

Call to Order:

Mr. Erbeldinger

Pledge of Allegiance:

Mayor O'Malley

Roll Call:

Mr. Burleigh	absent	Mr. Erbeldinger	present
Mr. Karas	absent	Mayor O'Malley	present
Mr. Kiley	present	Janet Sullivan, Tax Collector	present
Ms. Sowiski	present	Stephen Korbel, Solicitor	present
Mr. Tomasic	present	David Gilliland, Engineer	present
Ms. Wood	absent	Steven Morus, Manager	present

President's Report:

Mr. Erbeldinger

Mr. Erbeldinger noted he appreciates the public involvement we have had at meetings and addressed the volunteer fire issue.

The VFD would like to go back to the old times and the borough council wants to make sure that the taxpayers funding is protected.

We asked for a letter from the fire department stating two things: that the merger with Braddock hills was no longer under consideration and we would get the right to participate in any negotiations in the future for any mergers, consolidations of services in the future. We received a letter but only the first part is at rest. There was no word about us participating in negotiations in the future.

So obviously it is not satisfactory on both sides of the situation. I hope that we will have further talks with both parties in the near future.

For us in council the current method is obviously working. We changed our procedure and the fire department still has the funding but has to send us an invoice. For some reason, the fire department has not sent us an invoice since the ordinance was changed.

Mayor's Report:

Mayor O'Malley

The Mayor noted the upcoming Arbor Day celebration on April 25.

He also issued the following proclamation noting Childhood Cancer Awareness Week beginning April 27.

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Tax Collector's Report: Ms. Sullivan

Ms. Sullivan reported on collections for the past month.

Chief of Police Report: Chief Williams

Chief Williams reported on department activities for the past month.

He also noted two armed robberies at local businesses.

Fire Chief's Report: Chief Theilacker

No report

Woodland Hills EMS Report: Chief Morse

No report

Solicitor's Report: Mr. Korbel

Mr. Korbel discussed the Spee-D Mart development and that the application is still in process.

He also requested an executive session re: a litigation item following tonight's meeting

Mr. Tomasic requested some kind of pedestrian safety component in the Spee-D development due to traffic on Route 30. Mr. Korbel noted it is a conditional use and we may be able to require something.

Wilkesburg Penn Joint Water Authority Report: Ms. Broz

Ms. Broz provided a report on authority activities and a couple of breaks in the borough.

#### 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.*

Faith Katchmar, 210 Kohnak Lane – referred to letter from Swissvale attached to this agenda and referred to communication with Swissvale. She also referred to the fire department bylaw issue raised in tonight's public safety report and discussed PA state law in that regard.

Committee Reports:

**PUBLIC WORKS COMMITTEE**

Ms. Sowiski

**Motion:** Move to approve resolution no. 1142 requesting a PA small water and sewer program grant from the Commonwealth Financing Authority in the amount of \$150,000 with a matching amount by the borough of 15%.

Moved: Ms. Sowiski  
Second: Mr. Tomasic

Mr. Gilliland states that this is a new grant program by the Commonwealth Financing Authority. It is for \$50,000 to \$150,000. It's an 85% grant. We are required by the consent decree to televise and then repair any sewers and we are still in the process of doing that. We do that every year. We exceed \$150k per year anyway. Mr. Gilliland says that he imagines there will be many applications. As this is the first round, he doesn't know what our chances are of funding and the application procedure is rather lengthy, and they will do that for us. Mr. Gilliland states that they need a letter from the planning commission. Also, they need a resolution from council authorizing them to go ahead with this.

Roll Call Vote: Mr. Kiley yes  
Ms. Sowiski yes  
Mr. Tomasic yes  
Mr. Erbedinger yes

*General Report:*

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

Public Works Committee

A. 2013-14 Sewer Work for the Consent Decree

The contracts for the Trenchless and Conventional Excavation Sewer Project have been awarded. The conventional excavation contractor will be starting in 3 to 4 weeks. The liner contractor will be starting with pre-lining TV inspection of the pipes the week of April 7 after which the liners will be ordered and installed.

B. 2013 Paving

This project has been completed, except for the line painting and stop bars which will be done this spring after the re-sealcoating of Marion.

C. 2014 Paving

The Paving Project will be advertised April 9 with bids opened April 24. Results will be available for the May 1 PW Committee meeting.

