



**FOX CHAPEL**  
BOROUGH

**Agenda**  
**Borough Council Meeting**  
**Monday, January 5, 2026, at 6:00 PM**

**Call to Order: Organization Meeting**

Mayor Jonathan Colton will preside over the meeting until a President of Council is elected.

**Election of Officers**

- I. Mayor Colton will call for nominations for the President of the Borough Council, the Vice President of the Borough Council, and the President Pro Tem.

**Additional Appointments**

- II. Solicitor - A. Bruce Bowden, Esq., Leech Tishman  
Labor Attorney - Michael Palombo, Campbell Durrant PC  
Consulting Engineer - Lennon, Smith, Souleret Engineering, Inc.  
Allegheny North Tax Collection Committee - Julie Bastianini (Delegate) and Jeanine Mancuso (Alternate Delegate)

**Board/Committee Appointments**

- III. Vacancy Board Chairperson
- IV. Environmental Advisory Council
- V. Zoning Hearing Board
- VI. Fox Chapel Authority Board
- VII. Fox Chapel Sanitary Authority
- VIII. North Hills Council of Governments (COG)

**Miscellaneous**

- IX. Set Meeting Date and Time
- X. Bank Depository
- XI. Check Signing Authority

**Call to Order: Regular Meeting**

**Approval of Minutes**

- XII. The meeting was held on December 15, 2025.

## **Resident Comments**

### **Reports**

All reports from December 2025 will appear on the February 2026 agenda along with the January 2026 reports.

### **New Business**

- XIII. Resolution No. 721 — Deputizing Jordan Tax Service, Inc. as Deputy Tax Collector for the Borough of Fox Chapel
- XIV. Resolution No. 722 - Establishing the Annual Salary of the Borough of Fox Chapel Tax Collector
- XV. Amending the Borough of Fox Chapel's Employee Policy Manual
- XVI. Resolution No. 723 — Establishing Work Week for the Finance Director
- XVII. Resolution No. 724 - Amendment to the Borough of Fox Chapel Police Pension Plan
- XVIII. Borough Council Vacancy — Interviews  
Candidates to be Interviewed:
  - Sandy Garfinkel
  - Bruce Jacobs
  - Wesley W. Posvar
  - Benjamin Rister

### **Executive Session**

Personnel Matter

### **Cont. New Business**

- XIX. Appoint Council Member to Fill Vacancy

### **Informational**

- XX. 2025 Civil Service Commission Annual Report

### **Adjournment**



**FOX CHAPEL**  
BOROUGH

RESOLUTION NO. 721

A RESOLUTION OF THE BOROUGH OF FOX CHAPEL, ALLEGHENY COUNTY, PENNSYLVANIA AUTHORIZING J. JAY THIER, TAX COLLECTOR, TO APPOINT JORDAN TAX SERVICE, INC. AS DEPUTY TAX COLLECTOR FOR THE BOROUGH OF FOX CHAPEL AND FOX CHAPEL AREA SCHOOL DISTRICT WITH RESPECT TO PROPERTIES LOCATED IN THE BOROUGH OF FOX CHAPEL.

**BE IT RESOLVED**, by the authority of Borough Council, of the Borough of Fox Chapel, Allegheny County; it is hereby resolved by authority of the same, that Council of the Borough of Fox Chapel approves the appointment of Jordan Tax Service, Inc. as Deputy Tax Collector for the Borough of Fox Chapel and the Fox Chapel Area School District by J. Jay Thier, Tax Collector subject to the terms of the agreement executed between J. Jay Thier, Fox Chapel Area School District, and Jordan Tax Service, Inc., which is, hereby, attached to this Resolution as Exhibit "A."

**BE IT FURTHER RESOLVED**, by the authority of the Borough Council, of the Borough of Fox Chapel, Allegheny County, the proper officers are authorized to execute the Appointment of a Deputy Tax Collector Form as required by the Department of Community and Economic Development attached to this Resolution as Exhibit "A."

**RESOLVED AND ENACTED this 5<sup>th</sup> day of January 2026.**

**ATTEST:**

**BOROUGH OF FOX CHAPEL**

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Shawn M. Peterson,  
Assistant to the Manager

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Andrew C. Bennett  
Borough Council President





**FOX CHAPEL**  
BOROUGH

**RESOLUTION NO. 722**

**A RESOLUTION ESTABLISHING THE ANNUAL SALARY  
OF THE FOX CHAPEL TAX COLLECTOR**

BE IT ORDAINED AND ENACTED by the Council of the Borough of Fox Chapel, Allegheny County, Pennsylvania, and it is hereby ordained and enacted by authority of the same:

SECTION 1: The Borough of Fox Chapel hereby adopts and authorizes the following salary schedule for the Fox Chapel Tax Collector:

<u>Year</u>	<u>Salary</u>
2026	\$1.00
2027	\$1.00
2028	\$1.00
2029	\$1.00

SECTION 2. The expenses of Tax Collector or Deputy Tax Collector shall be paid for by the Borough.

