

MINUTES OF THE ADJOURNED MEETING MARCH 23, 2015 OF THE MT. LEBANON COMMISSION

The Commission of Mt. Lebanon, Pennsylvania, held an Adjourned Meeting at 8:00 P.M., on Monday, March 23, 2015, at the Municipal Building, 710 Washington Road. President John 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 Kelly Fraasch, Steve Silverman, and John Bendel. Commissioner Dave Brumfield was not present. Commissioner Kristen Linfante was not present due to an excused absence. Also present were Finance Director Andrew McCreery, Police Chief McDonough, Fire Chief Sohyda, Recreation Director Donnellan, Acting Public Works Director Sukal, Planning Officer McGill, Business District Officer Milliron, Inspections Officer Berkley, and Senior Online Editor Lilley. Also present were Phil Weis of the solicitor's office and Dan Deiseroth of the engineer's office.

COMMISSION/MANAGER'S ANNOUNCEMENTS

Mr. Feller stated that prior to the meeting, the Commission met in executive session to discuss appointments and legal issues with the solicitor. The next regular meeting is scheduled for Tuesday, April 14, 2015.

Mr. Bendel summarized what took place in the discussion session, including commission goals and Saturday discussion session meetings. Saturday, August 8 has been selected as a date for one of the Saturday meetings. The Commission will attempt to agree on a date for an additional Saturday meeting. He stated that they also discussed wireless facilities, smoking in parks and park security, and the 2014 year-end preliminary financial statements.

Mr. Bendel read a letter from Commissioner Linfante, which is attached to the minutes, resigning her position as commissioner. All of the commissioners thanked Ms. Linfante for her service and wished her well. Mr. Bendel stated that the Commission has 45 days to fill the remainder of the term for the position, and will be asking that this position be advertised for resumes of prospective candidates from the third ward.

Mr. Bendel also said that last Friday, the municipality announced that Mt. Lebanon's deer management program, which was to have run through March 31, had ended, and the corrals have been removed from five park areas. The cull began on March 10 and officially ceased operations on March 20 when Wildlife Specialists, the contractor, notified Manager Feller that they would no longer continue. During the course of the program, six deer were killed, which is obviously well short of the maximum 150 deer that was part of the contract. Wildlife Specialists cited several factors that contributed to not being able to achieve the program's goals, including: 1) the cull began much later than expected, 2) the weather warmed almost as soon as the program began, leading to an immediate drop in the number of deer entering the corrals for food, and 3) direct sabotage of the corrals and disruption of the animals in the areas surrounding the corrals led to fewer deer entering the corrals. Wildlife Specialists reported that all deer killed were delivered to a processor for processing, storage, and ultimately, delivery to a charitable food pantry as required by the permit.

In the end, this effort did very little to move Mt. Lebanon toward the goal of reducing car/deer accidents. However, we learned a lot through this process. In the coming months, the Commission will assess what went right and what went wrong, and what should be done next. We are not the only community confronted with this issue. An article in Sunday's Post-Gazette

on deer underscores the complexity of deer management and difficulty many communities are having as they evaluate their options.

Finally, Mr. Bendel noted, the most disappointing aspect that has played out over the last two months is the divisiveness and mean-spirited rhetoric that has transpired within the community. Clearly, there are residents who are passionate on both sides of this issue. Regardless of where you fall on this issue, for the good of the community, we must try to reset the dialogue as the community moves forward to address this difficult issue. It is our responsibility as community leaders to provide opportunity for all residents to have input and to be heard, and it is up to all of us to engage in civil dialogue as we chart the path.

Ms. Fraasch highlighted the fact that Mt. Lebanon received national historic designation, stating that a seminar will be held on Wednesday, March 25, 2015, from 6-7:30 p.m., in commission chambers, with speakers from the PA Historical and Museum Commission and a Mt. Lebanon developer. Following the meeting, a reception will be held to celebrate Mt. Lebanon's historic designation.

JUNIOR COMMISSIONER HALEY SILVERMAN COMMENTS

Haley Silverman thanked Commissioner Linfante for her service to community, noting that Ms. Linfante spoke at the high school advocating for student involvement in local government. She stated the high school project was almost complete. She also spoke about the high school play, the track and field team, and the orchestra.

CITIZEN COMMENTS

Jan Seybold of 262 ½ Academy Avenue spoke against culling deer, stating that removing animals from an area will cause them to reproduce more. She spoke in support of sterilizing deer.