D. CD 39 Demolition

This project has been completed.

2. The committee reviewed the following update from 3 Rivers Wet Weather on sanitary/stormwater issues:

April 2014 Update:

At the March Wet Weather Working Group (3WG) meeting, we continued the discussion on the three main factors influencing water quality over which municipalities have control and responsibility:

1. Combined sewer overflows
2. Separate sewer overflows
3. Storm water

If a municipality has a receiving stream that has been classified as impaired and is on PA DEP's "2012 Pennsylvania Integrated Water Quality Monitoring and Assessment Report" for development of a future Total Maximum Daily Load (TMDL), communities should consider being proactive to determine their "exposure" for controlling the impacts of storm water and sewage overflows on stream water quality. An impaired streams map and list of impaired streams and future TMDLs are available on our website. In this way, the required costs and controls to manage both sewer overflows and stormwater impacts on streams can be determined to prioritize what controls should be implemented and when for the best and most cost-effective ways to meet overall water quality goals in a timely fashion.

To this end, the 3WG will provide a forum for municipalities that guides a stream water quality monitoring program and assures timely input from the 3WG on data collection, analysis, and plan implementation. We will keep you updated on the progress.

3. The foreman reported on work planned for April including the following tentative jobs (subject to change due to weather, emergencies, etc. and not including normal maintenance and Chalfant work):

- Sanitary Sewer Work
- Haul millings
- Patch potholes
- Repair equipment
- Complete leaf pickup
- Unclog storm sewer pipe – Ave L park
- Tennis court prep – entry/security system
- Prep ball fields for season
- Repair Ave B steps
- Sweep streets
- Change stop signs

4. The manager reminded council that the agreement with Chalfant for public works as well as the police agreement expires at the end of 2014.
5. Members read a letter from Dr. Steven Gough commending the crew for their outstanding service. The committee added their praise for the work of Foreman Jim Theilacker and his crew.

## FINANCE COMMITTEE

Mr. Tomasic

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

General Fund Budget:	\$ 160,630.38
Corrective Action Budget:	\$ 172,660.95
Liquid Fuels	\$ 41,622.21
Fire Protection fee	\$ 74,578.12
Capital Improvements	\$ 123.20

Moved: Mr. Tomasic  
Second: Mr. Kiley

Roll Call Vote: Mr. Kiley yes  
Ms. Sowiski yes  
Mr. Tomasic yes  
Mr. Erbedinger yes

### Detail of Non-General Fund Items:

Corrective Action Budget:	ALCOSAN, Engineering costs, sewer fee refunds.
Liquid Fuels:	Salt, anti-skid, traffic lights
Fire:	Fire truck lease, utility costs

### *General Report:*

1. The manager provided a summary of utility billing costs to the members.
2. The chair asked that, without objection, a general policy is established that any motions presented before council involving purchases should include information on which account or line items will provide the source of funds.

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**BOROUGH PROPERTY**

Mr. Kiley

*General Report:*

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

Borough Property

A. Tennis Courts

The contractor has installed the asphalt and fencing. Painting has been deferred until spring since we need 2 weeks of consistent warm weather (above 50 degrees) for the paint to cure.

B. Pool Lodge

The contractor previously told us the gas log had been received. Now he is telling us that it has not been received yet but should be in next week or else he will cancel and re-order from a different firm.

2. The committee reviewed a complaint from a resident that the borough does not offer a special rate for seniors for tennis passes. An individual pass costs \$110. The committee asked that the recreation board review the issue for next year and report back to council but recommended making no changes in the cost of tennis passes at this time since rates have already been advertised.
3. Mr. Erbedinger requested that the memo sent by the manager to employees reminding them of no parking zones in the borough building complex lots should also go to council members as well.
4. Mr. Karas noted that the garden club was willing to take on a project with partial funds to come from the matching grant dollars in the capital improvements plan. Mr. Theilacker suggested that a good project would be the area around the veteran's memorial at the borough building.
5. The foreman was asked to get quotes for repairs or replacement of fencing at the main park.

**PUBLIC SAFETY**

Mr. Tomasic

*General Report:*

1. Members discussed several issues related to fire services in the borough and the volunteer fire department including:
  - a. Members requested that the manager send a letter to the fire department president requesting another meeting to discuss concerns and clarifying the council request for language in a letter on the merger issue to include council involvement in any future discussions of a merger, consolidation, etc.

