MINUTES

**FOX CHAPEL BOROUGH COUNCIL MEETING HELD FEBRUARY 15, 2021**

PRESENT: Walter A. Scott, III, Mayor; Andrew C. Bennett, President; 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: Mike Stevens, Sergeant, Fox Chapel Police; twenty-four residents

ABSENT: Thomas A. Karet, Harrison S. Lauer, Councilmembers

 Mr. Bennett called the meeting to order at 6:01 PM.

MINUTES

It was moved by Ms. Monroe and seconded by Mr. Leech that the minutes of the January 18, 2021, meeting be approved as submitted. The motion passed by a unanimous vote.

VISITORS/COMMENTS

 There were no visitors/comments at this time.

Mr. Bennett took a moment to thank the Public Works Department for the great job they have done with keeping the Borough roads clear during the winter season. He stated that the PWD employees have barely gotten a break with the storms that keep coming.

ENVIRONMENTAL ADVISORY COUNCIL

 Mayor Scott updated Council on the meeting held on February 8, 2021.

Application No. 21-1: Paul and Cristina Buncher

 Lot #2 Willow Farms Lane

 Proposed Construction of a New Single-Family Dwelling

 A letter from Fahringer, McCarty, & Grey, Inc. was submitted on Friday, February 12, 2021, regarding the plan's adjustment to resolve tree credits issues for trees outside the area of disturbance. A letter from LSSE submitted on Monday, February 15, 2021, stated that the application, as submitted, will conform to the Borough of Fox Chapel's Natural Resources Assessment and Protection Ordinance and Stormwater Management Ordinance.

The EAC recommends to Council the approval of Application 21-1 as submitted, with the following:

* A waiver to disturb up to 32.7% of very steep slopes with low risk based on the Geotech report previously submitted
* Incorporate approval of the tree removal and replanting plan that states the removal of 113 trees and replanting of 85 trees
* Contingent upon the submission to the Allegheny County Conservation District and their approval
* Contingent upon the execution of the Stormwater Management Operations and Maintenance Agreement
* Permitting an eight-inch private storm sewer off-property on an existing private easement

Mr. Troutman moved that Application No. 21-1 be approved subject to any conditions imposed by the EAC. Mr. Bennett revised the motion to include that the application is approved subject to the

Borough receiving sewer connection taps from DEP. Mr. Troutman accepted the revision (amendment), and the motion was seconded by Mr. Leech and passed by a unanimous vote.

Application 21-2: Brian and Ashley Barritt

 Lot #4 Willow Farms Lane

 Proposed Construction of a New Single-Family Dwelling

A letter from Fahringer, McCarty, & Grey, Inc. was submitted on Friday, February 12, 2021, regarding the plan's adjustment to resolve tree credits issues for trees outside the area of disturbance. A letter from LSSE submitted on Monday, February 15, 2021, stated that the application, as submitted, will conform to the Borough of Fox Chapel's Natural Resources Assessment and Protection Ordinance and Stormwater Management Ordinance.

The EAC recommends to Council the approval of Application 21-2 as submitted, with the following:

* Approval of the Removal of five trees and the replanting of thirty-two trees as submitted in the plan
* Contingent upon the submission to the Allegheny County Conservation District and their approval
* Contingent upon the execution of the Stormwater Management Operation and Maintenance Agreement
* Contingent upon the Borough Engineer's satisfaction with the infiltration results of test pit C. If the results are questionable, FMG will revise the plan relative to the drywell.

Mr. Bennett moved that Application 21-2 be approved subject to any conditions imposed by the EAC and the Borough receiving sewer connection taps from DEP. The motion was seconded by Mr. Troutman and passed by a unanimous vote.

Tree Removal Request: Pittsburgh Field Club

 TR-21-1 121 Field Club Road

 Proposed removal of 1 tree

Mr. Troutman moved that Tree Removal Request 21-1 be approved contingent upon three hardwood trees being replanted, one being a hybrid elm tree, somewhere on the Field Club property. The motion was seconded by Mr. Bennett and passed by a unanimous vote.

Tree Removal Request: Fox Chapel Golf Club

TR-20-186 426 Fox Chapel Road

 Proposed Removal of 72 Trees

Mr. Troutman moved that Tree Removal Request TR-20-186 be approved only to the extent that the Fox Chapel Golf Club is permitted to remove the 26 dead and dying trees described in the application with a requirement of 1:1 replanting of said trees and the remainder of the application be denied. The Golf Club will submit a revised plan in the summer or fall, including the proposed removals and additions. The Golf Club would commit to more trees added as part of the landscape master plan and the entire golf course's assay inventory. The motion was seconded by Ms. Monroe and passed by a unanimous vote.