Nancy Smith of 380 Avon Drive stated that there are few plants that are resistant to deer. She stated that the deer are destroying the environment, taking food sources away from birds, insects and other animals. She spoke in support of culling deer.

Bill Hoon of 456 Coolidge Avenue didn't believe there was a deer/vehicle problem. He believed that culling was based on a false premise.

Michalina Pendzich of 121 Longuevue Drive stated that deer overpopulation was a safety issue. She stated that the deer/vehicle accidents have increased over the years.

Elaine Gillen of 735 Vallevista Avenue questioned information on the website regarding deer. She also discussed deer sterilization.

Barbara Sollenberger of 120 Newburn Drive spoke about funds spent to cull deer. She spoke in support of another survey to get a base line on the amount of deer in the community. She also discussed deer signage.

Aleta Akhtar of 155 Markham Drive spoke in support of culling deer.

Helen Billak of 800 Larchmont Road stated that she has seen an increase of deer in the community. She believed that deer were a serious safety and health issue, adding that she was bit by a deer tick.

Barbara Logan of 838 Valleyview Road stated that her yard is covered with deer feces, adding that 11 deer frequent her property. Ms. Logan asked if deer feces are harmful to humans and wondered if the feces have an agricultural use.

David Egler of 121 Poplar Drive thanked Commissioner Linfante for her service. He spoke about the community's current financial condition, asking that the Commission take measures to attain the higher bond rating. He also spoke in support of culling deer.

Jay Pullen of 180 Morrison Drive spoke about laws and protests. He also spoke against culling deer.

John Lisowski of 774 Colony Circle stated that he is a hunter and a gardener, and he believes there are too many deer in the community, and the herds need to be reduced. He also spoke against the use of corrals to cull deer.

Darla Duffy of 120 Markham Drive stated that she has had three encounters with deer when driving in the community. She stated when she walked a survey around her neighborhood to support deer management, all but one resident signed it.

Elaine Rosenfield of 1517 McFarland Road stated that a petition was being sent to Allegheny County asking county council to ban corralling deer, stating that it is cruel and inhumane.

Nick Meduho of 101 Castle Shannon Boulevard asked several questions about deer management and deer crossing signage.

Geneva Pullen of 180 Morrison Drive asked that the Commission consider a variety of non-lethal options to control deer.

Claire Pullen of 180 Morrison Drive spoke against lethal measures to control deer.

Bob Nedzesky of 286 Park Entrance Drive spoke in support of deer management.

Stephanie Mihalik of 250 Atlanta Drive spoke in support of deer culling. She stated that many people in her neighborhood grow a vegetable garden, relying on it for a food source, and no one reaped any food last summer because the deer ate the gardens. She said that her neighborhood is becoming an area of six-foot high fences since people are attempting to protect their property from the deer.

John Franz of 665 Osage Road stated that sharpshooting is the only viable way to control the deer population.

Laura Yaremcho of 584 Moreland Drive spoke about cleaning up the parks.

Bruce Slater of 140 Skylark Circle spoke in support of culling deer. He stated that safety and the security of the community is essential. He said that his aunt almost died from Lyme disease from a deer tick. He also stated that there was a lot of disgraceful behavior from people at this meeting, including interrupting the speakers.

**CONSIDERATION OF THE MINUTES FROM THE
ADJOURNED MEETING HELD FEBRUARY 23, 2015**

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

**INTRODUCTION OF ORDINANCE (BILL NO. 3-15) INCREASING THE
AMOUNT OF MEMBERS ON THE PENSION INVESTMENT ADVISORY BOARD**

Mr. Silverman said on February 23, 2003, the Commission established a Pension Investment Advisory Board. The purpose of the Board is to review the performance of the investments held by the pension plans, recommend changes to those investments as necessary and generally advise the Commission on matters related to the performance of pension investments.

On March 26, 2012, the Commission increased the number of members on the board from three to four. The Commission now wishes to increase the number of members on the board from four members to five members.

Ordinance (Bill No. 3-15) was introduced.

**CONSIDERATION OF A DRAINAGE EASEMENT AND
TEMPORARY CONSTRUCTION EASEMENTS AGREEMENT**

Ms. Fraasch said Scott Township is asking Mt. Lebanon to sign an agreement to assist with its Ryan Drive project. They are performing stream stabilization and erosion control work near the Carnegie Park Apartments and Twin Hills Park.

