



FOX CHAPEL BOROUGH

MINUTES

FOX CHAPEL BOROUGH COUNCIL MEETING HELD JUNE 19, 2023

PRESENT: Andrew C. Bennett, Council President; Harrison S. Lauer, Thomas Karet, Frederick C. Leech, Elizabeth Monroe, Bradley D. Harrison, Councilmembers; Walter A. Scott, III, Mayor; A. Bruce Bowden, Solicitor; Gary J. Koehler, Borough Manager; Craig Sorg, Sergeant; Larry Kurpakus, Public Works Director; Jeanine A. Mancuso, Treasurer; Shawn M. Peterson, Borough Secretary

ALSO

PRESENT: Bree Murphy, Junior Council Member; Austin Henry, EAC Chairperson; Michael Pohl, Fox Chapel Volunteer Fire Department; Peggy Jayme, EAC Member; Chris Cap, Executive Director of PSAB; Marcia Haberman, Fox Chapel Parks Conservancy; Eva Malecki, AJ Marazza, residents; and six other attendees

VIA ZOOM: Sarah Hanna, Councilmember

ABSENT: Michael J. Stevens, Chief of Police; Logan Dressman, Junior Council Person

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

RECOGNITION

Chris Cap, Executive Director of the Pennsylvania State Association of Boroughs, was in attendance to award Bree Murphy a Junior Council Person certificate recognizing her accomplishments this year as a Junior Council Person Program member. Mr. Bennett thanked Miss Murphy for her time serving on the Borough this past school year.

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Mr. Lauer moved that the May 15, 2023, meeting minutes be approved. The motion was seconded by Mr. Leech and passed, with Mr. Leech abstaining due to being absent from the May meeting.

RESIDENT COMMENTS

Ms. Malecki, 75 Woodland Farms Road, updated Council on the progress she and Chief Stevens are making on possible upgrades to technology for first responders.

Mr. Bennett stated that Borough Council has decided to defer the addressing issues on Woodland Farms Road and create a task force to consider all options regarding address management. Ms. Monroe expressed interest in chairing the task force. Mr. Leech and Mr. Harrison will also be on the subcommittee representing Borough Council. Mr. Bennett stated that Chief Stevens would be on the subcommittee. He asked Mr. Koehler to contact Tony Cuda with Foxwall EMS and Chief Dee Humes with the Fox Chapel Volunteer Fire Department to request representatives from their respective departments. Ms. Malecki also volunteered to be a member of the task force. Once contact information is received from all parties, a meeting date and time will be established.

PARK COMMISSION

A Musical Celebration of Community, sponsored by the Fox Chapel Parks Conservancy

Ms. Haberman stated that the Fox Chapel Parks Conservancy would like to hold a family-friendly, community-based concert at McCahill Park on Friday, September 15, 2023, from 5 – 10 PM. They are planning on at least five local bands and approximately 500 attendees. The Conservancy is seeking a one-time waiver of the Borough's Rules and Regulations for its parks which do not permit bringing alcoholic beverages into the parks.

Mr. Leech stated there is a manageable way to allow alcohol in the park, and that is through an Off-Premises Catering Permit. He noted that this permit placed sole responsibility for serving alcohol on the alcohol distributors and said this is the safest option. Ms. Haberman said she would also like to explore the Expo Permit.

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Mr. Bennett moved to approve the Fox Chapel Parks Conservancy's use of McCahill Park on September 15, 2023, from 5 – 10 PM for their event. The motion also includes a one-time waiver of the Borough of Fox Chapel Code §241-1.G. prohibiting the bringing of alcoholic beverages into the parks, with a condition of the waiver based on the permitting by the Liquor Control Board and satisfactory evidence provided to the Borough of the permitting. The motion was seconded by Mr. Karet and passed unanimously.

ENVIRONMENTAL ADVISORY COUNCIL

Austin Henry, Chairperson for the EAC, summarized Environmental Disturbance Application 23-07.

Mr. Karet moved to approve Environmental Disturbance Application 23-07, 121 Evergreen Road, new single-family dwelling, as submitted, contingent upon the items outlined in the LSSE letter dated May 31, 2023, and including the granting of a waiver of the requirement for a geotechnical report. The motion was seconded by Mr. Lauer and passed by a unanimous vote.

