

From: [Steve Morus](#)
To: [Rick Colella \(rtcolella@aol.com\)](mailto:rtcolella@aol.com)
Subject: comment from Bill Tomasic
Date: Tuesday, January 28, 2014 9:54:31 AM

Rick: I was asked to forward this to you via email from Bill Tomasic:

January 28,2014

Dear Mr. Colella:

Recently I noticed a change in your position on the police exclusion item.

In your letter to Forest Hills Council dated May 9,2013, you stated on page 3, paragraph 4, the following;

"some abused this privilege by bringing uninvited guests, not cleaning up and having a member contract MRSA."

on your web site you now state under police exclusion, paragraph 1-"was told that a police officer was alleged to have a bacterial infection" .

The first statement directly makes the claim that the police officer contracted MRSA. In the second statement he is now alleged to have a bacterial infection.

I want to thank someone at the company for noticing the error and correcting the record. One will no longer be able to state that the accusation made about the MRSA against one of our Forest Hills police officers is incorrect and based on a falsehood for over 7 years. I would hope that this official change would be communicated to the specific police officer involved. This is indeed progress.

Sincerely,

Mr. William Tomasic,VP /PS Chair - Forest Hills Council

cc: Mayor Marty O'Malley

Steven J. Morus
Manager
Borough of Forest Hills
2071 Ardmore Blvd.
Pittsburgh, PA 15221

Steve Morus

From: Richard Colella <r
Sent: Friday, March 08, 2013 9:52 AM
To: manager manager
Subject: Power Point
Attachments: Presentation1.pptx

Steve,

Attached is the preliminary presentation I have prepared for the Braddock Hills Council. This may change if we in act a merger with the Fire Department prior to the Borough taking action, but this will still be the basis. Please comment if you think I have missed or need something else. This is not out in public yet so please keep it close. I will contact Bill Tomasic after I work on it a little more and discuss everything with our membership.

Thanks
Rick

(412) 351-7330 x-0



EVASHAVIK, DiLUCENTE & TETLOW, LLC
ATTORNEYS AT LAW

310 GRANT STREET
SUITE 1801 GRANT BUILDING
PITTSBURGH, PA 15219

TELEPHONE
(412) 281-5005 OR (412) 261-2813

FACSIMILE
(412) 261-5905

WEBSITE
WWW.EDTLEGAL.COM

June 17, 2013

Bill Tomasic
Chairman, Public Safety Committee
Borough of Forest Hills
2071 Ardmore Boulevard
Pittsburgh, PA 15221

Re: Forest Hills Volunteer Fire Co. No. 1 and Relief Organization

Dear Mr. Tomasic:

Please be advised that I represent Forest Hills Volunteer Fire Co. No. 1 and Relief Organization ("FHVFC"). It is my understanding that you are the Chairman of the Public Safety Committee. I wanted to inform you that the FHVFC intends to merge in the very near future with Braddock Hills Volunteer Fire Company. To that end my client respectfully requests that you, your respective Solicitor and then entire Council meet with the President of the FHVFC and its executive board before July 15, 2013.

You may not be aware that the Borough of Forest Hills will indirectly benefit greatly by the merger, in fact the FHVFC would immediately receive equipment, that could be sold, as well as five (5) years of grants. The monetary benefit would help the Borough as well as our independent fire department and the residents of Forest Hills.

It is imperative that you understand that FHVFC is a non-profit entity that is operated independently of the Borough. As such, any negotiation on behalf of FHVFC by the Borough must cease, as the Borough does not have standing to negotiate. I have seen multiple documents where the Borough seems to be exercising authority that it is not permitted to. My client, in the spirit of continued cooperation and respect for the Borough, invites you to submit dates to meet at our Volunteer Fire Department Headquarters. We look forward to hearing from you.

