

Call to Order:

Mr. Erbeldinger

Pledge of Allegiance:

Mr. Erbeldinger

Roll Call:

Mr. Burleigh	Present	Mr. Erbeldinger	Present
Mr. Karas	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

Remembrance: Mayor Marty B. O'Malley

Mr. Erbeldinger comments about meeting Mayor O'Malley while he was out campaigning, about 12 years ago while walking his dog with his daughter. He always had a smile, he always seemed to be happy and he cared about the people of Forest Hills. For me, it was a shock. He passed away on a day when he was preparing for a meeting of the democratic committee. .

Mr. Burleigh comments that Marty was a friend, a gym rat—they worked out together, and who shared many experiences in his life with him.

Ms. Wood comments that chips and tea was Marty's favorite snack after a meeting Marty will be remembered for saying "yes" and for his conviction, strong resolution and a peaceful heart.

Moment of Silence in honor of Mayor Marty B. O'Malley

Vacancy – Office of Mayor

Mr. Erbeldinger

Note: council will consider nominations for the Office of Mayor and vote to fill the vacancy followed by a motion on the resolution below. The successful candidate will be required to sign an affidavit of residency before the notary then take the oath of office administered by Judge Caulfield. In voting on a candidate, Mr. Erbeldinger acts as Mayor and Council President and may only vote in the event of a tie.

Nominations

Mr. Tomasic suggested that we note all 3 names who presented themselves for nomination and vote.

Mr. Erbeldinger noted the 3 names placed in nomination: Mr. Dove, Ms. Wood, Mr. Porco

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

Motion: Move to approve resolution number 1155 appointing Frank Porco Jr. to fill the vacancy in the office of Mayor.

Moved: Ms. Wood
Second: Mr. Karas

Resolution title reads as follows:

A RESOLUTION OF THE BOROUGH OF FOREST HILLS,
ALLEGHENY COUNTY, PENNSYLVANIA, APPOINTING
FRANK PORCO JR. TO FILL THE VACANCY RESULTING
FROM THE DEATH OF MAYOR MARTY B. O'MALLEY.

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

Oath of Office

Judge Thomas Caulfield

President's Report:

Mr. Erbeldinger

Mr. Erbeldinger announced executive sessions held following committee meetings on March 3 and 10 re: litigation and personnel matters.

Mayor's Report:

Mr. Porco

Mr. Porco thanks council for its support and vote. He accepts this position with mixed emotions and comments on Mayor O'Malley's personality; that he was well known and well liked in the community and that he will be missed.

Tax Collector's Report:

Ms. Sullivan

Ms. Sullivan had no report.

Chief of Police Report:

Chief Williams

Chief Williams welcomed the Mayor and reported on department activities. He provided a few reminders with the change of season including noting that cars that may have been idle in the winter may need inspected.

Fire Chief's Report:

Chief Theilacker

No report

Woodland Hills EMS Report:

No report

Solicitor's Report:

Mr. Korbel

Mr. Korbel noted one executive session item following the meeting re: attorney client privilege and Mr. Tomasic noted he also had a collective bargaining issue to raise at that time.

Wilkesburg Penn Joint Water Authority Report:

Ms. Broz

Ms. Broz reported on a good audit report for the authority and other 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.

No comments

Committee Reports:

PUBLIC WORKS COMMITTEE

Ms. Sowiski

Motion: Move to add additional lining of sewer pipe behind Barclay Avenue and increasing the diameter of the liner on Sherwood Road at a net increase of \$18,040.00 for the 2015 Trenchless Technology Sewer Repair Project.

Moved: Ms. Sowiski

Second: Mr. Kiley

Mr. Gilliland explained the background and reason for the change.

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. 2015 Sewer Significant Deficiency Repairs

The Trenchless project has started with 25% of the work complete. The Conventional Dig Project is 50% complete. Work is progressing smoothly as weather permits.

