

**MINUTES OF THE REGULAR MEETING JUNE 9, 2015  
OF THE MT. LEBANON COMMISSION**

The Commission of Mt. Lebanon, Pennsylvania, held a Regular Meeting at 8:00 P.M., on Tuesday, June 9, 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, Coleen Vuono, and John Bendel. Also present were Police Chief Lauth, Acting Public Works Director Sukal, Finance Director McCreery, Recreation Director Donnellan, Planning Officer McGill, and Inspections Officer Berkley. Also present were Phil Weis of the solicitor's office and Dan Deiseroth of the engineer's office.

**COMMISSION/MANAGER'S ANNOUNCEMENTS**

Mr. Bendel summarized what took place in the discussion session, including discussing the Uptown Strategic Plan RFP, the proposed pay as you throw program, the sanitary sewer consent order and the commission's goal-setting work session on deer management scheduled for June 22, at 6 p.m. at the Fine Arts Theater at the high school.

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 the sewer consent order, an easement issue, and a zoning appeal matter. The next regular meeting is scheduled for Tuesday, July 14, 2015. After tonight's meeting, the Commission will go back into discussion session to discuss the sewer consent order. Mr. Feller stated that an additional item was being added to tonight's regular agenda to confirm a director appointment.

Ms. Fraasch spoke about the concert in the park series, the next First Friday, which is scheduled for Friday, July 3, from 7-10 p.m., and the Fourth of July events. Mr. Silverman noted that a Mt. Lebanon graduate was drafted by the Chicago Cubs.

**JUNIOR COMMISSIONER HALEY SILVERMAN COMMENTS**

Haley Silverman spoke about how interesting it has been being the junior commissioner. She thanked the commission and staff for the opportunity.

Mr. Bendel thanked Ms. Silverman for her service, and he presented her with a gift.

**CITIZEN COMMENTS**

Gwen Chute of 904 Valleyview Drive stated that the pay as you throw program would encourage residents to be more environmentally conscience and recycle more items. She also requested the installation of speed humps on Valleyview to curb speeding on the road. Commissioner Bendel suggested that she review the Neighborhood Traffic Management Policy approved November 13, 2012.

Dave Egler of 121 Poplar Drive spoke in support of the ad hoc committee's recommendations regarding the charter changes. He also stated that he recently encountered another near deer/vehicle collision on Bower Hill Road.

Barbara Sollenberger of 120 Newburn Drive spoke in support of deer education, including tips on driving defensively.

Dave Barclay of 249 Hazel Drive spoke in support of deer management, stating that the health risks should be considered regarding deer. He also asked that the municipality take its time to thoroughly review the options and impact of the pay as you throw program.

**CONSIDERATION OF THE MINUTES FROM  
THE ADJOURNED MEETING HELD MAY 26, 2015**

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

**PUBLIC HEARING ON ORDINANCE (BILL NO. 7-15)  
AMENDING THE CHARTER TO CHANGE THE  
NUMBER OF COMMISSIONERS REQUIRED TO INCUR DEBT**

Mr. Brumfield said that on January 7, 2014, the Ad Hoc Home Rule Charter Study Committee recommended various changes to the Charter.

Currently, a simple majority of the Commission is authorized to make decisions regarding expenditures, capital programs, budgets, and setting of tax rates. However, the Charter requires a super majority of the Commission to make decisions regarding debt. This ordinance would change the Charter regarding the number of commissioners required to incur debt to promote uniformity in financial decision making.

The proposed ordinance would place the issue on the November 3, 2015 general election ballot.

The ordinance was introduced May 26, 2015.

Mr. Bendel declared the public hearing opened.

Steve McLean of 285 Orchard Drive spoke against changing the charter regarding reducing the amount of commission votes needed for approving debt. Mr. Brumfield asked what is it about debt that people believe should be more protected than raising taxes, which can be done with three commissioners. Mr. McLean said if you don't have the funds for something, unless it's an absolute necessity, you shouldn't borrow for it, stating that it's important to be fiscally responsible.

Barbara Sollenberger of 120 Newburn Drive stated that the community is not going to benefit by making borrowing easier. She spoke against changing the charter.

Dave Egler of 121 Poplar Drive spoke in support of changing the charter and argued that debt is appropriate in some cases so that the users of a major capital project pay the costs.

Because there were no further comments, Mr. Bendel declared the public hearing closed.

**PUBLIC HEARING ON ORDINANCE (BILL NO. 8-15) AMENDING  
THE CHARTER TO CHANGE THE ADVERTISING REQUIREMENTS FOR DEBT**

Mr. Silverman said on January 7, 2014, the Ad Hoc Home Rule Charter Study Committee recommended various changes to the Charter. Currently, the Charter requires two separate advertisings to incur debt, one between 15 and 30 days prior to incurring debt, and the other between seven and 15 days. These requirements are in excess of the requirements of the Local Government Unit Debt Act, which requires only one advertising three to 30 days before debt is incurred. The Commission has found the dual advertising rule to be cumbersome and detrimental in that it limits the ability of the Municipality to take advantage of favorable market conditions, especially with respect to refinancing.

This ordinance would require one advertisement seven to 30 days before debt is incurred.

