

**MINUTES OF THE ADJOURNED MEETING FEBRUARY 27, 2012
OF THE MT. LEBANON COMMISSION**

The Commission of Mt. Lebanon, Pennsylvania, held an Adjourned Meeting at 8:00 P.M., on Monday, February 27, 2012, at the Municipal Building, 710 Washington Road. President Brumfield 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 John Bendel, Kelly Fraasch, Matt Kluck, Kristen Linfante, and Dave Brumfield. Also present were Manager Feller, Assistant Manager Taylor, Chief of Police McDonough, Fire Chief Sohyda, Public Works Director Kelley, Recreation Director Donnellan, Planning Officer McGill, and Inspections Officer Berkley. Also present were Phil Weis of the solicitor's office and Dan Deiseroth of the engineer's office.

CITIZEN COMMENTS

Dave Egler of 121 Poplar Drive spoke in support of refunding the 2009 bond issue. He also asked that markings be placed on the street before the speed hump on Orchard Drive. He also asked what the commission's intent was regarding deer management, stating that his vehicle was hit by a deer last week.

Andrew Yoho of 306 Parkway Drive stated that there is a problem with excessive debris on a neighbor's property. Mr. Yoho said he has concerns with the volume, degree and amount of time in which various household items have been on the neighbor's property. Ms. Linfante stated that she believes this problem is affecting the entire neighborhood. She stated that the health department was involved as well as the inspections department, but yet the items remain on the porch and in the yard. Mr. Berkley noted that this resident has been issued citations for health and safety issues, and they are scheduled for a hearing on March 19.

Vonnie Hornburg of 1527 Oakwood Drive spoke about the Highland/Terrace park area. She asked that this park receive some attention. Mr. Kelley stated that permission was required from the residents for access to the park to remove the old equipment. Mr. Brumfield suggested that Ms. Hornburg attend a parks advisory board meeting to talk about how the neighbors might work with the municipality to improve the park.

Bill Lewis of 816 Ridgeview Drive questioned the status of the proposed Painters Run extension to the Heidelberg/Kirwan Heights interchange of I-79. Mr. Feller stated that this project has two phases. The preliminary engineering work has been done by the county, but it's become a funding issue. All surrounding communities are in favor of completing this project and have worked together as part of the Rt. 50 Corridor Commission.

Dave Barkley of 249 Hazel Drive stated that he read an article about the new Game Commission president who wants to combat the urban deer issue.

Ms. Linfante agreed that there is a deer problem, and she stated that a solution needs to be developed.

Al Frioni of 210 Main Entrance Drive spoke about the I-79 connection project, stating that he was a member of the traffic board when this project was proposed.

REPORT BY JUNIOR COMMISSIONER BILL POSTUFKA

Bill Postufka spoke about the Relay for Life event, the construction at the high school, and traffic plans. He stated that a lot of students are now choosing to walk instead of driving to school. He commended the municipality for the quality sidewalks, stating that Mt. Lebanon is truly a walking community. He also spoke in support of the library grant, stating that he and other students use the library on the weekends.

**CONSIDERATION OF THE MINUTES FROM
THE REGULAR MEETING HELD FEBRUARY 6, 2012**

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

**PUBLIC HEARING ON THE APPEAL OF IHP/BOWER HILL,
LLC D/B/A BOWER HILL III APARTMENTS OF THE STORM WATER FEE**

Mr. Bendell said on August 9, 2011, the Mt. Lebanon Commission adopted Ordinance No. 3187 establishing a fee for storm water collection and management. The ordinance became effective on September 1, 2011.

The initial bills were mailed on September 1, 2011, and by letter to the Director of Public Works dated September 8, 2011, the Bower Hill III Apartments appealed the fee. The Director denied the appeal on September 21, 2011, and on September 27, 2011, Bower Hill III Apartments appealed the decision to the Municipal Manager. The Municipal Manager denied the appeal on October 20, 2011, and on November 14, 2011, Bower Hill III Apartments appealed the decision to the Mt. Lebanon Commission.

Tonight's hearing is for the Commission to gather facts and hear testimony concerning this matter. Bower Hill Apartments is represented tonight by counsel from Gaitens, Tucceri and Nicholas, and the Municipality is represented by counsel from Thomas Ayoob and Associates.

Mr. Brumfield declared the public hearing opened, asking the solicitor to describe the process used for the meeting.

The hearing was conducted and recorded by a court reporter, and the transcripts are available in the manager's office.

**CONSIDERATION OF RESOLUTION NO. R-3-12 ADOPTING
THE ALLEGHENY COUNTY 2011 HAZARD MITIGATION PLAN**

Ms. Fraasch said County Executive Fitzgerald signed the 2011 Hazard Mitigation Plan on January 26, 2012. The plan outlines processes for identifying a community's natural hazards, risks, and vulnerabilities. Adoption of this plan is a prerequisite to receiving post-disaster program funds.

Ms. Fraasch moved and Mr. Kluck seconded to adopt Resolution No. R-3-12. The vote was called. The motion carried unanimously.

