



FOX CHAPEL BOROUGH

Minutes Fox Chapel Borough Council Meeting Held March 16, 2026

Call to Order

Present: Andrew C. Bennett, Council President; Harrison S. Lauer, Council Vice-President; Betsy Monroe, Bradley D. Harrison, Barry Schaitkin, Wesley W. Posvar, Councilmembers; Jonathan Colton, Mayor

Also Present: Julie P. Bastianini, Borough Manager; Jeanine A. Mancuso, Treasurer; C. Ellis Watson, Chief of Police; Larry Kurpakus, Public Works Director; Shawn M. Peterson, Assistant to the Manager; Ben Shopland, Chief of Foxwall EMS; Austin Henry, Chairperson for the Environmental Advisory Council; Aiden Drucker, Kabeer Chopra, Ahmed Elsayed, Junior Councilmembers; Patrick Minogue, Cynthia Minogue, Michael Pohl, Rob Marsh, Jerry Vest, Rachel Thompson, Daniel Buch, Robert Heister, residents; and 8 other attendees

Via Zoom: Frederick C. Leech, Councilmember; Bruce Bowden, Solicitor; Sandy Garfinkel, resident; and 9 other attendees

Absent: Anna Grace Shultz, Laurence Park, Junior Councilmembers

Mr. Bennett called the meeting to order at 6:00 p.m.

Approval of Minutes

- I. The meeting was held on February 16, 2026.

Mr. Lauer moved to approve the minutes from the Regular Meeting on February 16, 2026. Mr. Schaitkin seconded the motion, which passed unanimously.

Resident Comments

Sandy Garfinkel, 910 Delafield Road, stated that a citizen petition for the non-cooperation with ICE was submitted to the Borough Council with approximately 200 resident signatures. He said the purpose of the petition was to urge the Council to adopt a resolution prohibiting cooperation between the Borough Police Department and federal immigration enforcement agencies such as ICE and CBP.

Patrick Minogue, 440 Dorseyville Road, stated that a resolution concerning ICE should not be voted on by the Council until more residents have an opportunity to weigh in on the issue.

Cynthia Minogue, 440 Dorseyville Road, stated more time is needed for residents to provide their opinions before the Council makes a decision on whether the resolution reflects the will of the taxpayers.

Michael Pohl, 116 Wilmar Drive, stated the Limitations of Fox Chapel Police Department Involvement in Federal Civil Immigration Enforcement Policy should not single out only one federal agency. He stated "enforcing the laws" can be interpreted as meaning all laws, while Resolution No. 726 references the enforcement of state and local laws and wanted to note the inconsistency.

Rob Marsh, 108 Nantucket Drive, stated that it is incumbent on the Borough Council, if they want to get feedback from people, that it should provide information to its residents.

Jerry Vest, 716 Fairview Road, stated he was disappointed to see the Borough Council weighing in on Resolution No. 726. He also asked how Resolution No. 725 helps residents.

Rachel Thompson, 225 East Waldheim Road, stated she and her family have friends and neighbors who are immigrants and wants to see them protected.

Daniel Buch, 225 East Waldheim Road, stated that he supports Resolution No. 726.

Robert Heister, 183 Woodland Farms Road, stated that the Borough Council has the chance to do the right thing, or stand aside while more bad things happen. He said he supports passing the Resolution.

Mr. Bennett thanked all the residents for speaking and providing feedback.

Environmental Advisory Council

- II. Environmental Disturbance Application No. 23-10
100 Hillcrest Road (Amended Application)

Mr. Henry summarized the amended Environmental Disturbance Application No. 23-10. He stated that the resident's engineer submitted the requested Pond report elevation inputs for BMP2, so that particular contingency had been met.

Ms. Monroe moved to approve Environmental Disturbance Application No. 23-10, as submitted, contingent upon the standard requirements set forth in the LSSE letter dated February 25, 2026. The motion was seconded by Mr. Lauer, and passed unanimously.

Planning Commission

- III. Subdivision Application 26-01: Lot Line Change
88 Haverford Road

Mr. Lauer moved to approve Subdivision Application 26-01, as submitted and recommended by the Planning Commission. The motion was seconded by Mr. Schaitkin, which passed unanimously.