Very truly yours,

Phillip P. DiLucente, Esquire

PPD:rt

cc: Richard T. Colella, President

Frank Porco

Steven Karas

Markus Erbeldinger

William Burleigh

Devon Wood

Mike Belmonte

BOROUGH OF FOREST HILLS				
2014 Fire Protection Services Fee Budget				12/4/2013
			Pre Audit	
		2013	2013 Actual	2014
	<u>Revenues</u>	<u>Budget</u>	<u>12/4/2013</u>	<u>Budget</u>
20-330-094	Muni Services Fee Net	150,000	144,474	150,000
20-330-094	Penalties		4,949	5,000
20-340-040	Interest	178	98	130
01-362-020	Foreign Fire Insurance	41,000	39,413	40,000
20-380-090	Carryover from Previous Year		882	36,750
	Total Revenue	191,178	189,815	231,880
			Pre Audit	
		2013	2013 Actual	2014
	<u>Expenditures</u>	<u>Budget</u>	<u>12/4/2013</u>	<u>Budget</u>
20-411-469	Administrative Expense	5,200	0	5,500
01-411-150	Fringe Benefits	11,000	0	16,167
01-411-210	Supplies	0	0	0
01-411-215	Miscellaneous	700	459	700
01-411-233	Vehicle Fuel	2,500	4,044	4,000
20-411-241	Billing Expense	2,500	0	3,000
01-411-321	Telephone	250	141	250
01-411-350	Insurance	26,000	22,983	26,000
01-411-361	Electricity	6,800	7,105	7,000
01-411-362	Natural Gas	5,000	4,374	5,000
01-411-363	Fire Hydrant Inspection	13,000	12,600	13,000
01-411-364	Sewage	800	1,123	1,200
01-411-366	Water	5,000	670	5,000
01-411-500	Contribution Revised Budget	12,000	0	0
01-411-530	Emergency Management	750	0	0
01-411-531	Foreign Fire Insurance	41,000	39,413	40,000
20-411-534	Fire Truck Lease Payment	70,678	70,678	70,678
	Fire Truck Lease Escrow			7,700
20-411-530	VFD Expense Escrow	71,500	33,617	26,185
20-411-215	Misc Expense	300	48	500
	Total Expenditures	274,978	197,255	231,880

Clear

Fire Truck

VFD PIERCE LADDER TRUCK
Payment Schedule

PURCHASED 2007

Payment #	Rent Payment Date	Rent Payment Amount	Interest Portion	Principal Portion	Termination Value
1	3/27/2008	70,678.29	38,519.85	32,158.44	696,145.47
2	3/27/2009	70,678.29	36,786.51	33,891.78	661,575.86
3	3/27/2010	70,678.29	34,959.74	35,718.55	625,142.93
4	3/27/2011	70,678.29	33,034.51	37,643.78	586,746.28
5	3/27/2012	70,678.29	31,005.51	39,672.78	546,280.04
6	3/27/2013	70,678.29	28,867.15	41,811.14	503,632.68
7	3/27/2014	70,678.29	26,613.53	44,064.76	458,686.63
8	3/27/2015	70,678.29	24,238.44	46,439.85	411,317.98
9	3/27/2016	70,678.29	21,735.33	48,942.96	361,396.16
10	3/27/2017	70,678.29	19,097.31	51,580.98	308,783.56
11	3/27/2018	70,678.29	16,317.09	54,361.20	253,335.14
12	3/27/2019	70,678.29	13,387.02	57,291.27	194,898.04
13	3/27/2020	70,678.29	10,299.02	60,379.27	133,311.18
14	3/27/2021	70,678.29	7,044.58	63,633.71	68,404.80
15	3/27/2022	70,678.29	3,614.76	67,063.53	0.00

Equipment Purchase Price:	734,720.00
Prepay discounts	<u>20,066.00</u>
Amount Financed	714,654.00

