

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	present
Ms. Sowiski	present	Stephen Korbel, Solicitor	present
Mr. Tomasic	present	David Gilliland, Engineer	present
Ms. Wood	present	Steven Morus, Manager	present

President's Report:

Mr. Erbeldinger

President Erbeldinger noted an executive session would be held this evening and one was held on Oct. 7 to discuss litigation and personnel issues.

He also noted the hay ride is scheduled for this Saturday at 6 PM.

Mayor's Report:

Mayor O'Malley

Mayor O'Malley had no report

Tax Collector's Report:

Ms. Sullivan

Ms. Sullivan reported on monthly collections.

Chief of Police Report:

Chief Williams

Chief Williams reported on the hay ride and the upcoming Race for Pace and monthly activities for the police.

Fire Chief's Report:

Chief Theilacker

No report

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Woodland Hills EMS Report: Chief Morse

No report

Solicitor's Report: Mr. Korbel

Clarified the purposes of the executive sessions Mr. Erbeldinger announced.

Also with respect to the zoning issue for the fence for 109 Forest Glen – no appeals have been filed with respect to the Zoning Hearing Board decision and no appeal filed with the notice of violation that the Borough issued.

Mr. Tomasic responded that he wanted to go through this in detail. This fence at 109 Forest Glen – that's Officer Sharp's fence?

Mr. Korbel responded Yes

Mr. Tomasic: He applied for a permit as I understand. Officer Sharp was denied that permit yet he put the fence up anyway correct?

Mr. Korbel: that's correct

Mr. Tomasic: OK, so, I had people ask me why he was permitted to put the fence up. So I want to make it public that I did not say anything and I know nobody on this council told him that he could put that fence up. And that he was actually denied the permit and told before he erected the fence that it was a violation.

Mr. Korbel: that's correct. Yes.

Mr. Tomasic: Ok, thank you.

Mr. Korbel: That's the end of my report.

Wilkesburg Penn Joint Water Authority Report: Ms. Broz

Ms. Broz reported on authority activity. There was one break on Greensburg Pike.

Report on Green Buildings Mr. Burleigh

Mr. Burleigh presented a PowerPoint report on the benefits of green building research he has performed including possibly building one for Forest Hills.

He noted problems with the current borough building including costs and heating/cooling problems and why the borough may want to consider green building characteristics if and when a new borough building was constructed.

Mr. Burleigh discussed characteristics of building "green" and LEED designation and certification. Funding benefits are possible to encourage building green.

He discussed the need to register and submit applications for this designation through the Green Building Alliance, though there are costs to register.

He believes we need a new borough building that features these ideas and that council should consider.

Mr. Erbedinger indicated council was in very early stages of considering selling property on Ardmore and moving the borough building to Greensburg Pike. We could also sell the senior center and move senior functions to the new building. Council believes there would be savings and cost efficiencies. This will take some time. We are just at the research stage right now. All will be in the loop on this. We are not looking to build an extravagant building.

Mr. Tomasic discussed research he has done on building green and the need to make improvements that the current building does not have in an effort to reduce maintenance and other costs. He noted too that we are researching energy saving methods to incorporate in a new building.

#### 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**

Ms. Sowiski

**Motion:** Move to approve a change order for sewer work with contractor Border Patrol LLC in the amount of \$3,397.20 to cover additional excavation for Sharon Drive sewer repairs.

Moved: Ms. Sowiski  
Second: Mr. Tomasic

Note: see engineer report below for details.

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

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

**Motion:** Move to authorize transfer of \$20,000 from the general fund budget line item 01-410-130 Salaries to line item 01-492-018 capital improvements plan.

Moved: Ms. Sowiski  
Second: Mr. Burleigh

It was noted by various members that this will go to a new truck. Mr. Kiley notes we can do this because a member of the crew retired and there is savings in the public works salaries.

