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**MINUTES**

Call to Order:

Mr. Porco

Pledge of Allegiance:

Mayor O'Malley

Roll Call:

Mr. Belmonte	Yes	Mr. Porco	Yes
Mr. Burleigh	Yes	Mayor O'Malley	Yes
Mr. Erbedinger	Yes	Janet Sullivan, Tax Collector	No
Mr. Karas	Yes	Blaine Lucas, Solicitor	Yes
Mr. Tomasic	Yes	Paul Gaus, Engineer	Yes
Ms. Wood	Yes	Steven Morus, Manager	Yes

Public Hearing

Mr. Lucas

Conditional Use – Kliment/Bacchus Building

A court reporter is present to record full information on this hearing and no detailed notes are provided here.

Testimony was taken from those representing the applicant, the applicant's architect and others, in addition to comments and questions from council. Discussions on a parking study and its necessity also were a part of the hearing.

Motion: Move to close the hearing

Moved: Mr. Karas  
Second: Ms. Wood

Roll Call Vote:

Mr. Belmonte	Yes
Mr. Burleigh	Yes
Mr. Erbedinger	Yes
Mr. Karas	Yes
Mr. Tomasic	No
Ms. Wood	Yes
Mr. Porco	Yes

President's Report:

Mr. Porco

Mr. Porco noted that an executive session was held to discuss contract negotiations on Oct. 7<sup>th</sup>. He mentioned the October 16<sup>th</sup> Hayride and how successful it was. He thanked Chief Williams for his help, council for contributing financially and for giving their time. He also thanked local area businesses for their time, services and donations and King's Restaurant for making the Frownie Brownie available for the kids.

Mayor's Report:

Mayor O'Malley

On October 7<sup>th</sup>, he attended a banquet as Congressman Mike Doyle's guest, which was attended by about 600 local influential political decision makers from Allegheny County. He provided help and support services to one of Mike Doyle's friends and allies in Congress, Joe Sestak – now in the polling lead to be our next Senator in PA.

He mentioned, for those residents who didn't know, that activities and events occurring outside of Forest Hills borough boundaries do have a significant impact and influence on Forest Hills and its taxpayers. He said that's a good reason for him to stay involved both inside and outside of the borough. Here are some of the activities he participated in since September meeting:

He spent multiple mornings working with Dr. Art Fleming, Warden of the Jail Trail, which is a regional community asset; they performed routine maintenance and clean up.

He participated in three meetings of Vote Allegheny, a non-partisan, non-profit group which wants to improve the security and reliability of Allegheny County's notoriously unsecure and now failing electronic voting machines, which are used at every Forest Hills election.

September 16<sup>th</sup> - He met with the Hosannah House executive director and other staffers and received a briefing on their long-term goals and projects.

September 20<sup>th</sup> - He met with the new Magistrate, Tom Caulfield, where he discussed the new procedures for handling Forest Hills' Magistrate operations.

September 24<sup>th</sup> - He met with the Public Safety Chair to discuss various public safety issues. He also met with the Forest Hills Police Chief on other occasions.

September 20<sup>th</sup> - He presented the Forest Hills Proclamation at Sarah's Adult Care Open House in celebration.

September 23<sup>rd</sup> - He represented Forest Hills as the designated voting representative at the Regional Consortium of the New Tax Collection Methodology and Procedures that are scheduled to start January 2012.

September 28<sup>th</sup> - He represented Forest Hills at the US Federal Building downtown. They discussed the appropriateness of some recently released info that uncovered surreptitious and legally questionable FBI surveillance of peaceful citizens, and he mentioned that he was one of the citizens who had been under surveillance.

October 3<sup>rd</sup> - He represented Forest Hills at a public session discussing candidates for the Governor of PA who were explaining their positions on the legal developments in PA legislation involving the rights and responsibilities of gay, lesbian and trans-gender citizens in PA who make up approximately 5% of PA's population.

October 10<sup>th</sup> - He welcomed guests at Congressman Mike Doyle's picnic at the Westinghouse Lodge, which was attended by approximately 500 guests from the surrounding communities.

