



FOX CHAPEL
BOROUGH

MINUTES

FOX CHAPEL BOROUGH COUNCIL MEETING HELD FEBRUARY 19, 2024

PRESENT: Harrison S. Lauer, Vice-President; Frederick C. Leech, Sarah Hanna, Bradley D. Harrison, Betsy Monroe, Jonathan Colton, Councilmembers; Michael J. Stevens, Chief of Police; Gary J. Koehler, Borough Manager; Larry Kurpakus, Public Works Director; Jeanine A. Mancuso, Treasurer; Shawn M. Peterson, Borough Secretary

ALSO

PRESENT: Austin Henry, Chairperson for the EAC; Logan Dressman, Ethan Kolek, Junior Councilmembers; Michael Pohl, Fox Chapel Volunteer Fire Department; Gino Mollica, Acting Chief for Foxwall EMS; Peter Adams, Assistant Chief for Foxwall EMS; Jen Swab, Lieutenant for Foxwall EMS; Ken Walker, EMT for Foxwall EMS; Wesley Posvar, Chairperson for the Park Commission; Eva Malecki, resident

VIA ZOOM: A. Bruce Bowden, Solicitor; Kento Ohmori, Fox Chapel Volunteer Fire Department; and four other attendees

ABSENT: Andrew C. Bennett, Council President; Walter A. Scott, III, Mayor; Avery Litwin, Junior Councilmember

Mr. Lauer called the meeting to order at 5:58 p.m.

MINUTES

Ms. Monroe moved that the January 2, 2024, meeting minutes be approved. The motion was seconded by Mr. Colton and passed by a unanimous vote.

RESIDENT COMMENTS

NONE

ENVIRONMENTAL ADVISORY COUNCIL

Chairperson Austin Henry summarized the EAC meetings from January 8, 2024, and February 12, 2024.

Duquesne Light Company representatives were at the January 8, 2024, EAC meeting to discuss their routine vegetation management for 2024 in the Borough. Mr. Henry said that Mr. Leech prepared an excellent and thorough summary of the meeting and asked that the summary be placed on the Borough's website to assist residents who have questions.

Mr. Henry summarized Environmental Disturbance Application 24-01, Fox Chapel Racquet Club, proposed pickleball courts.

Mr. Henry stated the EAC recommends approval of Environmental Disturbance Application 24-01 as submitted, subject to the engineering requirements outlined in the LSSE letter dated January 8, 2024. Also subject to the submission of a crossing procedure or safety plan relative to the pedestrian crossing of the trail at Hemlock Hollow Road, as well as a recommendation that the applicant consider the inclusion of stormwater management facilities.

Mr. Harrison moved to approve Environmental Disturbance Application 24-01, as submitted, subject to the items set forth in the EAC's recommendations. The motion was seconded by Mr. Leech and passed by a unanimous vote.

Mr. Henry summarized Environmental Disturbance Application 24-02, 724 Fairview Road, proposed pickleball court.

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Mr. Henry stated the EAC recommends approval of Environmental Disturbance Application 24-02, as submitted subject to the submission and approval by the Borough engineer for the retaining wall design and stability analysis, and with a denial of the waiver request for the geotechnical report.

Mr. Leech moved to approve Environmental Disturbance Application 24-02, subject to the items set forth in the EAC's recommendations. The motion was seconded by Mr. Colton and passed unanimously.

Mr. Henry summarized Tree Removal Application TR 24-06, Fox Chapel Gold Club, removal of four trees. He said that the Golf Club has already replanted more than 200 trees from their replanting plan, with a lot of hardwood trees.

Mr. Henry stated the EAC recommends approval of Tree Removal Application TR 24-06, as submitted.

Mr. Leech moved to approve Tree Removal Application TR 24-06, as submitted. The motion was seconded by Mr. Lauer.

Ms. Hanna asked what the reason(s) were for the Golf Club wanting to remove the trees. Mr. Henry stated one tree negatively impacts a structure, while the other three are ruining the turf and dropping limbs.