NOTES

RECEIPT

DATE 5-11-2010 NO. 232676

RECEIVED FROM GREAT LAKES FIRE EQUIP

ADDRESS _____

FOR PURCHASE OF 1983 LA FARGE-FIRE TRK \$ 6565.00

Cashiers CK # 16517325

BY BL

AMT. OF ACCOUNT	ACCOUNT		HOW PAID	
	AMT. PAID	BALANCE DUE	CASH	CHECK
				<u>6565</u>

©2001 REDIFORM © 81808

PASS THRU

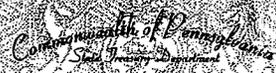
HOLD DOCUMENT TO LIGHT TO VERIFY WATERMARKS

FUND	DEPT	PREP DATE	VOUCHER	WARRANT	ID
002		090513	32902002	26733T	

600040 GO 24 00693991
 7882

CHECK NUMBER
 09/23/2013
 DATE

SOVEREIGN BANK
 PHILADELPHIA, PA
 VERIFICATION AVAILABLE - "POSITIVE PAY" PROTECTED



PAY TO THE ORDER OF
 NINE THREE FOUR ONE TWO CTSCS

VOID AFTER 180 DAYS

\$ *****39,412.71

FOREST HILLS BORO
 TREASURER
 ALLEGHENY COUNTY
 FOR FIRE RELIEF ASSN:

000040

Robert M. McCord
 Robert M. McCord
 TREASURER OF PENNSYLVANIA

⑈00693991⑈ ⑆031375979⑆ 1201725240⑈

DO NOT ACCEPT WITHOUT HOLDING TO LIGHT TO VERIFY WATERMARKS.

BOROUGH OF FOREST HILLS, PITTSBURGH, PA 15221
 Forest Hills VFD Relief Association

09/30/2013

10749

PO #	Invoice	Description	Account	Amount
22747		VFD Fire Relief *** Total ***	A01-411-531	39,412.71 39,412.71
		<i>Jw</i>	<i>M</i>	

18411610

PAYMENT APPLICATION

TO: Borough of Forest Hills
 2071 Ardmore Blvd
 Pittsburgh, PA 15221
 Attn: Accounts Payable

FROM: Strongland Roofing Systems, Inc.
 1465 Airport Road
 Vandergrift, PA 15690

FOR: Forest Hills Fire Dept Roof Replacement

PROJECT NAME AND LOCATION: 120308 Forest Hills Fire Department Roof Replacement
 2071 Ardmore Blvd
 Pittsburgh, PA 15221

ARCHITECT: Strongland Roofing Systems, Inc.

APPLICATION # 1
 PERIOD THRU: 05/31/2012
 PROJECT #s: OWNER
 ARCHITECT
 CONTRACTOR

DATE OF CONTRACT: 04/23/2012

CONTRACTOR'S SUMMARY OF WORK

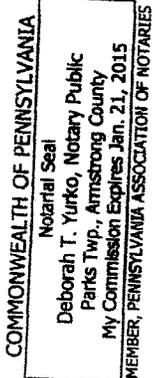
Application is made for payment as shown below. Continuation Page is attached.

1. CONTRACT AMOUNT	\$56,400.00
2. SUM OF ALL CHANGE ORDERS	\$0.00
3. CURRENT CONTRACT AMOUNT (Line 1 +/- 2)	\$56,400.00
4. TOTAL COMPLETED AND STORED (Column G on Continuation Page)	\$50,400.00
5. RETAINAGE:	
a. 10.00% of Completed Work (Columns D + E on Continuation Page)	\$5,040.00
b. 0.00% of Material Stored (Column F on Continuation Page)	\$0.00
Total Retainage (Line 5a + 5b or Column I on Continuation Page)	\$5,040.00
6. TOTAL COMPLETED AND STORED LESS RETAINAGE (Line 4 minus Line 5 Total)	\$45,360.00
7. LESS PREVIOUS PAYMENT APPLICATIONS	\$0.00
8. PAYMENT DUE	\$45,360.00
9. BALANCE TO COMPLETION (Line 3 minus Line 6)	\$11,040.00

SUMMARY OF CHANGE ORDERS	ADDITIONS	DEDUCTIONS
Total changes approved in previous months	\$0.00	\$0.00
Total approved this month	\$0.00	\$0.00
TOTALS	\$0.00	\$0.00
NET CHANGES	\$0.00	\$0.00

Contractor's signature below is his assurance to Owner, concerning the payment herein applied for, that: (1) the Work has been performed as required in the Contract Documents, (2) all sums previously paid to Contractor under the Contract have been used to pay Contractor's costs for labor, materials and other obligations under the Contract for Work previously paid for, and (3) Contractor is legally entitled to this payment.

