

Call to Order:

Mr. Porco

Pledge of Allegiance:

Mayor O'Malley

Roll Call: all present

Mr. Belmonte	present	Mr. Porco	present
Mr. Burleigh	present	Mayor O'Malley	present
Mr. Erbdinger	present	Janet Sullivan, Tax Collector	present
Mr. Karas	present	Steve Korbel, Solicitor	present
Mr. Tomasic	present	David Gilliland, Engineer	present
Ms. Wood	present	Steven Morus, Manager	present

President's Report:

Mr. Porco

Proclamation honoring the swim team & coaches – the Mayor and President presented proclamations to the Stingrays swim team on their victory at the Eastern Swim Association Championships this year.

Mayor's Report:

Mayor O'Malley

The Mayor presented a report of activities and noted ALCOSAN's plans re: meeting federal consent orders, costing over \$2 billion. Presently, ALCOSAN has no plans to share those funds with the communities that it serves. He noted that he and a number of other municipal officials will attend their public meeting on October 19 to seek a share of the funds for repairs to the municipalities that they serve.

Tax Collector's Report:

Ms. Sullivan

Ms. Sullivan presented a report for the month of August.

Chief of Police Report:

Chief Williams

Chief Williams presented a report of department activities. He also noted a crimewatch message that went out Tuesday re: unlocked cars.

Fire Chief's Report:

Chief Theilacker

No report

Woodland Hills EMS Report:

Adam Knight

No report

Solicitor's Report:

Mr. Korbelt

Mr. Korbelt had no report.

Wilkesburg Penn Joint Water Authority Report:

Ms. Broz

Ms. Broz reported on authority activities and noted 2 breaks. Both Plum and Monroeville decided to not continue taking water from the Authority and they must review revenue needs.

#### Carol Orient Group on Stray Cat Control

Gail Evans Potter introduced the group and asked for borough support to trap, neuter and release feral cats under their program. She introduced Reese Chontos of Elizabeth who runs a program to control the cat population humanely. She noted they want to help to institute this program and control cats and they do not ask for funds. They are funded by donations and are willing to help.

Carol Orient noted the work they are doing on Pacific Avenue with the code officer.

#### Public Comment – Agenda Items

*At this time, citizens may address council on any issue appearing on today's agenda. Only residents and taxpayers of the Borough of Forest Hills will be permitted to address council. Comments on non-agenda items will be taken at the end of tonight's meeting. Speakers will be permitted to speak for a maximum of 5 minutes. Groups of people will be required to designate a spokesperson to represent them before council who may speak for a maximum of 10 minutes. 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. Please spell the name for the record.*

No comments

Committee Reports:

**PUBLIC WORKS COMMITTEE**

Mr. Belmonte

*General Report:*

1. The borough engineer submitted the following report to the committee:

Forest Hills Borough  
Engineer's Report for September, 2012

Public Works Committee

- A. 2012 Sewer work for the Consent Decree  
Manager Steven Morus and Bob Zischkau of my staff met on August 29 and prepared a plan of action for sewer work to be completed this year based on available funding and are working on projections for 2013.
  - B. 2012 Paving Project  
All work has been completed with the exception of a minor area of adjustment on Barclay to eliminate a puddle.
2. The committee will continue to review project submissions for the 2013 Capital Improvements Plan as well as budget items for the 2013 budget.
  3. Mr. Tomasic suggested contacting the utilities that serve the borough re: gaining cooperation on street openings and road paving. Mr. Morus was asked to send a letter to each asking that when restoring a road after an opening that they work with the borough to allow paving of a larger segment of the road rather than simply restoring a portion with a patch.
  4. The committee via the Committee of the Whole discussed maintenance on certain walkways in the borough.

**FINANCE COMMITTEE**

Mr. Erbedinger

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

General Fund Budget:	\$209,689.13
Corrective Action Budget:	\$ 34,822.80
Liquid Fuels:	\$ 3,655.56
Road Improvement:	\$ 1,112.13

Moved: Mr. Erbedinger

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

Detail of Non-General Fund Items:

Corrective Action Budget:    Consent order sewer work & engineering  
Liquid Fuels:                    paving & traffic lights  
Road Improvement:            Manhole risers and supplies

**Motion:**            Move to authorize the solicitor to prepare and advertise an ordinance re:  
                             changes to the pension requirements as advised by attorney Randy  
                             Rhoades in a letter to the borough.

Moved:                Mr. Erbeldinger  
Second:                Mr. Burleigh

***Voice Vote – all in favor***

**Motion:**            Move to approve the Minimum Municipal Obligation (MMO) calculation  
                             received from Mockenhaupt Benefits Group specifying that the borough's  
                             obligation to the police pension fund is estimated to be \$232,730 in 2013 and  
                             to the non-uniform funds estimated to be \$86,549 in 2013 with both  
                             payments representing a 25% reduced amortization payment under the  
                             state's distress level 1 designation.

