

**MINUTES OF THE ADJOURNED MEETING MARCH 24, 2014
OF THE MT. LEBANON COMMISSION**

The Commission of Mt. Lebanon, Pennsylvania, held an Adjourned Meeting that began at 8 P.M., on Monday, March 24, 2014, at the Municipal Building, 710 Washington Road. Vice President Bendel 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, Dave Brumfield, Kelly Fraasch and Steve Silverman. Commissioner Kristen Linfante was not present. Also present were Chief of Police McDonough, Public Works Director Kelley, Finance Director McCreery, Planning Officer McGill, Business District Officer Milliron, Assistant to the Manager Cross, 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.

REPORT BY JUNIOR COMMISSIONER DANIELLE DEISEROTH

Ms. Deiseroth spoke about high school activities including the boys' and girls' lacrosse teams, and a play being performed by the evening theater group called Sweeney Todd, which will be the first evening theatre performance in the renovated fine arts theater.

CITIZEN COMMENTS

Ben Kelley of Oxford Development Company and Ernie Sota of Green Development requested that the item regarding rezoning of property located at 2904 Castlegate be tabled until they could hold a neighborhood meeting regarding the proposed development.

Mr. Brumfield moved and Mr. Silverman seconded to table consideration of Ordinance (Bill No. 2-14) regarding the zoning change in order to allow the developers time to conduct a public meeting. The vote was called. The motion carried unanimously.

Tim Birkle of 586 Dorchester Avenue spoke against the proposed rezoning of 2904 Castlegate.

Charles Shane of 103 Peters Drive, owner of property located at 241 and 248 Mabrick Avenue spoke in support of Ordinance (Bill No. 3-14) regarding overnight permit parking zones.

Pedro Maiz of 838 Vermont Avenue spoke against the appeal by the municipality of the real estate assessment for his property.

Mike Suley of 474 Haverhill Road, former manager of Allegheny County Property Assessment and Appeals, stated that the assessment process used by Mt. Lebanon for assessing homes was flawed. He stated that when he oversaw county assessments, base-year assessments were fairly established for properties.

Diane Samstag of 2827 Midland Street thanked the developers for asking that the proposed rezoning issue be tabled until residents' concerns can be fully heard.

Dan Dugan of 2841 Midland Street spoke against the proposed rezoning of property located at 2904 Castlegate.

Angela Gaito-Lagnese of 2862 Castegate Avenue spoke against the proposed zoning change for the property at 2904 Castlegate.

Linda Lippert of 1254 McNeilly Road spoke against the proposed zoning change for the property located at 2904 Castlegate.

Robert Festor of 625 Dorchester Avenue spoke against a zoning change at the property on Castlegate.

Jim Cannon of 1306 Craigview Drive spoke about the proposed zoning change at Castlegate.

**CONSIDERATION OF THE MINUTES FROM
THE REGULAR MEETING HELD MARCH 11, 2014**

Mr. Silverman moved and Mr. Brumfield seconded to approve the minutes. The vote was called. The motion passed unanimously.

**PUBLIC HEARING ON ORDINANCE (BILL NO. 03-14) AMENDING ORDINANCE
NO. 3028 AND RE-ENACTING THE PROVISIONS OF SECTION 906, CHAPTER
X OF THE MT. LEBANON CODE, ADDRESSING PERMIT PARKING ZONES**

Ms. Fraasch said Ordinance No. 3028 enacted March 26, 2001, and most recently amended by Ordinance No. 3208, provided for the creation of night permit parking zones. The proposed ordinance would eliminate the sunset provisions of Section 906, Chapter X of the Mt. Lebanon Code. Any Permit Parking Zones established under this ordinance would remain in effect until modified or rescinded. This ordinance was introduced March 11, 2014.

Mr. Bendel declared the public hearing opened.

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

**CONSIDERATION OF RESOLUTION NO. R-7-14 AMENDING
THE MT. LEBANON CIVIL SERVICE RULES AND REGULATIONS**

Mr. Silverman said the Mt. Lebanon Civil Service Rules and regulations establish the procedures for police and fire employees related to hiring, promotion and discipline. Recently the rules and regulations were amended by the Civil Service Board. Changes to the rules and regulations are generally administrative, in areas such as administrative procedures and scoring systems for hiring and promotion examinations, retention of eligibility lists, and changes to the Rules to comply with legislative revisions of the First Class Township Code.