CONTRACTOR: Strongland Roofing Systems, Inc.
 By: David E. Charlton Date: 5/25/2012
 David E. Charlton, Vice-President
 State of: Pennsylvania
 County of: Armstrong
 Subscribed and sworn to before me this 25th day of May 2012
Deborah T. Yurko
 Notary Public: Deborah T. Yurko
 My Commission Expires: January 21, 2015



ARCHITECT'S CERTIFICATION

Architect's signature below is his assurance to Owner, concerning the payment herein applied for, that: (1) Architect has inspected the Work represented by this Application, (2) such Work has been completed to the extent indicated in this Application, and the quality of workmanship and materials conforms with the Contract Documents, (3) this Application for Payment accurately states the amount of Work completed and payment due therefor, and (4) Architect knows of no reason why payment should not be made.

CERTIFIED AMOUNT: Dee Hill 5/31/12
 (If the certified amount is different from the payment due, you should attach an explanation. Initial all the figures that are changed to match the certified amount.)

ARCHITECT: _____ Date: _____
 By: _____
 Neither this Application nor payment applied for herein is assignable or negotiable. Payment shall be made only to Contractor, and is without prejudice to any rights of Owner or Contractor under the Contract Documents or otherwise.



Forest Hills Volunteer Fire Co. No.1 and Relief Organization

2071 Ardmore Blvd. Pittsburgh, PA 15221
 Phone: 412-351-7335 Fax: 412-271-7699
 E-mail: Forest Hills VFD@aol.com

25 March 2013

I would like to advise Council that the Forest Hills VFD and the Braddock Hills VFD have entered into a preliminary discussion concerning the possible merger of the two fire departments. These discussions originated as the result of the FHFD being approached by the Braddock Hills Borough regarding their concern of the state of BHFD.

The Braddock Hills VFD has been in need of Volunteers for a number of years and over the last several years it has become an increasing problem. The current manpower compliment does not allow them to provide the fire protection that is expected of them. They rely heavily on mutual aid responses from FHFD and other area fire departments. The FHFD has been responding to calls in Braddock Hills for a great number of years and the number of responses has increased greatly over the past 12 years.

This proposed merger would not impact our current responses or capabilities. This merger would be a beneficial undertaking for the FHFD as we would become stronger. We anticipate absorbing the small number of existing membership from Braddock Hills and have been working with them. It would be an asset to absorb these folks into our department.

A merger could possibly open up more funding sources that could lead to a cost savings to the Borough of Forest Hills. We may be able to fund some of the proposed capital projects with the increased grant funding and assistance from state and federal organizations that support and commend the initiative of merging departments.

We have met and provided a presentation to the Braddock Hills Council as requested and also met with the members of the Braddock Hills Fire Department. We have received favorable responses at these meetings and feel it would be beneficial to pursue this merger. We would like to meet with the Public Safety committee of Council and any other members that would like to attend to open up a discussion of how we could make a merger work for everyone involved.

Sincerely,

Richard T. Colella
 President

PRESENTED TO BRADDOCKHILLS COUNCIL MARCH 20, 2013.
 COST TO BRADDOCK HILLS \$0

Uwer

FOREST HILLS VOLUNTEER
FIRE COMPANY

Introduction

A little bit about us!