Roll Call Vote:

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

**Motion:** Move to authorize the foreman to arrange the lease/purchase of a 2015 Dodge 550 4 x 4 dump truck with snowplow from Tri Star Motors via the CoStars purchase program in the amount of \$72,083 through a 5 year lease agreement with KS State Bank at 3.12% interest and including a down payment of \$20,000.

Moved: Ms. Sowiski  
Second: Mr. Kiley

Roll Call Vote:

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

**Motion:** Move to approve an agreement with the Forest Hills Municipal Employees Union to extend the collective bargaining agreement through Dec. 31, 2018 specifying terms covering a potential new hire in the public works department, a 2% increase in salary each year beginning in 2016 and

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language covering a \$500 bonus to be paid on June 1, 2015 to all active members as of the date both parties ratify the agreement.

Moved: Ms. Sowiski  
Second: Mr. Tomasic

Mr. Tomasic discussed the process in getting the agreement and praised the cooperation between council and the union. He explained the basics of the contract extension. All will benefit by working together.

Mr. Erbedinger noted that all future employees covered by a pension will move to a defined contribution plan. Mr. Korbel noted that currently all employees have a defined benefit plan.

Mr. Karas seconded what Mr. Tomasic said about the ease with which the agreement was reached.

Roll Call Vote: Mr. Burleigh            yes  
                         Mr. Karas                        yes  
                         Mr. Kiley                         yes  
                         Ms. Sowiski                    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 Trenchless Project is 70% complete and will be completed by the end of November. We have one change order for your consideration. The Conventional Excavation contractor was to repair a sewer that was shown on the map as 10 feet deep alongside 201 Sharon Drive. After excavating 20 feet and not finding the pipe, we determined that fill had been added to the ground and the pipe was now 30 feet deep. Therefore this repair was completed by lining the pipe. The extra lining was approved by change order several months ago. The conventional dig contractor, of course, wants compensated for his exploratory excavation for which he requested \$21,000. I demanded time sheets for workers to justify this amount and the request was reduced to \$11,001. After deducting the cost of the original proposed dig, the net difference is an increase of \$3,397.20 which is the amount of the Change Order being proposed.

B. 2013 Paving

This project has been completed except for the line painting and stop bars which will be done within the next 2 weeks.

C. 2014 Paving

This project has been completed except for stop bars which will be done within the next 2 weeks.

D. CD 41 Demolition

We have submitted a pre-application to obtain CDBG funds to demolish two properties in 2015: 419 Braddock Road and 16 Kenmore Road. Resolutions to support this application should be passed at the October business meeting.

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

Planning is moving forward on the process for the proposed transfer of multi-municipal trunk sewers and existing and planned wet weather control facilities to ALCOSAN. These would include conveyance pipes of at least 10" in diameter and larger that are part of trunk sewer lines (not collection system sewer pipes) and convey flows from multiple municipalities to ALCOSAN's interceptors. Transfer principles were approved by the Sewer Regionalization Implementation Committee (SRIC\*) in May and reviewed at a municipal solicitors' update meeting on June 11. SRIC has drafted a due diligence checklist, which is being tested in Girty's Run. Girty's Run Joint Sewer Authority, West View Borough and ALCOSAN are collaborating on the transfer of Girty's Run trunk sewer and retention basins.

SRIC and ALCOSAN are developing a draft transfer agreement that will be presented at a future municipal solicitors' meeting. A number of municipalities and municipal authorities have also indicated their willingness to proceed with transfer of multi-municipal trunk sewers. The total number of miles of trunk sewers to be transferred is being further refined with ALCOSAN staff. The draft maps, which depict the multi-municipal pipes and wet weather control facilities that are proposed for transfer, will be presented to the municipalities by ALCOSAN for review and comment possibly in October.

