MINUTES

**FOX CHAPEL BOROUGH COUNCIL MEETING HELD DECEMBER 21, 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; Kevin Brett, P.E., Borough Engineer; Jeanine A. Mancuso, Treasurer; Shawn Marie Peterson, Borough Secretary.

ALSO

PRESENT: Austin Henry, Chair of EAC; Jason Hurwitz, Superintendent for Fox Chapel Golf Club; approximately 49 attendees.

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

MINUTES

It was moved by Mrs. Monroe and seconded by Mr. Troutman that the minutes of the November 16, 2020, meeting be approved with the amendment to include the abstention of Mr. Leech from the invoices paid to LeechTishman for the Ratification of Payments. The motion passed by a unanimous vote.

VISITORS/COMMENTS

Mr. Bennett asked the residents in attendance to hold questions and comments on the EAC Tree Removal Request 20-186, Fox Chapel Golf Club until the matter was brought up in the meeting.

ENVIRONMENTAL ADVISORY COUNCIL

Application No. 20-8 Glade Run Farm Trust

608 Squaw Run Road East

Proposed Construction of a new pool and pool house

The EAC recommends to Council that Application No. 20-8 be approved as submitted, including a waiver for the use of a level spreader, and contingent upon the following:

* Submission of acceptable field infiltration study
* Taking any reasonable action to save tree no. 20
* Waiver for the use of a level spreader
* Waiver for the standard geotechnical report for slope stability

Mr. Troutman moved that Application No. 20-8 be approved subject to any conditions imposed by the EAC. Ms. Monroe seconded the motion. All were in favor of the motion, with Mr. Karet abstaining.

Tree Removal Request Fox Chapel Golf Club

TR-20-186: 426 Fox Chapel Road

Proposed Removal of 72 Trees

Mr. Troutman reviewed the EAC meeting's motion made on December 14, 2020, for Tree Removal Request 20-186.

*Tree Removal Request TR-20-186 be recommended to Council for approval with the following trees to be removed: 2, 4, 10, 11, 15, 18, 19, two trees from 26-29, 31, 33, 34-45 except for 39, eight trees from 46-56, 70, 71, and 72. The 26 trees marked as "Tree Sick/Dying" on the Application can be removed contingent upon an Arborist for the applicant certifying that they are dead or dying. This decision is also contingent upon the annual submission of an end-of-year status report from the Fox Chapel Golf Club on trees removed and trees replanted until the replanting of all trees has been fulfilled. The motion was seconded by Ms. Bennett and passed by a unanimous vote. All hardwood trees removed that are not certified by an Arborist as "Tree Sick/Dying" must have replacement hardwoods replanted at a 1:1 ratio with a credit for the 18 trees that the FCGC has ordered and is replanting over and above the 111 tree replanting commitment that remained outstanding prior to this Application.*

*The Application is denied as to tree removals, other than those which are expressly recommended above, without prejudice to the applicant's ability to reapply at an appropriate future time when replacement can be accomplished within the times required in the NRAPO.*

Mr. Hurwitz, Superintendent of the Fox Chapel Golf Club, conducted a PowerPoint presentation on the Golf Club's history. Once completed, a discussion ensued.

Mr. Leech asked Mr. Hurwitz if an assay could be completed on the inventory of the trees at the Golf Club, including caliper and species of the trees.

Ms. Steele discussed a concern with removing so many large trees at the point in the Borough's watershed, specifically thirteen oak trees. She stated that many communities utilize a Diameter at Breast

Height (DBH) calculation to determine replanting ratio requirements, rather than the 1:1 calculation the Borough uses. Ms. Steele explained that if an average oak has a 36" DBH and the average replacement tree has a 2" DBH. The Golf Club would need to replant 18 trees for each oak tree. The oak trees are an essential asset to the community as a keystone forest species that house more wildlife than any other tree, soaking up groundwater and stabilizing the soil.

Ms. Steele proposed a Tree Mitigation Fund, where the Golf Club could make a donation that can protect an established forest in another part of the Borough. This can permit the Golf Club to pursue the vision they want for their course while protecting the larger community from losing the trees.

