MINUTES

**FOX CHAPEL BOROUGH COUNCIL MEETING HELD NOVEMBER 16, 2020**

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

ALSO

PRESENT: Harold Waldman; Michelle Lally, Esq., representing Dr. & Mrs. Kelley; Jon Kamin, Esq., representing Dr. and Mrs. Luketich; approximately 90 attendees.

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

MINUTES

 It was moved by Mrs. Monroe and seconded by Mr. Lauer that the minutes of the October 19, 2020, meeting be approved as submitted. The motion was unanimously approved.

 Mr. Bennett informed those in attendance that there would be a slight change to the agenda. After the Visitor/Comment section, Council would move directly to the Squaw Run Road/Squaw Run Road East item.

VISITORS/COMMENTS

 Council heard from many residents who were in favor of the name change to a trail, waterway, and two roads in the Borough that utilize the word ‘squaw’.

UNFINISHED BUSINESS

 Squaw Run Road/Squaw Run Road East

Moving out of the Visitor/Comment section, Mr. Bennett stated:

*Since July 20, 2020, Council has listened to Fox Chapel residents to decide on the request to rename a waterway, trail, and two roads in the Borough that use the word 'squaw’. A Task Force was formed after the August 2020 meeting consisting of residents from both sides of the issue. The Task Force, after its first meeting, made a decision that concluded their work. At the October 2020 meeting, Council formed a sub-committee of three Council members and the Mayor to hear from the two affected roads' residents. In addition, a survey was sent to forty-eight households/businesses that utilize 'squaw’ in their name. Council should decide whether to change or not change the waterway, trail, and two roads that utilize the word 'squaw’ or discover some other part of the process to pursue.*

 Mrs. Steele moved that Borough Council approve the removal of the slur ‘squaw’ from two streets and the trail system in Fox Chapel. She also stated that the Borough should notify residents through Nixle and the Borough website that they may suggest replacement names through December 14, 2020, with extra weight given to residents of the affected roads. Council will then vote on the replacement names at the December 21, 2020, Council meeting. The actual name change will occur on February 1, 2021, to give residents time to make arrangements. Additionally, the Borough will notify relevant agencies and provide residents of the roads, a list of address change resources. Finally, Council will choose a representative from Council who will work with O’Hara and Indiana Township to file a name change request for the stream system with the U.S. Board of Geographical Names. Mrs. Monroe seconded the motion. Discussion among the Council members ensued.

Mr. Bennett stated that this is a When and not an If; the Borough should want to be on the front-side of the change and be proactive in renaming the assets. This can give the Borough the opportunity to conform to the Allegheny County 911 Response System. His timetable is different from Mrs. Steele’s. Mr. Bennett wants to start right away on the trail system due to the Park Commission’s current work on creating a single name as we connect O’Hara Township (because of Hardie Valley Park) out to Beechwood Farms. The federal government will be responsible for the stream renaming, with the help of the Borough with the application process. As for the two streets being renamed, Mr. Bennett gave July 1, 2021, as his date for the actual name change deadline. He stated the following reasons:

* Residents will need to digest the change
* The holiday season is upon us, and there is a spike in the pandemic
* The Borough needs to consider new names with the help of the residents
* The Borough will need to consider financial assistance to the residents involved in the change
* The Borough should provide resources, advice, or assistance to the affected residents helping them through the process

To conclude Mr. Bennett’s thoughts, he asked that the timeline on Mrs. Steele’s motion be revised.

 Mr. Leech was next to speak on the matter. He stated that he believes that interpretations and our relationship with interpretations change with the times. There is a countervailing force that if those changed interpretations have fundamental unfairness to those affected by the changing interpretations, we need to be cautious of adopting a change.

Mr. Leech continued that he believes the Borough should change the name of the assets in the Borough over which the Borough has control (two roads and trail system) as promptly as possible. If adopted and revised, the motion would be an unconditional commitment to change the assets' names, which the Borough controls. The hardship of changing the road names for the residents who reside on the roads affected is not considered a fundamental unfairness. It does not outweigh the long-term benefit to the Borough in changing the name of the assets. Mr. Leech believes the hardship can be mitigated with a Help Desk that the Borough can establish and fund.