Mr. Colton asked if the EAC views residential requests differently from commercial requests. Mr. Henry said there is a difference when evaluating the two, and there are good reasons for that. He stated there is a balance between the rights of a private property owner and the ordinance and preserving the community, including the canopy and stormwater. Mr. Henry said the EAC has to take that all into account, and they have to balance and apply the ordinance as it is written, and that is what the EAC did with this application.

The motion passed with a nay vote from Ms. Monroe.

Mr. Henry summarized Environmental Disturbance Application 24-03, Shady Side Academy, proposed construction of a new middle school building.

Mr. Henry stated the EAC recommends approval of Environmental Disturbance Application 24-03, as submitted subject to the engineering requirements outlined in the LSSE letter dated February 2, 2024, and with the requirement of the applicant, when able, to submit a replanting plan showing the location and types of at least 16 hardwood trees on the site.

Mr. Leech moved to approve Environmental Disturbance Application 24-03, as submitted subject to the items set forth in the EAC's recommendations. The motion was seconded by Ms. Hanna and passed by a unanimous vote.

Mr. Harrison asked if this EAC application covered any future development, such as a gate. Mr. Henry stated this application is devoid of anything other than the one structure as presented.

Mr. Henry summarized Environmental Disturbance Application 23-17, 21 Fairview Manor, request for site plan amendments.

Mr. Henry stated the EAC recommends approval of the requested amendment for Environmental Disturbance Application 23-17, including a reduction of the previously approved impervious surface in the prior design and contingent upon the submission of a new stormwater facility that keeps the exact same design previously approved but downsizes it in proportion to the reduction in impervious surface. It is also subject to the review and approval of the Borough engineer for the capacity and rate calculations.

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Ms. Hanna moved to approve the requested amendment for Environmental Disturbance Application 23-17, as submitted subject to the EAC's recommendations. The motion was seconded by Ms. Monroe and passed unanimously.

CONTRACT AWARDS

Fuel

Ms. Monroe moved to award the option year (March 1, 2024 – April 30, 2025) to Reed Oil under the current fuel contract for 87 Octane and B2 Diesel. This contract is based on a fixed margin price, which is the same as the 2023 – 2024 Contract. The motion was seconded by Ms. Hanna and passed by a unanimous vote.

Public Works Department Electric UTV

Mr. Colton moved to award the contract for the purchase of a Landmaster Electric UTV to the low bidder, Somerset Outdoor Equipment, LLC, in the amount of \$21,368.69. The motion was seconded by Ms. Monroe and passed unanimously.

8" and 10" Sanitary Sewer Rehabilitation with CIPP Liner – The Oaks, Buckingham Road, Hemlock Hollow Road, and Old Mill Road

Mr. Leech moved to award the contract for Sanitary Sewer Rehabilitation with CIPP Liner to the Oaks, Buckingham Road, Hemlock Hollow Road, and Old Mill Road to Insight Pipe Contracting, LLC via CoStarts Contract No. 016 at \$311,940.60. The motion was seconded by Ms. Hanna and passed unanimously.

POLICE REPORT

Chief Stevens stated the Police Department has begun using the new Records Management System (RMS) from Allegheny County. He believes the system will be beneficial to the department once they get a grasp on how to use it to its fullest potential.

On February 10, 2024, the Police Department held its second Open House. On February 14, 2024, the Police Department hosted Trauma and Addiction training, which 39 local police officers and social workers attended. The free training was hosted by Pheonix Training and was paid for through a grant from the Pennsylvania Department of Health.

Chief Stevens said the department has begun scheduling traffic details utilizing data from the radar signs in the Borough. Officers conducted traffic details on Fairview Road over a two-day period. Over 200 cars were clocked, 16 warnings were issued, and four citations were written.

FIRE REPORT

Mr. Lauer took a moment to recognize the Fox Chapel Volunteer Fire Department's efforts for a call to a fire in O'Hara Township in early February. The Fox Chapel VFD had the most members present and was one of six companies at the fire. Mr. Lauer stated the VFD did a great job with their response to the fire.

FOXWALL EMS

Mr. Lauer summarized a letter provided to Borough Council by Gino Mollica, Acting Chief for Foxwall EMS. In the letter, Mr. Mollica expresses his gratitude to Fox Chapel and Aspinwall.

