



FOX CHAPEL BOROUGH

MINUTES

FOX CHAPEL BOROUGH COUNCIL MEETING HELD DECEMBER 16, 2024

PRESENT: Andrew C. Bennett, Council President; Harrison S. Lauer, Vice-President; Frederick C. Leech (*attended via Zoom and arrived at the meeting at 6:46 p.m.*), Betsy Monroe, Bradley D. Harrison, Sarah Hanna, Jonathan Colton, Councilmembers; Walter A. Scott, III, Mayor; Gary J. Koehler, Borough Manager; Jeanine A. Mancuso, Treasurer; Michael J. Stevens, Chief of Police; Larry Kurpakus, Public Works Director; Shawn M. Peterson, Borough Secretary

ALSO

PRESENT: Ethan Kolek, Avery Litwin, Junior Councilmembers; Austin Henry, Chairperson for the EAC; Wesley Posvar, Chairperson for the Park Commission; Ben Shopland, Chief for Foxwall EMS; Jeffrey Beyer, Melinda Guinn, Park Commission Members; Nick Stahlman, Western PA Audubon; Leonard White, KU Resources Inc.

VIA ZOOM: A. Bruce Bowden, Solicitor; Mike Pohl, resident; one other attendee

ABSENT: Kabeer Chopra, Junior Councilmember

Mr. Bennett called the meeting to order at 6:02 p.m.

MINUTES

Ms. Monroe moved that the November 18, 2024, meeting minutes be approved. Mr. Harrison seconded the motion, which passed unanimously.

RESIDENT COMMENTS

Linda Wright, 300 Fox Chapel Road (O'Hara Township resident), was in attendance to discuss concerns with stop signs at the school bus stop at Whispering Pines Drive and Fairview Road. She wanted to know if placing flashing red lights at the stop signs installed before the school year began was possible.

Chief Stevens stated that officers monitor school bus stops throughout the Borough to ensure motorists obey school bus laws, and he will have more officers present at this stop.

Ms. Monroe asked how the flashing lights could be placed on the stop signs. Mr. Kurpakus stated that when stop signs are first erected in the Borough, the PWD places battery-powered temporary flashing lights on the signs. He said he would look into more permanent (possibly solar-powered) lights. Ms. Monroe also asked if a stop bar could be painted on the roadway to alert motorists. Mr. Kurpakus said that it could be added when the weather is warmer and not wet.

PARK COMMISSION

Nick Stahlman from Western Pennsylvania Audubon was in attendance to present the Borough of Fox Chapel with a certificate of achievement designating it an official Bird Town. Jeffrey Beyer and Melinda Guinn, members of the Park Commission, were in attendance to accept the award.

Signage for the Borough of Fox Chapel and O'Hara Township as Described in the Joint Comprehensive Plan

Mr. Posvar stated that the Joint Comprehensive Plan with O'Hara Township states that the municipalities should make provisions for coordinating signage for trails and parks to identify where things are located. Kolano Design submitted a proposal to the municipalities for signage and the company comes highly recommended by residents of the Borough.

Mr. Bennett moved to approve the engagement of Kolano Design for the Signage Plan for the Borough of Fox Chapel and O'Hara Township as described in the Joint Comprehensive Plan at a cost to the Borough of \$9,275.00. The proposal's total cost is \$18,550.00, which will be split equally with O'Hara Township.

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ENVIRONMENTAL ADVISORY COUNCIL (EAC)

Chairperson Austin Henry summarized the Environmental Disturbance Application 24-04, 313 Old Indian Trail, proposed single-family dwelling construction.

After significant discussion, Mr. Henry stated that the EAC recommends approval of Environmental Disturbance Application 24-04 as submitted, including:

- The waiver of the 25% restriction on disturbance of steep slopes with moderate risk of up to 61%
- The waiver of the 15% restriction on disturbance of very steep slopes with moderate risk of up to 35%
- The waiver of the 15% restriction on disturbance of very steep slopes with low risk of up to 53.5%

Also including:

- A waiver of the six-foot ordinance limitation on the height of a retaining wall subject to the opinion of the Borough's geotechnical engineer who is reviewing the structure of the retaining wall
- The implicit waiver of the prohibition on clearcutting contained in the Natural Resource Ordinance

And contingent upon the following:

