MINUTES

**FOX CHAPEL BOROUGH COUNCIL MEETING HELD JUNE 15, 2020**

**PRESENT:** Walter A. Scott, III, Mayor; Andrew C. Bennett, President; Thomas A. Karet, Harrison S. Lauer, Frederick C. Leech, Betsy Monroe, Mandy Steele, Jay S. Troutman, Councilmembers; A. Bruce Bowden, Solicitor; Gary J. Koehler, Manager; David M. Laux, Police Chief; Jeanine A. Mancuso, Treasurer; Shawn Marie Peterson, Borough Secretary.

**ALSO**

**PRESENT:** Paul R. Bell, Code Official; Nannette Bennett, Wesley Posvar, Jeff Todd, James Royston, Planning Commission Members; Eileen Drake, Court Stenographer; Steven Victor, Victor-Wetzel Associates; 49 Fox Chapel Residents

Mr. Bennett called the meeting to order at 6:00 P.M.

**PUBLIC HEARING- Conditional Use Application 20-3**

Mr. Bennett opened the Public Hearing at 6:01 PM, for the Hammock Beach Partners Conditional-Use Application 20-3. A stenographic record of the proceedings was conducted by Network Deposition Services, who should be contacted directly for a copy of the record. The hearing was closed at 8:02 PM.

**PLANNING COMMISSION**

Mr. Lauer informed Borough Council that the Planning Commission would be deferring their decision on Conditional Use Application 20-3 until their July 20, 2020, meeting. The Commission will need time to review the information given by Mr. Victor and members of the public at the Public Hearing. Mr. Victor was asked to look into adding a trail between Lots A-1 and B-1, and/or between A-2 and B-2 to provide access to the high point of the property for public use as a view point. Mr. Victor asked if the proposed change in the trail would be in place of the Old Mill Trail or in addition to it. He stated that another option would be to have the Old Mill Trail ‘T’ off onto Lane A to a vista point, to create a scenic viewpoint. He will look into both ideas.

Mr. Victor was also asked to review whether Lane A can connect to Old Mill Road instead of Haverford Road. He will meet with Mr. Koehler and Mr. Bell to go over the Borough Code to see if this is possible.

**PUBLIC HEARING- Ordinance No. 714**

Mr. Bennett opened the Public Hearing at 8:12 PM, to consider amending Chapter 400 entitled “Zoning” of the Fox Chapel Code of Ordinances to make certain solar panels a permitted use and to revise the procedures for approving them.

Mr. Bowden explained that the procedure for rear or side-facing solar panels would become a permitted use where the Code Official can approve the application for these if they meet the requirements of the Ordinance. The criteria for front or ground-mounted solar panels will remain a conditional-use which will need to go before the Planning Commission for recommended approval.

It was moved by Mr. Troutman that Ordinance No. 714 be approved as written. The motion was seconded by Mr. Karet. All were in favor of the motion with a Nay vote by Mrs. Monroe and Mrs. Steele. The hearing was closed at 8:34 PM.

Upon a motion made by Mr. Lauer and seconded by Mr. Troutman, the minutes of the May 18, 2020 meeting were approved. The motion passed by a unanimous vote.

**ENVIRONMENTAL ADVISORY COUNCIL**

It was moved by Mr. Troutman that Council approves Application 20-4, a proposed single-family dwelling demolition and new single-family dwelling construction, as submitted. This will include the granting of a waiver for a level spreader, conditioned on compliance with all Borough Engineer comments per their review letter dated June 5, 2020. This motion also includes, approval of the landscape plan for Application 20-4 contingent on the previous EAC Tree Removal Request. The motion was seconded by Mr. Lauer and passed by a unanimous vote.

Mr. Troutman informed Council that the EAC had sent Thank You letters to the two applicants of the now-filled position on the EAC. The EAC had also invited the applicants to attend monthly meetings to get a feel for what is expected of an EAC member. This will allow the applicants to see the technical presentation and review of the applications set before the Council firsthand.

**CONTRACT AWARDS**

Allegheny Mineral Corp.

It was moved by Mr. Troutman to award a contract to Allegheny Mineral Corporation for #1 Limestone at $15.65 per ton material rate, #2A Limestone at $13.85 per ton material rate, #3 Limestone at $15.45 per ton material rate, R-4 Rip-Rap at $15.75 per ton material rate, and R-3 Rip-Rap at $15.75 per ton material rate via Co-Stars Contract No. 142980. All have a freight rate of $8.00/ton if the Borough asks to supplier to deliver the material. The motion was seconded by Mr. Lauer and passed by a unanimous vote.

Road Salt

It was moved by Mr. Troutman to award the 2020-2021 salt contract to Morton Salt through North Hills COG at the cost of $69.36/ton. The motion was seconded by Mr. Lauer and passed by a unanimous vote.

