:

General Fund Budget:	\$ 231,864.00
Capital Improvements Plan:	\$ 2,336.41
Corrective Action Budget:	\$ 88,215.91
Liquid Fuels:	\$ 2,024.61
Road Improvement:	\$ 2,140.05

Moved: Mr. Erbeldinger
Second: Mr. Burleigh

Roll Call Vote:	Mr. Belmonte	Yes
	Mr. Burleigh	Yes
	Mr. Erbeldinger	Yes
	Ms. Wood	Yes
	Mr. Tomasic	Yes

Detail of Non-General Fund Items:

Capital Improvements Plan:	Computer work and sidewalk replacement
Corrective Action Budget:	Sanitary Sewer consent decree work
Liquid Fuels:	Traffic signals; hot patch
Road Improvement:	Engineering work on 2010 program; curb replacement work

General Report:

1. The borough began development of the 2011 budget and capital improvements plan earlier this month with each department asked to review spending and submit a spending plan by mid to late September.

2. The committee continues to review various scenarios for the implementation of a municipal services fee that would assist the borough in paying the lease for the new fire truck. Scenarios were developed that placed the fee at around \$25. It would be billed similar to the trash fee in this scenario and may permit the option of paying quarterly if it is feasible.
3. The committee discussed the possibility of adding a fee for contribution to the volunteer fire department to supplement their fundraising activities in conjunction with the municipal services fee proposal. It is uncertain how much would be added to a municipal services fee under this proposal.
4. The committee reviewed borough cash flow levels for 2010. While cash flow is up over 2009 it is still lower than it has been in recent years, adding to the budget crunch the borough is feeling.

BOROUGH PROPERTY

Mr. Belmonte

Motion: Motion to approve a proposal to freeze the level of activity fees in the 2011 budget not including fees for pool or rental facilities.

Moved: Mr. Belmonte
Second: Ms. Wood

Roll Call Vote:	Mr. Belmonte	Yes
	Mr. Burleigh	Yes
	Mr. Erbedinger	Yes
	Ms. Wood	Yes
	Mr. Tomasic	Yes

General Report:

1. The borough is awaiting a report from a lighting company concerning potential upgrades to the borough's lighting sources that may result in energy and cost savings.
2. The committee will discuss allowing leashed dogs on the wooded property behind the recreation center grounds on Barclay at the September meeting.
3. The committee chair and committee wish to recognize members of the recreation board, parents, staff, residents, and Forest Hills children for making this year's pool and recreation programs a success.

PUBLIC SAFETY

Mr. Erbeldinger

Motion: Motion to move \$25,923 from the police salary line item number 01-410-130 to the police overtime line item number 01-410-183 to be used at the police chief's discretion.

Moved: Mr. Erbeldinger
Second: Mr. Burleigh

Roll Call Vote:

Mr. Belmonte	Yes
Mr. Burleigh	Yes
Mr. Erbeldinger	Yes
Ms. Wood	Yes
Mr. Tomasic	Yes

Motion: Move to suspend the motion stated below which was approved at the June 16, 2010 council meeting with the following conditions:

1. The motion of June 16, 2010 will return to effect at such time as the funds that are transferred from the police salary line item number 01-410-130 to the police overtime line item number 01-410-183 in the preceding motion are exhausted; and
2. The Chief is to continue with the responsibility of scheduling as originally stated in the Motion of June 16, 2010.

Move to direct the Chief of Police to follow the contract and not assign any overtime unless it is mandatory per the contract effective July 1 and that he reduce overtime costs by an amount of 5 shifts per week and, additionally, the Chief should take over the responsibility of taking over the scheduling.

Moved: Mr. Erbeldinger
Second: Mr. Burleigh

Mike Belmonte's Comments: He's pleased that the group is switching the line items in the budget. He wishes that we'd move monies down the road to continue this, but in lieu of the circumstances, I think this is positive.

Devin Wood's Comments: – She commented that in conversations with Chief Williams it is our hope that this could possibly carry us through into 2011.

William Burleigh's Comments: – He feels the same in that we should try very hard to maintain a good force and be able to offer the kind of services that are necessary to make everyone safe and comfortable. They're trying very hard to meet responsibilities and obligations that are necessary.

Roll Call Vote: Mr. Belmonte Yes
 Mr. Burleigh Yes
 Mr. Erbeldinger Yes
 Ms. Wood Yes
 Mr. Tomasic Yes

Motion: Motion to approve an ordinance establishing a stop intersection on Fairfax Road at Roxbury Road based on a traffic study conducted by Gateway Engineers.

Moved: Mr. Erbeldinger
Second: Ms. Wood

Roll Call Vote: Mr. Belmonte Yes
 Mr. Burleigh Yes
 Mr. Erbeldinger Yes
 Ms. Wood Yes
 Mr. Tomasic Yes

Motion: Motion to authorize the solicitor to prepare and advertise an ordinance adding a stop sign on Braddock Road at Ridge in the northbound direction.