Moved:                Mr. Erbeldinger  
Second:                Mr. Burleigh

Note: the police MMO 2012 estimate: \$194,209 and the non-uniform funds  
                             2012 estimate: \$55,433.

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 committee will review 2013 budget requests submitted by departments at each of its meetings through the end of the year. A first draft of the budget will be reviewed at the October finance committee meeting and subsequent finance committee meetings. These meetings are open to the public.

**BOROUGH PROPERTY**

Mr. Karas

*General Report:*

1. The Committee reviewed the following report from the borough engineer:
  - A. Yost Boulevard Sidewalk  
Allegheny County has installed asphalt over the areas of curb where steel was protruding and will return to place milling material behind the curb in the walking area.
  - B. Leon Way Trail  
On August 22, 2012 Councilmen Steve Karas and Mike Belmonte and I met with Senator Costa, Rob Wagner and Corkie Cost regarding the construction of a walking trail on the paper section of Leon Way from the dead end near Newport to Juniper Village. Mr. Cost gave his verbal consent to such an easement pending review by his legal counsel. Your Solicitor has asked me to prepare a plan and legal description to attach to these agreements. The committee would need to give their approval for me to proceed with this work.
2. The committee is reviewing options for repairs to the tennis courts with the engineer and foreman.
3. The committee discussed fee changes for 2013 at the swimming pool and rental facilities and will incorporate them in the fee resolution to be considered by council in December. Members are considering an increase in the cost of pool passes and admissions for 2013. Rental costs for the Forest Hills/Westinghouse Lodge will increase in 2013.
4. The borough engineer recommends that ventilation in the pool filter room be improved. He will provide cost estimates for his recommendation to the committee in October.
5. Forest Hills council supports the Commonwealth Court's decision in Robinson Township v. Commonwealth of Pennsylvania which opposed Act 13 and a municipality's right to control its own zoning and enforce its zoning ordinance. Municipal zoning and comprehensive planning protect community character from conflicting or inappropriate uses, such as hydrofracking, and promote productive development. Act 13 fails to adequately safeguard municipalities against the damage that hydrofracking may impose on community character and the locally important resources of Pennsylvania communities. Because municipal zoning is an essential tool for protecting the character and development goals of Pennsylvania's many diverse communities, we support

the amicus brief filed on behalf of Pennsylvania communities and ask that the PA Supreme Court affirm the decision of the commonwealth court.

**PUBLIC SAFETY**

Mr. Tomasic

**Motion:** Move to authorize the solicitor to prepare and advertise an ordinance creating a 15 MPH speed limit on Braddock Road at the curve at Glasgow.

Moved: Mr. Tomasic  
Second: Mr. Karas

Mr. Porco asked what the parameters of the speed zone would be located. Mr. Tomasic said that the last time the road was paved the engineer had brought it up, it was discussed in the committee meeting, but no documentation was at hand to support lowering the speed limit on that particular stretch.

Mr. Tomasic moved to table and Mr. Burleigh seconded. By voice vote, the motion was tabled with all members in favor.

*General Report:*

1. Chief Williams reported that total police overtime for August amounted to \$3,309.50 compared with \$2,942 from August 2011.
2. The committee reviewed a summary of pension costs and public safety costs over the past decade with the borough manager. The tables and charts discussed in committee will be included in the 2013 budget booklet statistics section.
3. Members discussed a proposal from PennDOT to close certain ramps on the Parkway East after further study. The committee is concerned about the impact such a proposal would have on traffic in the borough and inconvenience for borough residents. They will continue to monitor the situation and address the issue with PennDOT during public meetings they intend to hold.

**OPERATIONS & POLICY**

Ms. Wood

**Motion:** Move to approve the minutes from the August 15, 2012 council meeting.

Moved: Ms. Wood  
Second: Mr. Karas

***Voice Vote – all in favor***

**Motion:** Move to approve the bid of Iron Mike's Tree Service for pruning work in the amount of \$7,500 as reviewed and recommended by the Tree & Shrub Committee.

Moved: Ms. Wood  
Second: Mr. Tomasic

Bids opened and received by Tree and Shrub as follows:

Iron Mike's Tree Service	\$ 7,500
Ray's Tree Service	\$12,555
Carl's Tree Service	\$ 8,265

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 borough continues to seek volunteers for the 2019 Centennial Committee. Please contact the office if interested.
2. The committee acknowledged the ten year anniversary of the Farmer's Market and the work of the Late Bloomers Garden Club in organizing and holding the event each week during the season. They asked the manager to send a letter to the club thanking them for their efforts in bringing this to the borough.
3. The committee reviewed a report from the borough arborist Ted Gilbert and the Tree & Shrub Committee on several outstanding issues and endorsed the committee's decision on them.

