

**MINUTES OF THE REGULAR MEETING MAY 14, 2013
OF THE MT. LEBANON COMMISSION**

The Commission of Mt. Lebanon, Pennsylvania, held a Regular Meeting at 8:00 P.M., on Tuesday, May 14, 2013, at the Municipal Building, 710 Washington Road. 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, Dave Brumfield, Kelly Fraasch, Kristen Linfante, and Matt Kluck. Also present were Chief of Police McDonough, Fire Chief Sohyda, Public Works Director Kelley, Planning Officer McGill, Information Officer Morgans, Assistant Finance Officer Windstein, and Inspections Officer Berkley. Also present were Phil Weis of the solicitor's office and Dan Deiseroth of the engineer's office.

CITIZEN COMMENTS

Deb Tongel of 154 Sleepy Hollow Road spoke in support of permitting dogs on a leash in Williamsburg Park.

Dave Egler of 121 Poplar Drive spoke about the unrestricted fund balance in the general fund.

**CONSIDERATION OF THE MINUTES FROM
THE ADJOURNED MEETING HELD APRIL 22, 2013**

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

REPORT BY JUNIOR COMMISSIONER MARK KLEMENCIC

Junior Commissioner Mark Klemencic stated that five forensic students plan to travel to Alabama in June to compete in a national tournament. He also said on May 18, the high school students will be participating in the Walk on Washington event helping to distribute maps

**INTRODUCTION OF ORDINANCE (BILL NO. 11-13) AMENDING
CHAPTER XX (ZONING) TO REGULATE PHOTOVOLTAIC SYSTEMS**

Ms. Linfante said the ordinance provides for specific regulations and definitions for photovoltaic systems as an accessory use in all districts.

Ordinance (Bill No. 11-13), is an ordinance amending Chapter XX (Zoning) of the Mt. Lebanon Code. The Ordinance allows solar photovoltaic systems in all zones as an accessory use. The ordinance applies to building and ground mounted systems. It adds definitions, and also imposes restrictions relating to location, setbacks, design and installation standards, height, screening, impervious coverage, inspection and safety. The ordinance requires a permit for installation of these systems.

Ordinance (Bill No. 11-13) was introduced, and the public hearing was set for May 28, 2013.

CONSIDERATION OF RESOLUTION NO. R-6-13 FIXING A TAX RATE FOR 2013

Mr. Bendel said on December 11, 2012, the commission, through Ordinance 3226, set the millage for 2013 by formula to comply with application anti-windfall legislation and court orders. The municipality is now formally establishing the rate previously set by formula. The 2013 rate will be 4.51 mills. The 2012 rate was 5.43 mills on each dollar of assessed valuation.

Mr. Bendel moved and Mr. Brumfield seconded to adopt Resolution No. R-6-13. The vote was called. The motion carried unanimously.

**CONSIDERATION OF RESOLUTION NO. R-7-13
AUTHORIZING THE DESTRUCTION OF CERTAIN MUNICIPAL RECORDS**

Mr. Brumfield said that Mt. Lebanon follows the 2008 Pennsylvania Municipal Records Retention Manual issued by the Pennsylvania Historical and Museum Commission.

The municipality each year reviews its records and removes those no longer required under the schedule. This resolution authorizes destruction of various listed records according to the schedule.

Mr. Brumfield moved and Mr. Bendel seconded to adopt Resolution No. R-7-13. The vote was called. The motion carried unanimously.

**CONSIDERATION OF AN AMENDMENT TO AN
AGREEMENT BETWEEN ST. CLAIR HOSPITAL AND MT. LEBANON, PA.**

Ms. Fraasch said that on May 29, 2007, St. Clair Memorial Hospital and Mt. Lebanon, Pennsylvania entered into a development agreement. Section 8 of this agreement provides that St. Clair shall submit a cash escrow as a share of the cost of installing a traffic signal at Bower Hill and Segar/Greenhurst Drive. St. Clair Hospital provided these funds and they are being held by Mt. Lebanon. The Agreement further provides that if Mt. Lebanon has not commenced the signal project on or before the fourth anniversary of the date of this agreement, then upon request of the hospital, Mt. Lebanon shall return the \$39,600 with interest.

On May 23, 2011, the agreement was extended for an additional two-year period, until May 29, 2013. Mt. Lebanon has developed a preliminary design of the project, secured approval from the Pennsylvania Department of Transportation to make the improvements, made funding arrangements, and is working with the hospital on easement locations for the signal poles.

Both parties now wish to extend the deadline for commencing work on the project for an additional one-year period, until May 29, 2014.