3 Rivers Wet Weather will continue to provide regular updates on sewer regionalization at the Wet Weather Working Group Meetings

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

- Sanitary Sewer Work (some overtime)
- Patch potholes
- Build new hay wagon; repairs to existing hay wagon
- Crack seal various roads with hot tar (including Chalfant)
- Leaf collection
- Work on fire hall repairs (exterior)

4. Members reviewed a timeline for public works vehicle/equipment replacement prepared by the manager and foreman.
5. The manager reported on activities re: improving water quality in the 9 Mile Run watershed. The borough has approximately 9 properties that drain into that watershed and could be impacted in a minor way by decisions made in improving water quality. The borough engineer is monitoring.

**FINANCE COMMITTEE**

Mr. Karas

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

General Fund Budget:	\$ 173,422.11
Corrective Action Budget:	\$ 236,528.33
Fire Protection fee	\$ 2,642.72
Tennis Courts	\$ 168.00
Road Improvement	\$ 258,599.34

Moved: Mr. Karas  
Second: Mr. Burleigh

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

Detail of Non-General Fund Items:

Corrective Action Budget:	ALCOSAN bill, engineer costs, storm sewer work, sewer truck repair
Fire:	Utility bills, workers comp insurance
Road:	2014 paving project, tar & materials

*General Report:*

1. The finance committee reviewed a first draft of the 2015 budget prepared by the manager and staff and will continue preparation of the budget and capital improvements plan at the November committee meeting with subsequent budget discussions at their committee meetings or in Committee of the Whole in December. All committee meetings are open to the public.
2. The engineer prepared the following quotes for work on borough walkways:

- a. Handrail replacement. 7 locations, 214 LF total, **\$21,400**
- b. Concrete Slab Replacement. 4 locations, 395 SF, **\$5,925**
- c. Concrete step replacement. One location, 4 steps, **\$1,500.**
- d. Brick Relayment. One location, 20 SF, **\$500.**

The committee recommends that items b, c, and d be considered for inclusion in the 2015 Capital Improvements Plan if funds are available.

## **BOROUGH PROPERTY**

Mr. Kiley

**Motion:** Move to approve the First Amendment to the Lease Agreement dated April 22, 2004 between the Borough and the County of Allegheny for use of the building owned by the Borough and located at 2065 Ardmore Boulevard for use as office space and a court facility.

Moved: Mr. Kiley  
Second: Mr. Karas

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

### *General Report:*

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

#### Borough Property

##### A. Tennis Courts

The small rust stains that appeared in the surface paint were repaired but were not done satisfactorily. We are still withholding payment until the repairs are done correctly.

##### B. Walkways

Jim Theilacker and I inspected the walkways in the borough and provided a report discussed at committee meeting.

2. Members reviewed potential salaries for part time and nonunion full time employees for the 2015 budget.
3. The foreman reported that a number of the decorative lights are out in the business district and that electrical issues must be addressed before getting

them back on. He also noted that the crew will reset the timers so that the lights go off around midnight each night.

4. Cindy Simm reported that she does not recommend a fee increase for rental of various properties. The recreation board is reviewing other fees and may make a recommendation to council for changes.
5. On October 18, a number of student volunteers from Pitt will work in the borough to improve several walkway areas as part of Pitt Make a Difference Day.

## **PUBLIC SAFETY**

Mr. Tomasic

**Motion:** Move to approve resolution number 1148, establishing a reimbursement and payment policy for the borough fire protection services fee.

Moved: Mr. Tomasic  
Second: Ms. Sowiski

Resolution title reads as follows:

A RESOLUTION OF THE BOROUGH OF FOREST HILLS,  
ALLEGHENY COUNTY, PENNSYLVANIA, ESTABLISHING  
A REIMBURSEMENT AND PAYMENT POLICY FOR THE  
BOROUGH FIRE PROTECTION SERVICE FEE.

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

**Motion:** Move to accept the bid for purchase of the K9 vehicle of Angela M. Fry in the amount of \$6,000 with purchase contingent on receipt and clearance of payment if received by check and on transfer of all equipment to the new K9 vehicle.