**PLANNING & ZONING**

Mr. Burleigh

**Motion:** Move to authorize the manager to arrange with CBS and/or their developer to send a letter of intent to the PA Department of Community & Economic Development indicating our desire to apply for the Industrial Sites Reuse program for the former Westinghouse Research site with the understanding

that the developer will provide the necessary input on the details for the letter and that this will be done at no cost to the borough.

Moved: Mr. Burleigh  
Second: Mr. Karas

Mr. Tomasic said he would vote against this motion. He met with group who said they would put in 100 rental units at market rates designed for elderly, 2 to 3 stories in height. This does not make sense if the elderly are the targeted residents. Nothing else is going in, i.e. a Senior Center, some type of recreation, doctor's offices. No public transportation in this area for seniors. There are enough rental units in our area. Probably a better fit for a commercial development.

Mr Erbedinger said that a letter of intent does not mean that we will go with this developer.

Mayor O'Malley says that there is no remediation necessary with the property, aside from some asbestos removal in the building. He says the first step is to apply for state grant money to pay for the removal of the asbestos—that is all that is being decided tonight. We are not committing to anything except asking for the state grant money.

Ms. Wood noted she will move to table the motion and made a statement explaining why. There was no second.

Mr. Karas said council needs to be careful about how it proceeds, as the borough will be stuck with whatever development results.

Ms. Wood motioned again to table. Mr. Erbedinger seconded. By voice vote the motion was not tabled.

Roll Call Vote:	Mr. Belmonte	no
	Mr. Burleigh	no
	Mr. Erbedinger	no
	Mr. Karas	yes
	Mr. Tomasic	no
	Ms. Wood	no
	Mr. Porco	no

**Motion:** Move to ratify the release of the bond to Action Housing for the bond covering the parking lot at the Roman Bistro development as recommended by the borough engineer and solicitor.

Moved: Mr. Burleigh  
Second: Mr. Tomasic

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. Members reviewed code enforcement activities with the boroughs' code officer, Don Branzel.
2. The manager noted that the borough's code officer and building/zoning officer will increase their enforcement of requirements for landlords to report on tenant occupancy in their rental units as well as a change in tenant to ensure that rental property inspections can occur.
3. The committee discussed concerns about animal control problems, especially the proliferation of skunks, and reviewed suggestions from several animal control companies for potential solutions.

Old Business:

None

New Business:

Mr. Erbeldinger says that there needs to be a decision about what should happen with the research center property.

Mr. Tomasic had meeting with the mayor and a potential developer who was difficult to get information from regarding his plans for the property. The developer would not give any details of their plans. Did not even want to discuss what would be paid for the property. Would not commit to even a number of units they wanted to place on the property.

Mr. Burleigh asked if he was from the area, and he was not.

Ms. Wood says that they basically get it ready and then sell it off and developers are interested only in making money.

Mr. Tomasic says it is a bad thing to make a decision on so little information. He felt from the oral presentation that it was at best a half -baked plan. Feels very strongly it is the wrong thing to do.

Public Comment – Other Items

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Greg Powell, 612 Barclay Ave. authored a letter along with other residents of Barclay Avenue addressed to council regarding issues of youngsters hanging out in the area.

Mr. Tomasic told Mr. Powell that vigilance is the best way to mitigate the problem. They should call the police whenever they see anything out of order in the area. Long discussion ensued regarding how to disperse these youngsters. He wants to organize a group of council members and Barclay residents to meet and discuss the problem.

Vivian Broz, 312 Burlington Road has a question on the sewage bill. She got the bill and then the letter from Steve Morus regarding the discrepancy. She asked if the mistake was made at ALCOSAN and is ALCOSAN to blame for the discrepancy and are they paying for the additional time and postage to rectify the situation?

Mr. Morus replied that no, ALCOSAN was not paying for the postage or additional time spent in correcting the error and explained that it was a combination of things led to the mistake in the billing. The employee who normally did that left, leaving himself, an outside computer consultant and other staff to run the bills. A glitch in the software that the former employee would have been aware of occurred, resulting in the erroneous bills.

Adjourn: Motion to adjourn or adjourn by acclamation

Moved: Mr. Belmonte  
Second: Mr. Erbedinger

***Voice Vote – all in favor***

- Next Scheduled Council Meeting: October 17, 2012
- Next Scheduled Committee Meetings (order to be determined): Tuesday, October 2, 2012 – Borough Property, Operations & Policy, Public Safety, Public Works.  
Thursday, October 4, 2012 – Finance, Planning & Zoning, Committee of the Whole.