Ms. Fraasch moved and Ms. Linfante seconded to authorize the proper municipal officials to execute the amendment to the agreement with St. Clair Memorial Hospital. The vote was called. The motion carried unanimously.

**INTRODUCTION OF A CONDITIONAL USE REQUEST BY PNC
REALTY TO PROVIDE A REMOTE DRIVE-THRU
BANK FACILITY FOR A PROPERTY LOCATED AT 1721 COCHRAN ROAD**

Mr. Bendel said the zoning ordinance identifies drive-thru facilities as a conditional use.

The applicant currently operates a branch banking center within the Virginia Manor Shopping Center. PNC Bank proposes to construct a remote drive-thru banking facility on an adjacent lot to accompany their retail banking center. The proposed 600 sq. ft. drive-thru will accommodate an automated teller machine and additional teller lanes as well as two employees. The applicant has submitted traffic analysis in support of the drive-thru facility, and the municipal traffic engineer recommends approval of the Application.

On April 23, 2013, the planning board recommended approval of the conditional use request. The conditional use request was introduced, and the public hearing was set for Tuesday, May 28, 2013.

CONSIDERATION OF FINAL APPROVAL FOR THE RILEY PLAN OF LOTS

Ms. Linfante said on April 23, 2013, the planning board granted preliminary approval and recommended final approval for the Riley Plan of Lots, subject to satisfying the Engineers review comments in a letter dated April 9, 2013. All engineering comments related to this application have been satisfied.

The property owner of 825 Vallevista Avenue and an adjacent vacant parcel is requesting a lot line adjustment between the properties. No new lots are being created.

Ms. Linfante moved and Ms. Fraasch seconded to grant final approval of the Riley Plan of Lots. The vote was called. The motion carried unanimously.

**CONSIDERATION TO PURCHASE A TOWABLE STUMP GRINDER
FROM THE KNICKERBOCKER RUSSELL COMPANY
THROUGH THE PENNSYLVANIA COSTARS PURCHASING PROGRAM**

Ms. Fraasch said this equipment will replace a 41-year-old stump grinder. The stump grinder will be used by municipal foresters to grind the stumps of municipal trees that have been removed. The purchase price of \$42,059.30 is \$8,450.70 less than the manufacturer's suggested retail price of \$50,510.

Ms. Fraasch moved and Ms. Linfante seconded to purchase the stump grinder from Knickerbocker Russell at a total cost of \$42,059.30. The vote was called. The motion carried unanimously.

**CONSIDERATION OF A TRAFFIC BOARD RECOMMENDATION
TO INSTALL A STOP SIGN ON BETHANY ROAD AT SOMERVILLE**

Mr. Bendel said Trans Associates evaluated the existing intersection sight distances based on the PennDOT Design Manual and the AASHTO policy. They found that the warrants are not met for all-way stop controls at the intersection.

In order to clarify intersection control, both Trans Associates and the traffic board recommend that a stop sign be placed on the Bethany Drive approach.

Mr. Bendel moved and Mr. Brumfield seconded to approve the installation of a stop sign on Bethany at Somerville. The vote was called. The motion carried unanimously.

**CONFIRMATION OF THE MUNICIPAL MANAGER'S
APPROVAL OF THE PUBLIC SALE OF A 1995 SUTPHEN PUMPER**

Mr. Brumfield said Mt. Lebanon's Administrative Code requires commission approval for the sale of municipal equipment and supplies with an estimated value in excess of .005% of the general fund budget.

The sale of a 1995 Sutphen Pumper was advertised in the Pennsylvania Fireman, a fire service publication with a circulation of over 10,000 fire departments. Sealed bids were received on April 26, 2013. One bid was received from the Windber Fire Company in Cambria County in the amount of \$27,500. The sale price was estimated at \$25,000 in the fire department budget.

The sale was approved by the manager because the Winder Fire Company's bid included a condition of purchase requiring immediate delivery. Payment has been made to the Municipality.

Mr. Brumfield moved and Mr. Bendel seconded to confirm the Municipal Manager's sale of a 1995 Sutphen Pumper. The vote was called. The motion carried unanimously.

MANAGER ANNOUNCEMENTS

Mr. Feller stated that prior to tonight's meeting, the commission met in executive session to discuss appointments to boards and authorities, two personnel matters, and a property issue with the solicitor. Following the meeting, the commission will go back into discussion session. The next adjourned meeting of the commission is scheduled for Tuesday, May 28, 2013, at 8 p.m.

ADJOURNMENT

The meeting adjourned at 8:30 p.m.