

Swearing In Ceremony:

Hon. Thomas P. Caulfield

Marty B. O'Malley, Mayor
Janet Sullivan, Tax Collector

Swearing In Ceremony:

Mayor Marty B. O'Malley

Markus Erbedinger, Member of Council
James Kiley, Member of Council
Nina Sowiski, Member of Council
William Tomasic, Member of Council

Call to Order:

Mayor O'Malley

Pledge of Allegiance:

Mayor O'Malley

Roll Call: all present

Mr. Burleigh	present	Ms. Wood	present
Mr. Erbedinger	present	Mayor O'Malley	present
Mr. Karas	present	Janet Sullivan, Tax Collector	present
Mr. Kiley	present	Lawrence Baumiller, Solicitor	present
Ms. Sowiski	present		
Mr. Tomasic	present	Steven Morus, Manager	present

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

PROCESS FOR NOMINATIONS OF OFFICERS: Council rules and the borough code specify the following procedure:

ELECTION OF OFFICERS

1. As prescribed by the borough code, council must elect a president and vice president at its organization meeting. Both officers hold such office at the pleasure of council.

2. As prescribed by the borough code, the Mayor shall serve as presiding officer at the organization meeting until council is organized by electing a president and vice president.

3. Voting for president and vice president will proceed in the following manner:

a. The presiding officer shall open the floor to nominations and ask for a motion to nominate a member of council to the office in question.

b. The motion to nominate a member need not be seconded to proceed.

c. The presiding officer will continue to call for nominations until a member makes a motion to close nominations. This motion requires a second to proceed. A simple voice vote can be held to approve the motion.

d. ... council members will vote on the candidates by roll call vote.

e. The nominee with the majority of votes wins. If there is no clear majority, all nominees are dropped but the two highest and a vote is taken again on the remaining candidates until one receives a majority of votes.

f. The same voting procedures will apply to the nomination and election of a vice president.

g. Once council has elected a president and vice president, the new president shall assume control of the meeting from the presiding officer.

h. Procedures for voting and participation by the Mayor are specified in the borough code, which supersedes any of these rules.

4. Members may also choose to elect a president or chairperson pro tem who will serve as presiding officer in the absence of both the president and the vice president or who may be asked to chair the meeting in order to permit either or both the president and vice president to make one or more motions. If members choose to fill this office, the Mayor shall continue to preside at the organization meeting until voting on the office is completed. Nomination and voting shall proceed as described above.

5. As prescribed in the borough code, all officers serve at the pleasure of council. Should council determine the need to select new officers during a public meeting other than the organization meeting, the presiding officer shall accept nominations and nominations and voting shall proceed as described above.

Nominations for & Election of Council President

Floor Open for Nominations

Mayor O'Malley

Nominees

Mr. Karas nominates Markus Erbeldinger

Motion: Motion to close nominations for election of the President of Council

Moved: Mr. Tomasic

Second: Ms. Wood

Voice Vote – all in favor

Vote on Presidential Candidates

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

Nominations for & Election of Council Vice President

Floor Open for Nominations

Mayor O'Malley

Nominees

Mr. Burleigh nominates William Tomasic

Mr. Karas nominates Devon Wood. Ms. Wood declines.

Motion: Motion to close nominations for election of the Vice President of Council

Moved: Mr. Karas

Second: Ms. Sowiski

Voice Vote

Ms. Wood commented at 6:00 that although I did throw my hat in the ring, to be considered for Vice President, I want to be in solidarity with council, and therefore am declining the nomination.

Mr Karas comments on Ms. Woods leadership and hard work for the borough.

Vote on Vice Presidential Candidates

Roll Call Vote:	Mr. Burleigh	yes on Mr. Tomasic
	Mr. Erbeldinger	yes on Mr. Tomasic
	Mr. Karas	yes on Mr. Tomasic
	Mr. Kiley	yes on Mr. Tomasic
	Ms. Sowiski	yes on Mr. Tomasic
	Mr. Tomasic	yes on Mr. Tomasic
	Ms. Wood	yes on Mr. Tomasic

Nominations for & Election of Council Chairperson Pro Tem (optional)

Floor Open for Nominations

Mayor O'Malley

Nominees:

Mr. Erbeldinger nominates Devon Wood.