Later on October 10<sup>th</sup> - He attended the Climate Fest at the Regent Square Community Center regarding the individual's ability to reduce the local carbon footprint effect on the environment in the local community.

October 11<sup>th</sup> - He represented Forest Hills at an ACLU event highlighting the local area citizens' involvement in protecting their and our collective civil liberties.

October 16<sup>th</sup> – He participated in the Annual Hayride and assisted with parking.

October 18<sup>th</sup> – He presented Sister Judith, Principal of St. Maurice, with a proclamation from Forest Hills praising her work as a dedicated teacher and principal for 50 years, including the past 14 years at St. Maurice.

October 18<sup>th</sup> – He received librarian information on the subject of ethics issues involved with labor management negotiations from the University of Pittsburgh Law School. He talked about and memorialized that it's been 18<sup>th</sup> months since the passing of his wife.

Tax Collector's Report:

Ms. Sullivan

No report

Chief of Police Report:

Chief Williams

Police monitored the school bus stops, and provided increased visibility to the Forest Hills Westinghouse Recreation Center. The canine conducted a locker search at Woodland Hills HS and Trinity Christian School. The canine and his partner, Officer Armstrong, were also certified in narcotics by the National Association of Police Work Dogs. They've been monitoring stop signs and have done some speed monitoring on various streets.

Fire Chief's Report:

Chief Theilacker

No report

Woodland Hills EMS Report:

Adam Knight

The EMS is picking up a new ambulance in North Carolina.

Solicitor's Report:

Blaine Lucas

The Zoning Hearing Board will entertain a number of variance requests from Action Housing with regard to the Kliment property on November 8, and at that same hearing there will be a continuation on several, mostly signage and parking variance requests from Rite-Aid for that development.

Wilkesburg Penn Joint Water Authority Report: Ms. Broz

No report

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.*

Diane Colella, representing the FHVFD – She referred to the ordinance discussed later on the municipal services fee and discussed concerns that the department has on this fee.

Pat Aiello, 402 Cascade Road – In reference to the Municipal Service Fee, she mentioned that her husband (an accountant) didn't think it made sense to charge renters \$20, households \$40, and businesses \$80, as opposed to a tax increase of a ¼ mill.

Faith Katchmar, 210 Kohnak Lane – She said that everyone on the Fire Department is very concerned. It's a 501C3 non-profit organization and, as such, it is a separate entity from the borough.

Leo Spaeder, 425 Pacific Avenue – He stated that it would make a lot of sense to see if something can't be worked out in an amicable, equitable way in order to maintain the integrity of the fire system in the borough and to be able to give all of us the comfort we've had for many years.

Larry Sachs, 253 Sharon Drive – He agrees that the municipal service fee should be applied as a millage increase so it would apply to all of the properties in the borough, and it would allow us the benefit of deducting this from our taxes.

Committee Reports:

**PUBLIC WORKS COMMITTEE**

Mr. Belmonte

**Motion:** Move to approve a resolution authorizing Paul Gaus and Gateway Engineers to submit an application on behalf of the borough for the Hazard Mitigation Grant Program (HMGP) under the Robert T. Stafford Disaster Relief and Emergency Assistance Act.

Moved: Mr. Belmonte  
Second: Mr. Erbedinger

NOTE: This grant would correct the drainage problem from the pool parking lot to the main park if given final approval by PEMA & FEMA (we have received preliminary approval, but there is still competition for limited funds for the final award based on over 70 applicants that passed the first stage). Most of the required information submitted is engineering related and, therefore, to be completed and submitted by Gateway on our behalf based on instructions received from PEMA.

