

**MINUTES OF THE REGULAR MEETING JUNE 10, 2014
OF THE MT. LEBANON COMMISSION**

The Commission of Mt. Lebanon, Pennsylvania, held a Regular Meeting that began at 8 P.M., on Tuesday, June 10, 2014, at the Municipal Building, 710 Washington Road. President Linfante 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, Steve Silverman and Kristen Linfante. Also present were Public Works Director Kelley, Finance Director McCreery, Recreation Director Donnellan, Fire Chief Sohyda, Deputy Police Chief Lauth, Planning Officer McGill, Business District Officer Milliron, Assistant to the Manager Cross, and Inspections Officer Berkley. Also present were Phil Weis of the solicitor's office and Dan Deiseroth of the engineer's office.

Ms. Linfante stated that items, 5, 6 and 7 were being removed from the agenda. These items pertain to changes to the Charter, inclusive of Ordinance (Bill No. 4-14) regarding gender neutral, Ordinance (Bill No. 5-14) concerning public notice provisions, and Ordinance (Bill No. 6-14) regarding eliminating the elected treasurer's position.

MANAGER'S ANNOUNCEMENTS

Mr. Feller stated that the commission met in executive session prior to tonight's meeting to discuss legal issues relating to pending assessment appeals, the sale of property, and changes to the Charter with the solicitor. Following tonight's meeting, the commission will go back into executive session to discuss a personnel issue and review an issue with a legal contract. There is a forum scheduled for Thursday, June 12, 2014, from 7-8:30 p.m. at Mellon School regarding the Wildcat/Middle fields turf improvement project. The next adjourned meeting of the commission is scheduled for Monday June 23, 2014, at 8 p.m.

Mr. Feller also recognized various members at St. Clair Hospital, including Tom Medwig, Chairman, St. Clair Health Corp., and Dr. Alan Yeasted, Senior V.P. and Chief Medical Officer, and congratulated them on the 60th anniversary of the facility and the exemplary standard of care that they provide for the community.

REPORT BY JUNIOR COMMISSIONER DANIELLE DEISEROTH

Ms. Deiseroth stated that commencement for the class of 2014 is Wednesday. She also spoke about high school activities, including sports and academics. Ms. Linfante thanked Ms. Deiseroth on behalf of the commission for her service and presented a gift to her.

CITIZEN COMMENTS

Joe Dimperio of 365 Parkway Drive spoke in support of deer management. He reviewed an article from the Post-Gazette in 2013 which stated that if left unchecked, deer density doubles every two years.

Margie Cohen of 468 Greenhurst Drive spoke about shadowbox fencing, stating she'd like to place a six-foot fence on her property, but the code only permits a four-foot shadowbox fence. She indicated that her neighbor, whose property the fence would be erected by, does not object to

the fence.

Jeff Heiskell of 217 Vee Lynn Drive spoke against synthetic turf for Wildcat/Middle fields.

Irving Firman of 1500 One PPG Place stated that he is an attorney representing a group of Virginia Manor residents who oppose the creation of a preservation design district for Virginia Manor.

Rege McDonough of 1118 Cedar Boulevard spoke about the flood zone on Cedar. He had concerns about synthetic turf field adding to the flooding issues.

Martin Kassalen of 230 Mayfair Drive spoke against synthetic turf due to economic, ecological and environmental concerns.

Mike Suley of 474 Haverhill Road spoke about assessment appeals of recently sold properties.

Mike Traver of 214 Questend Avenue stated that he is a sports official for football and lacrosse. He indicated that in his experience as a referee, he has observed that grass fields do not hold up as well as artificial turf. He said that grass fields tend to wear down and create muddy areas, which cause injuries.

Steve Diaz of 308 Queensberry Circle spoke about assessment appeals of recently sold properties.

Matt Kluck of 174 Parkridge Lane spoke in support of tabling the Charter changes on the agenda. On behalf of the republican committee, he also asked that an item be dedicated on the agenda for a "minority minute."