Mr. Mollica said that the subscription mailer for Foxwall EMS would be sent to residents in the next few months. When it is sent, he will forward the information to the Borough to be placed on the website and newsletter to get the word out to residents.

Chief Stevens recognized Foxwall EMS for their efforts in ensuring the Police Department, Administrative Staff, and Public Works Department continue to be certified in CPR.

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REFUSE AND RECYCLING SUBCOMMITTEE

Mr. Lauer summarized the two meetings held by the subcommittee on January 18, 2024, and February 16, 2024. The first meeting was to review the Borough's current contract as well as other municipalities' contracts. In the second meeting, the subcommittee met with the current hauler, Vogel Disposal Service, Inc., and resident Dean Liappas, vice-president of Road Runner Recycling. The subcommittee will meet in April or May 2024 with representatives from Waste Management.

PUBLIC SAFETY ASSISTANCE COMMITTEE

Ms. Monroe summarized the two meetings held by the committee on January 31, 2024, and February 15, 2024. There are four areas the Public Safety Assistance Committee is focusing on. These areas are Neighborhood Watch, False Fire Alarms, National Emergency Number Association (NENA) standards and non-conforming addresses, and key performance indicators for the Foxwall EMS and the Fox Chapel Volunteer Fire Department. The committee will meet on March 13, 2024, to continue their efforts on these four topics.

PUBLIC WORKS REPORT

Mr. Kurpakus said the PWD, along with volunteers and the Park Commission, are currently working on removing invasive species such as privet from Riding Meadow Park.

TREASURER REPORT

Ms. Mancuso stated the 2023 audit has begun (February 19, 2024). She summarized the 2023 year-end report for Council and said the Borough finished the year above budget.

Mr. Lauer asked Ms. Mancuso why the interest rates for 2024 for Dollar Bank were different between the funds. She stated she would look into this matter.

Ratification of Payments – December 2023 and January 2024

Ms. Monroe moved to ratify the payment of bills for December 2023 General Fund Vouchers 4407 – 4511 in the amount of \$1,007,552.72 and the payment of bills for January 2024 General Fund Vouchers 4512 – 4584 in the amount of \$951,551.21. The motion was seconded by Ms. Hanna and passed unanimously.

Mr. Colton disclosed to Council that there was a check addressed to him for reimbursement for payment for the Local Government Academy training.

UNFINISHED BUSINESS

MaherDuessel Audit Contract

Ms. Monroe moved to ratify the audit contract with MaherDuessel for the years ending December 31, 2024, and 2025. Borough Council already approved the audit contract for the year ending December 31, 2023 at the January 2, 2024, Council meeting. The motion was seconded by Ms. Hanna and passed unanimously.

Borough of Fox Chapel Code of Conduct and Ethics

Ms. Monroe moved to approve the amended Borough of Fox Chapel Code of Conduct and Ethics Document that now includes revisions based on participants covered by the policy and a signature page. The motion was seconded by Mr. Harrison.

Mr. Colton stated he has reviewed the Employee Policy Manual and wanted to highlight a few important subjects that Council may not know about. Two areas of importance are the harassment and anti-discrimination policy and the whistle-blower policy. The Borough has conducted training on harassment and anti-discrimination for employees in the past. Mr. Colton recommends the Borough conduct this training more regularly, every other year, along with training on the Whistleblower Policy. He also stated there is an internet and email policy that the Borough already provides special

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attention in addressing with filters in place that prohibit access to certain websites and monthly training for internet and email use from Ford Office Technology. The Borough will continue with these practices so employees understand the policy. The last area Mr. Colton addressed was to have the Borough focus on courtesy and etiquette in the workplace. He stated the Borough is taking proper steps for training employees that the policy manual deserves.

The motion passed unanimously.

NEW BUSINESS

Zoning Hearing Board Case 24-01

Mr. Lauer moved to have Borough Council remain neutral on the requested variance for case 24-01 to construct a freestanding deck in the front yard within the 75-foot building line at 235 Foxhurst Drive. The motion was seconded by Mr. Leech and passed by a unanimous vote.

With no other business to come before Council, the meeting was adjourned at 7:43 p.m.

SHAWN MARIE PETERSON
Borough Secretary