



FOX CHAPEL
BOROUGH

MINUTES
FOX CHAPEL BOROUGH COUNCIL MEETING HELD NOVEMBER 21, 2022

PRESENT: Andrew C. Bennett, Council President; Harrison S. Lauer, Thomas Karet, Bradley D. Harrison, Mandy Steele, Elizabeth Monroe, Councilmembers; Walter A. Scott, III, Mayor; Gary J. Koehler, Borough Manager; A. Bruce Bowden, Solicitor; Kevin Brett, Borough Engineer; Michael Stevens, Police Chief; Jeanine A. Mancuso, Treasurer; Larry Kurpakus, Public Works Director; Shawn M. Peterson, Borough Secretary

ALSO

PRESENT: Logan Dressman, Bree Murphy Junior Council Members; and 17 other attendees

VIA ZOOM: Wesley Posvar, Park Commission Chairperson; 6 attendees

ABSENT: Sarah Hanna, Councilmember

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

MINUTES

Mr. Lauer moved that October 17, 2022, meeting minutes be approved. The motion was seconded by Ms. Steele and passed by a unanimous vote.

PUBLIC HEARING

Mr. Bennett continued the Public Hearing from October 17, 2022. Solicitor, Bruce Bowden provided a summary of the proposed ordinance to vacate portions of Foxhurst Drive and to revise the Foxhurst Plan of Lots. At the October meeting, Mr. Bennett asked that three items be reviewed by this meeting.

1. Chief Stevens stated he met with Mr. Edward Saitz (202 Foxhurst Drive) and Ms. Carolyn Gould (233 Foxhurst Drive) to discuss safety concerns at Foxhurst Drive and Fox Chapel Road. Chief Stevens said that from the sight distance perspective, as the road is designed today, it accomplishes the safest possible solution. Chief Stevens will contact Allegheny County to discuss different signage that would alert drivers to the intersection.
2. Mr. Kurpakus met with Mr. Tramontina (204 Foxhurst Drive) regarding options for dealing with stormwater issues. Mr. Kurpakus stated that an inlet in the yard or on the new driveway apron would need to be installed to collect the stormwater. The driveway apron must be redone to remove the curb to make a smoother transition from the driveway to the road. This has been added to the current paving contract.
3. Mr. Koehler and Mr. Kurpakus met with Tiffany Thompson from Duquesne Light to discuss relocating two utility poles. Duquesne Light stated there would be a cost to the Borough to relocate the poles. The Distribution Supervisor of Engineering for Duquesne Light is working on a design to determine the cost of relocating the poles.

In line with the three items above, Borough Engineer Kevin Brett provided a drawing and cost estimate for reinstalling the southern section of the roadway to meet design standards. The two ends of the roadway would have stop signs and ninety-degree turns instead of the original thirty-degree turns. The cost to the Borough for asphalt to reinstall the road will be approximately \$27,063.00. The roadway would be added to the 2023 paving schedule.

Mr. Brett stated if the roadway were to be reinstalled, there would be no issues with the utility poles being on private property, so they would not need to be relocated. There would also be no need to install an inlet on the Tramontina property with the reinstallation of the roadway.

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Mr. Bennett opened the hearing for public comment. Residents who spoke (Edward Saitz, Tara Tramontina, Marci Thor - 226 Foxhurst Drive, John Fontecchio - 207 Foxhurst Drive, and David and Kelly Hager - 224 Foxhurst Drive) discussed the sight distance for turning left on Foxhurst Drive when traveling north on Fox Chapel Road. They feel there is not adequate sight to see if a car is driving south on Fox Chapel Road.

Mr. Brett stated that the Borough could request that Allegheny County place a stop sign on Fox Chapel Road southbound at Foxhurst Drive.

Mr. Hager asked if the Borough could reach out to the resident at 1256 Fox Chapel Road (across from the intersection of Fox Chapel Road and Foxhurst Drive) to see if the hillside across from Foxhurst Drive could be cut back more, allowing better sight distance.

The consensus of the residents was that they did not want the land proposed to be vacated and wanted the internal road reinstalled.

After hearing from all concerned residents, Mr. Bennett closed the Public Hearing at 7:18 PM.

Consideration

Ms. Steele moved to reject Ordinance No. 722 to vacate portions of Foxhurst Drive and to revise the Foxhurst Plan of Lots. The motion was seconded by Mr. Karat and passed by a unanimous vote.

Mr. Karet moved to have the Borough contact Allegheny County about a stop sign on Fox Chapel Road southbound at Foxhurst Drive, look into moving the intersection of Foxhurst Drive and Fox Chapel Road more north, talk with the resident at 1256 Fox Chapel Road about a grading easement to shave some of the hillside back for better sight distance, adding the interior roadway reinstallation to the 2023 paving project, and talking with the Park Commission about the care of the Borough property at the entrance of Foxhurst Drive at Fox Chapel Road. The motion was seconded by Mr. Harrison and passed by a unanimous vote.

