

**MINUTES OF THE ADJOURNED MEETING APRIL 27, 2015
OF THE MT. LEBANON COMMISSION**

The Commission of Mt. Lebanon, Pennsylvania, held an Adjourned Meeting at 8:00 P.M., on Monday, April 27, 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 Dave Brumfield, Kelly Fraasch, Steve Silverman, and John Bendel. Also present were Deputy Police Chief Lauth, Fire Chief Sohyda, Acting Public Works Director Sukal, Business District Officer Milliron, and Public Information Officer Morgans. Also present were Phil Weis of the solicitor's office and Matt Bagaley of the engineer's office.

COMMISSION/MANAGER'S ANNOUNCEMENTS

Mr. Bendel summarized what took place in the discussion session, including interviewing candidates to fill the unexpired term of the Ward 3 Commissioner position until January 4, 2016. In addition, Sandy Baker, an expert in gardening updated the commission on her time spent the last three days in Mt. Lebanon giving seminars on ways to protect your landscape from deer.

Ms. Fraasch stated Mt. Lebanon participated in Earth Day at Main Park last Saturday. She also noted that Clean Water Action sponsored an event at Hitchhiker Brewery last week regarding stormwater. On May 2, Create a Frame is celebrating its 40th anniversary with an all-day celebration at the store.

Mr. Feller stated that prior to the meeting, the Commission met in executive session to discuss appointments to advisory boards, a personnel issue and legal issues with the solicitor regarding assessment appeals and election laws. The next regular meeting is scheduled for Tuesday, May 12, 2015.

Mr. Bendel recognized Steve and Wendy Deneberg for their commitment to Mt. Lebanon in operating Create A Frame/Handiworks Gallery, which started 40 years ago as a "do it yourself" frame shop, and which was the first shop of this kind in Pennsylvania.

JUNIOR COMMISSIONER HALEY SILVERMAN COMMENTS

Haley Silverman stated that the students she talked with support tobacco-free parks and fields, as well as park safety equipment, but the students didn't believe the cost for the safety equipment was cost-effective. She also stated that most of the students she talked with preferred that money be spent on improving the Lebo Alert system, since they feel that has more purpose. She stated that the students appreciate the added safety features at the mid-block crosswalk on Washington Road. She also spoke about clubs and events at the high school.

CITIZEN COMMENTS

Elaine Gillen of 735 Vallevista Avenue spoke about the Earth Day program at Main Park, stating that Sandy Baker was a positive part of the event.

Barbara Sollenberger of 120 Newburn Drive spoke about Sandy Baker and the ideas she brings regarding feeding deer. She also stated that Jim Jenkins seminars are very helpful regarding the type of deer-resistant plants that residents could use.

Nick Meduho of 101 Castle Shannon Boulevard spoke about Sandy Baker and the information she provided regarding feeding deer. He also spoke about board and authority agendas being posted on the website.

Teresa Pollock of 15 Brucewood Drive believed there were too many deer in the area, and the size of the herd should be reduced. She stated that the situation is out of balance when you have to cage plants and the deer roam free.

Mary Larsen of 900 Washington Road spoke about the behavior of the public over the past four months during the commission meetings. She stated that freedom of speech is something to treasure, but when it's used to berate and abuse those who don't agree with you, it's no longer a treasure. She asked that all of these behaviors be prohibited at meetings.

Bill Hoon of 456 Coolidge Avenue stated that there is no deer population issue. He believed that traffic was the problem.

Greg Nace of 629 Crystal Avenue stated that he is a botanist and an environmentalist, and he favors a deer management plan. He stated there is a lack of regeneration of trees because of the deer.

Jim Bilec of 410 Meridian Drive stated that he's a long-time Mt. Lebanon. He agreed with Ms. Larsen's comments that the community needs to remain calm. He was offended by the Post-Gazette's article stating that Mt. Lebanon residents are privileged. He also stated that all of the surrounding communities employ lethal means to manage deer, and he supports taking action to manage the deer.

Jay Pullen of 180 Morrison Drive stated that Sandy Baker's presentation was very informative.

Claire Pullen of 180 Morrison Drive spoke about Sandy Baker's presentation regarding deer.

David Huston of 505 Sleepy Hollow Road spoke against deer culling. He also asked that the new commissioner be sworn in at a public meeting.

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

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

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

Mr. Silverman said that 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 March 23, 2015.

Mr. Silverman moved and Mr. Brumfield seconded to enact Ordinance (Bill No. 3-15). The vote was called. The motion carried unanimously.

