

**MINUTES OF THE ADJOURNED MEETING MAY 27, 2014
OF THE MT. LEBANON COMMISSION**

The Commission of Mt. Lebanon, Pennsylvania, held an Adjourned Meeting that began at 8 P.M., on Tuesday, May 27, 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, Deputy Police Chief Gallagher, 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.

CITIZEN COMMENTS

Phil Compton of 913 Summer Place stated that Summer Place is a private street, but it is being used as a cut-thru street. He submitted a petition from residents supporting the municipality taking over the maintenance of the street and making it public instead of private. He indicated that the road was constructed 70 years ago, and a lot has changed since then, including the construction of St. Clair Hospital. He stated the other two parts of Summer Place are public.

Donna Mulvihill of 917 Summer Place asked the municipality to take over Summer Place and make it a public road instead of a private road. She indicated that 100% of the residents from the street were in attendance at tonight's meeting.

Barbara Szefi of 501 Austin Avenue supported making Summer Place a public street.

Greg Aby-Eva of 914 Summer Place spoke in support of the municipality taking over maintenance responsibilities of Summer Place.

Cynthia Roth of 902 Summer Place stated that Summer Place is a busy street, and she supported the municipality maintaining the street.

Jason Schlude of 910 Summer Place spoke in support of making Summer Place a public road. He stated that he is in the process of selling his house, and he had a buyer, but they were turned down by three different loan companies because of the deteriorated condition of the roadway.

Katrina Schlude of 910 Summer Place spoke in support of making Summer Place a public street.

Joe Stockhausen of 920 Summer Place supported making Summer Place a public street. He also inquired about the responsibility of realtors when selling a house on a private street. Mr. Brumfield stated the information is required to be placed in the seller's disclosure statement.

Bill Hoon of 456 Coolidge Avenue spoke about deer and also an incident his wife was involved in concerning a group of young boys knocking her to the ground.

Andrew Flynn of 115 Parkridge Lane commented on the upcoming bond issue, asking how a firm is chosen and why a financial advisor was not used. He also spoke in support of an active deer management program and also about the assessment appeals.

Mr. McCreery stated that the previous bond issue did not use a financial advisor, and the upcoming bond is a smaller amount than the previous bond. He also reviewed the difference between negotiated bonds and competitive bonds. Mr. Brumfield stated that Mt. Lebanon has done both competitive and negotiated bonds. Mr. McCreery stated that the bond counsel criteria was based on cost and experience, and the firm chosen was used on several prior bond issues. Mr. Feller stated that the firm doesn't do a great volume, but Mt. Lebanon has been satisfied with the services rendered.

Jim Query of 222 Baywood Avenue spoke against the municipality's appeal of assessment for recently-purchased property. He also supported making Summer Place a public street. He also spoke about the recent meeting that was held with representatives of homeowners who had the assessments appealed. Mr. Brumfield stated it was a very productive meeting. Mr. Weis stated that he will be speaking with Mr. Livingston and Mr. Soriano tomorrow about the issue.

Steve Diaz of 308 Queensbury Circle gave his opinion on transparency in government operations.

Elaine Gillen of 735 Vallevista Avenue spoke about the turf meeting on June 12. She also asked for the Sports Advisory Board's financial report regarding Middle/Wildcat fields. Mr. Bendel stated that to date, \$237,339 has been collected - \$104,589 cash in hand and \$132,750 pledged.

Barbara Sollenberger of 120 Newburn Drive spoke about Summer Place, stating the community is receiving a general benefit from the street; therefore, she believed the municipality had a responsibility to take over the street. She also spoke about the deer survey.

Kimberly Schvetchuk of 519 Lyndhurst Drive spoke against artificial turf.

Lane Richards of 918 Summer Place spoke in support of making Summer Place a public roadway and the municipality paying for maintenance of the street.

**CONSIDERATION OF THE MINUTES FROM
THE REGULAR MEETING HELD MAY 13, 2014**

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

**PUBLIC HEARING ON ORDINANCE (BILL NO. 4-14)
AMENDING THE CHARTER TO BE GENDER NEUTRAL**

Ms. Fraasch said on January 7, 2014, the Ad Hoc Home Rule Charter Study Committee recommended that the Charter be updated to be gender neutral. The proposed ordinance would place the issue on the November 4, 2014 general election ballot. The ordinance was introduced May 13, 2014.

Ms. Linfante declared the public hearing opened.

Mr. Feller explained that the three hearings tonight are a result of the recommendations from an ad hoc committee that reviewed the Charter and made nine recommendations. These three hearings are the first three committee recommendations.

Because there were no further comments, Ms. Linfante declared the public hearing closed.

**PUBLIC HEARING ON ORDINANCE (BILL NO. 5-14)
MODERNIZING THE PUBLIC NOTICE PROVISION OF THE CHARTER**

Mr. Silverman said the Home Rule Charter requires newspaper legal advertising as a means to notify the public of certain municipal actions. The municipality desires to maintain the flexibility to utilize current and future technologies to provide public notice. On January 7, 2014, the Ad Hoc Home Rule Charter Study Committee recommended the changes reflected in the proposed ordinance. The proposed ordinance would place the issue on the November 4, 2014 general election ballot. The ordinance was introduced May 13, 2014.

