

**MINUTES OF THE REGULAR MEETING JULY 8, 2014
OF THE MT. LEBANON COMMISSION**

The Commission of Mt. Lebanon, Pennsylvania, held a Regular Meeting that began at 8 P.M., on Tuesday, July 8, 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 Dave Brumfield, Kelly Fraasch, Steve Silverman and Kristen Linfante. Commissioner John Bendel participated by telephone. Also present were Public Works Director Kelley, Finance Director McCreery, Recreation Director Donnellan, Deputy Police Chief Lauth, Planning Officer McGill, IT Officer Schalles, Public Information Officer Morgans, Assistant to the Manager Cross, and Business Districts Manager Milliron. Also present were Phil Weis of the solicitor's office and Dan Deiseroth of the engineer's office.

MANAGER'S ANNOUNCEMENTS

Mr. Feller stated that the commission met in executive session prior to tonight's meeting to discuss legal issues with the solicitor relating to an assessment appeal, a liquor license application, and the sale of property. The next adjourned meeting of the commission is scheduled for Monday July 28, 2014, at 8 p.m.

Mr. Feller also recognized Elizabeth A. Bowers, a Mt. Lebanon volunteer since 1975, who instructs firearms safety and target pistol classes.

CITIZEN COMMENTS

Elaine Gillen of 735 Vallevista Avenue spoke about various issues related to the Wildcat/Middle field turf project, including the turf maintenance agreement with the school district, the corporate donors, and environmental sustainability.

Jeff Heiskell of 217 Vee Lynn Drive spoke against installing artificial turf on Wildcat/Middle field.

Dave Franklin of 739 Pinetree Road spoke in support of the Wildcat/Middle improvement project. He thanked the commission for their efforts. He also thanked the various sporting associations for their efforts in raising funds to assist in the construction of the turf fields. The non-municipal funding for this project will total over \$250,000.

Brian Auer of 416 Old Farm Road stated that he attended a meeting two years ago regarding the need to turf fields. He thanked the commission for supporting the field improvements.

David Huston of 505 Sleepy Hollow Road spoke about a parks advisory board meeting, the swimming pool, and artificial turf.

Barbara Sollenberger of 120 Newburn Drive spoke about a potential long-term health impact of children playing on artificial turf fields.

Charlotte Stephenson of 110 Crescent Drive spoke against artificial turf and presented an online petition objecting to the project.

Jay Reisinger of 255 Twin Hills Drive spoke in support of the turf field improvements.

Elizabeth Kelly Scanlon of 723 N. Meadowcroft Avenue spoke about artificial turf, believing it could be a health risk. She advocated tracking lead levels and other key metrics throughout the time that the turf is in place.

Pam Scott of 134 Markham Drive, a member of the Environmental Sustainability Board, spoke against artificial turf.

Ninamary Langsdale of 419 Gladds Drive spoke against artificial turf and suggested placing the issue on a referendum.

Larry Evans of 417 Kurt Drive spoke in support of the turf field improvements project. He referenced the Washington & Jefferson College multi-use artificial turf field complex, stating that for the past 10 years, this field has been used with no issues.

Kimberly Schvetchuk of 519 Lyndhurst Drive spoke against artificial turf.

**CONSIDERATION OF THE MINUTES FROM
THE ADJOURNED MEETING HELD JUNE 23, 2014**

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

PUBLIC HEARING ON CAPITAL INVESTMENT

Mr. Silverman said the Code requires that following receipt of the prior year's final financial statements, the Manager shall schedule a Capital Investment Discussion and Hearing. The purpose of such a hearing is to debate the use of any funds in excess of the minimum threshold for unassigned fund balance. The ordinance states that unassigned funds shall be used as follows:

- Cannot be used for regularly scheduled and reoccurring operational expenditures
- Can be used for non-debt capital items
- Can be used to cover operational expenditures that were not budgeted due to unforeseen circumstances

The possible projects that have been discussed so far include:

1. Wildcat/Middle field remaining allocation
2. School safety signage
3. Recycling cans
4. Robb Hollow park improvements
5. Deer sterilization and other deer management practices

6. Traffic pedestrian upgrades
7. Bird Park and Twin Hills trail signs
8. Iroquois fill and grass
9. Church Place concrete pad
10. Rockwood Park concrete pad
11. Other park improvements
12. Consultant to develop design guidelines and HARB ordinance
13. Golf course pavilion
14. Firing range improvements
15. Public Works facility improvements
16. Private street contribution
17. Expanding street reconstruction and maintenance
18. Prescription drug incinerator
19. Sidewalks at the tennis center
20. Other projects identified in the 2014-2018 Capital Improvement Program

Ms. Linfante declared the public hearing opened.