Motion: Motion to close nominations for election of the Chairperson Pro Tem of Council

Moved: Mr. Tomasic
Second: Mr. Kiley

Voice Vote – all in favor

Vote on Chairperson Pro Tem Candidates

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

Meeting turned over to the President of Council

Two motions to approve appointed positions including the following positions:

Position	Currently
Borough Manager/Secretary	Steven J. Morus
Borough Treasurer	Wendelin J. Archer
Assistant Borough Treasurer	Steven J. Morus
Delinquent Tax Collector (except Earned Income Tax)	Steven J. Morus
Solicitor	Stephen Korbel, Babst, Calland, Clements & Zomnir, P.C.
Auditor	Case Sabatini
Engineer	David Gilliland, Glenn Engineering
Chairman of the Vacancy Board	Roger Artz
Zoning Officer/Building Inspector	Pat Earley, Building Inspection Underwriters
Code Officer	Don Branzel
Legal News Medium	Tribune Review
Depository of Funds	PNC Bank
Trustee of the Borough's Pension Plans	Ameriserv

Motion: Motion to appoint the Tribune Review as the Borough's Legal News Medium, unless advertising deadlines or other considerations warrant use of another publication.

Moved Mr. Kiley
Second Mr. Tomasic

Roll Call Vote: Mr. Burleigh yes
Mr. Erbeldinger yes
Mr. Karas yes
Mr. Kiley yes

Ms. Sowiski	yes
Mr. Tomasic	yes
Ms. Wood	yes

Motion: Move to approve all other appointments as shown in the list noted above
(exceptions to be noted here, if any)

Moved	Mr. Tomasic
Second	Mr. Burleigh

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

Committee Chair Appointments:

President of Council

Current Standing Committees (appointments may be made tonight or at another time and announced by the council president):

Mr. Erbedinger appointed the following chairs:

Borough Property	Mr. Kiley
Committee of the Whole	(Council President by rule)
Finance	Mr. Karas
Operations & Policy	Ms. Wood
Planning & Zoning	Mr. Burleigh
Public Safety	Mr. Tomasic
Public Works	Ms. Sowiski

Each committee having business to discuss will briefly meet on Thursday, January 9 beginning at 7:00 PM except the committee of the whole.

Mr. Erbedinger will appoint the following members at a later date.

Appointment of committee members:

President of Council

(NOTE: appointments may be made tonight or at another time and announced by the council president):

Appointment of negotiating committee for collective bargaining and other interaction with borough unions:

President of Council

Appointment of council representatives to the Turtle Creek Valley COG:

(Delegate & alternate to be appointed)

President of Council

Appointment of representatives to the Allegheny County Borough's Association:

(Delegate & alternate to be appointed)

President of Council

Other Business:

Mr. Erbelinger read a statement re: fire protection:

The borough of Forest Hills, PA is committed to strong and vibrant municipal services. Forest Hills is home to single family dwellings, larger multi-family high-rise buildings, and businesses both large and small. Sound fire protection is one of the primary responsibilities of public safety for the municipality. To that end, Forest Hills Council is equally committed to preserving tax payers' interests and creating policy that is sustainable and fiscally sound.

On June 18, 2013, Forest Hills councilpersons each received a letter to their home addresses from an attorney representing the Forest Hills Volunteer Fire Department. The letter dated June 17, 2013 announced the intent of Forest Hills Volunteer Fire Department to merge with Braddock Hills Fire Department in a unilateral decision with no input from the Borough of Forest Hills. At that time, Braddock Hills relied upon other municipalities for fire services due to their lack of fire fighter volunteers (Pittsburgh Post-Gazette, Thursday, May 9, 2013). Additionally, Braddock Hills Fire Department was embroiled in public allegations of racial prejudice towards persons of color interested in volunteering for the fire department (New Pittsburgh Courier Thursday, May 22, 2013).

At the request of Braddock Hills Council, Forest Hills provided a preliminary quote to Braddock Hills for contracted fire services in a letter on May 2, 2013. The estimate provided was based on a per capita basis from the most recent census numbers available for residents in Braddock Hills. The estimate used the same rate assessed to Forest Hills residents and business owners via the borough fire protection services fee. Forest Hills Council has not received correspondence indicating further interest from the municipality of Braddock Hills to contract fire services.

As of January 5, 2014, Forest Hills has received no formal correspondence from the Forest Hills Volunteer Fire Department retracting plans for merger with Braddock Hills Fire Department. The elected officials of Forest Hills have expressed that it is not in the best interest of Forest Hills residents to merge with Braddock Hills Fire Department. Markus Erbelinger, President of Council states, "Forest Hills welcomes multi-municipal collaboration provided it is an equitable

and mutually beneficial relationship between Forest Hills and the other municipality. We cannot subsidize another municipality's fire services on the backs of our current constituents."