Moved: Mr. Erbeldinger
Second: Mr. Burleigh

Voice Vote – all in favor

Motion: Motion to approve a resolution establishing the right of the Volunteer Fire Department to obtain a small games of chance license.

Moved: Mr. Erbeldinger
Second: Ms. Wood

Roll Call Vote: Mr. Belmonte Yes
 Mr. Burleigh Yes
 Mr. Erbeldinger Yes
 Ms. Wood Yes
 Mr. Tomasic Yes

Motion: Motion to authorize the Solicitor to prepare and advertise an intergovernmental cooperation ordinance to establish new mutual aid agreements with the following municipalities: Braddock Hills, Churchill, East Pittsburgh, Edgewood, North Braddock, Wilkins, and Wilkinsburg.

Moved: Mr. Erbeldinger

Second: Mr. Burleigh

Roll Call Vote:	Mr. Belmonte	Yes
	Mr. Burleigh	Yes
	Mr. Erbelinger	Yes
	Ms. Wood	Yes
	Mr. Tomasic	Yes

General Report:

1. The committee decided to not recommend further action on removing a sign on Braddock Road in the northbound direction that permits a right turn without stopping.
2. Chief Williams and the manager noted that the FHVFD is interested in using the old laptop computers from the police vehicles. Without further objection, the committee recommends that this transfer be permitted.

OPERATIONS & POLICY

Ms. Wood

Motion: Move to approve the minutes from the July 21, 2010 council meeting.

Moved:	Ms. Wood
Second:	Mr. Burleigh

Voice Vote – all in favor

Motion: Motion to authorize the solicitor to prepare and advertise an ordinance amending the borough's recycling ordinance with respect to enforcement and reporting requirements.

Moved:	Ms. Wood
Second:	Mr. Belmonte

Devon Wood's Comments: – What we're passing here is essentially to go to businesses.

Blaine Lucas' Comments: – Under state law, we're obligated to obtain annual recycling information from commercial entities. We have an ordinance that mandates that. The enforcement provisions currently, however, require non-compliance, and that's 3 years in a row before any action can be taken. The borough has had difficulty obtaining compliance. This ordinance would tighten that down so that when a commercial operator fails to provide that information, enforcement action would be taken rather immediately as opposed to waiting a couple of years.

Voice Vote – all in favor

Motion: Motion to change the time of committee meetings held on Thursday September 2, 2010 to begin at 6:00 PM in the following order: Public Works, Borough Property, Public Safety and Operations & Policy and to authorize the borough manager to advertise this change.

Moved: Ms. Wood
Second: Mr. Belmonte

Voice Vote – all in favor

General Report:

1. The committee determined that it would drop membership in the Pennsylvania Downtown Center as the work of the Community Development Corporation in the business district winds down.
2. Arborist Ted Gilbert presented a recommendation from the Tree and Shrub committee in memo format to the committee at the August meeting. The memo notes that the Tartarian Maples should be removed and replaced with several smaller trees as they die during the next couple of years. Mr. Gilbert notes that it is difficult to determine the exact remaining life of these trees and, therefore, believes that any planting should be accomplished in the spring of the next few years as becomes necessary. The exact species of replacement would be determined by cost and availability. The committee is not in favor of using wooden planters to replace trees as they die because of maintenance problems. Further, the committee withdrew their suggestion to cement over the excavation created when any dead trees are removed. Without objection, the Operations and Policy committee agreed that these recommendations should be accepted.
3. Members agreed that the borough should work toward funding regular updates to the codification of ordinances accomplished by Keystate in 2007 and 2008.

PLANNING & ZONING

Mr. Burleigh

General Report:

1. The committee reviewed preliminary plans for renovations to the Shell Gas Station, Spee-D Mart and Bacchus properties in discussions with CDC representatives. Members asked that the planning commission be informed of the need to meet soon to consider plans in regard to the Bacchus property specifically.

2. Code Officer Ron Willard presented a monthly report to the committee.
3. The solicitor updated the committee on the status of the Rite Aid project.

Old Business:

None

New Business:

None

Public Comment – Other Items

At this time citizens may address council on any issue. Citizens are asked to use the microphone at the speaker's stand, clearly state their name and address for the record and keep comments brief and to the point (5 minutes or less). It would be helpful to spell the last name for the record.

Faith Katchmar, 210 Kohnak Lane: – commented on the need for a long term plan for dealing with overtime so that the problem does not come up again.

Ms. Wood Comments: – She thinks we need to have open communications with our force as we continue with this process and ultimately what has to happen is cooperation with other municipalities.