- b. The committee noted that under the current ordinance language (ordinance 1040) the department should submit a check to the insurance company to cover the cost of insurance for the Ford Explorer and send a request for reimbursement to the manager that council could review and approve. This method is consistent with the language in the ordinance that requires a written request for funds that includes date, amount requested and the item(s) covered in the request. To our knowledge, no payment was submitted by the department.
  - c. In Committee of the Whole, members discussed a section in the department's bylaws that specified that if the organization dissolved all property would be donated to a nonprofit civic organization rather than the borough.
  - d. Re: the parking issue raised previously in the Ardmore complex area - no tickets have been issued.
  - e. Swissvale fire department issue (see attached letter).
2. Following the purchase of 2 hay wagons from Wilkins Township, the committee asked the manager to send a letter to the Forest Hills Police Association offering to also purchase their hay wagons at a similar cost. The Association replied with a letter indicating that they have already sold their hay wagons.
  3. The borough received a letter from the Forest Hills Police Association indicating the FHPA accepts the proposed addendum to the contract to resolve the part time employee pay grievance.

## OPERATIONS & POLICY

Mr. Kiley

**Motion:** Move to approve the minutes from the March 26, 2014 council meeting.

Moved: Mr. Kiley  
Second: Ms. Sowiski

### ***Voice Vote – all in favor***

**Motion:** Move to approve ordinance number 1045 amending the borough's no smoking policy for borough parks and properties.

Moved: Mr. Kiley  
Second: Ms. Sowiski

Ordinance title reads as follows:

AN ORDINANCE OF THE BOROUGH OF FOREST HILLS,  
ALLEGHENY COUNTY, PENNSYLVANIA, AMENDING  
CHAPTER 6, PART 5 OF THE FOREST HILLS BOROUGH  
CODE OF ORDINANCES, PROHIBITED CONDUCT, AS

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AMENDED, TO PROHIBIT THE CARRYING OF A LIGHTED CIGARETTE, CIGAR, PIPE OR OTHER LIGHTED SMOKING DEVICE ON OR WITHIN THE LIMITS OF BOROUGH-OWNED PROPERTY.

Roll Call Vote:      Mr. Kiley                    yes  
                             Ms. Sowiski                yes  
                             Mr. Tomasic                yes  
                             Mr. Erbedinger            yes

**Motion:**            Move to approve the appointment of James W. King, 222 Cascade Road to the Tree and Shrub Committee for a term to end on Feb. 28, 2017.

Moved:                Mr. Kiley  
Second:                Mr. Tomasic

Roll Call Vote:      Mr. Kiley                    yes  
                             Ms. Sowiski                yes  
                             Mr. Tomasic                yes  
                             Mr. Erbedinger            yes

*General Report:*

1. The borough continues to seek volunteers for the 2019 Centennial Committee. A separate committee is important for planning, organization and fund raising purposes. Please contact the office if interested.
2. The borough continues to seek volunteers to serve on various boards and committees and asks interested residents to contact the manager at the borough office for further information.
3. The committee received a letter from a Cherry Valley family, Charles & June Simmen, thanking the Tree and Shrub Committee for recent tree work at and near their property.
4. Members reviewed and approved of the content of a memo from Arborist Ted Gilbert re: a change in the Committee's tree removal policy wherein they would consider a limited number of requests for removals each year assuming their terms are met including that the property owner would cover all costs.
5. Members heard from school board member Tara Reis re: plans to change the method for electing board members. Two alternatives were presented including an at large election for all members versus electing 3 directors from each of 3 regions. Council was asked for input and endorsed the latter suggestion.

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6. Tentatively, the borough has set a “clean up” day for volunteers to remove debris and trash from borough parks and property for Saturday, April 26. Mr. Karas is coordinating and will determine a final date.

**PLANNING & ZONING**

Mr. Tomasic

**Motion:** Move to authorize the Borough Manager to execute an Easement Encroachment Agreement with Kenneth P. Slaby and Kathleen Slaby to permit the Slaby’s to construct a deck that encroaches upon the Borough’s Sanitary Sewer Easement located at 489 Atlantic Avenue.