Mr. Silverman moved and Mr. Brumfield seconded to adopt Resolution No. R-7-14 authorizing the amendments to the Mt. Lebanon Civil Service Rules and Regulations. The vote was called. The motion carried unanimously.

**CONSIDERATION OF RESOLUTION NO. R-8-14 CONCERNING PENNSYLVANIA
DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES
GRANT APPLICATION FOR N. MEADOWCROFT PARK IMPROVEMENTS**

Ms. Fraasch said the municipality has prepared a grant application to DCNR to make accessibility improvements and upgrades to the tennis and basketball courts totaling \$236,661. The grant requires a 50/50 funding match with both parties contributing up to \$118,330.50. Before submitting the grant application the Commission must approve a Resolution to accept the terms and conditions of the grant and to authorize the Manager to sign the grant agreement signature page.

Ms. Fraasch moved and Mr. Brumfield seconded to approve Resolution No. R-8-14 as required by DCNR. The vote was called. The motion carried unanimously.

**REQUEST AUTHORIZATION TO SUBMIT A GRANT
APPLICATION TO THE PENNSYLVANIA
DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES (DCNR)**

Mr. Brumfield said grant funding for recreational facilities is available through a competitive proposal application program offered by the DCNR. The Municipality is interested in making accessibility and facility improvements at N. Meadowcroft Park. These improvement will make enhanced recreational facilities accessible to residents with disabilities. The improvements are supported by the Parks Advisory Board and the accessibility improvements are included in the Parks Master Plan. Upgrades will be made to the basketball and tennis courts. The improvements total \$236,661 and the grant requires a 50/50 funding match, with each party contributing up to \$118,330.50. The municipality is seeking CDBG funding to cover a portion of the local match.

Mr. Brumfield moved and Mr. Silverman seconded to authorize the Manager to submit a grant application to DCNR for improvements at N. Meadowcroft Park. The vote was called. The motion carried unanimously.

**CONSIDERATION FOR THE AWARD OF
THE ROAD RECONSTRUCTION PROGRAM**

Mr. Silverman said bids were received on March 14, 2014.

Streets included in the bid package were Boxwood Drive, Crescent Drive, Crestvue Manor Drive, Dillon Drive, Jefferson Drive, Oakwood Drive, Osage Road, Rocklynn Place, Twin Hills Drive and Woodland Drive.

The Municipal Engineer has verified the bids as follows:

	<u>Total Base Bid</u>	<u>Total Alt. Bid</u>	<u>Total</u>
Niando Construction, Inc.	\$1,709,161.40	\$159,275.00	\$1,868,436.40
A. Merante Contracting	\$1,916,784.00	\$148,565.00	\$2,065,349.00

The bid documents allow for the award of any combination of base and alternate bids. The engineer recommends the award as listed in the Recommended Action. The results on bids received are as follows:

	<u>Base Bid</u>	<u>Alt. Bid</u>	<u>Total</u>
Niando Construction, Inc.	\$1,709,161.40	\$106,175.00	\$1,815,336.40
A. Merante Contracting	\$1,916,784.00	\$100,570.00	\$2,017,354.00

The project will be funded through various funds as follows:

	<u>Bid Amount</u>	<u>Budgeted Amount</u>
Capital Improvements (Streets)	\$1,236,104.40	\$1,600,000.00
Stormwater Fund (Curbs)	\$ 383,897.00	\$ 500,000.00
Stormwater Fund (Stormwater)	<u>\$ 195,335.00</u>	\$ 195,335.00
	\$1,815,336.40	

Niando Construction has successfully completed the road reconstruction project in previous years, and the Municipal Engineer recommends this award. The engineer's estimate for this contract was \$1,916,100.

There was discussion about the deterioration of various sections of Twin Hills. Mr. Deiseroth indicated that the section between N. Meadowcroft and Northridge was also in bad shape and is tentatively scheduled for reconstruction in 2015.