Ms. Fraasch moved and Mr. Silverman seconded to authorize the proper municipal officials to execute the agreement. The vote was called. The motion carried unanimously.

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

Mr. Silverman said bids were received on March 16, 2015 for Crack Sealing and Utility Patch work. This project includes the crack sealing of streets and utility patch milling/overlays. The crack sealing program includes approximately 24,500 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	\$23,635.00	\$28,625.00	\$52,260.00
El Grande Industries	\$59,350.00	\$80,012.50	\$139,362.50

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 \$61,000. The budgeted amount for crack sealing is \$26,000. Utility patch work is reimbursed to the Municipality by various utility companies.

Mr. Silverman moved and Ms. Fraasch seconded to award the Crack Sealing and Utility Patch contract to Russell Standard Corp in the amount of \$52,260 for Base Bid No. 1 and Base Bid No. 2. The vote was called. The motion carried unanimously.

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

Ms. Fraasch said bids were received on March 16, 2015 for the Sidewalk Reconstruction contract. This contract consists of the removal and replacement of concrete sidewalks through the assessment program.

The Municipal Engineer has verified the bids as follows:

G. Pasquale & Sons Construction	\$ 57,525.00
A. Merante Contracting	\$ 74,187.50
Next Construction	\$ 82,875.00

The low bidder has completed the other projects in the past for the Municipality in a satisfactory manner and the municipal engineer recommends the award. The budgeted amount for this project is \$68,850.

Ms. Fraasch moved and Mr. Silverman seconded to award the Sidewalk Reconstruction contract to G. Pasquale & Sons Construction in the amount of \$57,525. The vote was called. The motion carried unanimously.

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

Mr. Silverman said bids were received on March 16, 2015 for the Root-Damaged Sidewalks contract. This contract consists of the removal and replacement of concrete sidewalk damaged by tree roots.

The Municipal Engineer has verified the bids as follows:

G. Pasquale and Sons Construction	\$ 68,487.50
A. Merante Construction	\$ 85,000.00

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 budgeted amount for this contract is \$85,000.

Mr. Silverman moved and Ms. Fraasch seconded to award the Root-Damaged Sidewalks contract to G. Pasquale and Sons Construction in the amount of \$68,487.50. The vote was called. The motion carried unanimously.

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

Ms. Fraasch said bids were received on March 16, 2015 for the Curb Reconstruction contract. The project consists of the removal and replacement of various sizes of concrete straight curb, concrete roll curb, and concrete curb and gutter.

The Municipal Engineer has verified the bids as follows:

Joseph Palmieri Construction, Inc.	\$45,650.00
G. Pasquale & Sons Construction	\$45,815.00
A. Merante Contracting	\$84,400.00
Next Construction	\$84,800.00

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 budgeted amount for this contract is \$47,960.

Ms. Fraasch moved and Mr. Silverman seconded to award the Curb Reconstruction contract to Joseph Palmieri Construction, Inc., in the amount of \$45,650. The vote was called. The motion carried unanimously.

**CONSIDERATION FOR THE AWARD OF
THE BRICK PAVEMENT RESTORATION CONTRACT**

Mr. Silverman said bids were received on March 16, 2015 for the Brick Pavement Restoration contract. The project consists of the removal and replacement of deteriorated portions of brick streets.

The Municipal Engineer has verified the bid as follows:

Next Construction, Inc.	\$ 55,220.00
Cilenti Construction Co., Inc.	\$ 70,691.93
A. Merante Contracting	\$ 83,900.00

The low bidder for the project is Next Construction, Inc., in the amount of \$55,220. 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 budgeted amount for this contract is \$52,000. The amount of work ordered on the contract at unit prices will be adjusted to meet the budget.

Mr. Silverman moved and Ms. Fraasch seconded to award the Brick Pavement Restoration contract to Next Construction in the amount of \$55,220. The vote was called. The motion carried unanimously.

CONSIDERATION FOR THE AWARD OF THE STREET MAINTENANCE CONTRACT

Ms. Fraasch said bids were received on March 16, 2015 for the Street Maintenance contract. The major bid items are milling of existing materials, leveling with one-inch thick bituminous pavement, paving fabric, 1-1/2"-thick minimum bituminous overlay and bituminous binder.