B. 2015 Street Paving

The following streets will be advertised for bid:

1) Rockwood (Kenmore to Yost)	\$27,000
2) Hawthorne (Castlegate to Cascade)	\$15,000
3) Wellington (Brinton to Bevington)	\$16,000
4) Bevington (Burlington to Norway)	\$10,000
5) Circuit Lane (Lafayette to Overdale)	\$25,000
6) Sharon Drive (Filmore to Pacific)	\$127,000
7) Sharon Dr (Pacific to Barclay)	\$31,000
8) Pacific Ave (Marion to Sharon)	\$61,000
9) Filmore Dr (Geisler to house # 431)	\$50,000

Additionally the specification package will include the Park & Ride Paving and the paving of the parking lot at Main Park under separate bid sheets. The project will be advertised on March 9 with bids opening March 23 at 11 AM. **This list is tentative pending bids received and funds available.**

Mr. Gilliland explained the bid process. Mr. Morus noted that the list is tentative for streets. Mr. Tomasic noted that the park and ride paving will come from PAT funds, not borough funds.

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

With the pending expiration of the municipal orders on March 30, 2015, we wanted to provide you with an update on the review of the municipal requests for extensions that have been submitted to the regulatory agencies. At this time, the Allegheny County Health Department and the Pennsylvania Department of Environmental Protection have received letters requesting an extension of their municipal orders from about 40% of the ALCOSAN customer municipalities.

To date, the Pennsylvania Department of Environmental Protection has responded to 31 letters to acknowledge their receipt of the request for an extension of their COA/ACO, and to let municipalities know that the agencies will be contacting them soon. It is anticipated that discussions between the municipalities submitting requests and the regulatory agencies will be necessary in order to negotiate the terms and requirements for moving forward. Although 3 Rivers Wet Weather has been requested to play a role in facilitating these future discussions, if you have any further questions regarding your request, you should contact PADEP or ACHD, as appropriate.

3. The foreman reported on tentative work planned for March (other than normal maintenance work and Chalfant work and depending on weather):

- Sanitary Sewer Work (some overtime)
- Repair pole lights – Ardmore
- Patch potholes with cold patch material
- Repair summer mowing equipment
- Maintenance on all trucks and machinery
- Cut trees along pool roadway and parking lot
- Change various signs throughout the borough
- Repair electrical panels – pool filter room
- Improve security access to police side of building

4. The borough received a reply from PA DEP to the letter prepared by Bob Zischau of Glenn and signed by Mr. Erbdinger re: extension of the sanitary sewer consent decree. They agree that a meeting to discuss an extension would be beneficial for all concerned and are asking John Schombert of 3 Rivers Wet Weather to facilitate.

5. In Committee of the Whole, the manager noted that we received a number of compliments for Jim Theilacker, Foreman, and the public works crew for their work this winter and in particular for clearing roads during recent storms.

FINANCE COMMITTEE

Mr. Karas

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

General Fund Budget:	\$ 189,442.21
Corrective Action Budget:	\$ 6,255.98
Fire Protection fee	\$ 4,782.33
Capital Improvements	\$ 1,509.54
Liquid Fuels	\$ 72,037.83
2014 Real Est. Tax Refund	\$ 445.31
2013 Real Est. Tax Refund	\$ 446.91

Moved: Mr. Karas
Second: Mr. Tomasic

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

Detail of Non-General Fund Items:

Corrective Action Budget:	Engineering, sewer repairs, postage
Fire:	Bill Reimbursement, utilities and insurance
Capital Improvements	Equipment for new truck, walkway repair
Liquid Fuels	Salt and Calcium chloride

Motion: Move to approve renewal of the fire department insurance premium for the period of April 15, 2015 to April 15, 2016 in the amount of \$19,481 as quoted by Higbee Insurance.

Moved: Mr. Karas
Second: Ms. Sowiski

Note: this is a \$40 savings over the previous year's cost and comes from the borough's fire fee.

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

Mr. Erbeldinger yes

General Report:

1. Members reviewed utility costs for the borough building and the senior citizen center.
2. The committee noted that the manager and staff along with council continue to look for ways to cut costs or find savings to stay within budget limits.
3. Members will meet with a representative from Janney Capital Markets in April to discuss a potential \$3 million bond issue.

BOROUGH PROPERTY

Mr. Kiley

Motion: Move to authorize the solicitor to prepare an agreement with Trinity Christian School for use of the borough tennis courts with cost to be determined.

Moved: Mr. Kiley
Second: Mr. Tomasic

Mr. Kiley comments that the cost hasn't been figured out yet, and some other requirements, so that the use that Trinity Christian has will not unduly impact the borough residents' use of the tennis courts.

Voice Vote – all in favor

Motion: Move to approve the hiring of Katherine Gilchrist as Assistant Tennis Coach pending applicant's adherence to our hiring policy on background checks.

Moved: Mr. Kiley
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. Erbeldinger 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 which will be done this spring.