**CONSIDERATION OF AN AGREEMENT BETWEEN MT. LEBANON AND
PENNSYLVANIA AMERICAN
WATER COMPANY (PAWC) TO OBTAIN WATER METER READINGS**

Ms. Linfante said PAWC has notified Mt. Lebanon and many other communities that it will cease billing sanitary sewer charges later this year. In order for Mt Lebanon to continue billing these charges, it will be necessary to obtain water meter readings from PAWC. This agreement puts in place the mechanism and fees to obtain the necessary readings.

Ms. Linfante moved and Mr. Bendell seconded to approve the agreement between Mt. Lebanon and Pennsylvania American Water Company. The vote was called. The motion carried unanimously.

**CONSIDERATION OF AN AGREEMENT BETWEEN
THE SOUTHWESTERN PENNSYLVANIA
CORPORATION AND MT. LEBANON FOR A SINC-UP GRANT**

Mr. Bendel said Mt. Lebanon has received a grant under the SPC Regional Traffic Signal Program to implement a traffic signal upgrade and retiming project for seven signalized intersections along the Bower Hill Road corridor. The total project costs are \$428,788, with a grant amount of \$343,030 and a local match of \$85,758. The agreement sets forth the basic parameters for the administration of this grant project.

Mr. Bendel moved and Ms. Linfante seconded to authorize the proper Municipal officials to sign the agreement. The vote was called. The motion carried unanimously.

**CONSIDERATION OF AN AGREEMENT BETWEEN THE
COMMONWEALTH OF PENNSYLVANIA AND MT. LEBANON, PA
FOR KEYSTONE FUNDS FOR PUBLIC LIBRARY FACILITIES**

Ms. Fraasch said Mt. Lebanon has received a grant from the Commonwealth to purchase and install 1) new automated interior doors at both entrances to the library, 2) new fixtures for the restrooms, and, 3) improved lighting in the main adult section of the building. The total project costs are \$100,000, with a grant amount of \$50,000. The agreement sets forth the basic parameters for the administration of this grant project.

Ms. Fraasch moved and Mr. Kluck seconded to authorize the proper Municipal officials to sign the agreement. The vote was called. The motion carried unanimously.

APPOINTMENT TO MEDICAL RESCUE TEAM SOUTH AUTHORITY (MRTSA)

Ms. Linfante said both Keith Mulvihill and Steve Darcangelo have stepped down from the MRTSA Board of Directors. The Commission would like to thank Keith and Steve for their service to the community.

Ms. Linfante moved and Mr. Bendel seconded to appoint two new members to the board of Medical Rescue Team South Authority: 1) Dave Brumfield to fill an unexpired term ending December 31, 2014, and 2) Kelly Fraasch to fill an unexpired term ending December 31, 2015. The vote was called. The motion carried unanimously.

**CONSIDERATION TO PURCHASE A TRUCK FROM TRI STAR MOTORS
THROUGH THE PENNSYLVANIA COSTARS PURCHASING PROGRAM**

Mr. Kluck said this truck will replace one of the older 17,950 pound gross vehicle weight trucks that will be sold at public auction. The new 2012 truck with snow plow includes a Dodge 5500 Chassis, with four wheel drive, 6.7L 16 valve Cummins Turbo diesel engine, 6 speed automatic transmission, snow plow preparation package, 8'6" J&J aluminum dump body with options, central hydraulic system, Hi-Way 304 stainless steel tailgate auger-spinner spreader, Western 9' pro-Plus plow, and trailer tow package, at a total cost of \$84,849. The price reflects a savings of \$7,765 under the manufacturer's suggested retail price of \$92,614. There are adequate funds included in the 2012 budget for this purchase.

Mr. Kluck moved and Ms. Fraasch seconded to purchase one ready to use truck with snow plow from Tri Star Motors through the Pennsylvania Costars Purchasing Program at a total cost of \$84,849. The vote was called. The motion carried unanimously.

**CONSIDERATION FOR THE AWARD
OF THE BRICK PAVEMENT RESTORATION PROGRAM**

Ms. Fraasch said bids were received on February 22, 2012. The Municipal Engineer has verified the bid as follows:

Cilenti Construction Co., Inc.	\$ 46,390.50
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The low bidder has completed the brick repair in the past in a satisfactory manner, and the Municipal Engineer recommends the award. The budgeted amount for this contract is \$55,000.

Ms. Fraasch moved and Mr. Kluck seconded to award the Brick Pavement Restoration Program Contract to Cilenti Construction Co., Inc. in the amount of \$46,390.50. The vote was called. The motion carried unanimously.

**CONSIDERATION FOR THE AWARD OF
THE YEARLY CURB RECONSTRUCTION PROGRAM CONTRACT**

Ms. Linfante said bids were received on February 22, 2012. The Municipal Engineer has verified the bids as follows:

Joseph Palmieri Construction, Inc.	\$ 39,750.00
G. Pasquale & Sons Construction	\$ 40,265.00
Har Construction	\$ 83,500.00
Investment and Enterprise	\$206,600.00

The low bidder has completed the curb program in the past in a satisfactory manner, and the Municipal Engineer recommends the award. The budgeted amount for this contract is \$49,000.

