

Call to Order:

Mr. Karas

Pledge of Allegiance:

Mayor O'Malley

Roll Call:

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

President's Report:

Mr. Karas

Mr. Karas noted vacancy on several boards and committees.

He discussed agenda items scheduled for tonight's meeting and outlined how they would be handled.

He noted the pool will open on May 25.

It was also noted that council will meet in Executive session tonight following the meeting to discuss litigation. Also noted, the May 7 executive session following the committee meetings on personnel issues.

Mayor's Report:

Mayor O'Malley

Mayor O'Malley announced the Memorial Day Ceremony at 11 AM on Monday, May 27.

Tax Collector's Report:

Ms. Sullivan

Ms. Sullivan presented her monthly report.

Chief of Police Report:

Chief Williams

Chief Williams commented on the recent fatal accident on Greensburg Pike and asked all to walk carefully along the Pike due to access from a number of streets there.

Fire Chief's Report:

Chief Theilacker

No Report

Woodland Hills EMS Report:

Keith Morse

No Report

Solicitor's Report:

Mr. Korbel

Mr. Korbel had no report

Wilkinsburg Penn Joint Water Authority Report:

Ms. Broz

Ms. Broz noted the authority was patching today and will address that issue with the authority executive director.

Mr. Tomasic noted we sent a letter to all utilities re: cooperating with the borough on paving repairs.

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.

Mr. Karas outlined how he would prefer to take comments on various subjects, beginning with chicken/bee ordinance; Sherwood property issue next and other issues after that.

Patricia Demarco, Woodside Road – supported the action of council to remove the restrictions on chickens/bees in the borough.

Rachel Meyer, 6 Wilkins Road – supports the ordinance and spoke from the perspective of her students in second grade.

Phil Hilf, 160 Fairfax Road – supports the ordinance and presented more than 300 names in support of the ordinance. He referred to State College which approved a similar ordinance.

Harry White, 438 Decatur Ave. – he is against having the ordinance and spoke about dangers with bees. He asked council to look at the safety factor near parks and schools related to bees. He suggested considering a perimeter. He said that those who

currently have chickens should be required to turn the chickens in, tear down the coops and start fresh if it is going to pass.

Alana Hill, 160 Fairfax Road – supports the ordinance and notes that those who oppose do so with false information.

Jane Freund, 37 Bryn Mawr Road – discussed the Hosanna House issue and that it is the borough's responsibility to support the residents on this issue. She believes that Wilkinsburg acted improperly and illegally re: the property and noted she has documents proving that.

Jim Reed, 517 Sherwood Road – also discussed the Hosanna House property addressed to council and Mr. Korbel in particular. He defined what an injunction is re: their request that one should be issued. He asked for an estimate in writing on the cost of filing an injunction. He noted it is the borough's responsibility to protect its citizens.

Michelle Amoto, 204 Forest Hills Road – also discussed the Hosanna House work and asked our council to work with Wilkinsburg council.

Susan Schrad, 508 Sherwood – discussed Hosanna House and noted that the property is used as a money machine for them, advertising it for parties, and not for their original purpose as a day camp and to serve their clientele.

Harold Milton, 37 Woodside Road – he noted that he had raised the idea of an injunction and the solicitor noted the cost at about \$10,000 and wondered who decided who made the decision to not go ahead with it. Mr. Karas noted that we are only taking comments and not answering questions at this time.

Committee Reports:

PUBLIC WORKS COMMITTEE

Mr. Belmonte

General Report:

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

Engineer's Report for May, 2013

Public Works Committee

- A. 2012-13 Sewer Work for the Consent Decree
 - i. This project is in progress with 65% of the \$160,000 worth of work completed.
 - ii. Later in 2013 we will be advertising for bids for the next round of sewer liners and sewer repairs by excavation as funds become available.
 - iii. CCTV inspections to comply with the Operation & Maintenance Plan will be done in 2013 by in-house personnel.

B. 2013 Paving

This contract has been awarded to Victor Paving for \$314,248.60 with actual possible deletion of two streets (*Virginia and Windsor*) due to availability of funds.