Mr. Leech requested that Mrs. Steele and Mrs. Monroe revise their motion to allow a longer period of time for the affected residents to change documents.

Mr. Lauer stated that he shares the same views as Mrs. Steele, Mr. Bennett, and Mr. Leech. It is within the Borough's best interest to be proactive on the issue and change the assets' names. As far as the timing, he believes that April 1, 2021, should be the date for the actual name change deadline. Mr. Lauer also stated that he thought it appropriate that the Borough provides some financial remuneration to the affected residents' out-of-pocket expenses.

Mr. Karet, Mr. Troutman, and Mrs. Monroe also weighed in with their opinions on the issue. Mrs. Monroe asked that the motion made by Mrs. Steele separate the direction from the steps that need to be made. Mrs. Steele adjusted her motion to provide that the Borough unequivocally approve removing the slur ‘squaw’ from the two streets and the trail system that utilizes the word. Mrs. Monroe, as the seconder, accepted the change in the motion. Council voted in favor of the revised motion, with Mr. Troutman abstaining from voting due to wanting to represent those affected by the change and letting their voices be heard.

 Mr. Lauer moved to set the timetable in connection with formalizing the new names for the streets and trail system to March 1, 2021. At the same time, that will be a target date for finalizing a Financial Reimbursement Plan and process for the affected residents. May 1, 2021, would then be the effective date for the name changes. Mrs. Monroe seconded the motion.

It was discussed that Mr. Koehler will create a letter that will be sent to the affected residents on the two roads informing them of the changes and that the Borough seeks their input on the naming of the roads and

trail system. Mr. Koehler will also contact Ms. Bieber from Allegheny County to assist residents of the private lanes in renaming their roads. The County can also help ensure there are no conflicts with the new

names. The library will also be contacted to see if they can staff and handle a Help Desk for the affected residents. Mrs. Steele stated that she would put information on social media sites that the Borough will be seeking suggestions for the new road names, and the Borough will send out a Nixle and post it to the Borough website. Mrs. Steele, Mrs. Monroe, Mr. Bennett, Mr. Karet, Mr. Lauer, and Mr. Leech were in favor of the motion, with Mr. Troutman abstaining.

SALE OF EQUIPMENT

Rigid See Snake Sanitary Sewer Camera

Mr. Leech moved to approve the sale of the sewer camera advertised on Municibid to Keith Miller at a price of $3,000. The motion was seconded by Mrs. Steele and passed by a unanimous vote.

2008 Chevrolet Silverado 2500 4WD Extended Cab

Mrs. Monroe moved to approve the Chevrolet Silverado truck's sale advertised on Municibid to Keith Miller at a price of $15,400. The motion was seconded by Mr. Leech and passed by a unanimous vote.

10,500 Gallon Polyethelyne Tank

Mr. Karet moved to approve the sale of the tank advertised on Municibid to Mark Cummins at a price of $1,000. The motion was seconded by Mr. Leech and passed by a unanimous vote.

Leica Pipe Laser

Mr. Troutman moved to approve the sale of the pipe laser advertised on Municibid to Rebecca James at a price of $410. The motion was seconded by Mr. Leech and passed by a unanimous vote.

Safe-Cabinet Laboratory Safe

Mrs. Monroe moved to approve the sale of the safe advertised on Municibid to Dempsey Bruce at a price of $300. The motion was seconded by Mrs. Steele and passed by a unanimous vote.

FINANCIAL

Payment of Bills

Mr. Bennett moved that the payment of bills for October 2020 (General Fund Vouchers 26517 - 26626 - $1,290,201.30 and Land Fund ARM Vouchers 1064 - 1067 - $94981.79) be approved. The motion was seconded by Mr. Karet with Mr. Leech abstaining from voting on the Leech Tishman invoices due to the appearance of a conflict of interest.

Mrs. Steele raised a few questions to Mr. Bowden about the legal fees associated with the Leech Tishman bills. Mr. Bowden stated that he would remove the fees related to the Parks Conservancy for September 21, 2020, and September 24, 2020, that included research and correspondence with Alex Scott regarding non-profit park organization, as well as the fee for the correspondence with Mrs. Steele requesting invoices from Mr. Bowden on September 22, 2020.