Ms. Fraasch stated that she requested an item be included with number 11 regarding removing the rubber surfaces from Martha's Playground in Main Park.

Elaine Gillen of 735 Vallevista Avenue asked that money be used to help residents with flooding and replace the rubber sidewalks in Rockwood Park.

Tom Schvetchuk of 519 Lyndhurst Drive spoke in support of funding \$50,000 for eradicating invasive species. He also supported additional funding for Robb Hollow Park improvements.

Kimberly Schevtchuk of 519 Lyndhurst Drive spoke against funding that was allocated for artificial turf. She also spoke in support of deer sterilization.

Ninamary Langsdale of 419 Gladds Drive spoke about a mediation process through the center of deliberative democracy that may be helpful with the divisive turf issues.

Elizabeth Kelly Scanlon of 729 N. Meadowcroft Avenue spoke about artificial turf.

Ken Martin of 182 Parkridge Lane spoke in support of allocating funds for the field improvements project.

Lisa Borelli Dorn of 301 Bower Hill Road spoke in support of funding the field improvements project, and she thanked the commission for taking action to implement the improvements.

Nick Medhula of 101 Castle Shannon Boulevard spoke about the agreement with the school district regarding turf maintenance.

Barbara Sollenberger of 120 Newburn Drive inquired about the amount of the unassigned balance. She also supported funding for deer sterilization and deer roadside detectors.

Kerry Descalzi of 805 N. Meadowcroft Avenue spoke in support of school safety signage and pedestrian safety. She also supported the placement of a bridge over a stream for pedestrians in Twin Hills Park.

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

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

Mr. Silverman 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, and the public hearing was held May 27, 2014.

Mr. Silverman moved and Mr. Brumfield seconded to enact Ordinance (Bill No. 4-14). The vote was called. The motion carried unanimously.

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

Mr. Brumfield 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, and the public hearing was held May 27, 2014. Mr. Silverman also noted that language was added to the ordinance to require the notice in a newspaper of general circulation, or by amending the Administrative Code to change the medium of publication.

Mr. Brumfield moved and Mr. Silverman seconded to enact Ordinance (Bill No. 5-14). The vote was called. The motion carried unanimously.

**INTRODUCTION OF ORDINANCE (BILL NO. 7-14) AUTHORIZING
THE CONVEYANCE AND LEASE OF CERTAIN REAL PROPERTY
LOCATED ON WASHINGTON ROAD AND OWNED BY THE MUNICIPALITY**

Ms. Fraasch said Mt. Lebanon proposed to lease and ultimately convey property it owns located at 794 Washington Road.

Ordinance (Bill No. 7-14) was introduced.

**CONSIDERATION OF RESOLUTION NO. R-13-14
ACCEPTING A DUI ENFORCEMENT GRANT FROM
THE PENNSYLVANIA DEPARTMENT OF TRANSPORTATION**

Mr. Silverman said the Pennsylvania Department of Transportation is providing grant funds totaling \$50,000 for the Mt. Lebanon Area Regional Sobriety Checkpoint and Expanded DUI Enforcement Program.

Mr. Silverman moved and Mr. Brumfield seconded to adopt Resolution No. R-13-14 authorizing acceptance of the grant funds. The vote was called. The motion carried unanimously.

**INTRODUCTION OF A CONDITIONAL USE REQUEST BY CONCORDIA
LUTHERAN MINISTRIES OF PITTSBURGH FOR AN ADDITION
TO AN EXISTING BUILDING FOR EXPANSION OF THE MULTI-
PURPOSE ROOM FOR A PROPERTY LOCATED AT 1300 BOWER HILL ROAD**

Mr. Brumfield said the property is zoned R-2 Single-family Residential District with a CC-Continuing Care Overlay. Chapter XX of the Mt. Lebanon Code, Zoning, Section 405.3.2 identifies a Continuing Care Facility as a conditional use in this district.

On June 24, 2014, the Planning Board recommended approval of the conditional use request.