OFFICIAL

BOROUGH OF FOREST HILLS
ORDINANCE NO. 1040

AN ORDINANCE OF THE BOROUGH OF FOREST HILLS, ALLEGHENY COUNTY, PENNSYLVANIA, AMENDING CHAPTER 7 OF THE FOREST HILLS BOROUGH CODE OF ORDINANCES, FIRE PREVENTION AND FIRE PROTECTION, TO ESTABLISH A NEW PROCEDURE FOR DISPERSING THE REVENUE FROM THE FIRE PROTECTION SERVICES FEE TO THE FOREST HILLS BOROUGH VOLUNTEER FIRE DEPARTMENT.

WHEREAS, Section 1202(2) of the Borough Code, 53 P.S. §46202(2), provides the Borough with the power to make and regulate charges of the Borough's facilities and services to the public; and

WHEREAS, Chapter 7 of the Forest Hills Borough Code of Ordinances, Fire Prevention and Fire Protection, regulates fire prevention, fire protection and the Forest Hills Borough Volunteer Fire Department; and

WHEREAS, the Council of the Borough desires to amend Chapter 7 of the Forest Hills Borough Code of Ordinances, Fire Prevention and Fire Protection, as follows to establish a new procedure for dispersing the revenue generated from the fire protection services fee to the Forest Hills Borough Volunteer Fire Department.

NOW, THEREFORE, the Council of Forest Hills Borough hereby ordains and enacts as follows, incorporating the above recitals by reference:

SECTION 1. Section 7-601 of Chapter 7 of the Forest Hills Borough Code of Ordinances, Fire Prevention and Fire Protection, is amended to insert the underlined text and delete the stricken text:

§7-601. Fire Protection Services Fee Established; Use of Generated Revenue

3. All revenues generated from the fire protection services fee shall be appropriated as follows: (1) payment of any capital expenditures by Borough Council related to the Forest Hills Borough Volunteer Fire Department, including the purchase or lease of fire fighting vehicles and equipment or the repair, maintenance or construction of the existing Forest Hills Borough Volunteer Fire Department building and its grounds located at 2071 Ardmore Boulevard; and (2) ~~an annual payment to the Forest Hills Borough Volunteer Fire Department in an amount to be determined each year by Borough Council. Fifty percent (50%) of said annual payment shall be made to the Forest Hills Borough Volunteer Fire Department on or before March 1st of each calendar year and the remaining fifty percent (50%) of the annual payment shall be made to the Forest Hills Volunteer Fire Department on or before July 1st of each calendar year~~ payment to the Forest Hills Borough Volunteer Fire Department in an amount approved by a majority vote of Borough Council following receipt by Borough Council of a written request for funds from the Forest Hills Borough Volunteer Fire Department and a subsequent investigation conducted by the Borough into the proposed use of the requested funds. A written request for funds shall, at a minimum, contain the following information:

- A. The date of the request;
- B. The amount of the funds requested; and
- C. A list of the proposed expenditures including a description of each proposed item to be purchased and the purpose for which it is being purchased referencing the list contained in § 7-601.4 of this Part.

4. The Forest Hills Borough Volunteer Fire Department shall only use the funds generated by ~~the annual payment of~~ the fire protection services fee for the reasons set forth in the written request for funds, as may be amended in the sole discretion of Borough Council, that was approved by a majority vote of Borough Council. Any and all written requests for

ABJ962

War

funds made by the Forest Hills Volunteer Fire Department to Borough Council shall be if it is in furtherance of the following emergency and non-emergency activities of the Forest Hills Borough Volunteer Fire Department:

SECTION 2. Section 7-602 of Chapter 7 of the Forest Hills Borough Code of Ordinances, Fire Prevention and Fire Protection, is amended to insert the underlined text and delete the stricken text:

§7-602. Responsibilities of Forest Hills Borough Volunteer Fire Department.