B. Main Park GTRP Grant Project

We are in the process of preparing specifications to bid the following work items at the Main Park:

- 1) Repair and clean stone wall along Ardmore.
- 2) New trail to Centurion Commons.
- 3) Rehabilitate trails within the park
- 4) Resurface parking lot by basketball court
- 5) Restriping basketball court
- 6) Striping entry road for emergency vehicle access lane/no parking.
- 7) Team benches
- 8) Barbeque grills
- 9) Picnic tables including handicap accessible tables
- 10) Exercise Trail with 5 sites
- 11) Bongo Steps (playground equipment)

Bids will be advertised and opened in April, 2015.

2. In Committee of the Whole, Members discussed the potential sale of borough property at this location and noted that Town Center Associates will attend the April borough property committee meeting to discuss steps involved in beginning the process.

PUBLIC SAFETY

Mr. Tomasic

General Report:

1. The committee continues to review the use of body cameras and their feasibility for use in the Forest Hills Police Department. Chief Williams noted that he is reviewing a policy document on their use. And that's in conjunction with our solicitor.
2. Mr. Tomasic asked that his statement from the March committee meeting be included here in the record:

Mr. Tomasic's statement:

I've been on this council since April of 2006, and there have always been some problems we've had to deal with as council members. But this month here has been almost two years to the day that I received a phone call from a Braddock Hills' resident asking me the following "Do you know what your Fire Department is doing?" They proceeded to fill me in on what was going on behind my back. Swissvale already passed a motion (I am familiar with some people over there) to provide fire protection to

Braddock Hills for a cost of \$25,000. The council manager, mayor and fire department had all been working on a plan and it passed and was going to be presented. Already knowing this I finally got a call from Rick Colella about this merger with Braddock Hills. And I told him in no uncertain terms that the word “merger” was not in my vocabulary, and that he should not present any plan to Braddock Hills until he spoke with this council. I subsequently called up the Braddock Hills council president, Bob Henkel and said the same thing to him. And by the way, Bobby Henkel is one of the people on the board and his father is the president of council up there. That suggests that there may be some type of conflict in my opinion. So what happened—Colella made the proposal to Braddock Hills, they accepted it up there and the rest is history. I have a set of files this thick to support everything that happened after that. My statements about the merger are on the record and I think that I have been attacked by people because I didn’t want to go along with whatever plan was in motion. I’ve constantly been called a liar by various people in that department. If any of you use that term, you don’t know me very well. Anything and everything that I say can be backed up and supported by documents and or witnesses. So if any of you hear that Bill Tomasic is a liar, I suggest that you pause, take a deep breath. Because in reality if a person is saying that to you, they are probably lying about something. So where do we go from here? My advice to the entire Volunteer Fire Department is to get your facts straight, know the truth and quit listening to people who have a personal grudge and realize that this council has been duly elected to represent the people of this borough and that we do not take directions from any special interest group. I want to say that I have been committed to this borough since I first started here, and that there are a lot of issues that caused a lot of conflict. But during this entire time, I have been willing to work with **anybody** that wants to work with us. Trust me, when I tell you I am going to do something, consider it done. Thank you.

OPERATIONS & POLICY

Ms. Wood

Motion: Move to approve the minutes from the February 18, 2015 council meeting.

Moved: Ms. Wood
Second: Mr. Burleigh

Voice Vote – all in favor

Motion: Move to approve the appointment of Robert B. Lettan II of 108 Cascade Road to the recreation board for a term concluding on February 29, 2020.

Moved: Ms. Wood
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

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. The centennial celebration tentatively will coincide with the 2019 Community Day event.
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. A number of vacancies remain.
3. In Committee of the Whole, council agreed to purchase an ad in the Woodland Hills Department of Performing Arts program promoting cleanup day in the borough.
4. Woodland Hills school board has requested a representative from Forest Hills to serve on the Steering Committee for the "Plan for Excellence". Mr. Karas volunteered to serve and Mr. Kiley would serve as a backup member.