Forest Hills borough continues to support the Forest Hills Volunteer Fire Department in the 2014 budget. The line item can be found under the Fire Protection Services Fee. Since 2012, Forest Hills has collected and administered money for a specific fire protection services fee. Details of the fee can be found on the borough's website homepage: <http://www.foresthillspa.org/>. By law, all monies are dedicated to and must be used solely for fire protection for the borough of Forest Hills. To date, the Forest Hills Volunteer Fire Department received \$54,688.50 in 2012 and \$33,617 in 2013. Additionally, the fee has provided for yearly payments of \$70,678 towards the purchase of a new ladder truck requested by the fire department. Currently, \$26,185 remains in escrow from the 2013 fire fee collections earmarked for fire services that the Forest Hills Volunteer Fire Department may request at any time. Forest Hills Council has stipulated that a request for purchase or an invoice be submitted prior to release of funding which is in line with current policy governing all purchases made for or on behalf of Forest Hills Borough. No requests or invoices have been submitted in 2013.

Forest Hills Council representatives have met with Forest Hills Volunteer Fire Department representatives on two different occasions seeking a resolution to the open issues regarding the letter received from the Forest Hills Volunteer Fire Department announcing its intent to merge with Braddock Hills Volunteer Fire Department. Elected officials welcome further discussion and resolution upholding the interests of the community of Forest Hills.

A press release packet with written correspondence from various entities as well as budget details may be obtained at the Forest Hills Borough Building, 2071 Ardmore Boulevard, Pittsburgh, PA 15221.

Mr. Erbeldinger indicated he would like to issue a press release basically including the language of this statement and would like to have council discuss. However, since it is a new issue on the agenda, he opened the floor for comments by residents and taxpayers of the borough.

Faith Katchmar, 210 Kohnak Lane – discussed the fire services fee, initial opposition by the department who gave up their fund drive and concern about resolving the issue over and above any personal issues.

William Gorol, 408 Marion Ave. – owns 2 properties in the borough and has been a member of the department. He asked where the money from the fire fee has gone. Asks where the second payment to the fire department has gone.

Harry White, 438 Decatur Ave. – has studied what is going on here. There are some hard feelings festering that need to be worked out.

Bob Janis, 304 Barclay Ave. – spoke before council in October and hoped that there would have been a resolution by this time. He is a member of the volunteer fire department and is proud to be a member. Many members of the fire department are not residents, but because of this restriction, they are unable to speak.

Comments from Council members:

Mr. Karas commented on the separation of executive and administration and the need to review council's code of conduct. We have a manager to administrate and the council members' job is to legislate. We need to treat each other with respect. We have rules to our committee and council meetings.

Mr. Kiley questioned money in the fire fee and the amount of \$26,000 in escrow.

Mr. Erbedinger responded the fire fee money is in escrow, earmarked only for fire department use.

Ms. Wood moved to accept the press release as written and have it distributed.

Mr. Tomasic seconded the motion

Voice Vote – all in favor

Mr. Tomasic noted that a number of handouts were prepared with supporting documents. He asked if this could be distributed to those in attendance. Mr. Tomasic discussed the items in the packet. The first sheet contains the copy of the letter from the Forest Hills Volunteer Fire Department stating that they intend to merge with the Braddock Hills. This was done without any input from this council. We have met two times with them to discuss this particular process. The second item is: people want to know where their monies are. By ordinance, no money can be spent out of that fund that is not for fire protection services in this borough. Mr. Tomasic continues to explain how the Fire fee is designated for fire protection only. The borough maintains the building which belongs to the borough and leases it to the Fire Department. For example the borough put a new roof on the firehouse at a cost of \$56,000.

Mr. Tomasic is opposed to the merger of the Forest Hills with Braddock Hills fire departments. He does not believe that we should be funding Braddock Hills. We should not be going up to Braddock Hills without compensation.

Mr. Karas clarified a few comments regarding raising issues with council. We have had discussions recently about being more transparent. We have an anonymous complaint policy that goes to our borough manager. He is charged with handling anonymous complaints. Each of the seven people and the mayor and the borough manager has voicemails. Letters that are addressed to council go to every member of council Committee rules and council rules which are different are available online. It is all on our website.

Ms. Wood commented on a letter she received from the Forest Hills Volunteer Fire Department in the mail. It is accusatory of council of not preserving our fire department. Her husband is a volunteer for the Forest Hills Fire Department.

Public Comment – Other Items

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Adjourn:

Motion to adjourn or adjourn by acclamation

Moved: Mr. Tomasic
Second: Ms. Wood

Voice Vote (or by acclamation) – all in favor

- Next Scheduled Council Meeting at 7 PM: January 15, 2014
- Next Scheduled Committee Meetings at 7 PM (order to be determined): January 9, 2014 – all committees will meet briefly (about 30 minutes) if they have business to conduct except the committee of the whole. Following that meeting, the following month's committees will meet as noted: Thursday, January 30, 2014 – Borough Property, Operations & Policy, Public Safety, Public Works. Tuesday, February 4, 2014 – Finance, Planning & Zoning, Committee of the Whole. *Council may choose to meet as a whole on these dates and conduct business if necessary.*