1. On or before January 30th of each calendar year commencing on January 30, 2013, the Forest Hills Borough Volunteer Fire Department shall submit a report to Borough Council which details the manner in which the fire protection services fee funds were disbursed used in the prior calendar year. The report shall, at a minimum, contain the following information:

- A. The beginning balance;
- B. The fire prevention services fee contribution amount and the amount of each payment dispersed by Borough Council;
- C. The carryover balance from past fire prevention services fee contribution(s) and the amount, if any, left over from each payment dispersed by Borough Council;
- D. A list of all expenditures including a description of each purchased item and the purpose for which it was purchased referencing the list contained in § 7-601.4 of this Part;
- E. All supporting documentation for each expenditure, including, but not limited to all receipts, invoices, and other records of expenditures; and
- F. The ending balance including any carryover fire prevention services fee contribution and the total amount of all payments dispersed by Borough Council and the amount, if any, left over from the payments.

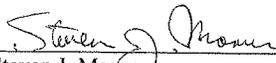
SECTION 3. All prior ordinances are hereby repealed in whole or in part to the extent inconsistent herewith.

SECTION 4. This Ordinance shall take effect in accordance with applicable law.

ORDAINED and ENACTED this 21st day of August, 2013, by the Council of Forest Hills Borough, in lawful session duly assembled.

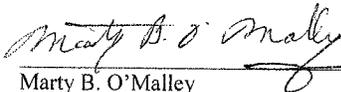
ATTEST:

BOROUGH OF FOREST HILLS


Steven J. Morus
Borough Manager/Secretary
(SEAL)

By: 
Steve Karas
President, Borough Council

EXAMINED and APPROVED this 21ST day of August, 2013.


Marty B. O'Malley
Mayor

equipment, and the necessary quarters for a fire company headquarters and other functions germane to the purposes of Lessee as above stated; and

WHEREAS Lessee has agreed to make a payment from its own funds to reimburse the Lessor for part of the cost of such construction, in the amount of \$20,000.00;

NOW THEREFORE, in consideration of the premises and of the mutual promises hereinafter contained, Lessor hereby demises and lets to Lessee, and Lessee hereby takes and agrees to hold the premises hereinafter described, for the term and rental and subject to the conditions and stipulations hereinafter set forth:

ARTICLE I - DESCRIPTION, TERM AND RENT

1.1 The demised premises consist of all that certain one-story masonry building, outside dimensions 60 feet by 106 feet, constructed substantially during the year 1968, situated on land owned by the Borough of Forest Hills adjacent to Filmore Road, and designed and intended as quarters for a fire company, and the storage of fire fighting vehicles and equipment, together with such additional area on the parking lot of Lessor, as Lessee shall require for its purposes, to be used in common with the Lessor, its officers, employees, invitees and licensees for parking purposes.

1.2 Term: Possession under this lease shall commence February 15, 1969, and shall continue so long as Lessee continues its existence in its present corporate form and pursues its stated purpose, to provide fire protection for the citizens and property, and fire training for the citizens of the Borough of Forest Hills, as above set forth.

*

Charter

DECREE OF INCORPORATION

And now, to-wit, this Ninth day of March A.D. 1939, the within articles of incorporation, together with certificate of registration of corporate name of

FOREST HILLS VOLUNTEER FIRE COMPANY having been presented to the Court of Common Pleas of Allegheny County, Pennsylvania, accompanied by proofs of publication of the notice of this application as required by law, and by the rule of this Court in such case made and provided, the Court having found the Articles to be in proper form and within the provisions of the Nonprofit Corporation Law of the Commonwealth of Pennsylvania, approved May 5, 1933, P.L. 289, and having found the purpose or purposes set forth in the said Articles lawful and not injurious to the community, on motion of

Norman A. Allen

Attorney for petitioners, it is hereby ordered and decreed that the said articles of incorporation are approved and that upon the recording of said articles of incorporation, together with this order, that the subscribers thereto and their associates and successors shall be a Nonprofit corporation by the name and title of FOREST HILLS VOLUNTEER FIRE COMPANY

for the purpose and upon the terms therein stated.

March 10, 1939
FROM THE RECORD
WM. H. FRASHER,
Prothonotary (Seal)

BY THE COURT

Jos. A. Richardson, Judge

over