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

*General Report:*

1. Members of the committee reviewed the new wood chipping program which will be instituted immediately and take effect in 2011 with scheduled days for collecting brush and tree debris from properties in the spring. The new program will be posted on the borough's website in 2011 and will be discussed in a future issue of the Tree City Times.
2. The manager outlined the following items regarding the sanitary sewer consent order and related information learned during meetings of the Eastern Basin Group held by 3 Rivers Wet Weather:
  - a. Another consent order of some type will follow the current one when it ends in 2012/2013.
  - b. The O & M (Operations & Maintenance) Plan will be like another consent order in itself, as it will require the borough to continue regular routine maintenance and to identify and correct problem areas. This will be a key factor in preparing a corrective action budget.
  - c. 3 Rivers is undertaking, on behalf of the municipalities, a RFP for Regional Municipal Sewer System Management under the belief that another consent order will encourage cooperation and joint effort rather than separate community consent orders. This could be in the form of neighbors joining together or consent orders designed to involve watersheds (sewersheds). For example, we could be required to join with all communities in the Turtle Creek/Thompson Run watershed one of the two "sewersheds" that we are a part of (the other is the Upper Monongahela which involves a very small portion of the borough).
  - d. ALCOSAN is considering valley or critical sewers and whether or not they should be the responsibility of ALCOSAN rather than the municipality.

- e. Comparative sewer rates were summarized by community based on 15,000 gallons per quarter billed and including the charges that ALCOSAN bills for 15,000 gallons (\$69.08). Several communities do not add any charges to the ALCOSAN bill. Forest Hills is in the middle of the 83 communities at \$114.08 per quarter (or \$69.08 per 15,000 gallons to ALCOSAN and \$45.00 per 15,000 gallons to the borough).
  - f. Another chart provided to the committee compares only the municipal portion of the rates for Eastern Basin Communities, with East Pittsburgh and Rankin being the lowest at \$18.77 per 15,000 gallons/per quarter of those communities with a sewer charge and Penn Hills the highest at \$115.77. Of our neighbors, Braddock Hills charges \$24.00 on that basis, Chalfant \$69.00, Churchill \$39.00, North Braddock \$46.50, Wilkins \$39.00 and Wilksburg \$19.35.
3. The committee reviewed proposed projects for inclusion in the new Capital Improvements Plan. The review will continue at the November meeting.
  4. The engineer reported on the final report submitted to the county re: the Filmore/Atlantic sewer line back up that affected several homes in June on Filmore. Also, he reported on the finished paving work, a sewer back up on Bevington and stormwater issues on Le Grande.
  5. Work on the sidewalk and curbs along the borough portion of Filmore has been delayed until the contractor completes requirements for insurance coverage. The engineer was instructed to consider using the second lowest bidder for the work if the contractor cannot secure the proper insurance quickly.

**FINANCE COMMITTEE**

Mr. Erbeldinger

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

General Fund Budget:	\$220,746.72
Capital Improvements Plan:	\$ 606.00
Corrective Action Budget:	\$247,214.79
Liquid Fuels:	\$ 1,845.79
Road Improvement:	\$ 25,467.90
2007 Bond Issue:	\$ 1,253.79

Moved: Mr. Erbeldinger  
Second: Mr. Burleigh

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

Detail of Non-General Fund Items:

Capital Improvements Plan:	Engineering – Filmore sidewalk
Corrective Action Budget:	Sanitary sewer consent decree work
Liquid Fuels:	Traffic lights, hot patch
Road Improvement:	Curb work, crack sealing, engineering
2007 Bond Issue	Ave L Park, Bright Park

**Motion:** Move to authorize the manager to send a letter to PA Municipal Services (PAMS) rescinding the borough's notice that it would terminate its agreement with PAMS effective on January 1, 2011 for earned income tax collection.

Moved: Mr. Erbeldinger  
Second: Ms. Wood

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

*General Report:*

1. The first draft of the 2011 budget reviewed by this committee showed no property tax increase with millage remaining at 8.35. However, it included:
  - a. A \$10 per property trash fee increase to meet the higher cost of the fifth and final option year with Waste Management
  - b. Approximately \$135,000 transferred from the budget reserve to the 2011 budget to meet pension obligation increases.
  - c. No increase in the sewer fee but a transfer from the 2007 bond issue to the corrective action budget
  - d. The proposed municipal services fee which was incorporated into a separate fund
  - e. Over \$600,000 in requested capital spending for 2011
  - f. 1 mill of taxes dedicated to the paving program

The Finance Committee will continue to review the 2011 budget at its November 9<sup>th</sup> and December 7<sup>th</sup> meetings. The committee anticipates proposing a preliminary budget for advertising at the November 15 business meeting and proposing a final budget for approval at its December 15 business meeting.

