

**MINUTES OF THE REGULAR MEETING JULY 14, 2015
OF THE MT. LEBANON COMMISSION**

The Commission of Mt. Lebanon, Pennsylvania, held a Regular Meeting at 8:00 P.M., on Tuesday, July 14, 2015, at the Fine Arts Theatre in the high school, 7 Horsman Drive. 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, IT Officer Nick Schalles, Assistant to the Manager Cross, Business District Manager Milliron, 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 stated that most of the audience was present for the discussion session, so he would not be summarizing what took place in detail. He mentioned the long discussion on deer management. He also stated that Tom Schvetchuk of the Nature Conservancy would be asked to speak first during citizen comments to address one of the items on the discussion session related to parks.

Mr. Bendel stated that an additional item was being added to tonight's regular agenda to confirm a director appointment.

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. The next regular meeting is scheduled for Tuesday, August 11, 2015. The next Commission work session is scheduled for Monday, July 27, at 6 p.m., regarding vehicle, pedestrian and bicycle safety.

Mr. Bendel recognized Joanne and Mark Kosar of 1317 Firwood Drive for their generous contribution in purchasing a ballistic vest for K-9 Snieper. The vest helps protect a dedicated and valuable member of the police department.

CITIZEN COMMENTS

Tom Schevetchuk of 519 Lyndhurst Drive, member of the Nature Conservancy, spoke about a goat proposal that was presented to the parks advisory board to use goats to combat invasive plants in Bird Park. The consensus of the Commission was to proceed with the proposal and have the Municipal Manager work out the details with the Conservancy.

Barbara Wiegand of 94 Hoodridge Drive stated that she has had an encounter with a deer jumping through her glass door causing thousands of dollars in damage, as well as deer in her backyard confronting her 22-month-old grandson and another incident involving a deer attacking her dog by jumping in the pool while the dog was swimming laps. She spoke in support of deer management to reduce the deer herd.

Diana DiBerardino of 268 Connecting Road spoke in support of deer management stating deer are damaging her landscaping, including eating deer-resistant plants. She stated that she has attempted to plant young trees, and the deer have destroyed the trees.

Linda Petrilli of 114 Woodhaven Drive spoke in support of aggressive deer management stating that her son's best friend was diagnosed with Lyme disease as were several of her friends.

Mary Eileen Jacobs of 696 Fruithurst Drive spoke in support of archery to control deer, and asked that the Commission consider the use of sharpshooters as well.

Barbara Logan of 838 Vallevista Drive spoke in support of deer management.

Elaine Gillen of 735 Vallevista Avenue spoke against killing deer. She also spoke about goats.

Carolyn Byham of 1440 Pueblo Drive spoke about Lyme disease being in all 67 counties in Pennsylvania. She supported the culling of deer.

David Puposzar of 215 Ordale Boulevard stated that he is a retired environmental health administrator with Allegheny Health Department, as well as a former faculty member at the University of Pittsburgh's Graduate School of Public Health. He urged the Commission to cull deer with sharpshooters. He also stated that deer-resistant plants do not work.

Sam Abraham of 227 Cochran Road stated that he was bit by a tick in his backyard while gardening. He spoke in support of culling deer.

Jim Scheuermann of 121 Longuevue Drive spoke in support of using archery and sharpshooters to control the deer.

John Lucke of 107 Woodland Drive stated that deer present a health issue. He said that six to eight deer stampede through his yard frequently, and he's concerned about the safety of the residents.

Dick Neller of 101 Shady Drive West spoke about stormwater runoff, sewage overflow and green infrastructure.

Dave Egler of 121 Poplar Drive spoke about the annual car show sponsored by the Police Association. He also spoke in support of archery and sharpshooters to control deer.

Ed Modaro of 125 Longuevue Drive believed that vehicle accidents involving deer were caused by people driving too fast. He spoke against the use of lethal means to control deer, believing it was unsafe.

Stacey Chick of 177 Sleepy Hollow Road spoke against the use of lethal means to control deer. She believed the deer/vehicle accidents were as a result of people driving too fast

Hazel Cope of 918 Osage Road spoke about green infrastructure and Lyme disease.

Kimberly Schevtchuk of 519 Lyndhurst Drive spoke against archery and sharpshooters.

Becky McDermott of 455 Royce Drive spoke in support of archery and sharpshooters to control the deer population. She added that enough studies have been done, and it's time to make a decision.