Mr. Silverman moved and Mr. Brumfield seconded to award the Boxwood Drive Base Bid, Crescent Drive Base Bid, Crestvue Manor Drive Base Bid, Dillon Drive Base Bid, Jefferson Drive Base Bid, Oakwood Drive Base Bid, Osage Road Base Bid, Rocklynn Place Base Bid, Twin Hills Drive Base Bid, Woodland Drive Base Bid, Dillon Drive Alternate Bid, Jefferson Drive Alternate Bid, Oakwood Drive Alternate Bid and Twin Hills Alternate Bid to Niando Construction, Inc. in the amount of \$1,815,336.40. The vote was called. The motion carried unanimously.

CONSIDERATION FOR THE AWARD OF THE STREET MAINTENANCE PROGRAM

Ms. Fraasch said bids were received on March 14, 2014. The major bid items are milling of existing materials, leveling with one-inch thick bituminous pavement (where applicable), paving fabric, 1-1/2" thick minimum bituminous overlay and bituminous binder throughout the Municipality of Mt. Lebanon.

The Municipal Engineer has verified the bids as follows:

El Grande Industries	\$288,200.00
A. Folino Construction, Inc.	\$292,903.75
Peter J. Caruso & Sons	\$305,995.50
T.A. Robinson Asphalt	\$315,713.25
Morgan Excavating	\$335,148.50

The low bidder has previous experience with similar projects, and the Municipal Engineer recommends this award. The engineer's estimate was \$274,100.

This project will be funded through the resurfacing budget, the ADA ramps through the reconstruction budget and the traffic calming devices through the traffic calming budget. The bid is separated as follows:

Resurfacing	\$262,125
Reconstruction	\$ 15,525
Traffic	<u>\$ 10,550</u>
Total	\$288,200

Sufficient funds exist within all budgets to complete the project.

Ms. Fraasch moved and Mr. Brumfield seconded to award the Street Maintenance Program to El Grande Industries in the amount \$288,200. The vote was called. The motion carried unanimously.

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

Mr. Brumfield said bids were received on March 14, 2014. This project includes the crack sealing of various streets and utility patch milling/overlays throughout the Municipality of Mt. Lebanon. The crack sealing program includes approximately 19,000 L.F. of sealing, and the utility patch program will be used to restore streets where sewer repairs were completed and will be paid from the sanitary sewer fund.

The Municipal Engineer has verified the bids as follows:

Bidder	Base Bid No. 1 – Crack Sealing	Base Bid No. 2 – Utility Patches	Total
Russell Standard Corp	\$20,939.00	\$28,625.00	\$49,564.00
A. Folino Construction	\$20,042.50	\$31,606.25	\$51,648.75

The low bidder has previously completed other projects for Mt. Lebanon in a satisfactory manner, and the Municipal Engineer recommends the award. The engineer's estimate for crack sealing and utility patches was \$58,310. The budgeted amount for crack sealing is \$23,625. Utility patch work is reimbursed to the Municipality by various utility companies.

Mr. Brumfield moved and Mr. Silverman seconded to award the Crack Sealing and Utility Patch Program contract to Russell Standard Corp. in the amount of \$49,564 for Base Bid No. 1 and Base Bid No. 2. The vote was called. The motion carried unanimously.

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

Mr. Silverman said bids were received on February 20, 2013. This project includes the application of approximately 30,000 SY of reclamite pavement rejuvenator throughout the Municipality. Reclamite is a cost-effective way to extend the life of the asphalt pavement and has been used successfully by the Municipality for over 20 years.

The original contract included a base year, 2013, with two optional renewal periods. This would allow the contract to be extended at Mt. Lebanon's sole discretion until 2015 to maintain continuity.

The Municipal Engineer verified the bid in 2013 as follows:

<u>Contractor</u>	<u>2013 Base Bid</u>	<u>2014 Renewal</u>	<u>2015 Renewal</u>
Pavement Technology, Inc.	\$ 24,900	\$ 26,145	\$ 26,145

In accordance with the provisions of the contract, the low bidder was selected based upon the three-year total, and in 2013, Pavement Technology, Inc., completed year one of the contract. The Municipal Engineer, based upon past performance of the contractor, recommends award of the second year of the contract to Pavement Technology, Inc. The budgeted amount for the project was \$26,670.

