/MINUTES OF THE ADJOURNED MEETING NOVEMBER 28, 2011 OF THE MT. LEBANON COMMISSION

The Commission of Mt. Lebanon, Pennsylvania, held an Adjourned Meeting at 8:00 P.M., on Monday, November 28, 2011, at the Municipal Building, 710 Washington Road. President Miller called the meeting to order and led in the Pledge of Allegiance to the Flag. Manager Stephen M. Feller called the roll. Present were Commissioners Dave Brumfield, Joe DeIuliis, Matt Kluck, Bonnie VanKirk, and Dan Miller. Also present were Manager Feller, Assistant Manager Taylor, Chief of Police McDonough, Recreation Director Donnellan, Public Works Director Kelley, Fire Chief Sohyda, Planning Officer McGill, Inspections Officer Berkley, and Business District Officer Milliron. Also present were Phil Weis of the solicitor's office and Dan Deiseroth of the engineer's office.

Mr. Miller stated that following the adjourned meeting, the commission will meet in discussion session to discuss several issues, including the budget. He also stated that an additional meeting has been scheduled for Tuesday, December 20, 2011, at 8 p.m., at which time the public hearing regarding changes to the 2012 budget will be held, and there will be a vote on the budget-related items.

REP. SMITH TO PRESENT A CITATION TO BONNIE AND TOM VAN KIRK IN RECOGNITION OF THEIR RECEIPT OF THE 2011 LEAGUE OF WOMEN VOTERS GOOD GOVERNMENT AWARD

Mr. Miller stated that Rep. Smith was here to recognize Tom and Bonnie VanKirk. Rep. Smith presented a citation to Tom and Bonnie VanKirk, recognizing them for their receipt of the 2011 League of Women Voters Good Government award.

CITIZEN COMMENTS

Patrick Shea of 367 Newburn Drive spoke in support of the traffic board recommendation to place speed humps on the street. Mr. Miller stated that several traffic board recommendations, including speed humps on Newburn, were tabled at the last meeting with the intent to discuss these issues in January, since there will be three new commissioners.

Bill Lewis of 816 Ridgeview Drive requested a copy of the Parking Authority audit. He also spoke about the cost and maintenance for the municipal and school district athletic fields. He suggested implementing a user fee for the use of the fields.

Mike Freeman of 444 Austin Avenue spoke against deer culling.

Iris Riemer of 1130 Firwood Drive spoke against deer culling.

Bill Hoon of 456 Coolidge Avenue spoke against deer culling.

Celeste LeJeune of 446 Austin Avenue spoke against deer culling.

Audrey Hois of 575 Kenilworth Avenue spoke against deer culling, preferring a non-lethal means to manage the deer population.

Bill Matthews of 1435 Navahoe Drive spoke about the budget and annual financial reporting issues.

Barbara Sollenberger of 120 Newburn Drive spoke against deer culling.

Nancy Smith of 380 Avon Drive supported including $5,000 in the 2012 budget for eradicating the invasive species in parks.

Deborah Larson of 56 Sunnyhill Drive thanked the Commission for funding the invasive species program.

Kathy Hrabovsky of 280 Orchard Drive spoke in support of funding for eradicating the invasive species.

Pam Burrett of 302 Inglewood Drive thanked the Commission for funding the invasive species program.

Bob Hedin of 261 Magnolia Place spoke in support of the invasive species program.

Stacey Chick of 177 Sleepy Hollow Road spoke against deer culling.

Kimberly Schevtchuk of 519 Lyndhurst Avenue spoke against deer culling.

Elaine Gillen of 735 Vallevista Avenue spoke about deer culling.

REPORT BY JUNIOR COMMISSIONER CONNOR HAYES

Connor Hayes encouraged the municipality to use the Internet to get the community involved. He stated that he attended the environmental sustainability board meeting, where the subject of stormwater was discussed.

CONSIDERATION OF THE MINUTES FROM THE REGULAR MEETING HELD NOVEMBER 14, 2011

Ms. VanKirk moved and Mr. Brumfield seconded to approve the minutes. The vote was called. The motion carried unanimously.

PUBLIC HEARING ON A CONDITIONAL USE REQUEST BY ST. CLAIR HOSPITAL FOR THE CONSTRUCTION OF A ONE STORY PLUS EXPANSION OF THE EXISTING CANCER CENTER FRONTING ON BOWER HILL ROAD

Mr. Brumfield said the property is zoned R-2 Single-family Residential District. Chapter XX of the Mt. Lebanon Code, (Zoning) Section 203.3.7 lists Hospital as a Conditional Use in this District.

The Planning Board recommended approval of the conditional use request on October 25, 2011.

Mr. Miller declared the public hearing opened.

Mr. DeIuliis stated that because his firm is bidding on this project, that he was not going to participate in the public hearing.

Mike Flannagan, Chief Operating Officer of St. Clair Hospital, spoke about the 1,805 sq. ft. addition that was being proposed for the cancer center.

Craig Allen of Image Associates Architects reviewed the plans, indicating that the expansion would be similar to the existing structure, with added landscaping. He stated that there would not be any additional lighting, nor would the expansion create any hazards involving odors or noise.

Bill Matthews of 1435 Navahoe Drive stated that St. Clair Hospital is a great asset for Mt. Lebanon.

Because there were no further comments, Mr. Miller declared the public hearing closed.

CONSIDERATION OF ORDINANCE (BILL NO. 19-11) AMENDING THE CODE OF ORDINANCES TO REFLECT CONSOLIDATION OF THE PARKING AUTHORITY

Mr. Kluck said this ordinance amends prior ordinances that reference the Parking Authority. It amends the Administrative Code and Zoning Ordinance, establishes the authority for municipal personnel to enforce parking regulations, and "cleans up" other terminology related to the consolidation.

