

MINUTES
FOX CHAPEL BOROUGH COUNCIL MEETING HELD JULY 16, 2018

PRESENT: Walter A. Scott, III, Mayor; Andrew C. Bennett, President; Thomas A. Karet, Harrison S. Lauer, Frederick C. Leech, Ann R. Meyer, James M. Royston, Jay S. Troutman, Councilmembers; A. Bruce Bowden, Solicitor; Gary J. Koehler, Manager; Joy A. Hardt, Treasurer; David M. Laux, Police Chief; Dana A. Abate, Borough Secretary.

Mr. Bennett called the meeting to order at 7:25 P.M.

Upon a motion duly made and seconded, the minutes of the June 18, 2018 meeting were approved. The motion was duly seconded and passed by unanimous vote.

Mr. Bennett stated that on behalf of Council, he would like to thank the Public Works, Police and Fire Departments as well as the administrative staff for a job well done in handling the recent flooding situation in the Borough. He stated that the Public Works Department was working 10-hour shifts, now 9-hour shifts, to get matters under control.

ENVIRONMENTAL ADVISORY COUNCIL

The following application was reviewed by the EAC at its June 11, 2018 meeting:

Application No. 18-03: Lance & Nicole Ruttenburg
1 Little Lane
Construction of a New Driveway/Pool Area/1400 SF
Addition/Storm Water Facility

Application No. 18-04: Hammock Beach Partners, LLC
251 & 305 Old Mill Road
Construction of an 11-unit Planned Residential
Development

It was moved by Mr. Troutman that Application No. 18-03 be approved subject to any conditions imposed by the EAC. The motion was duly seconded and passed by unanimous vote. No action was taken by the EAC on Application No. 18-04.

PLANNING COMMISSION

Mr. Lauer reported that the Planning Commission reviewed the Springfield Plan Residential Development. He stated that there were many residents in attendance to hear the presentation. Concerns expressed were aesthetics, another PRD in the Old Mill Road area, water runoff, moderate/high risk slope disturbance and erosion. No action was taken. A public hearing will be held in August or September for the PRD.

Ordinance No. 706

Mr. Lauer stated that the Planning Commission also considered the proposed Oil and Gas Well Ordinance. There were residents in attendance who asked for additional regulations as found in other municipal ordinances. It was agreed for the Solicitor to review the additional information submitted and, if appropriate, prepare a further amendment, but to enact the proposed ordinance as prepared.

Accordingly it was moved by Mr. Lauer that Ordinance No. 706 be enacted. The motion was duly seconded and passed by unanimous vote.

VISITORS

Neal & Amy Harrison, 131 Old Mill Road, and Andrew & Lisa Schwartz, 133 Old Mill Road, appeared before Council seeking the Borough's assistance in removing debris clogging culverts under Hill 'n Dale Lane, a private road, resulting from recent flooding. Discussion evolved around a 1996 settlement agreement between the Borough and the residents of Hill 'n Dale Lane regarding maintenance of the road. Mr. Bennett stated that the Borough cannot expend public funds on a private road and if done, each member of Council would personally be subject to a surcharge claim for the funds spent. The Borough cannot perform any work on the private road other than what is stipulated in the agreement.

Following discussion, the Borough Solicitor was directed to look at the Hill 'n Dale litigation file to determine the reason behind the lawsuit and any other information that may help determine the exact responsibilities of the Borough and report back to Council.

FINANCIAL

The Treasurer reported that she is utilizing PLGIT Prime for a majority of Borough funds due to higher interest rates. She also stated that current income tax collection is lower than anticipated and if the pattern holds, will be below budget at year-end. She also reviewed the 2018 budget to date as well as the status of the pension plans.

Payment of Bills

It was moved by Mr. Troutman that the bills for June 2018 (General Fund Vouchers 23514-23633 - \$506,345.52) be approved for payment. The motion was duly seconded and passed by unanimous vote.

NEW BUSINESS

Resolution No. 624

It was moved by Mr. Karet that Resolution No. 624 that approves a 5-year Municipal Snow Removal Agreement between the Borough and PennDOT for salting Powers Run Road be adopted. The motion was duly seconded and passed by unanimous vote.

Resolution No. 625

It was moved by Mr. Leech that Resolution No. 625 approving the destruction of tax records through 2010 from JTCA be adopted. The motion was duly seconded and passed by unanimous vote.

Donation - Swift Water Rescue Team

Etna Volunteer Fire Company Station 149 is seeking donations for equipment replacement needed for its Swift Water Rescue Team. Of late, the team has become more active and was called upon during the recent flooding in the Borough and surrounding area. Council agreed that a new motor for the rescue boat is essential and agreed to donate \$3,000 towards the \$6,000 cost for a new motor.

Accordingly, it was moved by Mr. Karet to donate \$3,000 towards a new motor for the rescue boat with the caveat that they receive the remaining \$3,000 from other donors. The motion was duly seconded and passed by unanimous vote.

There being no other business to come before the Board, the meeting was adjourned at 8:35 PM.

DANA A. ABATE
Borough Secretary