After other Councilmembers spoke on their concerns, Mr. Troutman stated that Council is not ready to vote on the EAC motion presented but moved that the Tree Removal Request be sent back to the EAC with summarized vital points made by the Councilmembers. They are as follows:

* Create an assay inventory of the entire golf course, including the caliper and species of trees
* The completed Fazio Design Plan for the Golf Club
* The GC's arborist report and an independent confirmation report from the Borough's arborist
* The GC should arrange a conversation or meeting with the Army Corps of Engineers to discuss their study of the watershed within the Borough and how the GC's stormwater management can tie into their study
* A discussion should be had among the Board about conservation funding of trees outside of the Golf Club's footprint if there is not enough room to place eighteen 2" caliper trees. The GC should report on the initial response to the EAC.

Mr. Bennett revised this motion to include that part of this process should include collecting membership feedback through the Golf Club's Board's governance. Mr. Karet seconded the motion. After further questions and discussion from Council members and residents, the motion passed by a unanimous vote.

ENGINEER

Mr. Brett reported that the majority of construction projects for 2020 have been completed. The Army Corps of Engineers are a few months behind in their Watershed Study due to COVID-19. They hope to have their report submitted by the end of the first quarter of 2021.

FINANCIAL

Payment of Bills

Mr. Troutman moved that the payment of bills for November 2020 (General Fund Vouchers 26627 - 26698 - $859,116.06 and Land Fund ARM Voucher 1068 - $2,439.56) be approved. The motion was seconded by Mr. Karet and passed by a unanimous vote.

UNFINISHED BUSINESS

Discussion on a Process for the Affected Residents of Squaw Run Road/Squaw Run Road East

Mr. Bennett stated that with a target date of March 1, 2021, a few things need to be discussed regarding the road name changes.

1. **Financial Reimbursement for the affected residents**: Mr. Bennett asked Council if anyone had thoughts on how this could be accomplished. Ms. Steele noted that she would send Council members the information she had on the model from Phoenix, Arizona's financial reimbursement plan. Mr. Bennett asked Council to think about some form of methodology on this subject and come back to it at the January 18, 2021, meeting.

2. **Naming Issues:** The Borough has heard from four out of eleven private lanes affected by the name change on their suggested name changes. Mr. Bennett asked Ms. Peterson and Mr. Koehler to send a letter to the remaining residents of the seven private lanes who have not yet responded with name change suggestions that the submission deadline is February 1, 2021, if they would still like to participate in the road naming.

3. **Library Help Desk:** Mr. Bennett asked Mr. Koehler to determine how the Help Desk will assist the affected residents. A list of what functions the Help Desk can perform should be provided to the affected residents. It was suggested that Ms. Steele provide the Phoenix, Arizona model to the library to assist them with those functions.

4. **Public Road Name Suggestions:** The Borough has received many name suggestions from individuals to change the two public roads. The three most popular names thus far are: 1.) Trillium Run 2.) Seneca Run 3.) Fox Run

Ms. Steele pointed out that if Seneca were to be used, the Borough needs to conduct good solid research and talk with other Native American groups that are/were from this area. She noted that the National Congress of American Indians' guidance suggests using a nature name when renaming something that once used an Indian slur.

Allegheny County Recommendations Utilizing National Emergency Numbering Association (NENA) Standards

Mr. Bennett asked Mr. Koehler to work with Allegheny County to utilize the NENA Standards regarding naming and numbering unnamed private drives and lanes within the Borough and keeping Council apprised of his progress.

NEW BUSINESS

2021 Budget

Mr. Lauer moved to approve the 2021 Budget as submitted and discussed at the November 16, 2020, Council meeting and advertised for available viewing by the public. The motion was seconded by Mr. Karet and passed by a unanimous vote.

Hiring Design Consultant for McCahill Park's Updated Design

Mr. Troutman moved to hire Pashek +MTR as the design consultant for the McCahill Park's construction phase per the Parks Commission recommendation for the DCNR Grant award requirement. Ms. Steele seconded the motion.