The information presented here is a draft that may change prior to final approval in December.

2. A preliminary draft of a 2012 budget was also provided to the committee. Because of an anticipated large increase in pension obligations, the preliminary 2012 budget shows a .9 mill increase (to 9.25 mills). The 2012 budget also anticipates an increase in the \$3/thousand gallon sewer fee and an unknown increase in the trash fee.
  - a. The trash fee increase is anticipated because the borough will have to bid for trash services next year to secure a new contract beginning in 2012 with a hauler.
  - b. A sewer fee increase is possible because the borough has spent the reserve it had in this budget in making corrections required by the consent decree. Also, the borough anticipates that a new consent decree will be imposed in 2013 or 2014 that will extend and expand on the requirements of the current decree. Council will consider 2012 spending next year at this time.
3. Projections for cash flow for the remaining quarter of 2010 anticipate that the borough may have to use its budget reserve to eliminate a potential deficit.
4. The committee agreed that the borough should again seek proposals for a tax anticipation note to fund operations in 2011 during the opening months prior to the receipt of real estate taxes collected.
5. As part of the Committee of the Whole discussion, council determined that the motion considered in September to authorize the solicitor to prepare and advertise an ordinance switching to Keystone for earned income tax (EIT) collection beginning in 2011 was premature. Woodland Hills School District and other Woodland Hills communities will not make the switch until the mandated year of 2012. Without objection, the committee felt it was best to wait until that time rather than inconvenience residents with two separate collectors in 2011.

## **BOROUGH PROPERTY**

Mr. Karas

**Motion:** Motion to designate the wooded areas at two borough properties as the Forest Woodlawn Arboretum (Avenue L to the Forest Hills/Westinghouse Recreation Center) and the Main Park Arboretum.

Moved: Mr. Karas  
Second: Mr. Tomasic

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

**Motion:** Motion to spend \$490 from the 2007 bond issue fund for the purchase and installation of signs at bus stop locations in the borough with money to be matched by the Woodland Hills School District.

Moved: Mr. Karas  
Second: Mr. Burleigh

Mr. Karas - After the chief and he met with the transportation director, they designated certain bus stops that they thought might benefit from a safety perspective, and the chief worked out with the transportation director and the school board that they would match our funding to pay for the signs – so \$490 would come from us and \$490 from the Woodland Hills School District once they get the receipts.

Mr. Porco - So these are crosswalk signs Steve?

Mr. Karas - Yes, at bus stops.

Mr. Porco - What line item is this coming out of in the budget?

Mr. Karas - This is bond issue – so that's in the motion.

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

**Motion:** Motion to recognize Scout Troop 90 as the Borough's Citizen of the Year and to so designate in the Tree City Times and award the troop a certificate acknowledging council's appreciation of their work.

Moved: Mr. Karas  
Second: Mr. Tomasic

***Voice Vote – all in favor***

*General Report:*

1. The borough reviewed a proposal to install energy efficient lighting at various borough properties. At this time, the committee is considering a focus on the borough building exterior and senior center pending discussions with Duquesne Light on its Watt Choices rebate program.
2. The committee reviewed proposed projects for inclusion in the new Capital Improvements Plan. The review will continue at the November meeting. The committee also agreed that it recommends carrying over the \$15,000 allocated in the capital improvements plan for a partial new roof on the borough building until 2011.
3. Members agreed with Marketing & Events Director, Cindy Simm, that the original proposal to use lock boxes at the pool for use by renters to open and close would not improve the situation and instead agreed that changes she made in the process will work better and cost less. In most cases, opening and closing at the pool and senior center only costs a few hundred dollars a year which will be inserted into the 2011 budget. This was detailed in a report to the committee at this month's meeting.
4. The committee supports Recreation Board efforts to raise funds via movies, volleyball tournaments, pool business sponsors, a "night out for grownups" at the pool and other activities to raise awareness and raise funds for the pool and recreation programs.