Reports

- IV. Mayor Report

Mayor Colton welcomed Chief of Police, Charles 'Ellis' Watson. He stated that Chief Watson has decades of experience and has a wealth of knowledge of law enforcement. Mayor Colton also thanked Sergeant Sorg, who was the interim Chief of Police. He stated that Sergeant Sorg had been helpful in welcoming Chief Watson.

In regard to the Police Policy on the agenda, Mayor Colton stated that it is a pro-clarity policy, providing clarity for the community and the Police Department. He stated that he recommended approval of the policy.

Mayor Colton stated that he was impressed with how the Borough handled all matters relating to the windstorm on Friday, March 13, 2026, and the days that followed.

Lastly, Mayor Colton said that he echoed Sergeant Sorg's recommendation to retain Officer Brandon Rourke.

- V. Police Report for February 2026

Chief Watson stated that the windstorm proved a good reminder for residents that they should always treat downed wires as live wires and always show caution when around them.

Mr. Bennett thanked the Public Works Department, Police Department, and Volunteer Fire Department for all their efforts during the windstorm and aftermath. He also welcomed Chief Watson.

- 1. Review and Discussion of Fox Chapel Police Department Policy

Ms. Monroe moved to approve the Limitations of Fox Chapel Police Department involvement in Federal Civil Immigration Enforcement Policy. The motion was seconded by Mr. Schaitkin.

Mr. Posvar stated that the policy is a strict interpretation of jurisdictional issues, so there's no tinge of politics, which he thought was an important point.

Mr. Bennett stated that Mayor Colton, Mr. Bowden, and Chief Watson crafted a very articulate, specific policy that removes uncertainty for police officers. He said that the policy states what the Borough has done in current and past practices and there is nothing new about it. He said that it eliminates confusion for officers and should give peace of mind to the residents in terms of clarity.

Mr. Lauer stated that the policy was raised by Sergeant Sorg because he felt the Police Department needed guidance on the issues the policy addresses.

The motion passed unanimously.

VI. Fire Report for February 2026

Mr. Bennett clarified the calls from February stating that the four calls listed as "No District Selected" were three calls to Fox Chapel (total of 19) and one call to O'Hara Township (total of 4).

VII. EMS Report for February 2026

Chief Shopland stated that Foxwall was awarded a \$15,000 grant from the Office of the State Fire Commissioner, which will be applied to the remaining loan they have on their ambulance, shortening the term by ten months. He also said that their *Run for the Hill of It* fundraiser would be held on Sunday, April 26, in Aspinwall. Lastly, he shared that Foxwall's annual membership subscription drive is coming up.

Mr. Schaitkin asked what percentage of residents from Aspinwall and Fox Chapel sign up for the annual membership. Chief Shopland stated that typically, 20% of residents combined sign up, which he stated was average.

VIII. Public Works Report for February 2026

Mr. Kurpakus stated that the road paving contract is out to bid and will be before the Council in April for approval. He thanked the Police Department for their work during the windstorm.

IX. Engineer Report for February 2026

Ms. Bastianini provided an update on the ALCOSAN Regionalization, where ALCOSAN is considering taking over portions of two interceptor sewers that belong to the Borough: one located at the Boy Scout's Camp Guyasuta and one that runs from behind the PennDOT maintenance shed down through the Waterworks into the Pittsburgh Water Treatment Plant.

She stated that currently, the Borough is televising the treatment plant section to determine its condition. Then the Borough and ALCOSAN can discuss the transfer. Additionally, Ms. Bastianini stated that the Borough has been working to gather all documentation on file, such as easements, right-of-ways, and access agreements, as those would transfer with the sewer lines.

X. Treasurer Report for February 2026

1. Ratification of Payments for February 2026

Ms. Monroe moved to ratify the payment of bills for February 2026, General Fund Vouchers 6383-6433, in the amount of \$676,142.54. The motion was seconded by Mr. Lauer and passed unanimously.

New Business

XI. Resolution No. 725

Mr. Schaitkin moved to approve the adoption of Resolution No. 725, where the Borough hereby chooses the option to opt in to the Allegheny County Community Development Block Grant (CDBG) program and the HOME program for the 2027, 2028, and 2029 program years. Mr. Lauer seconded the motion, which

passed unanimously.

Ms. Bastianini explained that since the Borough does not have a community development or housing arm, in the past, the Borough had delegated it to the County. She said that there is a population number that must be reached to be considered an urban county, so Allegheny County asks the municipalities in the county to opt into the programs so that they can qualify and receive money from HUD and CDBG.