Ms. Linfante moved and Mr. Bendel seconded to award the Curb Reconstruction Program Contract to Joseph Palmieri Construction, Inc. in the amount of \$39,750. The vote was called. The motion carried unanimously.

**CONSIDERATION OF THE AWARD FOR THE
SIDEWALK ASSESSMENT RECONSTRUCTION CONTRACT**

Mr. Bendel said bids were received on February 22, 2012. This contract consists of the removal and replacement of concrete sidewalk throughout the Municipality.

The Municipal Engineer has verified the bids as follows:

G. Pasquale & Sons Construction	\$ 76,940
Har Construction	\$116,500

The low bidder has completed the Main Road Assessment Program in the past for the Municipality in a satisfactory manner, and the municipal engineer recommends the award. The budgeted amount for this contract was \$73,900.00. The quantities will be revised in the field to meet the budget.

Mr. Bendel moved and Ms. Linfante seconded to award the Sidewalk Assessment Reconstruction Contract to G. Pasquale and Sons Construction in the amount of \$76,940. The vote was called. The motion carried unanimously.

**CONSIDERATION FOR THE AWARD FOR THE SIDEWALK
RECONSTRUCTION PROGRAM FOR ROOT-DAMAGED SIDEWALKS**

Mr. Kluck said bids were received on February 22, 2012. This contract consists of the removal and replacement of concrete sidewalk damaged by tree roots throughout the Municipality.

The Municipal Engineer has verified the bid as follows:

G. Pasquale and Sons Construction	\$ 74,295
Har Construction	\$ 97,615
Ketchel Property Maintenance	\$159,275

The low bidder has completed the sidewalk work in the past for the Municipality in a satisfactory manner, and the municipal engineer recommends the award. The budgeted amount for this contract is \$66,100. The quantities will be revised in the field to meet the budget.

Mr. Kluck moved and Ms. Fraasch seconded to award the Root-Damaged Sidewalks Contract to G. Pasquale and Sons Construction in the amount of \$74,295. The vote was called. The motion carried unanimously.

**CONSIDERATION FOR THE AWARD
OF THE STREET REJUVENATOR CONTRACT**

Ms. Linfante said bids were received on February 22, 2012. This project includes the application of approximately 35,000 SY of “reclamite” pavement rejuvenator throughout the Municipality. Reclamite is a cost effective way to extend the life of asphalt pavement and has been used successfully by the Municipality for over 20 years.

The Municipal Engineer has verified the bid as follows:

Pavement Technology, Inc. \$27,300

The low bidder has completed this project in the past in a satisfactory manner, and the Municipal Engineer recommends the award.

The budgeted amount for the project was \$28,000.

Ms. Linfante moved and Mr. Bendel seconded to award the Street Rejuvenator Contract to Pavement Technology, Inc. in the amount of \$27,300. The vote was called. The motion carried unanimously.

**CONSIDERATION FOR THE AWARD OF
THE CRACK SEALING AND UTILITY PATCH CONTRACT**

Mr. Kluck said bids were received on February 22, 2012. This project includes the crack sealing of various streets and utility patch milling/overlays throughout the Municipality. The crack sealing program includes approximately 25,000 L.F. of sealing and the utility patch program will be used to restore streets where sewer repairs were completed. The costs will be paid from the sanitary sewer fund.

The Municipal Engineer has verified the bid as follows:

Bidder	Base Bid No. 1 – Crack Sealing	Base Bid No. 2 – Utility Patches	Total
Amity Asphalt Paving, Inc.	\$23,000.00	\$25,387.50	\$48,387.50
A. Folino Construction	\$28,250.00	\$24,712.50	\$52,962.50

The low bidder has previously completed the Street Maintenance Program in a satisfactory manner, and the Municipal Engineer recommends the award. The Engineer’s estimate for crack sealing was \$20,500 and utility patches were estimated at \$21,500. The quantities will be adjusted in the field to stay within budget.

Mr. Kluck moved and Ms. Fraasch seconded to award the contract to Amity Asphalt Paving, Inc. in the amount of \$48,387.50 for Base Bid No. 1 and Base Bid No. 2. The vote was called. The motion carried unanimously.

**CONSIDERATION OF THE EXPENDITURE
LIST FOR JANUARY TOTALING \$4,824,731.47**

Mr. Bendel moved and Ms. Linfante seconded to authorize the expenditure list for January totaling \$4,824,731.47. The vote was called. The motion carried unanimously.

DEPARTMENTAL REPORTS.

Ms. Fraasch asked that the reports be received and filed.

MANAGER ANNOUNCEMENTS

Mr. Feller said that prior to tonight's meeting, the Commission met in executive session to discuss appointments to boards and authorities and reviewed legal issues with the solicitor. Following tonight's meeting, the Commission will briefly continue the discussion session to discuss a few follow-up items from number six of the agenda. The next regular meeting will be held Tuesday, March 13, 2012, at 8 p.m.

ADJOURNMENT

The meeting adjourned at 11 p.m.