**PUBLIC SAFETY**

Mr. Tomasic

**Motion:** Motion to authorize the borough engineer to conduct a traffic study of Cherry Valley Road to determine a need to modify the speed limit, install stop signs or other traffic calming measures.

Moved: Mr. Tomasic  
Second: Mr. Burleigh

***Voice Vote – all in favor***

**Motion:** Motion to authorize the solicitor to prepare and advertise an ordinance to restrict traffic speeds on Cherry Valley Road to 15 MPH and to install one or more stop signs at Forest Hills Road, contingent upon receipt of a traffic study conducted by the engineer.

Moved: Mr. Tomasic  
Second: Mr. Burleigh

***Voice Vote – all in favor***

**Motion:** Motion to authorize the solicitor to prepare and advertise an ordinance to impose a municipal services fee that would provide sufficient funds to pay the lease payments on the fire truck and reimburse the volunteer fire department for at least a portion of funds lost in their annual subscription drive.

Moved: Mr. Tomasic  
Second: Mr. Erbeldinger

Move to table the motion

Moved: Mr. Tomasic  
Second: Mr. Erbeldinger

***Voice Vote – all in favor of tabling***

Mr. Erbeldinger – He stated that some items seemed to be misleading. The Fire Department asked for \$75,000 a year, but they also mentioned to us that the current fundraising in previous years averaged about \$30,000-\$40,000.

Ms. Colella – She stated they never gave council their fundraising numbers.

Mr. Erbeldinger – He stated that council didn't want to limit how the money would be spent over the year. If the entire department wants to save money to buy some big ticket items in the future, they would be fine with that. Council would be happy if the Fire Department gives them quarterly reports on how the money was spent. They'd like to enforce a fee on the owner of the apartments; not the residents.

Ms. Wood – She was thankful that the Fire Department came out in full force tonight. She said that she was disappointed that they weren't there a couple of months ago because they've been trying to work this through with Chief Thielacker. They were going on the assumption that everything was fine. She said she hopes they could come to the next meeting. She stated that there wasn't any contention here; they want to make sure that it works out well.

Ms. Colella – She stated that Chief Thielacker runs the fire operations of the Fire Department, and the business aspect is run by a Board of Directors. Putting him in the middle does not work for them. She stated they have voicemail and email if someone has something they need to send to the Board of Directors.

Ms. Wood – She stated this is what they've been asking for months, and that we'll just be a little more assertive than that. She stated that we'll work it out.

*General Report:*

1. The state's Emergency Management Handbook was reviewed by the committee. Due to the untimely death of Fire Chief and Emergency Management Coordinator Ray Heller Sr. earlier this year, council is required to seek and appoint a new coordinator. Currently, duties are being handled by volunteer fire department president Rick Colella.
2. The committee reviewed proposed projects for inclusion in the new Capital Improvements Plan. The review will continue at the November meeting.
3. Members advised residents of Dinell Drive seeking no parking restrictions on the street to submit a petition from other residents so that the committee will have a better idea on where the majority of residents stand. Chief Williams was also asked to view the situation and report to the committee.
4. The manager submitted a draft article for the Tree City Times that will remind property owners of their obligation to remove snow from sidewalks following storms. It included an enforcement policy drafted by the manager which the committee will discuss further in November.

**OPERATIONS & POLICY**

Ms. Wood

**Motion:** Move to approve the minutes from the September 15, 2010 council meeting.

Moved: Ms. Wood  
Second: Mr. Karas

***Voice Vote – all in favor***

**Motion:** Move to authorize the manager to advertise any open positions and positions set to expire in late 2010 and early 2011 on borough boards and committees and contact those who currently hold the position to determine if they are interested in reapplying for their positions.

Moved: Ms. Wood  
Second: Mr. Erbedinger

***Voice Vote – all in favor***

**Motion:** Move to approve the application of David M. Tkacik of 515 Decatur Avenue for a vacant seat on the borough's planning commission for a term expiring on March 1, 2014.