Hayley Gbur of 220 Orchard Drive spoke in support of artificial turf. She also spoke about the lack of notification regarding roadway restrictions due to gas company construction.

Jay Reisinger of 255 Twin Hills spoke in support of synthetic turf at Wildcat/Middle fields. He stated that Mt. Lebanon's athletic facilities are inferior to other neighboring communities. He said that he is an attorney who has represented a lot of athletes; therefore, he has been privy to studies by the National Baseball Association and the National Football Association with respect to the safety of artificial turf. He stated that both organizations have determined that artificial turf actually prevents injuries.

Jeanne Shaffer of 720 Gypsy Lane stated that her street is a private road, and she wanted to know if the municipality was taking steps to maintain private streets such as Summer Place. If so, residents on Gypsy want to be part of the discussion.

Carolyn Frink of 750 Washington Road spoke about the noise and dust from the south parking garage construction.

Dave Franklin of 739 Pinetree Road spoke in support of synthetic turf. He also spoke about the process that lead up to approval of the turf project, stating that public discussions have been ongoing for many years.

Tom Lee of 181 Vernon Drive spoke in support of the synthetic turf project.

Adam Willsey of 661 Shady Drive East spoke against the appeal of assessments by the municipality.

Jim Martin of 104 Mayfair Drive spoke about the artificial turf project, the costs involved, the bidding process, and funding from the sports' associations. Mr. Bendel indicated that a forum is scheduled for Thursday, June 12, at 7 p.m. at Mellon School, regarding the project.

Dianne Wainwright of 210 Catalpa Place spoke in support of the turf project. She also said that the process to this point has been thorough.

Ryan Estabrook of 140 Jefferson Drive spoke in support of the turf project. He stated there is a need for available safe fields.

Gregory Bank of 1037 Firwood Drive recommended delaying the artificial turf project to research the matter further.

Peter Sullivan of 272 Vee Lynn Drive spoke against artificial turf. He believed that the value of his property would decrease with an artificial turf field. He had concerns with the environmental impact, believing the field would be potentially toxic.

Doug Wertz of 311 Beadling Road spoke in support of the turf project.

Jeff Friedrich of 281 Vee Lynn Drive spoke against artificial turf. He stated that the volume of sports at Wildcat/Middle fields has increased over the years, which has affected the quality of life in the neighborhood. He spoke about the manner in which the fields are being dragged, sports teams playing music, patrons trespassing, parking in his backyard, and an increase in traffic.

Elaine Gillen of 725 Vallevista Avenue spoke about the Wildcat/Middle fields improvement forum as well as a report she received regarding project costs.

Barbara Sollenberger of 120 Newburn Drive spoke against the artificial turf project.

Kimberly Schevtchuk of 519 Lyndhurst Drive spoke about the artificial turf project forum and also the deer educational video.

Charlotte Stephenson of 110 Crescent Drive spoke about the process for the artificial turf fields, questioning why input wasn't sought from the environmental sustainability board and parks board.

**CONSIDERATION OF THE MINUTES FROM
THE ADJOURNED MEETING HELD MAY 27, 2014**

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

**CONSIDERATION OF RESOLUTION NO. R-12-14
AUTHORIZING REIMBURSEMENT FROM THE
SERIES 2014 BONDS FOR SOUTH GARAGE CAPITAL IMPROVEMENTS**

Mr. Bendel said a resolution is required to allow the municipality to make payments from the Parking Fund and then be reimbursed from the proceeds of the bonds for items related to the south garage capital improvements to be completed this summer. This will be necessary if the required payment is needed prior to the bond closing. IRS regulations require a resolution be passed in order to have a reimbursement.

Mr. Bendel moved and Ms. Fraasch seconded to adopt Resolution No. R-12-14 authorizing reimbursement from the Series 2014 Bonds for south garage capital improvements. The vote was called. The motion carried unanimously.