1. Forest Hills Road (#311 to end)
2. *Virginia Avenue* (*Barclay to Pike*)
3. Hawthorne (Castlegate - Overdale)
4. Fieldcrest (Glasgow to cul de sac)
5. Rockwood (Kenmore to Yost)
6. Barclay (Arnold to dead end)
7. Marion (Ardmore to Gbg Pike)
8. *Windsor* (*Lennox to Clover*)

2. The foreman reported on several emergencies the crew worked on that took them away from normal duties and submitted the following report to the committee:

Current Job Priority – items facing an immediate deadline (in addition to normal maintenance work like mowing, field prep, etc. & Chalfant work)

- a. Pool painting to ensure it is open on time (weather permitting)
 - b. Install handicapped lift at pool
 - c. Plant trees for arborist
 - d. Ardmore median completion
 - i. Grade
 - ii. Level with topsoil, seed & mushroom manure
 - e. Restore Forest Hills park following hillside work (lower priority to allow ground to settle over a few weeks before planting grass)
 - f. Repair walkways removed for hillside work
 - g. Schedule tennis court demolition (late June at earliest)
 - h. Repair catch basins prior to paving work
 - i. Piece of pool handicapped ramp has to be restored.
3. The committee discussed an invitation from 3 Rivers Wet Weather to a joint meeting of the Eastern, Northern & Southern Elected Official Basin Groups on Wed, May 29 at 6:30 PM in Green Tree. No member of council is available but Mr. Morus will attend to represent the borough. The meeting is to provide an update on the municipal consent order feasibility studies, ALCOSAN Wet Weather Plan and the Regionalization Study results. Allegheny County Executive Richard Fitzgerald will be special guest and an ALCOSAN representative will give an overview of their plan for regional evaluation of green infrastructure.
 4. Members advised the engineer that unless there is an objection from council as a whole, he should resubmit the Community Development Block Grant application for the funding of ADA compliant restrooms for the fire hall. The borough is limited in how it can apply CDBG money and creating compliance with the ADA

in borough buildings is one such application.

5. Several residents approached the committee chair re: donating money to pay for new street name signs. The committee asked the foreman to provide the cost of such signs to the chair.
6. In Committee of the Whole, members authorized the manager to submit an application to the Green Infrastructure Network for hosting its Charrette Committee. This committee represents a multidisciplinary workshop that would plan methods for using green infrastructure to control stormwater in one or more locations in the borough.
7. In Committee of the Whole, residents of the Bryn Mawr area approached council with concerns about work at the Hosanna House facility at the end of Sherwood Road as well as activities and events there. Representatives from the borough will meet with facility representatives on May 16. Borough engineer Dave Gilliland is here this evening and will provide an update on meetings he has attended.

Mr. Gilliland– noted 2 meetings with Hosanna House representatives and engineers related to stormwater issues and noted how they are handling it. He discussed the rain garden and noted that they have more than adequate stormwater controls at this time.

Mr. Gilliland discussed the various phases of the project that were discussed at these meetings.

Mr. Belmonte commented on the upcoming meeting and his understanding of conditions there.

Ms. Wood asked if discussions included an impact study on traffic on Sherwood? Mr. Gilliland answered no. She questioned the lighting plan. He only just received and is reviewing.

FINANCE COMMITTEE

Mr. Erbeldinger

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

General Fund Budget:	\$ 1,044,582.09
Corrective Action Budget:	\$ 94,950.59
Liquid Fuels:	\$ 30,282.90
Capital Improvements:	\$ 309.98

Moved: Mr. Erbeldinger
Second: Mr. Burleigh

Tennis Association (USTA) for a grant of up to 20% of the cost of the overall total.

Moved: Mr. Belmonte
Second: Mr. Tomasic

Timing is critical because the tennis program in the borough which occurs starting in June and we have contacted the high school to see if we can use their courts while ours are under construction.

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

General Report:

1. The Committee reviewed the following report from the borough engineer:

Borough Property

A. Tennis Courts

This project has been advertised for bids to be opened May 2. Results will be available for the Committee meeting that evening. Low bid for 196,928 from Northern Athletic.

Note from Manager: we have approximately \$222,000 left in the bond issue. Other expenses need to be added to the bid cost including:

- Cost of equipment rental and any supplies etc. that might be needed by the crew for their portion of the work – he estimates equipment rental at about \$14,000 plus another approximately \$2,000 for supplies.
- Approximately 10% of the cost of the job comprising engineer costs
- Any issues that arise that must be dealt with once the work begins

Tennis association may provide us with a grant for up to 20% of the cost.

Committee recommends the following: put informational poster, handouts at the pool area and in the borough building re: how long the work will last, status of work, what we are doing etc. Give the swim team, yoga and classes etc. notice. Have Cindy Simm work on that.

B. Pool Projects for 2013

The Pool Caulking Project is complete.

Note from Manager: none of the work listed below can begin until we get approval from the state since it is all covered by a grant.

The contract for the replacement of the sliding glass doors and windows with 3 sliding glass doors and 2 windows has been awarded. Construction will be underway in 4-6 weeks.