The Conditional Use request was introduced, and the public hearing was set for Monday, July 28, 2014.

**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**

Ms. Fraasch said the Mt. Lebanon Code, Chapter XX, Zoning, Section (303.3.4) identifies Drive-Thrus as a conditional use subject to the Additional Requirements for Specified Uses in §611 and requires approval of a Conditional Use Permit in accordance with Section 1002.

The applicant currently operates a branch banking center within the Virginia Manor Shopping Center. PNC Bank proposes to construct two remote drive-thru banking kiosks on an adjacent lot to accompany their retail banking center within the Virginia Manor Shops. The proposed drive-thru will accommodate two remote kiosks and associated drive lanes. The applicant has submitted traffic analysis in support of the drive-thru facility, and the municipal traffic engineer recommends approval of the Application.

On June 24, 2014, the Planning Board recommended approval of the conditional use request.

The Conditional Use request was introduced, and the public hearing was set for Monday, July 28, 2014.

APPOINTMENT OF INDEPENDENT AUDITORS

Mr. Silverman said the Home Rule Charter provides that an independent CPA firm must be appointed for the annual year-end audit. The appointment may be made for a three-year term.

Proposals were sent to 19 qualified firms and six quotes were received. The current audit firm has provided quality services and technical expertise in a field that has become increasingly specialized. The staff recommendation is for the firm of Maher Duessel to continue to be retained as municipal auditors for the years 2014 through 2016. The first year cost for this work is \$30,980, and the total contract is \$95,940.

Mr. Silverman moved and Mr. Brumfield seconded to appoint Maher Duessel as independent auditor for the audit years of 2014, 2015 and 2016. The vote was called. The motion carried unanimously.

Mr. Silverman noted that the finance director had requested that the audit staff assigned to Mt. Lebanon be rotated in the second and third year of the contract to help insure independence and to get a new perspective.

CONSIDERATION OF EMPLOYEE BENEFITS CONSULTING SERVICES

Ms. Fraasch said the municipality is committed to providing employee benefits that contain costs, are competitive and market-based, and that allow us to attract and retain employees needed to deliver services to this community. Given the federal and local changes to benefits and bargaining contracts, a long term strategy is necessary.

Proposals were sent to 15 qualified firms with four quotes received. The firm of Enscoe Long Insurance Group, LLC was recommended by the Review Committee to assist in selection and planning for health benefits. The first year cost for this service is \$30,000. This was the lowest price proposal that was received. There are two, one-year renewals that may be exercised at the discretion of the municipality.

Ms. Fraasch moved and Mr. Brumfield seconded to authorize the Municipal Manager to enter into contract with Enscoe Long Insurance Group, LLC for consultant services for employee benefits. The vote was called. The motion carried unanimously.

CONSIDERATION TO ASSIGN FUNDS FOR ATHLETIC FIELD IMPROVEMENTS

Mr. Brumfield said at a meeting on November 25, 2013, the Commission assigned \$637,400 for field improvements and indicated that it intended to allocate a total of approximately \$750,000 in municipal funds for the turf project at Wildcat/Middle fields.

At this time, the Commission would like to assign an additional \$162,600 for this project.

<u>Use of Funds</u>	<u>Amount</u>
Base Bid	\$ 859,000
Add Alt. 6 (filtration)	21,000

Add Alt. 9 (fountain)	8,000
Professional services	122,000
Contingency	<u>40,000</u>
Total	\$1,050,000

<u>Source of Funds</u>	<u>Amount</u>
11/25/13 Assignment	\$ 637,400
07/08/14 Assignment	162,600
Non-Municipal Sources	<u>250,000</u>
Total	\$1,050,000

Mr. Brumfield moved and Mr. Silverman seconded to assign an additional \$162,600 from the unassigned fund balance for field enhancements.

Mr. Brumfield stated that the municipality has attempted in the past to find a solution to address the field shortage problem. He said that athletics is an important part of the community, and that this project addresses a very important need for the community.

Ms. Linfante stated that this issue has been discussed for several years. She said that every issue is not a referendum issue; local government shouldn't work that way. She believed that the commission was elected to make decisions for the municipality. She added that she is comfortable using the California standards for material testing purposes.