SECTION 3. This resolution shall take effect immediately upon approval.

ENACTED this 5<sup>th</sup> day of January 2026.

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Shawn M. Peterson,  
Assistant to the Manager

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Andrew C. Bennett,  
President of Borough Council



**RESOLUTION NO. 723**

**A RESOLUTION OF THE BOROUGH OF FOX CHAPEL AMENDING THE BOROUGH'S *EMPLOYEE POLICY MANUAL***

WHEREAS, the Borough adopted an *Employee Policy Manual* (Manual) in July 1970; and

WHEREAS, the Borough has subsequently amended said Manual; and

WHEREAS, the Borough wishes to make additional changes to the Manual as follows:

The Borough of Fox Chapel *Employee Policy Manual* defines a "Employee, Full-Time" as follows:

A probationary employee or a regular employee who is scheduled to and able to work a normal work schedule and perform their assigned duties. For purposes of this Manual, a normal full-time work schedule is forty (40) hours worked per week, unless a contrary definition applies pursuant to a collective bargaining agreement.

The Manual also provides that "Borough Council may also approve an alternative full-time schedule pursuant to an adopted Resolution of Council detailing its rationale, provided that the employee subject to such an arrangement must work at least thirty-six (36) hours per week in order to be considered a full-time employee."

The Council has considered the request of the Manager to permit an alternative schedule for the Finance Director, allowing the incumbent to remain employed full-time for a period longer than would be the case without the proposed alternative schedule.

After careful consideration of the request, the Borough Council has determined that the position of Finance Director qualifies for an alternative schedule as set forth in the Manual, based on factors uniquely applicable to both the incumbent occupying the position and its duties. Those factors include the following important considerations:

1. The incumbent in the position has served in this capacity for a period of 5 years and over that time, has demonstrated the ability to operate with minimal direct oversight, such that the Manager believes that a reduced schedule would not likely create operational or oversight issues; and
2. The position of Finance Director reports directly to the Borough Manager and has limited responsibility to interact with the public, such that her absence during a portion of the normal business hours is not likely to create a hardship; and
3. The employee would work a schedule that requires the employee to work in the office for all hours worked; and
4. The employee would work 36 hours per week (nine (9) hours per day, four (4) days per week), thereby remaining a full-time employee as that term is defined in the Manual; and
5. During the period that the Finance Director works the alternate schedule, the annualized salary and vacation time available for the position shall be reduced by ten per cent (10%); and
6. This alternative schedule arrangement is subject to termination if, at any point and for any reason, Council or the Manager determines that termination is in the best interests of the Borough; and

7. This alternative schedule arrangement will automatically terminate if, at any point, the incumbent Finance Director is no longer employed by the Borough; and
8. If the alternative schedule arrangement is terminated for any reason, the schedule for the Finance Director would revert to the normal business hours schedule of forty (40) hours per week, scheduled as five (5) eight (8) hour days.

NOW, THEREFORE, BE IT RESOLVED that the Manager is authorized to establish a thirty-six (36) hour work week for the Finance Director in accordance with this Resolution and is directed to keep the Board advised of the efficacy of the arrangement moving forward.

Adopted this 5<sup>th</sup> day of January, 2026.

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Shawn M. Peterson,  
Assistant to the Manager

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Andrew C. Bennett,  
President of the Borough Council

**RESOLUTION NO. 724**

**AMENDMENT TO THE**

**BOROUGH OF FOX CHAPEL POLICE PENSION PLAN  
(as amended and restated, effective January 1, 2012)**

A RESOLUTION OF THE BOROUGH OF FOX CHAPEL RELATIVE TO THE ESTABLISHMENT AND MAINTENANCE OF EMPLOYEES' PENSION, ANNUITY, INSURANCE AND BENEFIT FUND OR FUNDS, TO AMEND CERTAIN PROVISIONS OF THE PENSION PLAN OR PROGRAM APPLICABLE TO THE POLICE OFFICERS OF SAID BOROUGH.