Mr. Silverman moved and Mr. Brumfield seconded to award the Street Rejuvenator Program to Pavement Technology, Inc., in the amount of \$26,145 for the Base Bid. The vote was called. The motion carried unanimously.

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

Ms. Fraasch said bids were received on March 14, 2014. This contract consists of the removal and replacement of concrete sidewalk damaged by tree roots throughout the Municipality.

The Municipal Engineer has verified the bids as follows:

Excaliber Construction	\$ 67,487.50
G. Pasquale and Sons Construction	\$ 76,112.50
Sobansky Contracting	\$224,950.00

The low bidder has completed other work in the past for the Municipality in a satisfactory manner, and the Municipal Engineer recommends the award. The engineer's estimate for this contract is \$75,000. The budgeted amount for this contract is \$77,500.

Ms. Fraasch moved and Mr. Silverman seconded to award the Root-Damaged Sidewalks contract to Excaliber Construction in the amount of \$67,487.50. The vote was called. The motion carried unanimously.

**CONSIDERATION OF THE AWARD FOR
THE SIDEWALK RECONSTRUCTION PROGRAM**

Mr. Brumfield said bids were received on March 14, 2014 (main road assessment). This contract consists of the removal and replacement of concrete sidewalk throughout the Municipality.

The Municipal Engineer has verified the bids as follows:

Excaliber Construction	\$ 54,050.00
G. Pasquale & Sons Construction	\$ 59,968.75
Next Construction	\$ 84,875.00
Sobansky Contracting	\$150,843.00

The low bidder has completed other projects in the past for the Municipality in a satisfactory manner, and the Municipal Engineer recommends the award.

The engineer's estimate for this contract is \$65,100. The budgeted amount is \$65,610.

Mr. Brumfield moved and Mr. Silverman seconded to award the Sidewalk Reconstruction Program contract to Excaliber Construction in the amount of \$54,050. The vote was called. The motion carried unanimously.

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

Mr. Silverman said bids were received on March 14, 2014. The project consists of the removal and replacement of various sizes of concrete straight curb, concrete roll curb, and concrete curb and gutter throughout the Municipality.

The Municipal Engineer has verified the bids as follows:

Excaliber Construction	\$46,050.00
G. Pasquale & Sons Construction	\$47,877.50
Next Construction	\$58,150.00
Joseph Palmieri Construction, Inc.	\$61,300.00
Sobansky Contracting	\$70,091.00

The low bidder completed has completed concrete work in the past for the Municipality in a satisfactory manner, and the Municipal Engineer recommends the award. The engineer's estimate for this contract is \$47,970. The budgeted amount for this contract is \$49,210.

Mr. Silverman moved and Mr. Brumfield seconded to award the Curb Reconstruction Program contract to Excaliber Construction in the amount of \$46,050. 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 March 14, 2014. The project consists of the removal and replacement of deteriorated portions of brick streets throughout the Municipality.

The Municipal Engineer has verified the bid as follows:

Excaliber Construction – WITHDRAWN –	\$ 19,330.00
Next Construction, Inc.	\$ 48,120.00
Cilenti Construction Co., Inc.	\$ 63,281.50
Sobansky Contracting	\$ 85,217.00
A. Merante Contracting	\$ 95,890.00
D’Andrea Plumbing and Construction	\$ 95,975.00
Investment and Enterprise	\$153,775.00

The low bidder for the project was Excaliber Construction in the amount of \$19,330. Excaliber Construction has since rescinded its bid. The next lowest bidder is Next Construction, Inc., in the amount of \$48,120. Next Construction has indicated that they will honor their bid.

The low bidder has completed similar work for the Municipality in the past in a satisfactory manner, and the Municipal Engineer recommends the award. The engineer’s estimate for this contract is \$51,275. The budgeted amount for this contract is \$51,414.