Mr. Bendel concurred with both Mr. Brumfield and Ms. Linfante. He stated that many alternatives were researched, and for one reason or another, the alternatives failed. He stated that athletic fields are important to a community, and this project will increase the play time for participants. He stated that sports groups and individuals have stepped up in a very short time and raised over \$250,000, which shows their willingness to support the project.

Ms. Fraasch stated that she supported improving the current grass fields, asking for an increase in maintenance for the fields. She said she also investigated irrigation systems. She said that she found an area for an additional field and trails at Robb Hollow Park, which would have been more costly than the turf field, but it would be grass. She said she researched artificial turf, and she believes there is no conclusive proof of long-term safety. She spoke about exposing pregnant women and children to the chemicals in artificial turf. She said there are other options that should be pursued.

Mr. Silverman said that he's committed to both greenspace and recreational opportunities for both Mt. Lebanon children and adults. He stated that last year the commission authorized the purchase of 2.2 acres of land on Kelso Road by Robb Hollow Park, in addition to purchasing the property at the corner of Cedar and Gilkeson Road in order to add more greenspace to Robb Hollow Park. He stated that the commission asked public works to shrink its footprint on Cedar Boulevard as well in order to add more greenspace to Robb Hollow Park. He said there is a proposal to add a walking trail on Cedar Boulevard next to the public works yard, and he requested recycling containers for the parks. He stated that several sports organizations have to purchase field space outside of Mt. Lebanon since there aren't enough fields. He said that the turf complies with the California 22 and EPA standards. He stated that he asked that the infill

material be tested to make certain it is within the safety guidelines of the California 22 and EPA standards before it is used, and the vendor has agreed. He stated that the turf will drain better than the grass field.

Mr. Brumfield stated that there have been many studies done in New York and other places involving turf fields and children. He stated that research has shown that the number of injuries from grass fields is more prevalent than from turf fields.

Ms. Fraasch read a letter that she sent to the EPA and the response letter from the EPA.

A roll call vote was called. Mr. Bendel, Mr. Brumfield, Mr. Silverman and Ms. Linfante voted in support of the motion. Ms. Fraasch voted against the motion. The motion passed four to one.

**CONSIDERATION OF BIDS FOR THE
INSTALLATION OF TURF AT WILDCAT/MIDDLE FIELDS**

Mr. Brumfield said the following bids were opened on June 19, 2014:

BIDDERS		AstroTurf, LLC 2680 Abutment Road Dalton, GA 30721	Frontier Construction Company, Inc. 3826 Rt.31-E, P.O. Box 84 Jones Mills, PA 15646	Palombo Landscaping 530 Hamilton Drive Pittsburgh, PA 15235	Vasco Sports Contractors 4270 Sterilite St. S.E. Massillon, OH 44646
Bid Surety and Amount		10% Bid Bond	10% Bid Bond	10% Bid Bond	10% Bid Bond
ITEM NO.	DESCRIPTION	LUMP SUM COST	LUMP SUM COST	LUMP SUM COST	LUMP SUM COST
Base Bid 1	Blended Turf with Thatch Zone with Sand and Rubber Infill	\$ 990,250.00	\$ 944,088.00	\$ 868,800.00	\$ 859,000.00
Base Bid 2	Monofilament Turf with Organic Infill	\$ 2,037,507.00	\$ 1,301,233.00	\$ 1,600,000.00	\$ 2,000,000.00
Base Bid 3	Slit Film with Sand and Rubber Infill	\$ 953,666.00	\$ 1,032,933.00	\$ 846,500.00	\$ 827,000.00
Add Alternate 1	Cedar Boulevard Fencing	\$ 34,211.00	\$ 43,500.00	\$ 47,100.00	\$ 43,000.00
Add Alternate 2	Middle Field Backstop	\$ 23,684.00	\$ 31,000.00	\$ 33,800.00	\$ 32,000.00
Add Alternate 3	Chain Link Fabric for Backstop	\$ 7,526.00	\$ 8,600.00	\$ 9,300.00	\$ 8,500.00
Add Alternate 4	Middle Field Plaza	\$ 89,473.00	\$ 53,000.00	\$ 45,000.00	\$ 42,000.00
Add Alternate 5	Additional Fencing	\$ 44,868.00	\$ 54,500.00	\$ 60,800.00	\$ 49,000.00
Add Alternate 6	Storm Filtration System	\$ 29,474.00	\$ 25,000.00	\$ 20,100.00	\$ 21,000.00
Add Alternate 7	Landscaping	\$ 22,105.00	\$ 10,500.00	\$ 7,250.00	\$ 18,000.00
Add Alternate 8	Turf Lettering	\$ 5,630.00	\$ 60,000.00	\$ 8,600.00	\$ 8,000.00
Add Alternate 9	Water Fountain	\$ 12,895.00	\$ 15,800.00	\$ 14,900.00	\$ 8,000.00
Add Alternate 10	Conduit Installation	\$ 34,211.00	\$ 62,000.00	\$ 23,800.00	\$ 36,000.00
Deduct Alternate 1 for Base Bid 1	Turf Reduction of Monofilament and Slit Film Blend with Thatch System	\$ 19,825.00	\$ 44,000.00	\$ 59,000.00	\$ 65,000.00
Deduct Alternate 1 for Base Bid 2	Turf Reduction of Monofilament with Organic Infill Installed on Shock Pad	\$ 19,095.00	\$ 72,000.00	\$ 101,100.00	\$ 100,000.00
Deduct Alternate 1 for Base Bid 3	Turf Reduction of Slit Film Turf	\$ 19,095.00	\$ 53,000.00	\$ 53,000.00	\$ 60,000.00