RESIDENT COMMENTS

Melinda Guinn, 107 Haverford Road, thanked the Borough for their commitment to plantings at Riding Meadow and Scott Parks. She and others helped by volunteering their time to plant at these parks. Ms. Guinn asked if the Borough would consider dedicating 18.5 acres of Borough land near Stoney Camp Run as parkland. She said she would volunteer to help plant a proposed 1,200 new trees, mostly Sycamore trees, on this land to help mitigate flooding.

Mr. Bennett thanked Ms. Guinn on behalf of the Borough for volunteering her time in helping to plant trees and bushes at Riding Meadow and Scott Park. He stated that it would be better to coordinate this idea with the Park Commission. Mr. Koehler forwarded Ms. Guinn's information and ideas to Mr. Posvar, Chairperson for the Park Commission.

Emily Glick, 109 Yorkshire Drive (O'Hara Township), wanted to continue a discussion Council had with Ms. Glick's neighbor, Erica Sandbothe, at the March 2022 meeting regarding skeet shooting at the Fox Chapel Golf Club and Pittsburgh Field Club. Ms. Glick stated the noise disturbance from the range at the Golf Club had been measured at 90 decibels by Ms. Sandbothe. She also noted the pellets from the shotgun shells can be found littering the ground and may be entering the Sycamore Run stream.

(Mr. Karet had to leave the meeting and was not in attendance for future voting.)

Mr. Bennett said that the Borough could ask the Club to be as green as possible by looking into alternative products for the shotgun pellets and clay pigeons. Ms. Steele asked Ms. Glick to email the Club and copy the Borough and Council members regarding her concerns.

TREASURER REPORT

Ratification of Payments – October 2022

Ms. Steele moved that the payment of bills for October 2022 (General Fund Vouchers 3121 - 3232, \$1,345,198.01) be ratified. The motion was seconded by Mr. Lauer and passed by a unanimous vote.

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Mr. Lauer moved to award the sale of the 2009 Mack Granite GU712 S/A Dump Truck to the high-bidder David March for \$35,700.00. The motion was seconded by Ms. Monroe and passed unanimously.

NEW BUSINESS

Resolution No. 677 – To Implement Act 57 of 2022, Property Tax Penalty Waiver Provisions

Ms. Steele moved to adopt Resolution No. 677 to implement Act 57 of 2022, which amends the Local Tax Collection Law and directs the tax collector to waive additional charges for real estate taxes in certain situations. The motion was seconded by Mr. Lauer and passed unanimously.

Resignation Letter

Ms. Monroe moved to accept the resignation of Council member Mandy Steele, effective November 30, 2022, as she was elected to the State Representative position for District 33. The motion was seconded by Mr. Lauer and passed by a unanimous vote.

Mr. Bennett congratulated Ms. Steele on behalf of Council on her new position and wished her all the best. Ms. Steele stated that she has learned so much in the past three years on Borough Council and will continue to support the great work done here in her new role.

Resolution No. 678

Mr. Bennett moved to adopt Resolution No. 678 to appoint Frederick Leech to the balance of Mandy Steele's term to serve from December 1, 2022, until the first Monday in January 2024. Mr. Lauer seconded the motion. Mr. Bennett stated that with Mr. Leech's background knowledge in Council matters, the Joint Comprehensive Plan Committee, and Contract Committee, he is a great asset to the Borough. The motion was passed by a unanimous vote.

Ms. Steele moved that there should be a formal process for appointing Council members for the duration of a term in place in the future that includes soliciting applications from community members. The motion was seconded by Ms. Monroe and passed with a Nay vote from Mr. Bennett.

Budget Advertisement

Mr. Lauer summarized the work of staff and the Finance Committee related to the 2023 Budget.

Mr. Bennett moved to authorize advertising the proposed 2023 Budget to include the 2023 millage rate of 2.95, the same as 2019, 2020, 2021, and 2022 and the proposed sewer rate increase related to ALCOSAN's rate increase. The motion was seconded by Ms. Steele and passed by a unanimous vote. The Budget will be available for public viewing between December 5 and December 16, 2022.

EXECUTIVE SESSION

At 8:16 PM, Borough Council adjourned into Executive Session to discuss a personnel matter. At 8:41 PM, the meeting was reconvened.

Mr. Lauer made a motion to approve the wages that have been proposed that are in the advertised 2023 Budget subject to modification of the Public Works Department wages with their contract. The motion was seconded by Ms. Steele and passed unanimously.

There being no other business to come before Council, the meeting was adjourned at 8:43 PM.

SHAWN MARIE PETERSON
Borough Secretary