Moved: Ms. Wood  
Second: Mr. Karas

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

**Motion:** Motion to approve an amended background check policy that includes language changes submitted by the solicitor including any volunteers whose activities would bring them into contact with children under the age of 18.

Moved: Ms. Wood  
Second: Mr. Tomasic

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

***General Report:***

1. The committee reviewed proposed projects for inclusion in the new Capital Improvements Plan. The review will continue at the November meeting.
2. The committee commended Administrative Assistant Siobhan Nicklow for her work in setting up the e-recycling event in September with Goodwill Industries. About 6 tons of computer and electronic waste was collected by Goodwill and will be recycled or refurbished. The 2011 recycling event is scheduled for Saturday, June 25 at the Westinghouse Lodge Parking

Lot. The Tree City Times will arrive in residents' homes the first week of June to remind them of the event.

3. The committee is considering an ordinance that would regulate the use of PODS and dumpsters on private property. The solicitor will also look into regulations for PODS and dumpsters on borough streets.

## PLANNING & ZONING

Mr. Burleigh

**Motion:** Motion to authorize the borough manager to advertise and seek applicants to serve as alternate members of the borough's Zoning Hearing Board for terms to be determined and with council seeking to appoint 1 to 3 alternate members.

Moved: Mr. Burleigh  
Second: Mr. Tomasic

### ***Voice Vote – all in favor***

**Motion:** Motion to authorize the solicitor to recommend the hiring of an attorney to serve the Zoning Hearing Board and to forward that recommendation to the chair of the board for action by the board as soon as possible.

Moved: Mr. Burleigh  
Second: Ms. Wood

Mr. Lucas – By law, our office is not permitted to serve as the solicitor on the Zoning Hearing Board. On minor matters, it really isn't necessary, but recent experience on some of these significant land development matters suggests there may be instances where it would be helpful for the Zoning Hearing Board to have their own separate legal advice.

Mr. Karas – He asked Blaine if this was instead of him.

Mr. Lucas – He stated he's not allowed to do it.

Mr. Karas – Who did it before you?

Mr. Lucas – A number of years ago, there was someone who served in that capacity, but pretty much since we've served; there hasn't been anyone else.

Mr. Porco – Technically, this council could be opposed to a ruling that the Zoning Hearing Board makes, in which case Blaine would be in kind of a predicament because he'd be straddling both sides of fence. That's why they have to have their own attorney just in case.

### ***Voice Vote – all in favor***

**Motion:** Motion to authorize the Planning Commission to review a draft ordinance regarding oil and gas drilling in the borough and to request that the solicitor provide advice on seeking an attorney to advise the borough and planning commission on this issue.

Moved: Mr. Burleigh  
Second: Ms. Wood

Mr. Tomasic – Do you think we really need to go down this road?

Mr. Lucas – For the benefit of council and the public, our law firm and about 80 lawyers do a significant amount of legal work for the oil and gas industry, and we were concerned that there might be a conflict or a perception of a conflict if we're advising the borough on those matters. I don't think it's in the borough's best interest. We can provide some general advice but, in terms of the content of the ordinance, my advice is that we don't.

Mr. Tomasic – Do we really need to draft an ordinance regarding this – do you think it's essential that we do so? And, if we do could we possibly just find some ordinances that are in existence in some other communities and just go through one of them.

Mr. Lucas – Stated that he could give us about 40 of them.

Mr. Tomasic – That is my request - without having to get another attorney.

Ms. Wood – Stated that we cannot really predict the huge environmental impact that Marcellus Shale is going to have on the state of PA. She thinks that it is important to do this correctly and that it is prudent to spend a little extra money to do so.

***Voice Vote – all in favor except no from Mr. Tomasic and Mr. Karas***

*General Report:*

1. The committee reviewed proposed projects for inclusion in the new Capital Improvements Plan. The review will continue at the November meeting.
2. Code Officer Ron Willard presented a monthly report to the committee.