UNFINISHED BUSINESS

 EAC Application No. 20-7 Harold and Diane Waldman

 10 Sweet Water Lane

Proposed Improvements to an Existing Access and Utility Easement

 After a brief discussion, Council asked Mr. Waldman if he would be willing to defer Council’s decision on Application No. 20-7 pending an amicable resolution among himself and Dr. Luketich or a

court's determination of his rights to build a road on the 40’ easement. Mr. Waldman stated that he would be happy to defer the decision. Mr. Kamin, who represents Dr. and Mrs. and Luketich, and Ms.

Lally, representing Dr. and Mrs. Kelley, noted that their clients would defer to the wishes of the applicant, Mr. Waldman.

Mr. Karet moved that Council defer their decision on EAC Application No. 20-7 pending an amicable resolution among all parties involved or a court’s determination. The motion was seconded by Mr. Leech and passed by a unanimous vote.

NEW BUSINESS

Residential Municipal Waste and Recycling Collection, Disposal and Processing, e-Waste and Household Hazardous Waste Collection

After Mr. Koehler informed Borough Council of some of the changes made to the new contract for Municipal Waste and Recycling Collection, Mr. Karet moved to award the Garbage Contract to Vogel Disposal Service, Inc., at the base collection cost of $2,532,578.40 for each of Contract years 2021-2024. This equates to $35.24 per household per month versus $36.38 per household per month that the Borough currently pays. The motion was seconded by Mrs. Steele and passed by a unanimous vote.

Service Order Authorization (SOA) Public Works Garage Bid Documents

Mr. Lauer moved to authorize Lennon, Smith, Souleret Engineering, Inc., to provide architectural and engineering services for tasks related to the proposed Public Works garage construction documents subject to a revision in the contract with Stephen Paxton, AIA, proposed by Mr. Bowden and LSSE. The motion was seconded by Mr. Bennett and passed by a unanimous vote.

Resolution No. 650

Mrs. Monroe moved to approve Resolution No. 650 accepting a proposal and authorizing an agreement with Dollar Bank Treasury Management for financial institution services per proposals received by the North Hills Council of Governments. The motion was seconded by Mr. Leech and passed by a unanimous vote.

Budget Advertisement

 Mr. Lauer summarized the work of the staff and Finance Committee related to the 2021 Budget. Mr. Lauer moved to authorize advertising the proposed 2021 Budget to include the 2021 millage rate of 2.95, the same as 2020, and proposed sewer rate increase related to ALCOSAN’s rate increase. The motion was seconded by Mr. Bennett and passed by a unanimous vote.

 Winter Lantern Walk

 Mr. Lauer moved to approve the Park Commission’s recommendation for the fundraising event on behalf of the Fox Chapel Parks Conservancy winter Lantern Walk at McCahill Park on December 5, 2020, including postcard notification to residents. The motion was seconded by Mrs. Monroe and passed by a unanimous vote.

 Re-Approve the Quail Plan No. 3: Revision to Lots 2 & 3

 Mr. Karet moved it to re-approve the lot revision to lots 2 and 3. The motion was seconded by Mrs. Monroe and passed by a unanimous vote.

INFORMATIONAL

 ALCOSAN GROW Grant

 Mr. Bennett informed those in attendance that the Borough’s application for reimbursement grant funding under the GROW program was approved for the 2017-2019 Sanitary Sewer Lining Project in the amount of $61,600.

 Library Association Board Meeting Minutes

 Mr. Bennett stated that there is a vacancy on the Library Board in one of the positions to be filled by the Borough. Mayor Scott and Mr. Koehler were unaware of this vacancy that will need to be filled.

Before adjourning for the evening, Mayor Scott thanked Mr. Bennett for his leadership and stated without it, the last few months could have been more difficult. Mrs. Steele thanked her fellow Council

members for taking the issue so seriously and putting in the time and effort to decide to rename the two roads and trail system in the Borough. She also thanked the community who worked hard and rallied around Council.

 Mrs. Monroe asked that the supporting documentation from the various resources given to Council be placed on the website for public access. Council decided to put a link with access to select resources under the information that will be posted that states the Council decision and specific dates for the name changes.

There being no other business to come before the Board, the meeting was adjourned at 8:31 PM.

SHAWN MARIE PETERSON

Borough Secretary