**INTRODUCTION OF ORDINANCE (BILL NO. 5-15) AMENDING THE FIRE
CODE TO INCORPORATE THE CARBON MONOXIDE ALARM STANDARDS**

Mr. Brumfield said that in 2013, the Commonwealth enacted the Carbon Monoxide Alarm Standards Act requiring carbon monoxide alarms in residential and multi-family residential building having fossil fuel-burning heaters, appliances, fireplaces, and/or attached garages. The Act permits municipalities to adopt their own enforcement regulations. The stat law takes effect June 1, 2015.

The Fire Chief recommends adoption of the proposed Ordinance.

Ordinance (Bill No. 5-15) was introduced.

Chief Sohyda summarized the key terms of the ordinance and why it was necessary.

**CONSIDERATION OF RESOLUTION NO. R-7-15 TO APPLY FOR A COMMUNITY
RECREATION AND CONSERVATION PLANNING GRANT THROUGH
PENNSYLVANIA'S DEPARTMENT OF CONSERVATION AND NATURAL
RESOURCES (DCNR) FOR NORTH MEADOWCROFT PARK IMPROVEMENTS**

Ms. Fraasch that said an application was prepared to the PA DCNR for a Community Recreation and Conservation Planning Grant. The total project cost is \$257,944.42 and the application is for 50% funding of the North Meadowcroft Park Improvements in the amount of \$128,972.21. Mt. Lebanon had previously submitted the application in 2014, but did not receive funding.

A requirement for submission of the formal PA DCNR for Community Recreation and Conservation Planning Grant Funds application is that the Commission adopts a standard resolution.

Ms. Fraasch moved and Mr. Silverman seconded to adopt Resolution No. R-7-15 to make application for PA DCNR for Community Recreation and Conservation Planning Grant Funds for an Improvements to North Meadowcroft Park in the amount of \$128,972.21. The vote was called. The motion carried unanimously.

**CONSIDERATION OF RESOLUTION NO. R-8-15 FOR A
SIDEWALK ASSESSMENT PROGRAM FOR MUNICIPAL SIDEWALKS**

Mr. Brumfield said this Resolution is for the replacement of deteriorated sidewalks on the following streets: Circle Drive, Connecting Road, Crestvue Manor Drive, Lebanon Hills Drive, Lynn Haven Drive, Main Entrance Drive, Mt. Lebanon Boulevard, Outlook Drive, Park Entrance Drive, Rock Haven Lane, Rocklynn Place, St. Clair Drive and Washington Road. This Resolution orders the replacement of deteriorated sidewalk by property owners or the municipality will cause the work to be done and bill the owners.

Mr. Brumfield moved and Ms. Fraasch seconded to adopt Resolution No. R-8-15. The vote was called. The motion carried unanimously.

**CONSIDERATION OF SETTLEMENT OF
A REAL PROPERTY TAX ASSESSMENT APPEAL**

Mr. Silverman said for tax years 2012 through 2015, the School District, Municipality and the owners of the Galleria shopping center have agreed upon the assessed value of the center. The proposed settlements are supported by appraisals:

	2012	2013	2014	2015
Current Assessment	32,000,000	32,800,000	32,800,000	32,800,000
Proposed Settlement	29,000,000	29,500,000	30,000,000	29,300,000

The 2015 number is lower as it reflects the application of the reduced common level ratio, which was effective July 1, 2014.

Mr. Silverman moved and Ms. Fraasch seconded to authorize the Manager and Solicitor to accept the Galleria's offer and to execute and file all necessary agreements and other documentation to complete the settlement. The vote was called. The motion carried unanimously.

CONSIDERATION OF BIDS FOR RECONSTRUCTION

Ms. Fraasch said bids were taken on April 6, 2015 for the Road Reconstruction Project. Streets included in the base bid package were: Arrowood Drive, Crescent Drive, Dillon Drive, Elm Spring Road, Maplewood, Oakwood Drive, Old Hickory Road, Ridgefield Avenue, Ridgeview Drive, Cedar Boulevard, Vee Lynn Drive, and Crystal Drive.