Ms. Bastianini stated that the Borough could apply in the future for a CDBG program grant to update ADA access for the Borough Building.

XII. Resolution No. 726

Ms. Monroe moved to approve the adoption of Resolution No. 726, a Commitment to Community Safety and the Non-Enforcement of Immigration Laws by the Fox Chapel Police Department. The motion was seconded by Mr. Leech.

Mr. Posvar stated that the proposed resolution is technically unnecessary since the Borough Council approved the Police Policy earlier. He said that immigration and immigration enforcement are federal issues. Accordingly, comments should be directed to the source. He said that he calls upon local members of Congress to work with their counterparts in the House of Representatives and the Senate in fixing the system.

Mr. Schaitkin stated that the point of the resolution is to let people know that the Borough approved the Police Policy.

Mr. Bennett stated that this issue needed to be addressed due to the uncertainty in the Police Department, and the Police Policy gave the Borough a working document that was needed. He said that the resolution is a politicization of federal immigration, and he has spent 27 years on the Council trying to keep local government out of the political arena.

The motion passed with an 'Aye' from Ms. Monroe, Mr. Schaitkin, Mr. Harrison, and Mr. Leech, a 'Nay' from Mr. Bennett, and abstentions from Mr. Lauer and Mr. Posvar.

XIII. Retention of Officer Brandon Rourke

Ms. Monroe moved to approve the retention of Officer Brandon Rourke. The motion was seconded by Mr. Posvar and passed unanimously.

Mr. Bennett, on behalf of the Borough Council, congratulated Officer Rourke.

XIV. Emergency Management Coordinator Appointment

Mr. Lauer moved to approve the appointment of Emergency Management Coordinator to Charles Ellis Watson, Chief of Police, effective Monday, March 16, 2026. Mr. Harrison seconded the motion, which passed unanimously.

XV. Appoint an Officer of Open Records for the Fox Chapel Police Department

Mr. Harrison moved to appoint Chief Charles Ellis Watson as the Officer of Open Records for the Fox Chapel Police Department. The motion was seconded by Mr. Schaitkin and passed unanimously.

XVI. Amend the Voluntary Employee Deferred Compensation 457 Plan to Allow Roth Contributions

Mr. Lauer moved to amend the Voluntary Employee Deferred Compensation 457 Plan to allow Roth contributions. The motion was seconded by Mr. Harrison and passed unanimously.

Ms. Monroe appreciated the effort Borough staff went through to make this available to employees.

XVII. Resignation of Jeremy Sphar - Zoning Hearing Board

Mr. Schaitkin moved to accept the resignation of Jeremy Sphar from the Zoning Hearing Board, effective April 30, 2026. The motion was seconded by Ms. Monroe and passed unanimously. Mr. Bennett thanked Mr. Sphar for his service on the Zoning Hearing Board.

Mr. Lauer moved to advertise for the position on the Zoning Hearing Board to fill Mr. Sphar's vacancy in the spring newsletter, Borough website, and Facebook page. Ms. Monroe seconded the motion, which passed unanimously.

Contract Awards

XVIII. Bandit Intimidator 15XP Wood Chipper

Mr. Lauer moved to approve the contract for a new Bandit Intimidator 15XP wood chipper to Stephenson Equipment, Inc., through the DPS Contract No. 4400028339, which has also been made available for Costars members' participation, in the amount of \$73,999. The motion was seconded by Mr. Posvar and passed unanimously.

XIX. Contract No. 25-PW1 Salt Storage Building

Mr. Bennett moved to approve the award of the Base Bid, Add Alternate No. 1, and Add Alternate No. 4 of Contract No. 25-PW1 Salt Storage Building to Maxim Construction, LLC as the low bidder in the amount of \$669,500, subject to Maxim Construction, LLC obtaining the required insurance certificates, performance bond and payment bond, and review and approval of same by the Borough Solicitor prior to the execution of the Agreement by the Borough of Fox Chapel. The motion was seconded by Mr. Posvar and passed unanimously.

Executive Session - Personnel

At 7:31 p.m., the Borough Council adjourned into Executive Session to discuss a personnel matter. At 8:22 p.m., the regular meeting reconvened.

Adjournment

With no other business to come before the Council, the meeting was adjourned at 8:22 p.m.

Shawn Marie Peterson
Assistant to the Manager