

Call to Order:

Mr. Erbeldinger

Pledge of Allegiance:

Mayor O'Malley

Roll Call:

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

President's Report:

Mr. Erbeldinger

Mr. Erbeldinger announced that an executive session would be held following the meeting on a personnel issue.

Mayor's Report:

Mayor O'Malley

No report

Tax Collector's Report:

Ms. Sullivan

No report

Chief of Police Report:

Chief Williams

Chief Williams presented his monthly report of activities of the department.

The Chief discussed the Hosanna House test of the new metering system for level of music.

Ms. Wood arrived at this time.

Mr. Tomasic asked if the no parking signs that had been taken from the front of the fire department building were returned. The Chief indicated yes and that the investigation continues.

Fire Chief's Report: Chief Theilacker

No report

Woodland Hills EMS Report: Chief Morse

No report

Solicitor's Report: Mr. Korbel

Mr. Korbel noted a litigation issue must be discussed in executive session following the meeting.

Wilkesburg Penn Joint Water Authority Report: Ms. Broz

Ms. Broz presented her monthly report of authority activities

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. Burleigh arrived at this time.

Frank Sabino, 409 Decatur Ave. – discussed fire department and concerns on safety.

H. William Phelps – 73 Elmore Road – asked a number of questions about the relationship between council and the fire department.

Faith Katchmar, 210 Kohnak Lane – also spoke about the fire department issue including whether Swissvale was approached for fire services, the Braddock Hills merger controversy. Submitted her written comments in full to council and played a portion of a recording of Mr. Tomasic's comments at a meeting on the Swissvale issue.

Ray Heller, Jr., 310 Avenue A – noted that he has been a borough resident for 50 years and spoke on the fire department issue. Discussed posting information on the website and that it goes against the website policy. He also discussed the right to know requests that people have been made including the number of right to know requests that were placed on the website. He also read a letter from former Mayor Ken Gormley. He requests that the letter is placed in the minutes.

Bob Janis, 304 Barclay Ave. – Asked that the fire fee ordinance amendment be repealed and noted that the fire fee originally was not really publicized as well as it

could be. It's been close to a year since the controversy on this issue began. He suggests that a special open meeting be held for all to give their input on the issue.

Pat Sorek, 300 Glasgow Road – A common theme is emerging—trust and fear. We trust the fire department, they are there when we need them. There is also fear—threats and intimidation have no place in the democratic process. Remember that the fire department has the community's support.

Anthony Rickard, 410 Marion Ave. – discussed his many jobs but noted that one thing he wants to do is be a fireman regardless of other jobs. He noted that the training he has received at the fire department has been valuable. He also notes that he wants to work together with the department and council. He loves the fire department and wants to work with the fire department and council to resolve the issues.

Angie Zezza, Fairview Road – She lives in Forest Hills and is proud to live in Forest Hills. Her dad built two houses on Fairview Road. She does not understand all that is going on, but feels that all have a right to know what is going on.

Committee Reports:

PUBLIC WORKS COMMITTEE

Mr. Kiley

Motion: Move to add spot repairs of pavement and curb on Filmore Road to the 2014 Paving Bid Specifications as recommended by the borough engineer and public works committee.

Moved: Mr. Kiley
Second: Mr. Tomasic

Note: see engineer report below for details.

Roll Call Vote:	Mr. Burleigh	yes
	Mr. Karas	yes
	Mr. Kiley	yes
	Mr. Tomasic	yes
	Ms. Wood	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 and will begin when spring arrives.

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

We are conducting field work for the 2014 Paving Bid which should be advertised later this month. The following additions to the project have been suggested:

Filmore Drive spot repairs – mill (DPW) and repave (contractor) the following areas

House # 455 to Geisler, West side

House # 605 to Watt, West side

Watt to Carmel, West side

At Angelo Lane, West side

Patrice toward Greensburg Pike, West side

Filmore Drive Curb replacement – Remove broken curb (DPW), install asphalt wedge curb.

Watt Lane to Greensburg Pike, East side.

Two areas on the west side between Watt and Greensburg Pike.

The spot repairs are proposed for areas where the asphalt was installed too thin and has deteriorated causing potholes in an otherwise smooth street. The curb replacement is necessary since the existing concrete curb is broken and allowing water to infiltrate under the asphalt causing it to break up and resulting in potholes.

These additions are estimated to add \$10,700 to the cost of the contract

D. CD 39 Demolition

The contract to demolish 617 Barclay Avenue has been awarded and the Notice to Proceed has been issued. The contractor should be starting work this month.

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

March 2014 Update:

At the February 13 Wet Weather Working Group meeting, we discussed an important topic: “What is the best way to continue to involve and educate elected officials on wet weather requirements and goals going forward?” Several good ideas were suggested, but we would like your input on the best approach.