Moved: Mr. Tomasic  
Second: Ms. Sowiski

Roll Call Vote: Mr. Kiley yes  
Ms. Sowiski yes  
Mr. Tomasic yes  
Mr. Erbedinger yes

*General Report:*

1. Members again discussed the Silversmith Development. The Silversmith group held “outreach meetings” on April 8 to provide residents with an opportunity to review remediation results for the property and will continue to hold these meetings as plans move forward
2. The manager updated council on plans received to date. At this time the borough is in receipt of plans from Spee-D Mart for the installation of gas pumps on their property. Also, a demolition permit has been provided to the owners of the former EPI Building but no schedule for demolition has been provided at this time. Mr. Korbel commented that there are events scheduled at the neighboring church and the owner will move forward in early May, and when they are over, they will proceed with the demolition.

Old Business:

Mr. Tomasic comments on his role representing the residents of the borough. He believes that any plan has to include the residents in the borough.

New Business:

None

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Public Comment – Other Items

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Lillie Sipp, 15 Bevington Road – has been a proud resident of Forest Hills for more than 30 years. She spoke regarding discounted tennis fees for senior citizens 65 and older. A discount is provided for senior citizens who use the swimming pool, but not for the tennis court users. Ms. Sipp brought up the issue at the Recreation Board meeting. She has also started a petition for this. She asks council to expedite the process for a senior discount for the tennis courts for **this** year.

Faith Katchmar, 210 Kohnak Lane –She is a lifelong resident of Forest Hills and she discussed need to settle the fire department issue. She has stayed in Forest Hills all of her life. She wants the issue with the fire department resolved. She feels that the longer the dispute goes on, the worse things are getting.

Mr. Tomasic responds about the correspondence that has gone back and forth between Braddock Hills council and Forest Hills.

Mr. Erbeldinger comments on tennis fees for senior citizens, but emphasizes that any change would have to go through procedures. This was backed up by Mr. Korbel, who said it would have to go through a procedure—and may have to be reviewed by the recreation board, and go through the borough property committee meeting in May.

Adjourn: Motion to adjourn or adjourn by acclamation

Moved: Mr. Tomasic  
Second: Mr. Kiley

***Voice Vote – all in favor***

- Next Scheduled Council Meeting: May 28, 2014.
- Next Scheduled Committee Meetings (order to be determined): Thursday, May 1, 2014 – Borough Property, Operations & Policy, Public Safety, Public Works.  
Tuesday, May 6, 2014 – Finance, Planning & Zoning, Committee of the Whole.  
Council may choose to meet as a whole on these dates and conduct business if necessary.

**BOROUGH OFFICERS**

*Mayor*  
DENEEN SWARTZWELDER  
*Borough Manager*  
CLYDE WILHELM  
*Borough Secretary*  
AMANDA J. FORD  
*Solicitor*  
ROBERT L. MCTIERNAN  
*Treasurer*  
CITIZENS BANK



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**MEMBERS OF COUNCIL**

MARTIN F. BUSCH, Pres.  
MICHELE K. STANTON, Vice Pres.  
PATRICIA L. GIONTA  
JULIE A. GROSE  
SHARON KUHN-HANCHETT  
DAVID PETRARCA  
DARRELL RAPP

Steven J. Morus, Manager  
Borough for Forest Hills  
2071 Ardmore Boulevard  
Pittsburgh, PA 15221

April 16, 2014

Dear Mr. Morus:

This letter is in response to the various untruthful rumors and averments of an alleged "plan" for the Swissvale Fire Department to provide fire protection for the Borough of Forest Hills.

The only communication between the Borough of Swissvale and the Borough of Forest Hills regarding fire protection is contained within the two enclosed emails:

- 1.) From Steve Morus to Amanda Ford, Swissvale Borough Secretary: dated June 25, 2013
- 2.) From Clyde Wilhelm to Steven Morus, dated: July 24, 2013.

This is the extent of correspondence between the two municipalities regarding this topic. However, I am aware of several untruthful, misleading and unsubstantiated rumors that have circled back to me and my organization, including comments from some of your volunteer fire department's members alleging that there are plans or negotiations to provide fire service.

So again, to set the record straight, there is no plan in place, written or otherwise, for the Borough of Swissvale to provide fire protection to the Borough of Forest Hills. However, should the need for such arrangements arise, we would be open to discuss such in further detail.

If we can be of any other assistance, feel free to contact me.

Respectfully,

Clyde Wilhelm  
Borough Manager / Fire Chief