Ms. Linfante declared the public hearing opened.

Steven McLean of 285 Orchard Drive spoke against changing the charter by removing the requirement of notification in the newspaper.

Mr. Brumfield explained that the recommendation from the committee is to allow for other means of notification other than the newspaper. Mr. Weis concurred stating that this recommendation replaces the requirement to notify the public by newspaper, but it still requires proper notice.

Ms. Linfante stated that the change enables the municipality to use the most current technology.

Andrew Flynn of 115 Parkridge Lane supported other forms of notification.

Because there were no further comments, Ms. Linfante declared the public hearing closed.

**PUBLIC HEARING ON ORDINANCE (BILL NO. 6-14) AMENDING
THE CHARTER TO ELIMINATE THE POSITION OF ELECTED TREASURER**

Mr. Brumfield said on January 7, 2014, the Ad Hoc Home Rule Charter Study Committee recommended that the Treasurer position no longer be elected. They reasoned that the duties of the Treasurer are largely ministerial and administrative in nature. The proposed ordinance would place the issue on the November 4, 2014 general election ballot. The ordinance was introduced May 13, 2014.

Ms. Linfante declared the public hearing opened.

Carol Ferguson of 1744 Helen Drive spoke against eliminating the elected treasurer position. She believed the treasurer's position should be independent of the municipality.

Elaine Gillen of 735 Vallevista Avenue concurred with Mrs. Ferguson. She spoke against eliminating the election of the treasurer.

Steve McLean spoke against the elimination of an elected treasurer position. He believed the position should be independent of the municipality.

Mr. Brumfield stated that the treasurer's position is not an auditor; its duties are ministerial and administrative. He added that the current treasurer concurs with this change.

Because there were no further comments, Ms. Linfante declared the public hearing closed.

**CONSIDERATION FOR THE ADJUSTMENT TO FINANCIAL
SECURITY POSTED FOR MT. LEBANON HIGH SCHOOL PROJECT**

Mr. Bendel said the Mt. Lebanon School District has requested to reduce the financial security posted for improvements installed for the development of the Mt. Lebanon High School Project by letter dated May 12, 2014. The request includes a reduction in the amount of the security posted to reflect the actual work completed. The request has been reviewed and verified by the Municipal Engineer, and he is recommending approval of the reduction of financial security posted from \$6,418,844.10 to \$5,183,343.10 or \$1,235,501.

Mr. Bendel moved and Ms. Fraasch seconded to decrease the financial security posted for improvements for the Mt. Lebanon High School Project from \$6,418,844.10 to \$5,183,343.10 or \$1,235,501. The vote was called. The motion carried unanimously.

**CONSIDERATION OF AN AWARD FOR
MT. LEBANON'S 2014-2015 INSURANCE PROGRAM**

Ms. Fraasch said the non-employment-related insurances for the municipality expire on June 5, 2014. This includes property, equipment, crime, automobile, general liability, professional and umbrella coverages. For the upcoming year, the quote from MRM PLT, the insurance pool that currently insures the municipality, is \$387,045. There are no changes in the coverage, deductibles or limits for the next year. The general fund will be responsible for \$357,329, and the parking fund will pay \$29,716.

Ms. Fraasch moved and Mr. Bendel seconded to authorize the placement of insurance for 2014-2015 with the MRM PLT insurance pool at a premium of \$387,045. The vote was called. The motion carried unanimously.

CONSIDERATION TO BEGIN THE PROCESS FOR A 2014 BOND ISSUE

Mr. Silverman said the Commission proposes to begin the process to borrow up to \$4.8 million for parking, storm sewer and municipal capital improvements.

On April 15, 2014, requests for proposal for underwriting and bond counsel services were sent to various firms. The municipality sent proposals to 10 underwriting firms, eight law firms and made the proposals available on the municipal website. Five proposals from underwriting firms and six (6) proposals from law firms were received. After consideration of all proposals, the underwriting services of Piper Jaffray & Co. and the bond counsel services of Grogan Graffam are recommended. Both firms have shown the capacity to fulfill the needs of the municipality through the bond issuance process. In addition, they have shown the understanding of the type of debt structures that have historically been used by the municipality.

Mr. Silverman moved and Mr. Brumfield seconded to authorize the Municipal Manager to retain Piper Jaffray & Co. for underwriting services and Grogan Graffam for bond counsel services in relation to the 2014 bond issue. The vote was called. The motion carried unanimously.

**CONSIDERATION OF THE EXPENDITURE
LIST FOR APRIL TOTALING \$3,448,724.83**

Mr. Brumfield moved and Mr. Silverman seconded to approve the expenditure list for April totaling \$3,448,724.83. The vote was called. The motion carried unanimously.

DEPARTMENTAL REPORTS

Mr. Bendel asked that the reports be received and filed.

MANAGER 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 also a personnel issue with the solicitor. The next regular meeting of the commission is scheduled for Tuesday, June 10, 2014, at 8 p.m. He also stated that at the next meeting, the commission will begin to implement a suggestion to change the format to allow for the highlighting of a community organization, citizen or employee that deserves special recognition.

ADJOURNMENT

The meeting adjourned at 10:20 p.m.