CONTRACT AWARD

Fuel

Mr. Bennett moved that the fuel contract for March 1, 2021 – March 1, 2022, be awarded to Reed Oil Company based on the fixed margin price. It was noted that this contract bid was advertised, and one bid was received, which was lower than the SHACOG bid.

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| --- | --- | --- |
|  | **87 Octane** | **B2 Diesel** |
| 500 - 2,999 gallons | 0.1200 | 0.1200 |
| 3,000 - 4,000 gallons | 0.1000 | 0.1000 |
| Winterization Additive |   | 0.0300 |

 The motion was seconded by Mr. Troutman and passed by a unanimous vote.

POLICE

 Chief Laux informed Council of three forced-entry burglaries that occurred in late January on Fairview Road. The Borough has the assistance of local, County, and Federal assets, and the FCPD is following every lead they have.

ENGINEER

 Mr. Koehler informed Council that the United States Army Corps of Engineers (USACE) is working on submitting their report to the Borough. When the document becomes available, the Borough staff will post the report to the Borough website for public viewing.

FINANCIAL

Payment of Bills

Mr. Leech moved the payment of bills for January 2021 (General Fund Vouchers 1000 - 1085 - $258,702.59, Sewer Fund Voucher 1000 - 1004 - $5,664.62, and Capital Reserve $14,890.00) be approved. The motion was seconded by Mr. Troutman and passed with Mr. Leech abstaining from voting on the Leech Tishman invoices due to the appearance of a conflict of interest.

UNFINISHED BUSINESS

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

 Mr. Bennett started the discussion on the process for the affected residents of Squaw Run Road/Squaw Run Road East:

1. **Naming Issues:** All but one private lane has submitted their suggested road names. The Allegheny County Address Management Administrator approved the suggested names. Mr. Koehler and Chief Laux will reach out to the property owners on the remaining private lane on their suggested road name choice.

 Mr. Bennett stated that Private Lane 7's suggested name being Christ Church Lane, is a sensitive issue. One of the pastors at Christ Church, Alex Shuttleworth, was at the meeting and stated that the church owns all three properties located on the lane. There is a lease between Shady Side Academy and the church to use one of the properties but pointed out that Shady Side Academy does not pay anything for the property's use. Mr.

Troutman stated that Council should defer to the church's interests because they own the lane's properties.

 Rev. Shuttleworth agreed to speak with Shady Side Academy about the suggested name. Mr. Bennett stated that all the private lanes' names would be voted on at the March 15, 2021, Council meeting.

2. **Public Road Name Suggestions:** A list of suggested road names was submitted to all Council members. Mr. Bennett wanted to share a few of the suggestions as part of the

conversation. He stated that Hollow was the original name of the road before being renamed Squaw Run Road. He also said that Riding Meadow Road would be a good suggestion for Squaw Run Road East, as it leads to Riding Meadow Park.

 Ms. Steele stated that the Seneca Nation agrees with their name being utilized for the road name, but they would prefer their name be used for the north-south trail that is to be renamed.

NEW BUSINESS

 Resolution No. 654

 Mr. Troutman moved to adopt Resolution No. 654, establishing the Fox Chapel Tax Collector's annual salary for the years 2022 – 2025 at $1 per year. The motion was seconded by Ms. Monroe and passed with Mr. Leech abstaining from voting due to the appearance of a conflict of interest.

 Advertise for Zoning Hearing Board Position

 Borough Council agreed to advertise for the Zoning Hearing Board position left vacant by Mr. J. Christian Hart via Borough website and NIXLE. Interested Borough residents should send their request along with their resumes to Shawn Marie Peterson by the end-of-day, Tuesday, March 9, 2021. This position should be appointed at the March 15, 2021, Council meeting.

 Joint Comprehensive Plan Committee

 Mr. Leech updated Council on the objectives of the Joint Comprehensive Plan Committee. He stated that the Committee had drafted a Request for Proposal (RFP) to be given to four targeted professional consultants. The Committee will have the draft RFP to present to Council at the March 15, 2021 meeting for Council's review and approval.

Appointment

Mr. Troutman moved to appoint Sarah Cole Welch to the Cooper-Siegel Community Library Board, with a term expiring January 18, 2022. The motion was seconded by Ms. Steele and passed by a unanimous vote.

 Construction Board of Appeals

 It was moved by Mr. Bennett to appoint Mr. Kento Ohmori, Mr. Cyril Fox, and Mr. Robert Saunders to the Construction Board of Appeals, with terms expiring January 31, 2026. The motion was seconded by Mr. Troutman and passed by a unanimous vote.

There being no other business to come before the Board, the meeting was adjourned at 7:29 PM.

SHAWN MARIE PETERSON

Borough Secretary