Ms. Fraasch moved and Mr. Brumfield seconded to award the Brick Pavement Restoration Program contract to Next Construction in the amount of \$48,120. The vote was called. The motion carried unanimously.

APPOINTMENTS TO MUNICIPAL BOARDS

Mr. Brumfield said the Municipality maintains 16 boards and authorities involving 95 citizen volunteers. The Commission thanks all of these dedicated residents for their hours of service to the municipality. At this time, it is necessary to reappoint members who are eligible for another term and to appoint new members to fill vacancies caused by board member retirements or resignations.

Mr. Brumfield moved and Mr. Silverman seconded to reappoint the following:

Name	Address	Board	Term Expiring
Robert Taylor	242 Catalpa Avenue	Community Relations At Large	3/31/17
Dianne Wainwright	210 Catalpa Avenue	Community Relations 4 th Ward	3/31/17
Cheri Acrey	116 Briar Meadows Dr	Economic Development	3/31/18
Ray Giarrusso	2 Midway Road	Economic Development	3/31/18
Pam Scott	134 Markham Drive	Environmental Sustainability	3/31/17

Joel Cluskey	677 Fruithurst Ave	Historic Preservation	3/31/17
Harold Hall	461 Jayson Avenue	Library	3/31/17
Marylynne Pitz	470 Jayson Avenue	Library	3/31/17
Judy Smydo	1440 Mohican Drive	Library	3/31/17
Micky Gatto	403 Kingsberry Circle	Parking Facilities	3/31/17
Wayne Jones	1287 Lakemont Drive	Parks Advisory	3/31/17
Mark Mistretta	105 Ridgeway Court	Pension Advisory	3/31/17
Rick Sabeh	222 Seminole Drive	Planning	3/31/18
Dale Cable	33 Rocklynn Place	Sports Advisory	3/31/17
Chip Dalesandro	142 Hoodridge Drive	Sports Advisory	3/31/17
Stacey Franklin	739 Pinetree Road	Sports Advisory	3/31/17
Dave Klasnick	1021 Martha Avenue	Sports Advisory	3/31/17
Robert Cooley	723 Country Club Dr	Traffic	3/31/17
K. Patrick Fitzgerald	611 Beverly Road	Traffic	3/31/17
Christopher Frenie	935 Valleyview Drive	Traffic	3/31/17

And to appoint the following:

Livia Santschi	999 Pine Avenue	Appeals	3/31/19
Albert Snyder	439 Longridge Drive	Community Relations At Large	3/31/17
Dana Hackley	99 Seneca Drive	Community Relations 2nd Ward	3/31/17
Anna Siefken	19 Woodland Drive	Historic Preservation	3/31/17
Andrew Flynn	115 Parkridge Lane	Parking Facilities	3/31/15 (unexpired)
Jonathan Farrell	314 Fieldbrook Drive	Parks	3/31/17
Megan Zadecky	180 Oak Park Place	Parks	3/31/17
Suzanne Sieber	1441 Pueblo Drive	Planning	3/31/18
Don Gavett	10 Jonquil Drive	Sports Advisory	3/31/15 (unexpired)
Stuart Setcavage	253 Morrison Drive	Traffic	3/31/17
David Harouse	341 Cedar Blvd.	Zoning	3/31/17
Nita Fandray	125 Longuevue Drive	Zoning Alternate	3/31/17

The vote was called. The motion carried unanimously.

**CONSIDERATION OF THE EXPENDITURE
LIST FOR FEBRUARY TOTALING \$2,824,869.68**

Mr. Silverman moved and Mr. Brumfield seconded to approve the expenditure list for February totaling \$2,824,869.68. The vote was called. The motion carried unanimously.

DEPARTMENTAL REPORTS

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

MANAGER ANNOUNCEMENTS

Mr. Feller stated that prior to tonight's meeting, the commission met in executive session and discussed pending cases in the Court of Common Pleas, legal issues regarding zoning, and board and authority appointments. The next regular meeting of the commission is scheduled for Tuesday, April 8, 2014, at 8 p.m.

ADJOURNMENT

The meeting adjourned at 9:25 p.m.