**POLICE REPORT**

Chief Laux informed Council that the community rally to support the Black Lives Matter message held on Thursday, June 11, 2020, at Squaw Valley Park in O’Hara Township was a peaceful event. He said that the most challenging part of the rally was lack of parking.

The Chief talked about the letter from the Fox Chapel Borough Police Department and the PCPA in response to George Floyd’s death that is on the Fox Chapel website for public viewing. He also wrote a letter that will be published in the Borough’s summer newsletter that talks about the training the Police Department receives.

Mrs. Steele asked that special priority be given to women applicants when spots open up on the police force. Mayor Scott informed the Council that the Civil Service Commission meets to review applications after they go through Chief Laux. He stated that although it would be great to have a woman officer, the goal of the Civil Service Commission should be to look at the best possible candidates.

**ENGINEER REPORT**

Mr. Koehler informed Council that the Fox Chapel Authority had begun work on Windsor Road to upgrade its transmission grid and renew the distribution system. Once the Authority has finished their work, the Borough will have the section on Windsor Road that is being disturbed, paved.

**TREASURER REPORT**

Mrs. Mancuso informed Council that revenue such as EIT and real estate transfer tax are down as expected. She also told Council that the Volunteer Fire Department donations are now up to approximately $48,000.

Payment of Bills

It was moved by Mr. Troutman that the payment of bills for May 2020 (General Fund Voucher Nos. 26017-26104 in the amount of $942,589.62, and the Land Fund Arm Voucher Nos. 1046-1050 in the amount of $10,243.53) be approved. The motion was seconded by Mr. Lauer and passed by a unanimous vote.

**NEW BUSINESS**

Resolution No. 644

This resolution authorizes the Borough of Fox Chapel to file a Greenways, Trails, and Recreation Program grant application in the amount of $219,204.80 for the McCahill Park Trail, Multi-Seasonal Court, and Ballfield upgrades. It was moved by Mr. Troutman that Resolution No. 644 be adopted. The motion was seconded by Mrs. Steele and passed by a unanimous vote.

Resolution No. 645

This resolution is for the Borough to accept the Plan Revision to the Borough’s Sewage Planning Module for the proposed Walter W. Hiller, Jr. Subdivision as required by DEP. It was moved by Mrs. Monroe that Resolution No. 645 be adopted. The motion was seconded by Mr. Lauer and passed by a unanimous vote.

Due to COVID-19 restrictions, the 90-day requirement to submit the Subdivision Plans to the Recorder of Deeds had expired. It was moved by Mr. Lauer that Council re-approve the Walter W. Hiller, Jr. Subdivision Plan. The motion was seconded by Mr. Troutman and passed by a unanimous vote.

Scope for the Development of Long-Range Comprehensive Plans for the Township of O’Hara and Fox Chapel Borough

It was moved by Mr. Troutman that Council approve the signing of the Scope. The motion was seconded by Mrs. Steele and passed by a unanimous vote.

The next step will be to advertise via Borough Newsletter and social media outlets that the Borough is creating a Comprehensive Planning Committee. This Committee will consist of the Planning Commission members, as well as interested Borough residents. The Mayor recommended that those interested in joining the Committee should read over the 1956 Borough of Fox Chapel Master Plan.

Report from Library Committee

The Mayor discussed with Council that the Library Committee received information from Jill McConnell, Executive Director, such as the budget, and anticipated revenues and expenses through the end of the year for the library. The library was awarded a CARES Act Payroll Protection Program loan of approximately $106,000 that will help cover the library’s expenses. These expenses would include payroll, including benefits, along with certain other non-payroll items, i.e., leases, mortgage interest, utilities, etc. At this point, the Committee cannot determine what the real needs are because there are too many questions that won’t be able to get answered until the year progresses.

The Library Committee recommended to Council to begin funding the library with the June 2020 payment through the end of the year. A motion was made by Mr. Bennett to begin payments to the library in June 2020 through the end of the year and to suspend the April and May 2020 payments. At year end, the Borough will reassess this decision based on additional information. The motion was seconded by Mr. Troutman and passed by a unanimous vote.

**INFORMATIONAL**

Mr. Bennett asked Chief Laux to start thinking of ways the Borough can make crosswalks in the Borough safer for pedestrians. Chief Laux told Council that he would begin actively increasing enforcement, especially on Old Mill Road. The police department is also looking at ways to increase the visibility of the crosswalks, and he would like to begin a campaign that lets drivers know pedestrians in the crosswalks have the right-of-way.

There being no other business to come before the Board, the meeting was adjourned at 9:30 PM.

SHAWN MARIE PETERSON

Borough Secretary