Jack Onofur, 851 Maine Street: – He asked about how the mutual aid motion would affect taxes. How is tax revenue going to be broken down on this inter-governmental cooperation when Wilkinsburg doesn't have much of a tax base and to his knowledge neither does East Pittsburgh. Where is the tax revenue coming from?

Mr. Lucas' Comments: He explained how mutual aid works. Mutual aid is just a mechanism for adjacent communities when there is a need on a particular call. There's a protocol set up and agreement on how assistance will be provided. This is not a sharing of tax revenues. It's just a mechanism to allow police departments to cooperate with each other when a particular need arises.

Debbie Jugen, Greensburg Pike: - She stated that Mr. Tomasic said that if you have 4 men in the morning you can't then deploy 1 to an evening shift. She thought the contract's only restriction was that you can't change an officer's day off. The chief was able to manipulate the schedule perhaps to take 4 off of one shift. She also asked what is the status of the \$100,000 grant that was voted down and did anybody attempt to reconnect with it?

Mr. Tomasic's Comments: You are correct. We have 10 officers basically that take vacation. They sign up for the vacation, and we've modified that somewhat this year, but personally I don't think we've made the right modification, but we're going to be looking to make a different modification.

Chief Williams' Comments (on grant issue): – Other communities took the money. We had originally been turned down, and that was a second chance for us. He has left voicemails to let them know if there's any money left they'll let him know because he'd like the money to come to us.

Devon Wood's Comments: She summarized why we didn't take the grant for anyone attending that is new to the meetings.

Celeste Liscio, 108 Avenue L: – She responded to the \$100,000 two year grant that council did not accept. She also commented on the overtime issue and requested that we get this problem corrected. She stated that it is totally unacceptable for most people in the community for part-timers and 1 man shifts. She offered to be part of a public committee that would try to help figure this out.

Sr. Mathias Whemm, 16 Sumner Avenue: – She mentioned the \$25,980. She stated she knows what the problem is about paying overtime for police, but wanted to know if they've looked at how we'll be affected if an officer is out for several months due to surgery and how much overtime that's going to take. That \$25,000 isn't going to last too long. She also mentioned about when they go on vacation.

Devon Wood's Comments: – We factored the \$25,000 in with Chief Williams.

Bill Tomasic's Comments: – There are some other areas that we are delving into where there might be some liquid assets that we can deal with, and we'll be looking into that as well. We will continue to press as much as we can to find the money within the budget to pay for the overtime.

Larry Vogel, 105 Sharon Drive: – He talked about the grant money and how 2 years don't make a difference and that we didn't know if the money would have ended in 2 years. He said 2 years is better than no years. He stated that federal money comes in also. He complained that a month has gone by since the last meeting, and we haven't made any progress. He stated that part-time officers won't be dedicated.

Bill Tomasic's Comments: He addressed the issue about part-timers again, and that we are not at the position of part-timers yet. We're trying to look at this from all angles, scheduling, personnel, economic. Year after year we've been telling people about the problems with our tax base.

David Begler, Barclay Avenue: – He talked about plight of council trying to make decisions on all of this. Are you saying that the policemen do not work with the community in changing their schedules around to make the community safer, that they aren't willing to budge on their contract – yes or no? He also commented on the part time issue.

Mr. Tomasic's Comments: – We are limited in terms of how we can assign overtime based on the contract. To answer that question would involve negotiations.

Chief Williams' Comments: – We can move schedules around, but we can't change the days off. If we move the schedule from a daylight or 3-11, we have to provide adequate rest, which is 15 hours. It would be in violation of their contract to move their days around.

Devon Wood's Comments: – She firmly rejected the person who said that we haven't been discussing this or making progress. She stated she did go to her neighbors and asked them if they were in favor of a tax increase to keep the police force running the way they are, and most people were not in favor of a tax increase.

Rene Pequar, Atlantic Avenue: – She was concerned that there would only be 1 officer per shift. She wanted to know if there was a way to determine if the 4 hour shifts could be during off hours. She stated that her understanding was that 1 policeman could be out patrolling so we don't always have an officer on site. She asked if part-time officers were supplemental or if there would be any full-time positions eliminated.

Mr. Tomasic's Comments: It's not 1 man per shift – it's 4 hour shifts as opposed to 8. On some shifts, we have a person that is by themselves for 4 hours.

Chief Williams' Comments: – He stated there are no "off" hours. The number of shifts is 12 half shifts. We can try to minimize as best as we can, and strange things happen and you just can't predict that.

Harry White, 438 Decatur Avenue: – He talked about officers being by themselves for 4 hours. He mentioned that part-time officers should be union employees and suggested that everyone turn their lights on at night to help prevent crime.

Mr. Tomasic's Comments: Whenever an overtime position comes up, you follow a procedure based on seniority. You go to person A and he can refuse; person B can refuse. Whoever is at the bottom has to work the 4 hour shift.