Mr. Brumfield moved and Mr. Silverman seconded to authorize the proper municipal officials to award the contract to Vasco Sports Contractors for Base Bid 1 (\$859,000) Add Alternate 6 (\$21,000) and Add Alternate 9 (\$8,000) for a total price of \$888,000, subject to: a) Receipt of the NPDSS permit, b) Receipt of \$250,000 of non-municipal funds, and c) Review and approval of all contract language by the Solicitor and Municipal Manager. A roll call vote was called.

Mr. Bendel, Mr. Brumfield, Mr. Silverman and Ms. Linfante voted in favor of the motion. Ms. Fraasch voted against the motion. The motion passed four to one.

**CONSIDERATION OF A TURF MAINTENANCE
AGREEMENT WITH THE MT. LEBANON SCHOOL DISTRICT**

Mr. Silverman said this agreement indicates that the School District will provide employees and grooming equipment to provide maintenance and grooming services at the Wildcat and Middle athletic fields after installation of the blended synthetic turf with thatch zone with sand and rubber infill.

Mr. Silverman moved and Mr. Brumfield seconded to authorize the proper municipal officials to execute the agreement. A roll call vote was called. Mr. Bendel, Mr. Brumfield, Mr. Silverman and Ms. Linfante voted in favor of the motion. Ms. Fraasch voted against the motion. The motion passed four to one.

CONSIDERATION OF PARKING ISSUES ON ACADEMY AVENUE

Ms. Fraasch said on October 8, 2013, the Commission approved the removal of six parking spaces on Academy. This included one metered space in front of 50 Academy Avenue and five formerly unmetered spaces between 100 and 110 Academy Avenue.

The police department and traffic engineer completed their review of the situation, and on May 7, 2014, the Traffic Board recommended no changes to the area for at least an additional six months to allow for further evaluation of the matter.

Ms. Fraasch moved and Mr. Brumfield seconded to: 1) Direct the Police Department and Traffic Engineer to evaluate the effectiveness over the next nine months and submit a report to the Traffic Board no later than March 31, 2015 for an agenda item in their April meeting, and 2) Direct the staff to evaluate and take appropriate actions regarding the balancing of permit holders and non-permit holders in the Academy Avenue public surface parking lot.

Ms. Fraasch then moved and Mr. Brumfield second to amend the motion to add that an agenda item be placed on the April Traffic Board meeting regarding this matter. The vote was called on the proposed amendment, and it carried unanimously.

A vote was then called on the amended motion, and it passed unanimously.

**CONSIDERATION OF PARKING RESTRICTIONS
ON CEDAR BOULEVARD WEST OF MORGAN DRIVE**

Ms. Fraasch said on June 4, 2014, the Traffic Board reviewed parking along Cedar Boulevard near the Wildcat/Middle athletic fields. The Board recommended that the designated parking areas be moved from the north side of the road to the south side of the road.

Ms. Fraasch moved and Mr. Brumfield seconded to approve the change in parking locations along Cedar Boulevard, as shown in the plan recommended by Gateway Engineers. The vote was called. The motion carried unanimously.

ADJOURNMENT

The meeting adjourned at 10:51 p.m.