We received two quotes for the installation of a gas fireplace:

Manear's Fireplace & Hearth	\$5,000.00
The Fireplace & Patio Shop	\$6,000.00

Please let us know if you want to proceed with this project.

C. Senior Center

We are preparing to advertise for bids for the replacement of the floors in the rest rooms and the re-alignment of the stalls for ADA compliance. Bids should be available for your June meeting.

2. The foreman reported on several in house aspects of tennis court work should it be approved. This report included:

- We will follow the borough's clean fill policy as approved on 7/18/12 for demolition work done internally by the public works crew.
- Build a road to access courts; will temporarily place topsoil removed for road along inner fence to be used for restoration work following completion of construction
- Will have to rent at least 2 pieces of equipment: track highlift and excavator with hoe ram to remove approximately 14 inches of slag which now has the consistency of concrete
- Remove all fencing around courts (temporary fence to limit access to pool will be installed by contractor)

PUBLIC SAFETY

Mr. Tomasic

Motion: Move to approve resolution number 1132 adopting the emergency management plan prepared by Keith Morse, Emergency Management Coordinator.

Moved: Mr. Tomasic
Second: Ms. Wood

Mr. Belmonte thanked Keith for his work.

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

General Report:

1. The committee and council sent a letter to the Braddock Hills Borough Council responding to the request of their council president and vice president to open “talks with Forest Hills Borough Council in regards to the possible consolidation of our two fire departments.” Council’s response mailed on May 3 (attached) indicated our willingness to discuss contracting for fire services from Forest Hills. We indicated that we would expect that they would pay at the same rate our residents and businesses pay for fire services (\$22.50 for tenants, \$45 for homeowners and \$90 for businesses).
2. The public safety committee sent a letter to the Forest Hills Volunteer Fire Department Officers and Board asking them to review and reconsider their policy which closed the fire department’s exercise facilities to Forest Hills police officers several years ago.
3. The public safety committee cautions residents who frequently walk along Greensburg Pike in light of the recent fatal accident at the intersection with Carl. Pedestrian traffic should use caution with the number of cars entering and exiting the Pike at various side streets. The committee and council wish to thank Chief Williams and the police and other public safety and public works employees involved in working on the accident and Jerry Chessman from Woodland Hills School District for his assistance in the investigation.
4. The committee and the Operations & Policy committee discussed the code enforcement process and noted that a number of borough officials are able to enforce code requirements including the code officer, building inspector, zoning officer, police chief, police officers, and borough manager as well as “any other officer or agent that the borough manager or borough council deems appropriate.” We all work together to ensure that codes are enforced.
5. The committee announced that we have a tentative labor agreement with the police union and we are waiting for the attorneys to work out the details.

OPERATIONS & POLICY

Ms. Wood

Motion: Move to approve the minutes from the April 17, 2013 council meeting.

Moved: Ms. Wood
Second: Mr. Tomasic

Voice Vote – all in favor

Motion: Move to appoint Jim Dodson 1912 Ardmore Blvd. as an alternate member of the zoning hearing board with term to expire on February 28, 2016.

Moved: Ms. Wood
Second: Mr. Burleigh

Voice Vote – all in favor

Motion: Motion to approve an agreement with IT consultant Mike Shafer that will renew the current agreement through April 2014 at a cost of \$425/month for agreed upon maintenance services plus \$105/hr for additional services.

Moved: Ms. Wood
Second: Mr. Tomasic

Roll Call Vote:

Mr. Belmonte	yes
Mr. Burleigh	yes
Mr. Erbedinger	yes
Mr. Tomasic	yes
Ms. Wood	yes
Mr. Karas	yes

Motion: Move to authorize the solicitor to prepare and advertise an ordinance permitting the keeping of bees and chickens along with appropriate rules and restrictions.

Moved: Ms. Wood
Second: Mr. Tomasic

Ms Wood recaps the many months investigating this topic, and the many sources of information that were researched on both sides of this issue. She gathered voluminous information from around the country on keeping of bees and chickens, and the ordinances other municipalities have regarding their impact on neighborhoods. She also thanked our solicitor for his work on this project.

Voice Vote – all in favor

General Report:

1. The committee will hold an informational town hall meeting on the proposed bee/chicken ordinance on Wednesday, June 5 starting at 7 PM and ending at 8:30 PM at the Forest Hills/Westinghouse Recreation Center Lodge on Barclay. May need an alternate date due to the St. Maurice festival starting that night. We will advertise on our website and she is willing to call people if they provide her with contact information.
2. The borough continues to seek volunteers for the 2019 Centennial Committee. Please contact the office if interested.
3. The borough continues to seek volunteers to serve on various boards and committees (e.g., planning commission, zoning hearing board, etc.) and asks interested residents to contact the manager at the borough office for further information.