**CONSIDERATION OF FINAL APPROVAL FOR THE
SITE PLAN FOR 788 WASHINGTON ROAD FOR USE AS AN OFFICE**

Ms. Fraasch said the Mt. Lebanon Code, Chapter XX, Zoning, Section 401.3 identifies Offices, excluding Medical Facilities as an Authorized Use subject to Site Plan review in the OB-Office Boutique Overlay District.

The property was formerly used by the Mt. Lebanon Parking Authority as their business office. The new owner proposes to locate her law practice in this location. The Site Plan proposes parking, stormwater management and requires the execution of an easement agreement between 788 and 794 Washington Road for the benefit of the each parcel, over, across and through the respective parcels.

The planning board reviewed the application at its meeting on May 28, 2014 and recommended approval of the plan.

All engineering comments related to this plan have been addressed.

Ms. Fraasch moved and Mr. Bendel seconded to grant final approval for the Site Plan for 788 Washington Road, subject to two conditions: (i) the execution of an easement satisfactory to the Municipality for an easement that would allow the driveway to have the required width of 15 feet as required by diagram 16 in Appendix 2 of the subdivision and land development ordinance; and (ii) execution of a development agreement and posting of any required financial security identified in said agreement as required by sections 409 and 411 of the subdivision and land development ordinance. The vote was called. The motion carried unanimously.

**CONSIDERATION OF THE EXECUTION OF THE
DEVELOPMENT AGREEMENT BETWEEN ALHAMBRA STARDUST
TRUST AND MT. LEBANON FOR A SITE PLAN FOR 788 WASHINGTON ROAD**

Mr. Silverman said at tonight's meeting the Mt. Lebanon Commission granted final approval for a Site Plan for 788 Washington Road for use as an office.

One of the requirements for final approval is the development agreement that addresses such issues as posting of an amenities bond or letter of credit for the required private improvements, submission of a cash deposit, and any other provisions or conditions that may be required by the municipality.

Mr. Silverman moved and Mr. Brumfield seconded to authorize the proper municipal officials to execute the Development Agreement between Alhambra Stardust Trust and Mt. Lebanon for a Site Plan for 788 Washington Road, subject to any changes approved by the Manager and solicitor. The vote was called. The motion carried unanimously.

**CONSIDERATION OF THE EXECUTION OF AN EASEMENT
AGREEMENT BETWEEN ALHAMBRA STARDUST TRUST AND MT. LEBANON**

Mr. Bendel said the Municipality is the owner of certain real property known commonly as 794 Washington Road, Pittsburgh, PA 15228.

The Trust owns certain real property adjacent to 794 Washington Road which is known commonly as 788 Washington Road, Pittsburgh, PA 15228.

The parties have agreed to grant certain easements to and for the benefit of the each Parcel, over, across and through the respective Parcels.

Mr. Bendel moved and Ms. Fraasch seconded to authorize the proper municipal officials to execute the Easement Agreement between Alhambra Stardust Trust and Mt. Lebanon, subject to any changes approved by the Manager and solicitor. The vote was called. The motion carried unanimously.

CONSIDERATION TO RATIFY PURCHASE OF BALLISTIC VESTS

Mr. Brumfield said ballistic vest replacement is required every five years based on manufacturer warranties and the existing labor contract. The new ballistic vests will replace vests purchased in 2009 that have reached the end of their useful life. The pricing for these 44 vests is based on the state contract (# 4400007635), which reflects a 38% savings below retail price. The ballistic vests will be purchased from M&M Uniforms, Inc., for a total price of \$38,720. The budgeted amount is \$40,000.

Mr. Brumfield moved and Mr. Silverman seconded to ratify the purchase of 44 ballistic vests through the state contract from M&M Uniforms, Inc., for a total price of \$38,720. The vote was called. The motion carried unanimously.

ADJOURNMENT

The meeting adjourned at 10:20 p.m.