PLANNING & ZONING

Mr. Burleigh

Motion: Move to approve ordinance number 1048 amending the borough zoning ordinance to:

- (1) Establish and strike definitions for certain terms;
- (2) Establish "child day care center" as a conditional use in the B-1 Business District, MXO Mixed Use Overlay District, S-1 Special District, S-2 Special District, and S-3 Special District;
- (3) Establish conditional use criteria for "child day care center" use;
- (4) Add the term "child day care center" to Table 27-1 of the Zoning Ordinance;
- (5) establish "child day care facility" as a conditional use in the B-1 Business District, MXO Mixed Use Overlay District, S-1 Special District, S-2 Special District, and S-3 Special District;
- (6) Establish conditional use criteria for "child day care facility" use; and

(7) Add the term "child day care facility" to Table 27-1 of the Zoning Ordinance

Moved: Mr. Burleigh
Second: Mr. Tomasic

Mr. Korbel explains that this was the issue that was related to the restrictions that the current zoning ordinance provides with respect to the number of children that can be cared for in a setting. These revisions will allow for facilities to care for a larger number of children than is currently provided. There have been several applications over the years for daycare facilities and this will permit them to exist in the business district and special districts, and the MXO overlay district. It is a conditional use and in those cases the applications will come to council. So you will have oversight to make sure there is ample parking and so forth for those applications. There is still some oversight, it is not a free-for-all. It has been discussed in council committee meetings. But that is in a nutshell what it means.

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. Members reviewed code enforcement activities with code officer Don Branzel

Old Business:

CONNECT Pittsburgh

Mr. Karas comments that we need a vote to be considered for membership that this is the organization that Mayor Peduto started.

Motion: Move to ask CONNECT Pittsburgh to consider Forest Hills for membership.

Moved: Mr. Karas
Second: Ms. Wood

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

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

Studer Matching Funds

Mr. Karas comments that Becky Studer started working on some benches in the park. We approved those matching funds from last year.

New Business:

Ms. Wood asked that we rename the "Citizenship Award" to the "Marty B. O'Malley Citizenship Award" and presented this as a motion.

Moved:	Ms. Wood
Second:	Mr. Karas

Voice Vote – all in favor

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.

Mr. Tomasic offered comments: In April 2014 a police officer and the then Volunteer Fire Department vice-president, Larry Heller, filed a complaint against me. As a result of that investigation suggested there was no merit to his allegations. Tonight I want to address the allegations that he made. Unbeknownst to me, Officer Heller was taking notes when we crossed paths over twenty times in this borough. I know for a fact that he took at least one picture of me and he recorded one tape on a CD using the police car camera while on duty. Based upon the investigation as I participated in it, this went on for over a year. And again just about every episode was in and around this building or in the borough when he was on duty. These twenty some allegations which I consider to be just totally ridiculous but I still had to go through the process. And I still have the actual evidence that involves my shopping at Rite Aid. And here's a copy of the tape that supports what I am saying. Now why he decided to tape me I don't know. But I have shown this tape to numerous people including my attorney, I showed it to other people. Quite a few have seen it and the response has been "are you kidding" to total disbelief. Again all of these allegations including the tape were found through a thorough investigation to be without any merit. Now why am I sharing this information? First and foremost, I want the residents of this borough to know that my job is to represent **them**. When I make a decision or take a stand it is for their benefit. About

two years ago I was stunned at the proposal made by Ricky Colella (and I assume it was supported by the Fire Department) to give free fire protection services to the Borough of Braddock Hills while we as residents had to pay. Second, I want people to know what transpired, I want it to be on the record, I want people to know to what lengths some people will go to spew their venom. And by knowing the full story people can make a proper judgement about any rumors or statements that are made around this borough. Third, you have to stand up to bullies. It takes time, it takes perseverance, it takes fortitude and it takes some backbone. Otherwise, belligerent malcontents will be the ones running this borough and not the elected officials at this table. If anyone doubts the truthfulness or veracity of any of my statements that I'm making, please contact me, call me—my number is in the book. You can reach me at this borough building—I'll be glad to sit down with anyone and discuss any statement I have made. And by the way, everybody on this council has full knowledge of what I am talking about. Thank you.

Adjourn: Motion to adjourn or adjourn by acclamation

Moved: Mr. Tomasic
Second: Mr. Kiley

Voice Vote – all in favor

- Next Scheduled Council Meeting: April 15, 2015 beginning at 7 PM.
- Next Scheduled Committee Meetings (order to be determined): Thursday, April 2, 2015 – Borough Property, Operations & Policy, Public Safety, Public Works.
Tuesday, April 7, 2015 – Finance, Planning & Zoning, Committee of the Whole.
Council may choose to meet as a whole on these dates and conduct business if necessary. Meetings begin at 7 PM.