3. The foreman reported on work planned for March 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

FINANCE COMMITTEE

Mr. Karas

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

General Fund Budget:	\$ 210,628.25
Corrective Action Budget:	\$ 3,592.80
Liquid Fuels	\$ 84,343.42
Fire Protection fee	\$ 1,478.85
Real Estate Tax Refunds	\$ 1,324.25

Moved: Mr. Karas
Second: Mr. Burleigh

Roll Call Vote:

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

Detail of Non-General Fund Items:

Corrective Action Budget:	Engineering costs, part for sewer truck, sewer fee refunds.
Liquid Fuels:	Salt, anti-skid, traffic lights
Fire:	Utility costs

Motion: Move to approve renewal of the fire insurance premium for the period of April 15, 2014 to April 15, 2015 in the amount of \$19,781 as quoted by Higbee Insurance.

Moved: Mr. Karas
Second: Mr. Tomasic

Just one note-- this is a continuation of our prior insurance policy and it represents a saving of \$3,529 per year.

Ms. Wood comments that she noticed that it doesn't include the Ford Explorer. Could someone explain the rationale why we are no longer covering that under the insurance?

Mr. Tomasic responded that the vehicle was not being used—it was sitting in the garage. He commented that we also reduced the coverage on the chief's car as well. Both were associated with money saving activities because we had a substantial increase in the insurance as required by the state.

Ms. Wood says that the Ford Explorer is used for fire training exercises. She moves to amend the motion. We did an exchange for radios. It is a difference of \$237. They also use that vehicle to get into tighter spots during fire training and calls.

Motion to table the above motion – Mr. Tomasic, Ms. Wood seconded.

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

Motion: Move to remove the motion from the table.

Moved: Mr. Tomasic
Second: Mr. Kiley

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

Motion: Move to approve renewal of the fire insurance premium for the period of April 15, 2014 to April 15, 2015 in the amount of \$19,781 as quoted by Higbee Insurance.

Moved: Mr. Karas
Second: Mr. Tomasic

Mr. Karas questioned whether this was discussed in committee. Mr. Morus noted that numbers were not available.

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

Motion: Move to approve renewal of borough's general liability, property, automobile, equipment and officials' liability insurance with Glatfelter Public Practice and the Higbee Insurance agency at a premium for the period of April 15, 2014 to April 15, 2015 in the amount of \$93,852.

Moved: Mr. Karas

Second: Mr. Tomasic

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

General Report:

1. The committee agreed that pension reports should be provided to the pension committee quarterly rather than monthly.
2. The chair discussed a policy on providing matching grant funds for borough projects and will provide it to all for review.
3. The chair will discuss use of Forest Hills vendors for purchases with the borough treasurer.

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 for the paint to cure.

B. Pool Lodge

The gas log has been received. Installation will be completed by the end of March.

2. The committee chair discussed the recent Winterfest activity held at the pool lodge. It raised \$700 which will be used toward a scout project at the pool for work on the concession stand.
3. The chair is investigating implementing a "share the road" program in the borough. This will be discussed at a future committee meeting.

PUBLIC SAFETY

Mr. Tomasic

Motion: Move to approve the following language as policy re: parking in borough lots located at and near the borough building:

No vehicle other than a borough owned vehicle shall be parked in lots in the borough building complex for an extended period of time except in the case of emergency in which case the police should be notified of the car make, model and license number. This will allow customers, emergency vehicles and, during inclement weather, public works personnel to access the lot in the course of their duties.

The Borough reserves the right to remove and impound any vehicle that violates this policy, Chapter 15, Part 7 of the Forest Hills Code of Ordinances or the Pennsylvania Vehicle Code.

Moved: Mr. Tomasic
Second: Mr. Burleigh

Mr. Tomasic comments that this has been a no parking area for a long time. We are trying to make sure that the fire department doors are not blocked. If you park in that area, you are violating the rules.

Ms. Wood comments that this does not in any way prevent anyone from doing their job.

Voice Vote – all in favor

Motion: Move to approve the purchase of 2 hay wagons from Wilkins Township in the amount of \$1,500 total with funds to come from the budget reserve account and with the understanding that the borough will loan the wagons to Wilkins when it does not interfere with borough use.

Moved: Mr. Tomasic
Second: Mr. Kiley

Mr. Tomasic comments that we tried to purchase these wagons that the Forest Hills Police Association have which are used for the hayride that is held in the fall. We reached out to Wilkins Township and found out they had a couple wagons and we purchased both of them for \$1,500. They need a little work on the tires, but they will do the job for the hayride in the fall.