Moved: Mr. Tomasic  
Second: Mr. Kiley

Mr. Karas asked for clarification and Mr. Tomasic noted this follows our policy of removing an old vehicle when also purchasing a new one.

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Chief Williams explained the details of the sale of the current vehicle in this motion and the purchase of a new vehicle.

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

*General Report:*

1. The committee reviewed the use of body cameras and their feasibility for use in the Forest Hills Police Department.

Mr. Tomasic noted the background to investigating such a purchase. It is a way to provide information so we know what has happened during an incident. It should protect the borough as well. He believes it would be a valuable asset and we should move forward on this investigation. He asks all to research and bring questions to the public safety committee. He would like to see the borough move forward on this. He firmly believes that this would be beneficial for the borough and the police department.

Mr. Korbelt noted he is taking a look from a legal perspective as well.

Mr. Erbedinger clarified that we haven't made a decision but are studying the issue at this time.

2. The hayride occurs this Saturday, Oct. 18 with the borough's newly purchased hay wagons and a newly built hay wagon by the public works crew. It starts at 6 PM at the Forest Hills/Westinghouse Recreation Center Lodge in cooperation with the public works department and public safety departments in the borough.

Mr. Tomasic expressed concern that events occur and there is no history.

He noted we have 3 wagons owned by the borough; we always borrowed them before from the police and from Wilkins. At the end of last year during council reorganization, we discussed purchasing the 2 wagons from the FHPD with Brian Armstrong, then President of Forest Hills Police Association, and the Chief at a cost of \$3,000. However, the FHPA administration changed as did council and the FHPA considered there was no agreement by the new FHPA board. We had a good relationship and had just settled a new police contract extension.

We asked them to purchase the wagons via letter based on discussion with the previous president. The FHPA said there was no agreement. Their new

president, Len Mesarchik, suggested a higher cost of \$4,000. Council determined to look elsewhere to keep the cost low and we were able to purchase 2 used hay wagons from Wilkins for \$1,500. We were still one wagon short. Once these were purchased we asked the Forest Hills Police Association again if we could buy one or both of their wagons but they had been sold for \$4,000. So council asked public works to build a new one which was done.

He discovered that these old wagons were sold for \$4,000 but are parked and unused on Braddock Ave. We have photos of them parked there.

He wanted the record to show how the process occurred.

## **OPERATIONS & POLICY**

Ms. Wood

**Motion:** Move to approve the minutes from the September 24, 2014 council meeting.

Moved: Ms. Wood  
Second: Mr. Karas

### ***Voice Vote – all in favor***

#### *General Report:*

1. Members reviewed options for setting the trash fee for 2015.
2. The committee continues to review draft policies on social media and has asked the solicitor to review and comment.
3. Through Committee of the Whole, members authorized the manager to prepare and send a Swiftreach notice to residents on the health fair to be held on October 25 from 10 AM to 2 PM at the Forest Hills Plaza Shopping Center.
4. In Committee of the Whole, members authorized the Arborist to seek bids for 2015 tree removals.
5. 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.
6. 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.

## **PLANNING & ZONING**

Mr. Burleigh

**Motion:** Motion to approve ordinance no. 1046 authorizing an intergovernmental cooperation agreement that would permit the borough to participate in the Turtle Creek Valley COG land bank.

Moved: Mr. Burleigh  
Second: Mr. Kiley

Mr. Korbel explained the background and this will allow the borough to negotiate with the COG consortium that the TCVCOG belongs to that is creating a land bank. It would allow purchase of blighted vacant properties in the borough that are tax delinquent to get them back on the tax rolls. He emphasized that the ordinance allows us to negotiate and not necessarily to join if terms are not beneficial.

Mr. Kiley noted a meeting he attended with the Mayor on the land bank. The school board must approve as well as individual municipalities. The school board must approve along with the county and only those municipalities that approve would be allowed to participate. It would only be unoccupied properties involved.

Mayor O'Malley explained what the land bank does in condensing laws for property transfers to simplify the process.