Old Business:

Mr. Porco - He stated the ladder truck was no small purchase; it was \$750,000. Council agreed to pay for some of it from the bond fund, but we need to find other ways to pay for it. The fee would assure that the businesses would have to pay their share. The Fire Department expressed their concerns about several things – Who would have control over the money? How would we account for it? Would we be able to roll it over, etc.? The money will be rolled over so they can stockpile it for future use. It is public money. There will be either a quarterly report or auditing mechanism to show people how this money is being spent. He stated he'd like to get a resolution on this issue sooner rather than later.

New Business:

Mr. Karas – He wanted to discuss the variance applications, conditional use for the restaurant, conditional use for the offsite parking, related land development plan for both of those and approving assignment and modification of the license agreement that allows for the encroachment of the sidewalk.

Mr. Porco – He stated they can act on this in November. He wanted to make sure they were comfortable with everything, and didn't see a need to jam this through this evening. No official action is going to happen here until the December Sheriff's Sale.

Mr. Lucas - The only action that is of some time urgency is if you want to take a position on the variances before the zoning Hearing Board because those are scheduled for November 8<sup>th</sup>.

Mr. Porco – In terms of making the recommendations? The issue is parking

Mr. Lucas – The variance applications relate to the size of the restaurant, the size of the restaurant footprint, and with regards to the parking lot not the number of spaces or its operation, but the landscaping and a slight variation in the size of the spaces. The borough can take a stance, but it does have a time factor involved because the Zoning Hearing Board will be meeting on November 8th.

Ms. Wood – Motion that we take a stand on supporting the variances. Second by Steve Karas.

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

Mr. Erlbeldinger – He discussed a new law on the PA State Senate Floor. Originally, it had allowed boroughs to bid for electricity. It's now restricted to allow only 35 boroughs that provide electricity services to their residents, which doesn't include us. He doesn't see any reason why we shouldn't be included in this; he thinks it would be cheaper. He made a motion to have Mr. Morus write a letter to Jay Costa so that it's amended back to its original version.

Moved to authorize Mr. Morus to write a letter to Jay Costa supporting the change in the borough code on Senate Bill #168.

Devon Wood seconded

***Voice Vote – all in favor***

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.*

Jeff Flohr, 1801 Ardmore Blvd. – He commented on the loss of former council member Jack Shepard. He created a small memorial of Jack Shepard and presented it to council and the Mayor.

Pat Aeillo, 402 Cascade Road – She commented on the loss of Mrs. O'Malley - that she knew her as a friend and a mother, and that she was a very lovely person. She also commented on what a monumental undertaking the Hayride is, and gave appreciation for volunteers. She also talked about whether or not the municipal fee would be implemented or if a millage would go into effect.

Leo Spaeder, 425 Pacific Avenue – He thanked council for taking their time on the municipal services fee issue. He stated going slowly never hurts anything. He also discussed the Marcellus Shale issue; he fully applauded their getting ahead on this issue.

Larry Sachs, 253 Sharon Drive – He was confused because he heard the fire truck was purchased and then he heard we were making lease payments. He also commented on the Marcellus Shale legal counsel issue.

Diane Colella, FHVFD – She mentioned that President Porco talked about the accounting records; she said they didn't have a problem accounting for taxpayer dollars.

Mr. Morus – It's used for worker's comp and insurance related items like that.

Paul Caswell, 130 Cherry Valley Road – He commented on Jack Shepard's legacy, influence, etc., and was pleased to see the memorial that was given to the borough. He also commented on the narrow size of Cherry Valley Road and that there are no sidewalks for children going to and from school. He mentioned the need for a lower speed limit there because it is generally a blind street due to its shape.

Mr. Porco - He shared reminiscences of Jack Shepard.

Adjourn: Motion to adjourn the meeting in memory of Jack Shepard.

Moved: Mr. Porco  
Second: Mr. Tomasic

***Voice Vote – all in favor***

- Next Scheduled Council Meeting: November 17, 2010
- Next Scheduled Committee Meetings (order to be determined): Thursday, November 4, 2010 (Public Safety, Public Works, Borough Property, Operations & Policy) and, Tuesday November 9, 2010 (Planning & Zoning, Finance, Committee of the Whole).