Pat Aeillo, 402 Cascade Road: – She wanted to know if we ever have a shift where we have one officer for 8 hours. She's still very angry over the grant and that we've tried too hard to get grants. She mentioned that at the last Public Safety Meeting one of the residents had asked if the businesses were asked about the police coverage.

Mr. Tomasic's Comments: – He stated that everyone at meeting is in support of the police department and that no, the businesses weren't contacted.

Chief Williams' Comments: – Yes, when someone calls off sick and officer may be on an 8-hour shift.

Larry Vogel, 105 Sharon Drive: – He mentioned again that we've made no progress. He wanted to know if the police force was the biggest expenditure in the borough and also wanted to know if there are other areas we can cut. He suggested that council have a committee of taxpayers sit with them regarding the police issue.

Devon Wood's Comments: – We do have a motion here that we approved to suspend this. We took to heart that we would have some salary calculated that we we're not going to have to use because of an absent officer. We have had multiple conversations to see how this could work.

Don Neeper, 473 Atlantic Avenue: – He mentioned that we have the best police force than anywhere else you can go. He also mentioned that no mention was made of a tax increase and what it might cost the taxpayers to do it.

William Burleigh's Comments: – He mentioned that he's only been in Forest Hills for 2 years, and stated that council has turned around a lot in 2 years, and that they're really making an effort to negotiate and make some progress in working with the community.

Faith Katchmar, 210 Korhnak Lane: – She stated that prior to April 2009, we always had 11 officers. She asked Mr. Tomasic what was the year-to-date savings for not having that 11th officer. I was told that \$80,000 was what it cost. She'd like to know where that money is.

Bill Tomasic's Comments: – Before we put the budget together, if we're going to have to raise taxes, everyone will know; it will be put in the paper. About the amount of money - that deals with an issue that we've had in the past, not what we budgeted for this year. That savings is distributed throughout the entire budget – not just the police department.

Terry Bostard, 99 Braddock Road: – She wanted to know what percentage of the budget pertains to Public Safety and Public Works and what other areas are we looking at to take money from. She doesn't want her taxes raised, but if we had to raise taxes to fund the police department to keep a safe community then she would be in favor of that, but not before they've exhausted all other things in the borough. She stated that some of the other amenities that attract people to Forest Hills are wonderful, for example, the pool – but it only serves a very small population within this borough. The police department serves everyone in this borough.

Bill Tomasic's Comments: There may be other areas where I think the money could come from, but we're not sure. The reason he hasn't investigated them yet is because we did have the money to move. He said Public Safety is about 25% and Public Works is about 12%.

Devon Wood's Comments: Public Safety is the largest percentage of money spent in the budget – as it should be.

Sam Derigei, 526 Windsor Avenue: – He commented on vacant property next door to him which has started falling apart in the last 4 or 5 months. The biggest concern is that there are 7 trees, and 3 of them are definitely in danger of falling; they're leaning towards his house. He doesn't have the funds to remove 3 to 7 trees. Nanca bought this property back in 1950, and they've never paid taxes on it, as far as he knows. He wanted to buy the property 7 years ago, but he couldn't because of back taxes.

Mr. Burleigh's Comments: He stated that we're working with Mr. Willard now to dot some i's and cross some t's that are required under our property maintenance code. Once that's done, a decision would have to be made as to whether to spend those monies. We're aware of the problem.

Larry Sachs, Sharon Drive: – He asked what percentage of delinquent taxes are in the borough. He suggested that this is not an overtime problem and that overtime needs to be budgeted as an ongoing regular expense. You can't budget the police department with the minimum number of people working on the assumption that nobody will get sick or hurt. He stated the police salaries have gone up 15% in the last 4 years. If an arbitrator awards a salary increase, the borough has to pay it. You have two choices – you can find the money to pay it or you can lay off police officers.

Devon Wood's Comments: Delinquent taxes are less than 2% in the borough.

Bill Reed, 449 Atlantic Avenue: – He mentioned that it sounds like we have a problem with the union here too. Let's have the union be a little realistic; they're going to have to bend a little bit for us to be able to operate a police force. Times have changed and a lot of unions have made concessions.

Mr. Tomasic's Concluding Comments: – We have hashed this out over and over again, we've heard all the points – we are working on it. We have made progress in terms of turning some money over to keep this going. We are going to try to come up with a solution. I just ask that you bear with us and we will report on a monthly basis in the committee meetings exactly where we're at with everything.

Adjourn: Motion to adjourn or adjourn by acclamation

Moved: Ms. Wood
Second: Mr. Burleigh

Voice Vote – all in favor

- Next Scheduled Council Meeting: September 15, 2010
- Next Scheduled Committee Meetings (order to be determined): Thursday, September 2, 2010 (Public Safety, Public Works, Borough Property, Operations & Policy) and Tuesday, September 7, 2010 (Planning & Zoning, Finance, Committee of the Whole).