Mr. Henry summarized Environmental Disturbance Application 22-01. The property owner at 109 Hickory Hill Road clear-cut the property where the home's footprint was to be placed. Work stopped at the property once the trees were cut, leaving wood chip piles, downed trees, and stumps. The EAC Application expired without the proper work being completed, so the EAC recommends that the applicant be required to conform to the complete replanting plan, which was a contingency of the original application.

During the discussion, Mr. Henry stated that moving forward, after an EAC application approval, trees cannot be cut down until an application for a Building Permit has been submitted. Several residents of Hickory Hill Road spoke about having the site restored.

After discussion, Mr. Bennett motioned that the applicant must mow within 20 feet of the roadway and clean up the wood chip piles, downed trees, and stumps on the property by August 1, 2023. A replanting plan must also be submitted to the EAC for consideration at its August 14, 2023, meeting, anticipating a fall planting schedule. The motion was seconded by Mr. Lauer and passed unanimously. Mr. Karet said he would contact the property owner to discuss further.

PLANNING COMMISSION

Land Development Application 23-02 – Shady Side Academy, Fox Chapel Country Day School, 400 Christ Church Lane

Mr. Lauer moved to approve Land Development Application 23-02, Shady Side Academy, Fox Chapel Country Day School- Temporary Portable Classroom Trailer, as submitted, allowing for the temporary classroom on the property for no more than 18 months. The motion was seconded by Mr. Bennett and passed with Mr. Karet's abstention due to a conflict of interest as he serves on the Shady Side Academy Board.

Term Expirations

Mr. Lauer and Ms. Bennett's terms expire on July 7, 2023. Ms. Bennett stated she would like to resign from her position on the Planning Commission. The Borough received Donald F. Smith Jr.'s resume for a position on the Commission.

Mr. Bennett moved to reappoint Mr. Lauer and appoint Mr. Donald F. Smith, Jr. to the Planning Commission with terms expiring on December 31, 2027. The motion was seconded by Mr. Leech and passed, with Mr. Lauer abstaining from his reappointment due to a conflict of interest.

POLICE

Mr. Bennett congratulated Sergeant Craig Sorg on another wonderful Fox Chapel Day event.

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Police Department New Hire

Mr. Bennett stated that the Borough Council would defer this matter until after the Executive Session.

PUBLIC WORKS

Mr. Kurpakus noted that paving had begun in the Borough, and he anticipates it will be finished before the next Council meeting on July 17, 2023.

TREASURER REPORT

Ms. Mancuso stated that \$30,000 had been donated to the 2023 Fire Truck Fund to date.

Ratification of Payments – May 2023

Mr. Leech moved that the payment of bills for May 2023 (General Fund Vouchers 3782 - 3861, \$386,033.02) be ratified. The motion was seconded by Mr. Lauer and passed with Mr. Leech abstaining from the two Leech Tishman invoices due to a conflict of interest.

CONTRACT AWARDS

Road Salt

Ms. Monroe moved to award the 2023-2024 Salt Contract to Morton Salt through the North Hills COG at \$81.77/ton cost delivered. The motion was seconded by Mr. Lauer and passed unanimously.

NEW BUSINESS

Resolution No. 684

Mr. Lauer moved to adopt Resolution No. 684, authorizing LSSE to submit a grant funded under the Allegheny County Sanitary Authority GROW Program in the amount of \$304,948.40 to fund a project that proposes to reduce the sewer overflow at the ALCOSAN point of connection A-78-02. The motion was seconded by Ms. Monroe and passed by a unanimous vote.

Resolution No. 685

Ms. Monroe moved to adopt Resolution No. 685, appointing Gary J. Koehler and Bradley Harrison to serve as representatives to the Congress of Neighboring Communities (CONNECT) for a one-year term. The motion was seconded by Mr. Karet and passed unanimously.

At 7:38 PM, Borough Council adjourned into Executive Session to discuss legal matters. At 8:15 PM, the meeting was reconvened.

Police Department New Hire

An officer for the Police Department has accepted a conditional offer of employment outside of the Borough. Therefore the Civil Service Commission and the Chief of Police recommend extending a conditional offer of employment to Zachary Luffy on the condition that the current officer retires.

Mr. Bennett moved to extend a conditional offer of employment to Zachary Luffy on the condition that the current officer retires. Mr. Leech seconded the motion. All were in favor of the motion with a Nay vote from Mr. Bennett.

With no other business to come before Council, the meeting was adjourned at 8:16 PM.

SHAWN MARIE PETERSON
Borough Secretary