WHEREAS, the Borough of Fox Chapel (the "Borough") has previously adopted a Resolution establishing the Borough of Fox Chapel Police Pension Plan (the "Plan"); and

WHEREAS, the Plan was totally amended and restated, effective January 1, 2012; and

WHEREAS, the Borough reserved the right to amend the Plan pursuant to section 10.01; and

WHEREAS, the Borough now desires that the Plan be further amended to incorporate a change in eligibility requirements for participation in the Deferred Retirement Option Plan (DROP) which was first implemented in the collective bargaining agreement between the Borough of Fox Chapel and the Police Department of the Borough of Fox Chapel effective January 1, 2022 through December 31, 2025; and

WHEREAS, the Borough now desires that the Plan be further amended to incorporate a prior police service buyback provision pursuant to the terms of Act 49 of 2024 and the recently negotiated collective bargaining agreement between the Borough of Fox Chapel and the Police Department of the Borough of Fox Chapel and to incorporate a change in eligibility to participate in the Deferred Retirement Option Plan (DROP) which was first implemented in the collective bargaining agreement effective January 1, 2022 through December 31, 2025;

**BE IT RESOLVED AND ADOPTED** by the Borough Council of the Borough of Fox Chapel and it is **HEREBY RESOLVED AND ADOPTED** by authority of the same:

Effective January 1, 2022, the Plan is amended by deleting Section 13.02 in its entirety and replacing it with the following new Section 13.02:

13.02 Eligibility of Employee to Participate in DROP - An Employee who has attained the age of fifty-six (56) and completed at least twenty-five (25) years of Aggregate Service is eligible to elect to participate in the DROP by filing a written application with the retirement Plan Administrator at least thirty (30) days prior to the date of the Participant's intended DROP participation date.

Effective January 1, 2026, the Plan is amended by deleting Section 1.18 in its entirety and replacing it with the following new Section 1.18:

**1.18 “Employment”** shall mean for the purpose of determining Aggregate Service:

(a) The period of time for which an Employee is directly or indirectly compensated or entitled to compensation by the Employer for the performance of duties as a police officer;

(b) Any period of time for which an Employee is paid, either directly by the Employer or through a program to which the Employer has made contributions on behalf of the Employee, a fixed, periodic amount in the nature of salary continuation payments for reasons other than the performance of duties (such as vacation, holidays, sickness, entitlement to benefits under workers’ compensation or similar laws);

(c) Any period during which an Employee is entitled to disability benefits under this Plan, provided that the Employee returns to Employment within three (3) months of the date on which it is determined that the Employee is no longer Totally and Permanently Disabled if such determination occurs prior to the date a Participant attains Normal Retirement Age;

(d) Any period of voluntary or involuntary military service with the armed forces of the United States of America, provided that the Participant has been employed as a regular, full-time member of the Employer’s police force for a period of at least six (6) months immediately prior to the period of military service; and the Participant returns to Employment within six (6) months following discharge from military service or within such longer period during which employment rights are guaranteed by applicable law or under the terms of a collective bargaining agreement with the Employer; and

(e) Any period of qualified military service as determined under the requirements of Chapter 43 of Title 38, United States Code, provided that the Participant returns to Employment following such period of qualified military service, and the Participant makes payment to the Plan in an amount equal to the Participant Contributions that would otherwise have been paid to the Plan during such period of qualified military service. The amount of Participant Contributions shall be based upon an estimate of the Compensation that would have been paid to the Participant during such period of qualified military service as determined by the average Compensation paid to the Participant during the twelve (12) months immediately preceding the period of qualified military service. The amount of Participant Contributions so calculated must be paid into the Plan before the end of the period that begins on the date of re-employment and ends on the earlier of the date that ends the period that has a duration of three (3) times the period of qualified military service, or the date that is five (5) years after the date of re-employment;

(f) Effective January 1, 2026, any period of prior part-time and/or full-time service not to exceed two (2) years as a “police officer” with a “police department” as those terms are defined within P.L. 536 (Act 49 of 2024), 53 Pa. C.S. § 9121 et seq., which occurred prior to the date on which a Participant first became an Employee of the Employer, provided that the Participant purchases such credit after completing at least twelve (12) years of Aggregate Service

and that such Participant is not entitled to receive, eligible to receive, or is receiving retirement benefits for such service under any other pension fund.

The purchase price for such service shall be calculated by multiplying the normal cost rate for the Plan, not to exceed ten percent (10%), by the Participant's average annual rate of Compensation during the first three (3) years of Employment and multiplying the result by the number of years and fractions thereof being purchased. Interest shall be paid at a rate of four and three quarters percent (4.75%) compounded annually from the first date of Employment to the date of payment.

“Employment” shall not mean for the purpose of determining Aggregate Service:

(g) Any period of disability for a Participant who was disabled as a result of a non-service related disability.

**RESOLVED AND ADOPTED** this 5th day of January 2026.

ATTEST:

BOROUGH OF FOX CHAPEL

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Shawn M. Peterson,  
Assistant to the Manager

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Andrew C. Bennett,  
President of Borough Council