- The bringing of manhole CB6 up to grade (which has already been done)
- Adding 25 trees to the replanting plan, including replanting outside the limit of disturbance, subject to post-construction resubmission of a replanting plan to the EAC
- Approval from the Allegheny County Conservation District of the submitted application for the approval of the Erosion and Sedimentation Control Plan
- The submission of the executed stormwater management plan, road bond, and other standard requirements the Borough has set forth in the LSSE review letters

Mr. Bennett moved to approve Environmental Disturbance Application No. 24-04 as submitted and contingent upon all of the items Mr. Henry listed above. Mr. Lauer seconded the motion. The motion passed with a Nay vote from Ms. Monroe and an abstention from Mr. Leech as he was listening to this portion of the meeting via Zoom and was not able to respond to the agenda item.

Member Appointment

With her term expiring on December 31, 2024, EAC member Nanette Bennett resigned from her position on the EAC, continuing to support the work of the Tree Committee. Mr. Henry stated that the EAC recommends the appointment of Ronald Morosky to the EAC, whose term will expire on December 31, 2027.

Based on the EAC's recommendation, Mr. Harrison moved to approve Ronald Morosky's appointment to the Environmental Advisory Council. Mr. Colton seconded the motion, which passed unanimously.

PLANNING COMMISSION

Member Appointment

Planning Commission member Jeffrey Todd submitted his resignation at the October 2024 Council Meeting.

Mr. Lauer moved to appoint David Thor to Mr. Todd's unexpired term, which will expire on December 31, 2026, based on the recommendation from the Planning Commission. Ms. Hanna seconded the motion, which passed unanimously.

POLICE REPORT

Mr. Bennett congratulated all the officers who had milestone anniversaries in 2024.

- Chief Michael Stevens – 35 years
- Sergeant Craig Sorg – 30 years
- Sergeant Jeffrey Clark – 25 years
- Officer Donald Stoner – 25 years

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- Officer Chad Lippert – 25 years

Retention of Officer Nicholas Posa

Officer Posa has successfully completed his probation period. Mr. Leech moved to approve Nicholas Posa's retention. Mr. Harrison seconded the motion, which passed unanimously.

Mr. Bennett directed the Borough Secretary to notify the Civil Service Commission of their decision. The Civil Service Commission will notify the probationer of the Council's decision.

FOXWALL EMS REPORT

Mr. Shopland stated that November had fewer calls and said the board for Foxwall EMS approved the finalized benefits package, which will utilize the remaining allocated funds from Fox Chapel and Aspinwall Boroughs. He said that this will offer a significant reduction in premiums and deductibles to the employees for health insurance, dental, and vision insurance, and for the first time, a retirement plan with an employer match. Health insurance is available to full-time employees.

Mr. Shopland also wanted to recognize Lt. I-Ting Wang for the successful defense of her doctoral dissertation on research conducted at Foxwall.

PUBLIC SAFETY ASSISTANCE COMMITTEE (PSAC)

Resolution No. 706 Traffic Calming

Ms. Monroe stated that the PSAC recommends adopting Resolution No. 706 Traffic Calming.

Mr. Colton asked if both warrants need to be met in order to consider traffic calming measures. After discussion, it was decided to eliminate Warrant No. 1 Traffic Volume from the resolution.

Ms. Monroe moved to adopt Resolution No. 706 Traffic Calming contingent upon the removal of Warrant No. 1 Traffic Volume. Mr. Lauer seconded the motion, which passed unanimously.

PUBLIC WORKS REPORT

Mr. Kurpakus stated that the PWD has completed leaf collection for 2024 and has converted all the trucks over for snow. Mayor Scott asked if the PWD could collect large trash items along roadways. Mr. Kurpakus said that the PWD planned to remove trash from along the roadways before the holidays.

TREASURER REPORT

Ratification of Payments – November 2024

Ms. Monroe moved to ratify the payment of bills for November 2024 General Fund Vouchers 5366 - 5412 in the amount of \$640,618.84. Mr. Lauer seconded the motion, which passed unanimously.

CONTRACT AWARD

CCTV Inspections of 8" PVC Sanitary Lines (Indian Trail/Campbells Run Area)

Mr. Lauer moved to award the contract for CCTV inspections of 8" PVC sanitary sewer lines for the Indian Trail/Campbells Run Area to Insight Pipe Contracting, LLC via CoStars Contract No. 016 at \$14,575.47. Ms. Hanna seconded the motion, which passed unanimously.

