

**MINUTES OF THE REGULAR MEETING AUGUST 14, 2012
OF THE MT. LEBANON COMMISSION**

The Commission of Mt. Lebanon, Pennsylvania, held a Regular Meeting at 8:00 P.M., on Tuesday, August 14, 2012, at the Municipal Building, 710 Washington Road. Vice President Kluck called the meeting to order and led in the Pledge of Allegiance to the Flag. Manager Stephen Feller called the roll. Present were Commissioners John Bendel, Kelly Fraasch, and Matt Kluck. Kristen Linfante participated via the telephone. Commissioner Dave Brumfield was not present. Also present were Assistant Manager Taylor, Police Chief McDonough, Fire Chief Sohyda, Recreation Director Donnellan, Public Works Director Kelley, Planning Officer McGill, Commercial District Officer Milliron, Public Information Officer Morgans, and Inspections Officer Berkley. Also present were Phil Weis of the solicitor's office and Dan Deiseroth of the engineer's office.

CITIZEN COMMENTS

John Traynor of 871 Towercrest Drive and Jay Bonesteele of 867 Towercrest Drive spoke about deer management. Mr. Traynor said that he is a volunteer in the bow hunting program in Peters Township. He spoke about the program, stating it doesn't cost the township anything. Hunting is done on private property as well as in the parks from tree stands, so that the hunter is always shooting down. He stated that the program is monitored by a police officer.

Mr. Boneysteele spoke about the storm water fee. He also stated that the heavy equipment at the high school construction site is traveling on Lebanon Avenue, which has resulted in damage to the road and curbs.

Dave Egler of 121 Poplar Drive stated that the baseball association looked at Robb Hollow for field usage several years ago. He also spoke about item 10 on the agenda regarding a delinquent EIT tax collector.

Bill Lewis of 816 Ridgeview Drive stated that Vaughn Gordy of Seneca Drive would have information about Robb Hollow. He also spoke in support of the valet parking issue. He also encouraged the commission to use the excess fund balance for capital improvements.

Elaine Gillen of 735 Vallevista Avenue inquired about designating a metered space for handicapped parking near the social security office at 650 Washington Road. She also stated that she attended a meeting in Carnegie where a skate park was discussed with enthusiasm.

Dave Barclay of 249 Hazel Drive stated that it was imperative to maintain recreational facilities. He also spoke about delinquent parking tickets.

**CONSIDERATION OF THE MINUTES FROM
THE ADJOURNED MEETING HELD JULY 23, 2012**

Mr. Bendel moved and Ms. Linfante seconded to approve the minutes. The vote was called. The motion passed unanimously.

**CONSIDERATION OF ORDINANCE (BILL NO. 12-12) AMENDING
THE MT. LEBANON CODE, CHAPTER IV, PART 4, FIRE CODE, AND
ADOPTING CERTAIN PROVISIONS OF THE 2009 INTERNATIONAL FIRE CODE**

Ms. Fraasch stated that Mt. Lebanon has enforced a fire code since 1994 with adoption of the 1993 BOCA Fire Code. The Fire Code was updated to the International Fire Code in 2004 and amended in 2008.

Certain provisions in the 2009 International Fire Code that have historically been enforced by Mt. Lebanon were not adopted in the Pennsylvania Uniform Construction Code. These local amendments are important to retain, and deal with the minimum regulations governing the conditions, maintenance, operations and other physical aspects of all existing property, existing buildings and structures, and existing building systems.

This ordinance was introduced July 23, 2012.

Ms. Fraasch moved and Mr. Bendel seconded to enact Ordinance (Bill No. 12-12). The vote was called. The motion carried unanimously.

**CONSIDERATION OF RESOLUTION NO. R-12-12 TO APPLY FOR COMMUNITY
DEVELOPMENT BLOCK GRANT FUNDS THROUGH THE
SOUTH HILLS AREA COUNCIL OF GOVERNMENTS FOR NORTH
MEADOWCROFT BASKETBALL AND TENNIS COURT ADA IMPROVEMENTS**

Mr. Bendel said a pre-application was prepared and provided to the South Hills Area Council of Governments for Community Development Block Grant Funds. The pre-application was for the funding of an ADA Access Project to take place in 2013 in the amount of \$89,965. Mt. Lebanon had previously bid the project, but did not proceed with its' completion in 2007. The project was reviewed again due to the availability of possible grant funding.

Mt. Lebanon has successfully used this program over the past several years to address the installation of handicapped sidewalk ramps throughout the Municipality.

A requirement for submission of the formal Community Development Block Grant application is that the Commission adopts a standard resolution.

Mr. Bendel moved and Ms. Linfante seconded to adopt Resolution No. R-12-12, the standard concurring resolution, to make application for Community Development Block Grant funds for an ADA Access Project in the amount of \$89,965 for the year 2013. The vote was called. The motion carried unanimously.

**CONSIDERATION OF RESOLUTION NO. R-13-12 TO APPLY
FOR COMMUNITY DEVELOPMENT BLOCK GRANT
FUNDS THROUGH THE SOUTH HILLS AREA COUNCIL OF GOVERNMENTS**

Ms. Fraasch said a pre-application was prepared and provided to the South Hills Area Council of Governments for Community Development Block Grant Funds. The pre-application was for the 50% funding of handicapped sidewalk construction to take place in 2013 in the amount of \$14,500.