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

General Report:

1. Members discussed several issues related to fire services in the borough and the volunteer fire department including:

- a. No official response letter or other signed written document has been received from the department re: the rescinding of language previously received in writing from the department and/or its attorney indicating a proposed merger with Braddock Hills VFD and recognition that borough council must be involved in discussions on any merger/consolidation/service requests.
- b. The committee confirmed that while there were inquiries re: the availability of fire service should it be needed, no discussions have been held with Swissvale or another municipality or department on providing fire service to the borough other than the service already provided by our volunteer fire department. The only place we have a written mutual aid agreement that is in writing is with the borough of Edgewood.

OPERATIONS & POLICY

Ms. Wood

Motion: Move to approve the minutes from the February 19, 2014 council meeting.

Moved: Ms. Wood
Second: Mr. Kiley

Voice Vote – all in favor

Motion: Move to authorize the manager to advertise the following changes in council committee meeting dates for 2014 with no further changes in meeting time or location:

<u>Meeting scheduled for</u>	<u>Moved to</u>
April 3	April 8
June 5	June 10
July 3	July 8
Sept. 4	Sept. 9
Dec. 4	Dec. 9

Moved: Ms. Wood
Second: Mr. Karas

Mr. Kiley explains for the benefit of those in the room: The idea here was to move all of our committee meeting nights to be on Tuesdays for the ease of scheduling for several members of council, myself included.

Voice Vote – all in favor

Motion: Move to approve ordinance number 1044, amending Chapter 6 of the code of ordinances to prohibit the sale of certain fireworks within the borough.

Moved: Ms. Wood
Second: Mr. Tomasic

ORDINANCE TITLE READS AS FOLLOWS

AN ORDINANCE OF THE BOROUGH OF FOREST HILLS,
ALLEGHENY COUNTY, PENNSYLVANIA, AMENDING
CHAPTER 6 OF THE FOREST HILLS BOROUGH CODE OF
ORDINANCES, CONDUCT, TO PROHIBIT THE SALE OF
CERTAIN FIREWORKS WITHIN THE BOROUGH.

Mr. Korbel commented: This was identified by Keystate Publishers as something that needed to be changed while they were updating our codification plus there were some minor tweaks to state law, since the last time we passed it, so this needed to be updated.

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

Motion: Move to authorize the solicitor to prepare and advertise an ordinance amending the borough's no smoking policy for borough parks and properties.

Moved: Ms. Wood
Second: Mr. Burleigh

Ms. Wood asks what this is going to look like. Mr. Korbel replies that he has not prepared it yet as he has just been authorized to do so. But this would apply to all borough property.

Voice Vote – all in favor

Motion: Move to approve the bid of Carl's Tree Service in the amount of \$8,550 for tree pruning and \$2,175 for tree removal as reviewed and recommended by the Tree and Shrub Committee.

Moved: Ms. Wood
Second: Mr. Karas

Bids were received and opened by the Tree and Shrub Committee as follows:

Company	Pruning Bid	Removal Bid
Carl's Tree Service	\$8,550	\$ 2,175
Krusper Tree	\$9,800	\$ 2,800
Ray's Tree Service		\$11,200
Iron Mike Tree Service	\$9,350	\$ 2,600

Note: The bid from Ray's was rejected because they did not follow bid instructions. Pruning work will be mainly on Cascade and Edgewood. Removal work is mainly the LeBeau/LeGrande removal and replacement program.

Roll Call Vote: Mr. Burleigh yes
 Mr. Karas yes
 Mr. Kiley yes
 Mr. Tomasic yes
 Ms. Wood yes
 Mr. Erbeldinger 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 noted that the manager is working with staff to replace outgoing computer service/maintenance provider Mike Shafer when his contract concludes at the end of April due to his new position with another firm.
4. In Committee of the Whole, the manager discussed implementing a borough Twitter account (@ForestHillsBoro) effective tomorrow which will be used to provide only information and announcements to those who choose to follow and with the following general policy implemented, assuming no objection tonight by council members:

The borough's use of social media accounts such as Twitter will be limited to providing information and public service announcements to those who subscribe. Its use is limited to notifying residents and taxpayers of events and notices that are directly related to Forest Hills Borough. It will not be used to advertise or otherwise spread notices by area businesses, private individuals or nonprofit organizations unless they are operated by Forest Hills Borough or directly affiliated with Forest Hills Borough government (e.g., garden clubs, recreation board, etc.). It will not be used for partisan political issues or to create and maintain controversy. It will not be

used to engage the public in conversation nor will it solicit or reply to opinion or response. It will not be used for emergency contacts of any kind or as a replacement for use of the 911 system though it may be used to supplement the borough's crime alert system as an informational tool.

PLANNING & ZONING

Mr. Burleigh

Motion: Motion to authorize the Borough to enter into an Easement Encroachment Agreement with Guido G. Gatti to permit Mr. Gatti's retaining wall to encroach upon the Borough's Sanitary Sewer Easement located at 363 Barclay Avenue.