The Municipal Engineer has verified the bids as follows:

El Grande Industries	\$247,480.00
A. Folino Construction, Inc.	\$259,595.95
T.A. Robinson Asphalt	\$278,907.50
Michael Facchiano	\$287,950.00
Morgan Excavating	\$312,104.75

The contractor has previous experience with similar projects and the Municipal Engineer recommends that the project be awarded to the low bidder. The engineer's estimate was \$246,000. This project will be funded through the resurfacing budget, and the ADA ramps are funded through the reconstruction budget. The bid is separated as follows:

Resurfacing	\$204,075.00
<u>Reconstruction</u>	<u>\$ 43,405.00</u>
Total	\$247,480.00

Sufficient funds exist within all budgets to complete the work.

Ms. Fraasch moved and Mr. Silverman seconded to award the Street Maintenance contract to El Grande Industries in the amount \$247,480. The vote was called. The motion carried unanimously.

APPOINTMENTS TO MUNICIPAL BOARDS

Mr. Silverman said the Municipality maintains 17 boards and authorities involving 106 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. Silverman moved and Ms. Fraasch seconded to reappoint the following:

Name	Address	Board	Term Expiring
Robert Thomson	43 Mt. Lebanon Blvd.	Appeals	3/31/20
Annette Sanchez	214 Dell Avenue	Community Relations	3/31/18
Andrew Baram	648 Ridgefield Avenue	Environmental Sustainability	3/31/18
Abby Lawler Morycz	127 Morrison Drive	Environmental Sustainability	3/31/18
Michelle Winowich-Zmijanac	1162 Pinewood Avenue	Historic Preservation	3/31/18
Cherie Moshier	363 Newburn Drive	Library	3/31/18
June Swanson	876 Old Hickory Road	Library	3/31/18
David Egler	121 Poplar Drive	Parking Facilities	3/31/18
Andrew Flynn	115 Parkridge Lane	Parking Facilities	3/31/18
Hugh Beal	107 Morrison Drive	Parks Advisory	3/31/18
Chris McMahon	125 James Place	Pension Investment	3/31/18
Don Gavett	10 Jonquil Place	Sports Advisory (Platform Tennis)	3/31/18
Walt Henry	719 N. Meadowcroft Avenue	Sports Advisory (Indoor Tennis)	3/31/18
Lisa Brown	459 Mapleton Avenue	Traffic	3/31/18

And to appoint the following:

Lisa Borelli-Dorn	301 Bower Hill Road	Community Relations	3/31/18
Chris Musuneggi	415 Duquesne Drive	Economic Development	3/31/19
John Vogel	808 Chalmers Place	Economic Development	3/31/19
Ian Brown	260 Catalpa Place	Environmental Sustainability	3/31/18
Jonathan Hill	15 Vernon Drive	Historic Preservation	3/31/18
Ron Block	266 Woodhaven Drive	Parks Advisory	3/31/18
Elaine Kramer	783 Ella Street	Parks Advisory	3/31/18
Matthew Clark	254 Lebanon Avenue	Traffic	3/31/18
Joseph Horter	24 Lebanon Hill Drive	Zoning Hearing	3/31/18
Frank Noroski	637 Kewanna Avenue	Zoning Hearing (Alternate)	3/31/18

The vote was called. The motion carried unanimously.

**CONSIDERATION OF THE EXPENDITURE
LIST FOR FEBRUARY TOTALING \$4,353,814.69**

Ms. Fraasch moved and Mr. Silverman seconded to approve the expenditure list for February totaling \$4,353,814.69. The vote was called. The motion carried unanimously.

DEPARTMENTAL REPORTS

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

ADJOURNMENT

The meeting adjourned at 9:51 p.m.

Kristen Linfante
85 Roycroft Avenue
Pittsburgh, PA 15228

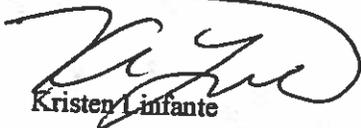
March 23, 2015

To be publicly read by John Bendel at the March 23rd commission meeting.

Dear Colleagues,

As you know, I am facing an ongoing health issue. At this time, it is clear that it will require my complete attention going forward. Therefore, regretfully, I submit my resignation as Commissioner of the Third Ward, effective immediately. I thank the residents of Mt. Lebanon for allowing me the honor and privilege of serving this wonderful community to the best of my ability.

Best regards,



Kristen Linfante