Ordinance Title reads as follows:

AN ORDINANCE OF THE BOROUGH OF FOREST HILLS,  
ALLEGHENY COUNTY, PENNSYLVANIA,  
AUTHORIZING THE BOROUGH TO ENTER INTO AN  
INTERGOVERNMENTAL COOPERATION AGREEMENT,  
OR AGREEMENTS WITH OTHER PARTICIPATING  
MUNICIPALITIES AND TAXING JURISDICTIONS OF  
ALLEGHENY COUNTY FOR THE PURPOSE OF  
FORMING, ESTABLISHING AND JOINING A LAND  
BANK TO BE KNOWN AS TRI-COG LAND BANK.

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

**Motion:** Motion to authorize the Solicitor to negotiate an agreement with P&L Investments, LLC that would result in the Borough becoming the custodial owner of the Westinghouse property so that the property would become

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eligible for an Industrial Site Reuse Grant through the Pennsylvania Department of Community and Economic Development for the environmental cleanup of the property to DEP residential standards.

Moved: Mr. Burleigh  
Second: Mr. Tomasic

Mr. Korbel provided a brief explanation of the process for the old Westinghouse research site in an effort to clean up the property through a state grant while in the hands of the borough under a potential agreement. The property returns to the current owner when completed if the proper agreement is arranged.

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

**Motion:** Move to approve resolution number 1149 designating certain properties as blighted and identified for demolition.

Moved: Mr. Burleigh  
Second: Mr. Kiley

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

**Motion:** Move to approve resolution number 1150 authorizing the director of the Turtle Creek Valley Council of Governments to apply for Community Development Block Grant funds in the amount of \$16,000 for the demolition of properties identified by the code enforcement officer.

Moved: Mr. Burleigh  
Second: Mr. Karas

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

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Mr. Tomasic	yes
Ms. Wood	yes
Mr. Erbedinger	yes

*General Report:*

1. Members reviewed code enforcement work with Officer Don Branzel including several problem properties that he is working on currently.
2. The chair briefly reviewed and discussed the borough's comprehensive plan at the October committee meeting.

Old Business:

Mr. Tomasic noted an envelope received from the fire department several weeks ago regarding a number of issues related to repairs to the exterior of the building. He asked Mr. Morus if he had communicated with the fire department to communicate with council through him and not hand him envelopes. He outlined several specifics in his comments. He didn't believe the retaining wall on the side of the building was as bad as noted but it was repaired.

He discussed repairs to the garage doors as requested and that the doors were adjusted, weather stripping was added and parts of the door were painted. He did not notice water inside the door as had been claimed. There is now metal on the bottom and the seals are all adjusted, weather stripping has been added to the bottom. We painted some parts of the bottom part of the door.

Mr. Tomasic discussed painting and replacement of exterior doors. These were repaired and painted and not replaced. He does not believe the rusting noted in the letter could have happened in a short time. In the public safety meeting he will have pictures. The Garage Door Doctor will be doing annual maintenance on the doors.

Mr. O'Malley asked who signed the letter. It was Richard T. Colella, noted Mr. Tomasic.

Mr. Erbedinger noted that we own the firehouse building and must take care of the exterior of the building.

New Business:

None

Public Comment – Other Items

*At this time citizens may address council on any issue. Only residents and taxpayers of 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*

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*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

Adjourn: Motion to adjourn or adjourn by acclamation

Moved: Mr. Tomasic

Second: Mr. Karas

***Voice Vote – all in favor***

- Next Scheduled Council Meeting: November 19, 2014.
- Next Scheduled Committee Meetings (order to be determined): Thursday, Nov. 6, 2014 – Borough Property, Operations & Policy, Public Safety, Public Works.  
Tuesday, Nov. 11, 2014 – Finance, Planning & Zoning, Committee of the Whole.  
Council may choose to meet as a whole on these dates and conduct business if necessary.