Moved: Mr. Burleigh
Second: Mr. Kiley

Mr. Korbel explained that Mr. Gatti constructed a retaining wall that encroached into the Borough's sewer easement. He went to the Zoning Hearing Board to seek a variance for doing so, and that variance was granted conditioned upon him entering into an Easement Encroachment Agreement which basically says that if the borough needs to access the property under his retaining wall that we have the right to remove it and do what we need to do in the sewer easement and the borough would be under no obligation to reconstruct the wall. The borough would give him notification of taking the wall down if that situation would arise. But the borough is not obligated to repair the wall. Mr. Gatti has agreed to the terms of the agreement.

Roll Call Vote:

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

General Report:

1. Members again discussed the Silversmith Development. The Silversmith group will hold "outreach meetings" to provide residents with an opportunity to review remediation results for the property (assuming that the study is completed) on April 8 at 10 AM and 7 PM.

Mr. Korbel comments that Mr. Silversmith received a grant from the state to do an additional investigation on the site to determine whether or not there is certain contamination that we are not aware of. The studies may not be complete by the April 8th meeting date, so the meeting in that case will be delayed until the studies are completed.

2. Code officer Don Branzel reported on his activities for the month including issuing many notices of violation for failure to remove snow from sidewalks.

Old Business:

Mr. Karas as finance chair commented on the budget process and noted that there are some things that were noted re: the manager that he would like to clarify. The manager would not answer some of the comments due to his integrity. First thing is the pass thru money from the state goes from the state to our budget to our fire department within 60 days or less. The dollars in the budget for the fire fee by ordinance go to the VFD by ordinance—they go nowhere else. Our budget is online for everyone to see. I think we have one of the best managers around.

Ms. Wood commented that Mr. Morus serves as the president of the borough managers association for the entire state.

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.

June Simmen, 3 Cherry Valley Road – On Wednesday, March 5th a school bus ran away from the parking lot at the Cabana Club (Hosanna House) and did some damage to a neighbors yard. There were no children on the bus and no one was hurt. How many school buses are going to be allowed to go up and down Sherwood Road every day? School busses drive up on the grass. The water run-off from the property is horrible and the traffic is getting worse. The speed bumps need painted again.

Frank Sabino, 409 Decatur Ave. – discussed the parking issue in the lot near the garage that houses the fire trucks. Mr. Tomasic noted problems we had with parking and enforcing the “no parking” areas.

Cecil Watkins, 205 Korhnak Lane – questioned the liability coverage on vehicles. If there is no liability coverage, the borough residents would ultimately be responsible. He feels it is near irresponsible if there is no liability coverage. Mr. Tomasic told him that it would be taken up at the next committee meeting in the first week of April.

Ray Heller, Jr. 310 Atlantic Ave – referred to chapter 1 re: hiring, suspending or discharging of employees as part of the manager’s duties and not council’s. Asks if this is enforced and if violations are being enforced for those who don’t follow this requirement.

He also discussed the purchase of the park and ride lot by the borough. Noted the planning commission discussion of this property and that it was not approved by them. Discussed whether the developer could not have sold it for more money.

Faith Katchmar, 210 Korhnak Lane – discussed the trade of the radios for the car with the VFD. She also discussed the parking issues.

Ken Belferman, 531 Atlantic Ave. – raised the issue of water fluoridation and encouraged that council work toward eliminating it in drinking water. There may be dangers in the long-term ingestion of fluoridated water.

Eric Gray, 1131 Fairview Road – questioned the no parking signs at the fire department building. He asked who put the no parking signs up? Mr. Tomasic answered that he assumes that the fire department put them up to keep people from parking in front of the fire department doors. Mr. Gray had a photo of Mr. Tomasic’s car parked by the pool entrance.

Mr. Tomasic replies that he was at the pool to confer with borough employees, Jim Theilacker and Bill Dalzell. Mr. Tomasic says that he was there just a few minutes. Mr. Tomasic states he will be here three more years, and as such will defend the residents of the borough. He also has stated that he suggested coming to a public safety meeting to discuss the issues.

Harry White, 438 Decatur Ave – asks that people talk to the fire department.

Peggy Zezza, 29 Fairview Road – discussed her involvement in voting; and the lack of insurance on the Ford Explorer.

Adjourn: Motion to adjourn or adjourn by acclamation

Moved: Mr. Kiley
Second: Mr. Tomasic

Voice Vote – all in favor

- Next Scheduled Council Meeting: April 16, 2014.
- Next Scheduled Committee Meetings (order to be determined): Tuesday, April 1, 2014 – Borough Property, Operations & Policy, Public Safety, Public Works.
Tuesday, April 8, 2014 – Finance, Planning & Zoning, Committee of the Whole.
Council may choose to meet as a whole on these dates and conduct business if necessary.