The proposed ordinance would place the issue on the November 3, 2015 general election ballot.

The ordinance was introduced May 26, 2015.

Mr. Bendel declared the public hearing open.

Mr. McCreery stated when there is a competitive deal, there is a timing issue with the window of opportunity, especially when the market is experiencing volatile rate fluctuations.

Barbara Sollenberger of 120 Newburn Drive asked if it's a requirement to have the legal notice for debt placed in the newspaper, and Mr. Weis stated yes.

Because there were no further comments, Mr. Bendel declared the public hearing closed.

**CONSIDERATION OF ORDINANCE (BILL NO 4-15)  
AMENDING THE ZONING ORDINANCE RELATED TO  
THE REGULATION OF WIRELESS COMMUNICATIONS FACILITIES**

Ms. Vuono said that the Ordinance would amend the current regulations by providing definitions; establishing certain general and specific standards relating to the location, placement, construction and maintenance of tower-based and non-tower based wireless communication facilities; providing further for the regulation of such facilities with in the public rights-of-way and outside the public rights-of-way and providing for the enforcement of such regulations

On April 28, 2015, the Planning Board recommended approval of the Ordinance. The ordinance was introduced May 12, 2015, and the public hearing was held May 26, 2015.

Ms. Vuono moved and Mr. Silverman seconded to enact Ordinance (Bill No. 4-15). The vote was called. The motion carried unanimously.

**CONSIDERATION OF A PROFESSIONAL SERVICES  
PROPOSAL TO DEVELOP A STRATEGIC PLAN FOR UPTOWN**

Mr. Silverman said that on March 30, 2015, the municipality issued a Request for Proposals for the 2015 Uptown Strategic Plan. The last plan focused on the Central Business District (CBD) that was developed in 1995. The Uptown Strategic Plan will provide the community with an opportunity to take a fresh look at our circumstances, needs and challenges to ensure that the CBD continues to adapt, grow and remain vibrant and desirable while enhancing the character and strengths of the community.

Multiple responses were received and reviewed by a Committee, which interviewed the two highest ranked respondents.

After consideration and discussion, it is the Committee's recommendation that the Commission award the contract for professional services relating to the 2015 Uptown Strategic Plan to Environmental Planning and Design. The total cost of the plan is \$14,090.

Mr. Silverman moved and Ms. Vuono seconded to authorize the proper officials to execute the contract with Environmental Planning and Design, in a form as reviewed and approved by the Manager and the Solicitor, in the amount of \$14,090. The vote was called. The motion carried unanimously.

**APPOINTMENTS TO THE MUNICIPAL BOARDS**

Ms. Vuono said two advisory boards have vacancies with unexpired terms.

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

Board	Name	Address	Expiration
Parking Facilities	Paul DiGirolamo	55 Ralston Place	March 31, 2017
Economic Development	Raelin Musuraca	55 Shady Drive W.	March 31, 2017

The vote was called. The motion carried unanimously.

**CONSIDERATION OF COMMISSION  
DIRECTION CONCERNING PAY AS YOU THROW (PAYT)**

Ms. Fraasch said that at a meeting on May 26, 2015, the Commission directed that staff develop a timetable if the Municipality wanted to include Pay as You Throw (PAYT) in the next SHACOG joint bid for Solid Waste Collection and Disposal. The Commission specifically requested that the timetable identify when information on PAYT would need to be provided to SHACOG, timing of Public Outreach and Education and when a decision would need to be made on a PAYT program.

Ms. Fraasch moved and Mr. Brumfield seconded to direct the Manager to have staff move forward with the items identified in the timetable to include PAYT in the next joint bid for Solid Waste Collection and Disposal or municipal specific bid.

Mr. Brumfield stated that that this is too big a change for people's everyday lives to act hastily. It's critical to have this issue thoroughly reviewed and the public fully informed.

Mr. Silverman agreed with Mr. Brumfield's comments.

Ms. Vuono stated that she is in agreement with pay as you throw, believing it is the right thing to do environmentally. She would like to see the program fully implemented before 2019.

Mr. Bendel stated that he agreed with all of the comments. He favors a thorough examination of the issue. He stated that residents are going to question why they have to individually pay for their refuse when it's always been incorporated into their taxes.

Ms. Fraasch stated that this matter has been slow to fruition. She asked that a shorter timeline be declared prior to 2019.

Mr. Brumfield moved and Mr. Silverman seconded to amend the motion to instruct the manager to have the staff move forward with items identified in the timetable to include pay as you throw in the next joint bid for solid waste collection and disposal or municipal specific bid, "or at anytime sooner that is achievable." The vote was called. The amendment passed unanimously.

The vote was called on the amended motion. The amended motion carried unanimously.

#### **CONFIRMATION OF DIRECTOR APPOINTMENT**

Mr. Brumfield said the Home Rule Charter gives the Municipal Manager the power and the duty to appoint all municipal employees except that Department Directors shall be hired with the consent of the Commission.

Mr. Brumfield moved and Ms. Fraasch seconded to consent to the Manager's appointment of Keith McGill as Director of Public Works. The vote was called. The motion carried unanimously.

#### **ADJOURNMENT**

The meeting adjourned at 9:20 p.m.