NEW BUSINESS

2025 Budget

Mr. Bennett moved to approve the 2025 Budget, which has been recommended by the Finance Committee, reviewed by the Council, and advertised for public viewing. Mr. Lauer seconded the motion, which passed unanimously.

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Resolution No. 705 Fixing the Real Estate Tax Rate for the Year 2025

Ms. Monroe moved to adopt Resolution No. 705, fixing the real estate tax rate for the year 2025 for general revenue purposes at a sum of 2.95 mills on each dollar of market valuation for 2025. This is the same rate for the past six years. Mr. Harrison seconded the motion, which passed unanimously.

Ordinance No. 732 An Amended and Restated Ordinance Setting ALCOSAN Rates and Restating Borough, Harmar, and AVJSA Sewage Rates

Ms. Monroe moved to enact Ordinance No. 732, establishing the sewer rates for Allegheny County Sanitary Authority (ALCOSAN) and restating Borough, Harmar, and AVJSA sewage rates. Mr. Colton seconded the motion, which passed unanimously.

Resolution No. 707 Allegheny County Sanitary Authority Green Revitalization of Our Waterways (GROW) Program Grant

Ms. Monroe moved to adopt Resolution No. 707, ALCOSAN GROW Program Grant, in which the Borough is seeking grant funding for the 2024 Old Mill – Sycamore Interceptor Repairs Project. Ms. Hanna seconded the motion, which passed unanimously.

Resolution No. 708 Authorizing the Borough Manager as Signatory Authority with the Commonwealth of PA DEP

Ms. Monroe moved to adopt Resolution No. 708 authorizing the Borough Manager of Fox Chapel as signatory authority with the Commonwealth of Pennsylvania Department of Environmental Protection Bureau of Waterways Engineering and Wetlands Department. Ms. Hanna seconded the motion, which passed unanimously.

Disability Pension Authorization

Mr. Bennett moved to approve a disability pension for Employee Payroll No. 28, based upon the information provided by the employee's medical provider for the purpose of establishing a total and permanent disability and entitling the employee to a disability pension in accordance with the Borough's Non-Uniformed Pension Plan to be payable effective January 1, 2025, and to confirm separation from employment with the Borough of Employee Payroll No. 28 resulting from the same total and permanent disability effective December 31, 2024. The motion was seconded by Mr. Colton and passed unanimously.

Borough Employee Gym Waiver & Release of Liability, and Rules & Regulations

Mr. Lauer moved to approve the Borough Employee Gym Waiver and Release, and Gym Rules and Regulations for the use of the employee gym and equipment. Ms. Monroe seconded the motion, which passed unanimously.

Zoning Hearing Board Reappointment

Mr. Bennett moved to approve the reappointment of Jeremy Sphar to the Zoning Hearing Board, with a term expiration of December 31, 2027. Ms. Hanna seconded the motion, which passed unanimously.

Civil Service Reappointment

Mr. Bennett moved to approve James Royston's reappointment to the Civil Service Commission, with a term expiring on December 31, 2030. Mr. Leech seconded the motion, which passed unanimously.

Dailey Operation Consulting LLC

Mr. Colton summarized the meeting the Manager Search Committee had with Jason Dailey of Dailey Operation Consulting LLC. Borough Manager Gary J. Koehler will be retiring in August 2025. He stated that Mr. Dailey would be able to identify the skill sets that the Borough is looking for in a Borough Manager for Fox Chapel. He will be able to help attract the best candidates with those skill sets, draft the advertisement, and actively recruit. Mr. Dailey will also develop a matrix for evaluating the candidates.

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Mr. Colton said the committee would begin interviewing candidates in mid-February—early March and should negotiate a contract with a chosen candidate by May.

Mr. Colton moved to authorize Jason Dailey of Dailey Operation Consulting LLC to serve as a consultant for the Manager Search Committee. Mr. Lauer seconded the motion, which passed unanimously.

Mr. Bennett congratulated the Public Works Department employees who had milestone anniversaries in 2024:

- Timothy Wargo – 35 years
- Roger Simonetti – 34 years
- Charles Smith – 26 years
- Robert Kurneck – 23 years

EXECUTIVE SESSION

At 7:48 p.m., Borough Council adjourned into Executive Session to discuss a personnel matter. At 9:38 p.m., the meeting was reconvened.

With no other business to come before the Council, the meeting was adjourned at 9:38 p.m.

SHAWN MARIE PETERSON
Borough Secretary