4. The chair is investigating whether the borough may participate in some fashion in the 100th anniversary of the building of the Lincoln Highway.

PLANNING & ZONING

Mr. Burleigh

Motion: Move to approve the release and hold harmless agreement by and among the Borough of Forest Hills and P & L Investments LLC and P&L Investments and Holdings X, LP.

Moved: Mr. Burleigh
Second: Mr. Tomasic

At the committee meeting last Tuesday, Mr. Tomasic brought up an issue that the school district brought up regarding a letter of intent. This is in regard to the Westinghouse site where the atom smasher is located. The solicitor, Mr. Korbel drew up a letter of intent to enter into an agreement with Mr. Silversmith's company.

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

Motion: Move to authorize the borough manager to send a letter of intent to the PA Department of Community and Economic Development to apply for an Industrial Sites Reuse Program (ISRP) assessment grant for the Westinghouse/CBS Research Center property owned by P&L Investments and Holdings X, LP.

Moved: Mr. Burleigh
Second: Mr. Tomasic

Mr. Burleigh suggests putting the project on hold until we provide the opportunity to hear from nearby residents.

Mr. Tomasic noted additional plans he has asked for in addition to the 100 units that was discussed.

Mr. Korbel responds to Ms Woods question about our commitment by saying that the letter of intent does not legally commit the borough to anything beyond exploring the development of the site.

Mayor O'Malley says that this is only the first step in a multiple step process. We have a better chance of getting a grant for assessment of the site, if we proceed from here.

Ms. Wood comments that thus far, the plans they have seen are substandard.

Barry Cassidy, Mr. Silversmith's economic development person, comments that 3 or 4 months could be lost if things are delayed at this point. Public input is funded by this grant, and this is just the first step in this multiple step process. He says he will convey council's concerns to Mr. Silversmith.

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

General Report:

1. Members reviewed code enforcement activities with the borough's code officer, Don Branzel.
2. In Committee of the Whole, members discussed a proposed development at the former Westinghouse research center site with Gary Silversmith, a Washington DC attorney and developer who has purchased the property.

Old Business:

None

New Business:

None

Public Comment – Other Items

At this time citizens may address council on any issue. Only residents and taxpayers of the Borough of Forest Hills will be permitted to address council. 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.

Jane Freund, 37 Bryn Mawr Road – discussed Hosanna House and calls to 911 for complaints. She estimates that about 30 calls have come to 911 in the past year regarding noise and traffic from Hosanna House.

Tom Raible, 304 Overdale Road – asked that council and mayor work with Chalfant on the CBS property.

John Holmes, 621 Cascade – discussed concerns about code enforcement. Wants to know if there is any feedback mechanism in place so that person who complains knows what the result is.

Jane Freund, 37 Bryn Mawr Road – Morrow Road properties. Landscaping in the Morrow Road (corner of Sherwood and Morrow) area is very much neglected. There are dead trees and shrubs that look horrible.

Paige Forest, 31 Roxbury – complained about the stairs from Fairfax to Cascade.

Mr. Belmonte noted to Mr. Raible that council agrees about working with Chalfant.

Mr. Karas closed the meeting in memory of John Thomas Mackin.

Adjourn: Motion to adjourn or adjourn by acclamation

Moved: Mr. Tomasic
Second: Ms. Wood.

Voice Vote – all in favor

- Next Scheduled Council Meeting: June 19, 2013
- Next Scheduled Committee Meetings (order to be determined): Tuesday, June 4, 2013 – Borough Property, Operations & Policy, Public Safety, Public Works.
Thursday, June 6, 2013 – Finance, Planning & Zoning, Committee of the Whole.
Council may choose to meet as a whole on these dates and conduct business if necessary.

Revised Policy on delinquents (revisions are underlined)

Forest Hills Borough Council Policy 01 - 2013

Delinquent Collections and Payment Plans for Delinquent Rate Payers

Borough Council hereby establishes that any and all delinquent fee payers requesting a payment plan to settle their account must submit such a request in writing to the Borough Manger. The request for a payment plan will be presented to Borough Council for consideration. The Borough will notify the delinquent fee payer of the date and time the payment plan request will be presented to Borough Council. Upon its review, Borough Council shall have the authority to authorize a payment plan and outline and establish any and all payment plan parameters, if any, with the following exceptions and conditions:

1. Any rate payer owing \$600 or less in delinquent fees for a particular service or fee may be granted a payment plan by Borough staff which allows payments over a 6 month period provided that staff follows established procedure that includes, among other established procedures not specifically set forth herein:
 - a. That all penalties owed to date as of the beginning of the plan are included in what is owed
 - b. That all penalties on the remaining balance are included in the plan, and
 - c. That failure to follow the prescribed plan, including failing to remit payment on the day it is due, results in the full amount owed including penalty/interest due immediately and is subject to the borough's established collection procedures for the fee in question including immediate notification of water shut off in the case of delinquent sewer fees.