The bids were received and verified as follows:

	11 Streets	9 Streets and Drainage	
	<u>Total Base Bid</u>	<u>Total Alt. Bid</u>	<u>Total</u>
Niando Construction, Inc.	\$1,770,244.75	\$571,743.00	\$2,341,987.75
A. Merante Contracting, Inc.	\$1,749,539.00	\$612,599.00	\$2,362,138.00
Michael Facchiano Contracting	\$2,196,185.00	\$908,400.00	\$3,104,585.00

The bid documents allow for the award of any combination of base and alternate bids. The engineer recommends the award of the base bid plus alternates for Maplewood Drive drainage, Robb Hollow Road, and Robb Hollow Road drainage. The bid prices on the recommended option are as follows:

	<u>Total Base Bid</u>	<u>Total Alt. Bid</u>	<u>Total</u>
Niando Construction, Inc.	\$1,770,244.75	\$282,900.50	\$2,053,145.25
A. Merante Contracting, Inc.	\$1,749,539.00	\$303,799.00	\$2,053,338.00
Michael Facchiano Contracting, Inc.	\$2,196,185.00	\$389,725.00	\$2,585,910.00

The project will be funded through various funds as follows:

	<u>Bid Amount</u>	<u>Budgeted Amount</u>
Capital Improvements (Streets)	\$1,430,870.75	\$1,600,000.00
Stormwater Fund (Curbs)	\$ 523,542.50	\$ 500,000.00
Stormwater Fund (Stormwater)	<u>\$ 98,732.00</u>	<u>\$ 98,732.00</u>
	\$2,053,145.25	\$2,198,732.00

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 \$2,095,000.

Ms. Fraasch moved and Mr. Brumfield seconded to award the base bid for the following: Arrowood Drive, Crescent Drive, Dillon Drive, Elm Spring Road, Maplewood, Oakwood Drive, Old Hickory Road, Ridgefield Avenue, Ridgeview Drive, Cedar Boulevard, Vee Lynn Drive and Alternates for Maplewood Drive Drainage, Robb Hollow Road, and Robb Hollow Road Drainage to Niando Construction, Inc., in the amount of \$2,053,145.25. The vote was called. The motion carried unanimously.

**CONSIDERATION FOR THE AWARD OF
THE BEVERLY ROAD SIDEWALK INSTALLATION PROJECT**

Mr. Brumfield said bids were taken on March 16, 2015 for the Beverly Road Sidewalk Installation Project. This project includes all items associated with the removal and replacement of approximately 6,625 S.F. of concrete sidewalk along Beverly Road in the Municipality of Mt. Lebanon. Various alternates were taken, which included additional sidewalk replacement on Ralston and Overlook, an option for stamped concrete sidewalk, an option for exposed aggregate sidewalk, installation of a new storm sewer, and the installation of two new park benches.

The Municipal Engineer has verified the bids as follows:

	<u>Base Bid for Concrete Sidewalk</u>	<u>Total Recommended Alternates (Ralston/Overlook Sidewalk, Storm Improvements, and Two Benches)</u>	<u>Total</u>
Joseph Palmieri Construction	\$ 83,387.50	\$63,880.00	\$147,267.50
Merante Contracting, Inc.	\$105,575.00	\$71,955.00	\$177,530.00
Niando Construction, Inc.	\$125,531.25	\$80,310.00*	\$205,841.25

*Price does not include new benches

Joseph Palmieri Construction has successfully completed similar projects in the Municipality and the Municipal Engineer recommends making the award to the low bidder.

Mr. Brumfield moved and Ms. Fraasch seconded to award the Base Bid for the traditional concrete sidewalk option, the additional sidewalks on Ralston and Overlook, the storm sewer improvements and the installation of two new park benches to Joseph Palmieri Construction in the amount of \$147,267.50. The vote was called. The motion carried unanimously.

**CONSIDERATION OF APPOINTMENTS TO THE
PENSION INVESTMENT ADVISORY BOARD**

Mr. Silverman said there are now two vacancies on this board.

Mr. Silverman moved and Ms. Fraasch seconded to make the following appointments:

<u>Name</u>	<u>Address</u>	<u>Expiration</u>
1. Susan Hill	15 Vernon Drive	March 31, 2018
2. Andrew Kicinski	454 Broadmoor Avenue	March 31, 2018

The vote was called. The motion carried unanimously.

APPOINTMENT OF WARD 3 COMMISSIONER

Mr. Brumfield moved and Ms. Fraasch seconded to appoint Coleen Vuono of 31 Woodland Drive to fill an unexpired term as the Ward 3 Commissioner with the term ending January 4, 2016, or upon the installation of the person elected at the next general election. The vote was called. The motion carried unanimously.

Mr. Feller stated that Ms. Vuono will be sworn in on Tuesday, May 12, 2015, at 6 p.m. before the executive session.

All of the commissioners indicated that they were impressed with the quality and background of each of the candidates.

**CONSIDERATION OF THE EXPENDITURE
LIST FOR MARCH TOTALING \$2,579,472.06**

Ms. Fraasch moved and Mr. Brumfield seconded to approve the expenditure list for March totaling \$2,579,472.06. 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 9:20 p.m.