Mr. Kluck moved and Mr. Brumfield seconded to enact Ordinance (Bill No. 19-11). The vote was called. Mr. Brumfield, Mr. Kluck, Ms. VanKirk and Mr. Miller voted in favor of the ordinance. Mr. DeIuliis voted against the ordinance. The motion passed four to one.

CONSIDERATION OF RESOLUTION NO. R-18-11 AMENDING CERTAIN PROVISIONS OF THE MT. LEBANON FIRE PENSION PLAN

Mr. Kluck said the pension plan for the Mt. Lebanon firefighters is being amended to reflect the changes in an arbitration ruling award.

Mr. Kluck moved and Mr. DeIuliis seconded to adopt Resolution No. R-18-11. The vote was called. Mr. Miller stated that as a volunteer firefighter in Mt. Lebanon, he would not be voting on the motion. The motion carried with four affirmative votes.

CONSIDERATION OF RE-APPROVAL FOR THE RELIANCE PITTSBURGH, LLC/HOLY CROSS GREEK ORTHODOX CHURCH PLAN OF LOTS

Mr. DeIuliis said this is a request for re-approval of a consolidation plan.

The owners of 1600 Washington Road and 123 Gilkeson Road requested a minor property transfer to increase the area of 123 Gilkeson Road. The increased property area is intended to satisfy setback requirements for the communication tower. No new lots are being created.

The plan received final approval from the Mt. Lebanon Commission but the 90-day time limitation to record the plan expired before the plan was recorded.

The applicants are requesting that the Commission reapprove and re-execute the subdivision plan so that it can be recorded.

Mr. DeIuliis moved and Mr. Kluck seconded to grant re-approval of the Reliance Pittsburgh, LLC/Holy Cross Greek Orthodox Church Plan of Lots and to authorize proper municipal officials to re-execute the subdivision plan. The vote was called. The motion carried unanimously.

CONSIDERATION OF A FLEET MAINTENANCE AGREEMENT WITH FIRST VEHICLE SERVICES, INC.

Ms. VanKirk said Allegheny County and the City of Pittsburgh have a contract with First Vehicle Services, Inc., to maintain, repair and manage vehicles and equipment. It is proposed that Mt. Lebanon use this contract for First Vehicle to perform the same services to Mt. Lebanon vehicles and equipment. Under the terms of the contract, First Vehicle will provide all services for an annual fixed price of $452,663 for the initial contract year.

Ms. VanKirk moved and Mr. Brumfield seconded to authorize the proper municipal officials to execute the contract along with any changes approved by the Manager and Solicitor**.**

Mr. Miller stated that he would vote against the motion because he wasn't convinced that this was the best solution. He had concerns with reducing the number of public works employees.

Ms. VanKirk stated that she would support the motion after listening to comments from the department managers.

Mr. Brumfield stated that he would be cautiously supporting the motion. He supported the comments made from the police and fire chiefs as well as the public works director. He also stated that he has concerns with the contract. He indicated that this was the best time to go a different direction since the two mechanics were retiring.

The vote was called. Mr. Brumfield and Ms. VanKirk voted in favor of the motion. Mr. DeIuliis, Mr. Kluck and Mr. Miller voted against the motion. The motion failed two to three.

CONSIDERATION OF AN APPOINTMENT TO THE LIBRARY BOARD

Mr. Brumfield moved and Ms. VanKirk seconded to appoint Danielle Bacco of 19 Catalpa Avenue to an unexpired term ending March 31, 2014. The vote was called. The motion carried unanimously.

CONSIDERATION OF AN ASSIGNMENT OF 2011 UNDESIGNATED FUND BALANCE

Ms. VanKirk said the Municipality recently sold a ladder truck and received $47,500 more than was anticipated in the 2011 budget. The amount budgeted was $80,000 and the sale price was $127,500.

The Commission would like to assign and designate some of these proceeds to be used in 2012; including $30,000 for 100th anniversary activities, and $8,000 for a year-end volunteer appreciation dinner. The remaining $9,500 from the net proceeds will revert to the undesignated fund balance.

Ms. VanKirk moved and Mr. Brumfield seconded to assign $38,000 from the net proceeds of the sale of the ladder truck to be used for centennial celebration and volunteer appreciation dinner expenses in 2012. The vote was called. Mr. Brumfield, Mr. Kluck, Ms. VanKirk and Mr. Miller voted in favor of the motion. Mr. DeIuliis voted against the motion. The motion passed four to one.

CONSIDERATION OF THE EXPENDITURE LIST FOR OCTOBER TOTALING $4,401,129.05

Mr. DeIuliis moved and Mr. Kluck seconded to authorize the expenditure list for October totaling $4,401,129.05. Ms. VanKirk abstained from voting stating that her husband is a shareholder at Buchanan, Ingersoll and Rooney. The vote was called. The motion passed with four votes.

DEPARTMENTAL REPORTS

Mr. Brumfield asked that the reports be received and filed.

MANAGER ANNOUNCEMENTS

Mr. Feller said that prior to the budget review meeting on November 21, the Commission met in executive session to discuss potential litigation on a construction matter with the solicitor. Prior to tonight's meeting, the Commission met in executive session to discuss legal issues, including a stormwater appeal, an intergovernmental agreement, and assessment law, as well reviewed salary issues and board and authority appointments. Following the meeting this evening, the Commission will go back into discussion session to discuss Commission goals, budget adjustments and other items. The next regular meeting will be held Tuesday, December 13, 2011, at 8 p.m. at the municipal building.

There will also be an adjourned meeting on December 20, 2011, at which time a public hearing on the budget changes will be held, and there will be consideration of matters related to the 2012 budget.

ADJOURNMENT

The meeting adjourned at 9:58 p.m.