2. Any rate payer owing \$1,200 or less in delinquent fees for a particular service or fee may be granted a payment plan by Borough staff which allows payments over a 12 month period provided that staff follows established procedure that includes, among other established procedures not specifically set forth herein:
 - a. That all penalties owed to date as of the beginning of the plan are included in what is owed
 - b. That all penalties on the remaining balance are included in the plan, and
 - c. That failure to follow the prescribed plan, including failing to remit payment on the day it is due, results in the full amount owed including penalty/interest due immediately and is subject to the borough's established collection procedures for the fee in question including immediate notification of water shut off in the case of delinquent sewer fees.

3. Any rate payer owing an amount greater than \$1,200 in delinquent fees for a particular service or fee may be granted a payment plan by Borough staff which allows payments over a 24 month period provided that staff follows established procedure that includes, among other established procedures not specifically set forth herein:
 - a. That all penalties owed to date as of the beginning of the plan are included in what is owed
 - b. That all penalties on the remaining balance are included in the plan, and

- c. That failure to follow the prescribed plan, including failing to remit payment on the day it is due, results in the full amount owed including penalty/interest due immediately and is subject to the borough's established collection procedures for the fee in question including immediate notification of water shut off in the case of delinquent sewer fees.
4. No payment plan will be granted for less than a monthly payment of \$100 which may require a shorter payment plan length than stated above.

In all cases, a request for a payment plan will mean that the accrual of penalties and interest will be temporarily suspended during the period of time from the Borough's receipt of the payment plan request and review by council (or staff as in the case of the exceptions above). Council or Borough staff will prepare a written response that will be provided to the delinquent rate payer with specifications of the payment plan. The payment plan must be signed and returned to the Borough within 7 days of the date of the letter transmitting the payment plan.

In this policy the following applies:

1. "Established collection procedures" means water shut off in the case of delinquent sewer fees or other penalty, interest and activity in the case of all fees including submission of the fee to the borough's collection agent which may add additional penalties and interest on the existing amount owed.
2. "Payment plan" means any such determination from council (or staff as in the case of the exceptions noted above) that specifies the length of the plan, due dates for receipt of payments, and notice that failure to make any payment will result in immediate implementation of the prescribed penalty.
3. Once a water shut off notice is issued to Wilkesburg Penn Joint Water Authority it cannot be rescinded even if the bill is subsequently paid in full on the date of the scheduled shut off. Further, the delinquent payer is fully responsible for any associated fees and penalties including fees associated with restoring water service. We cannot control when the water authority will restore service once the bill is paid.
4. Staff is not permitted to make exceptions or alterations to any fees, payment schedules, amounts owed, penalties, payment plan procedures, collection activities, etc. as these are established by council via ordinance, resolution or policy and may only be altered with approval of council.
5. It is the responsibility of any property owner to ensure that payments referred to tenants are made on time as the ultimate responsibility for the payment of all fees, penalty and interest rests with the property owner.
6. This policy is in effect immediately upon approval of council in a public meeting. Any procedures, wording, etc. that may conflict with any borough ordinance or resolution is

hereby changed so as to comply in full with the ordinance or resolution without further action by council on this policy.

DRAFT: April 10, 2013
APPROVED: April 17, 2013
Revision May 7, 2013

Copy of letter to Braddock Hills Council & Mayor (Public Safety Committee Report)



May 3, 2013

Robert Henkel, Council President
Borough of Braddock Hills
1300 Brinton Road
Pittsburgh, PA 15221

Dear Mr. Henkel:

We have received your letter re: contracting fire services from Forest Hills and reviewed it in our public safety committee. If you are indeed interested in contracting for services for fire protection we are willing to discuss this with you further.

Our expectation is that Braddock Hills residents would pay the same rate that the residents of Forest Hills do for fire services based on the formula that has been established for such service here. That formula includes the fire protection services fee that we currently charge borough residents and businesses as well as the dollars allocated to such service from our general fund and capital budgets. We estimate that the annual cost would be approximately \$50,000.

If that is acceptable to you we are willing to discuss this arrangement and ask that you contact borough manager, Steve Morus, with your response so that he may provide that information to our public safety committee. The committee can then move ahead with the next steps to formalize the relationship for contracting fire services.

Sincerely,

Forest Hills Council