Mt. Lebanon has successfully used this program over the past several years to address the installation of handicapped sidewalk ramps throughout the Municipality.

A requirement for submission of the formal Community Development Block Grant application is that the Commission adopts a standard resolution.

Ms. Fraasch moved and Mr. Bendel seconded to adopt Resolution No. R-13-12, the standard concurring resolution, to make application for Community Development Block Grant funds for handicapped sidewalk reconstruction in the amount of \$14,500 for the year 2013. The vote was called. The motion carried unanimously.

**CONSIDERATION OF RESOLUTION NO. R-14-12 AUTHORIZING THE
EXECUTION AND DELIVERY OF AN EQUIPMENT
LEASE/PURCHASE AGREEMENT WITH ALTEC CAPITAL SERVICES**

Mr. Bendel said this equipment is being obtained through the Commonwealth's Cooperative Purchasing Program (COSTARS). The equipment is a 2013 International bucket truck. The lease term is for seven years. At the end of the full lease term, the Municipality shall have free and clear title to the equipment. The total purchase price is \$158,017.

Mr. Bendel moved and Ms. Linfante seconded to authorize the proper municipal officials to execute the lease/purchase agreement. The vote was called. The motion carried unanimously.

**CONSIDERATION OF RESOLUTION NO. R-15-12 ACCEPTING
A DUI ENFORCEMENT GRANT FROM THE
PENNSYLVANIA DEPARTMENT OF TRANSPORTATION**

Ms. Fraasch said the Pennsylvania Department of Transportation is providing grant funds totaling \$60,000 for the Mt. Lebanon Area Regional Sobriety Checkpoint and Expanded DUI Enforcement Program.

Ms. Fraasch moved and Mr. Bendel seconded to adopt Resolution No. R-15-12 authorizing acceptance of the grant funds. The vote was called. The motion carried unanimously.

RECEIPT OF THE CAPITAL IMPROVEMENT PROGRAM (CIP)

Mr. Bendel said as required by the Charter, the Capital Improvement Program (CIP) for 2013-2017 was submitted to the Commission on July 31, 2012. A public hearing is required to be held on this program prior to the issuance of the Manager's Recommended Budget.

Mr. Bendel stated that the Commission acknowledges receipt of the 2013-2017 Capital Improvement Program (CIP). The public hearing was set for September 24, 2012.

**CONSIDERATION FOR THE RELEASE OF FINANCIAL SECURITY
POSTED FOR THE CONCORDIA OF SOUTH HILLS
PHYSICAL THERAPY ADDITION LAND DEVELOPMENT PLAN**

Ms. Fraasch said Concordia of the South Hills has requested the release of financial security posted for private improvements installed for the development of their project located on Bower Hill Road. The request been verified by the municipal engineer, and he is recommending approval of the release of the financial security posted in the amount of \$27,775.

All items have been addressed, and the project is in order for release of the deposit posted to guarantee the installation of the improvements.

Ms. Fraasch moved and Mr. Bendel seconded to release the financial security posted for private improvements for the Concordia of South Hills physical therapy addition land development plan in the amount of \$27,775. The vote was called. The motion carried unanimously.

**APPOINTMENT OF A DELINQUENT TAX COLLECTOR
FOR EARNED INCOME TAXES PRIOR TO TAX YEAR 2012**

Mr. Bendel said the collection of earned income tax for tax years beginning in 2012 is now handled by a tax collection district. Going forward, the district will be responsible for collection of delinquent taxes. The action is necessary to appoint the municipal treasurer the collector of the delinquent taxes prior to the new system.

Mr. Bendel moved and Ms. Linfante seconded to appoint John C. Ferguson, Jr., as the collector of delinquent earned income taxes prior to tax year 2012. The vote was called. The motion carried unanimously.

**CONSIDERATION OF BIDS FOR THE
PUBLIC WORKS BUILDING FLOOR PROJECT**

Ms. Fraasch said bids were opened on July 18, 2012. The building, which was constructed in 1958, is experiencing distress around the floor drains due to snowmelt from the salt trucks. The contractor will repair the existing concrete slabs, seal the joints, and prepare and install a protective coating on the floor. This project also includes partial repair of overhead planks at the garage.

One bid was received from Arch Masonry in the amount of \$62,798. The project was budgeted at \$75,700.

Ms. Fraasch moved and Mr. Bendel seconded to authorize the proper municipal officials to award the contract to Arch Masonry in the amount of \$62,798. The vote was called. The motion carried unanimously.

MANAGER ANNOUNCEMENTS

Mr. Feller said that prior to tonight's meeting, the Commission met in executive session to discuss various legal issues with the solicitor regarding a labor agreement, assessment appeal law, two real estate matters and some minor legal issues. After tonight's meeting, the Commission will go back into discussion session to discuss recreation facility improvements. The next adjourned meeting will be held on Monday, August 27, 2012, at 8 p.m.

ADJOURNMENT

The meeting adjourned at 8:35 p.m.