Ms. Steele asked Mr. Troutman if he could update those attending the meeting on the construction phase. Mr. Troutman explained that there is a combination of basketball courts, ice hockey, and pickleball courts to be installed, a trail that will go along the outside of the baseball field and move the backstops to accommodate the trail. After discussion, the motion passed by a unanimous vote.

Verizon Cable Franchise Renewal Agreement/Resolution No. 651

Mr. Bennett moved to adopt Resolution No. 651 authorizing the Verizon Cable Franchise Agreement. The motion was seconded by Mr. Leech and passed by a unanimous vote.

Resolution No. 652

Mr. Karet moved to adopt Resolution No. 652, fixing the Real Estate Tax Rate for general revenue purposes at a sum of 2.95 mills on each dollar of market valuation for the year 2021. The motion was seconded by Ms. Monroe and passed by a unanimous vote.

Resolution No. 653

Mr. Karet moved to adopt Resolution No. 653 to approve an Intergovernmental Cooperation Agreement among member municipalities of the North Hills Council of Governments, including certain specified municipal authorities, to provide mutual aid in the police, fire, public works, and other municipal services needed and extending across municipal boundaries. The motion was seconded by Ms. Steele and passed by a unanimous vote.

Reappointments

Ms. Steele suggested that in the future, when reappointments come up, that the Borough advertises those positions to the public. Mr. Bennett stated that her suggestion was duly noted.

Mr. Bennett moved to reappoint Austin P. Henry and Jay S. Troutman to the Environmental Advisory Committee, with terms expiring December 31, 2023. The motion was seconded by Mr. Karet and passed by a unanimous vote.

Ms. Steele moved to reappoint Andrea Lehman to the Fox Chapel Authority, with the term ending December 31, 2025. The motion was seconded by Mr. Leech and passed by a unanimous vote.

Ms. Steele moved to reappoint Kyra Tucker to the Zoning Hearing Board, with the term expiring December 31, 2023. The motion was seconded by Mr. Bennett and passed by a unanimous vote.

Council authorized the advertising of a Parks Commission position in the newsletter and website due to Mrs. Lois Folino's resignation.

Advertise for Construction Board of Appeals Positions

Council authorized the advertising of three positions available for the Construction Board of Appeals Committee. These positions will be advertised in the newsletter and website. The Borough is seeking individuals that are experienced in the building industry, architects, and engineers. Interested residents should send their request along with their resumes to the Borough Secretary, Shawn Marie Peterson, [speterson@fox-chapel.pa.us](mailto:speterson@fox-chapel.pa.us), by end-of-day Friday, February 5, 2021. These positions will be appointed at the February 15, 2021, Council meeting.

INFORMATIONAL

Mayor Scott gave an update on the Hardie Valley Park Fund, stating that $972,000 has been raised to date and the goal of $1 Million would be reached with recent commitments to the Hardie Valley Park acquisition and preservation. In addition to those funds, the DCNR grant for Hardie Valley Park will bring the total raised to $1,440,000. Now that the Hardie Valley Park Fund has met its goal, the

focus will now be on the Fox Chapel Parks Conservancy Fund through the Community Foundation of the Alleghenies. The Mayor and Council thanked Ms. Steele for her hard work and finding the Community Foundation of the Alleghenies, which will act as a non-profit incubator that is experienced and well regarded in the field of non-profit funds. The Mayor also thanked Mr. Bowden, who has been doing pro bono work for the Parks Conservancy and has been instrumental in negotiating the fund's fees.

An extension was granted to the Parks Commission for the March 1, 2021, deadline to submit trail names for renaming Old Squaw Trail. The Parks Commission's next regularly scheduled meeting is April 12, 2021, when they can discuss name suggestions for the trail.

Mr. Bennett thanked the Borough office staff, among others, for their hard work in acquiring almost $2.5 million in grant money that has been given or is coming. He stated that this was an impressive amount.

There being no other business to come before the Board, the meeting was adjourned at 8:42 PM.

SHAWN MARIE PETERSON

Borough Secretary