Patti Patterson of 444 Avon Drive stated that while walking on Jefferson Drive, a deer came charging down a steep hill, running into the street, narrowly missing her. She spoke in support of culling deer.

Elaine Labalme of 115 Roycroft Avenue spoke in support of the use of archery and sharpshooters to control deer.

Nancy Tashman of 66 Roycroft Avenue spoke in support of culling deer, stating that the incidence of deer ticks is increasing. She also stated that there are no longer any deer-resistant plants.

David Fusco of 142 Seminole Drive spoke about deer/vehicle accidents.

Louanne Baily of 201 Mayfair Drive spoke in support of using sharpshooters to control the deer, believing archery would not be as effective or humane.

Wes Smith of 380 Avon Drive spoke about the increase in deer/vehicle accidents. He supports culling deer.

Abby Morycz of 127 Morrison Drive spoke in support of green infrastructure.

Barbara Sollenberger of 120 Newburn Drive spoke in support of non-lethal means to manage deer.

**CONSIDERATION OF THE MINUTES FROM
THE REGULAR MEETING HELD JUNE 9, 2015**

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

**CONSIDERATION OF 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, and a public hearing was held June 9, 2015.

Mr. Brumfield moved and Ms. Fraasch seconded to enact Ordinance (Bill No. 7-15). The vote was called. Mr. Brumfield voted in favor of the motion. Ms. Fraasch, Mr. Silverman, Ms. Vuono and Mr. Bendel voted against the motion. The motion failed.

**CONSIDERATION OF 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, and the public hearing held June 9, 2015.

Mr. Silverman moved and Ms. Vuono seconded to enact Ordinance (Bill No. 8-15). The vote was called. Mr. Brumfield, Mr. Silverman, Ms. Vuono and Mr. Bendel voted in favor of the motion. Ms. Fraasch voted against the motion. The motion passed four to one.

**CONSIDERATION OF A RESOLUTION NO. R-10-15
CONCERNING MT. LEBANON VILLAGE**

Mr. Brumfield said this resolution is required for Mt. Lebanon Village, which is a 501(c)(3) organization, to apply for a small games of chance license with Allegheny County.

Mr. Brumfield moved and Ms. Fraasch seconded to adopt Resolution R-10-15. The vote was called. The motion carried unanimously.

CONSIDERATION OF BIDS FOR ROCK SALT

Ms. Vuono said the South Hills Area Council of Governments (SHACOG) received five responses to provide rock salt for the 2015/2015 winter season. The low bid was submitted by Cargill at a rate of \$69.29 per ton. This is \$10 per ton less than last year's low bid.

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

**CONSIDERATION OF BIDS FOR
COMMUNICATIONS EQUIPMENT RELOCATION AND UPGRADE**

Ms. Fraasch said bids were opened on June 12, 2015, for the relocation of all fire, police, public works, and MRTSA emergency communications equipment from the basement of the municipal building to the public safety building.

This project will restore the capabilities of the communications system that were lost during mandatory FCC narrow banding, upgrade equipment that is in excess of 20 years old and past its life expectancy, eliminate redundant and obsolete systems from the municipal building including the roof top communications tower, and reduce dependence on leased Verizon communications circuits saving several thousand dollars per month.

Add alternate #1 includes a second radio console for the emergency management center, add alternate #2 includes one spare rack-mounted radio, add alternate #3 includes programming software for the radios, and add alternate #4 includes programming software for the radio console.

Three bids were received:

	Lauttamus Communications	Mobile Radio, Inc.	Staley Communications
Base Bid	\$38,114.50	\$55,355.00	\$78,311.18
Add alternate #1 – add 2 nd radio console in 2nd floor EMC	\$14,966.50	\$10,216.00	\$20,124.25
Add alternate #2 – add 1 spare rack mounted radio	\$453.00	\$875.00	\$516.21
Add alternate #3 - add radio programming software	\$196.45	\$0	\$350.00
Add alternate #4 – add radio console programming software	\$194.00	\$0	\$172.00
Total	\$53,924.45	\$66,446.00	\$99,473.64

The low bidder was Lauttamus Communications who has done satisfactory work for the municipality in the past. The budget amount for this project is \$70,000.

Ms. Fraasch moved and Mr. Brumfield seconded to award the base bid and add alternates #1, #2, #3, and #4 to Lauttamus Communications in the amount of \$53,924.45. The vote was called. The motion carried unanimously.

**CONSIDERATION OF BIDS FOR THE
STUDIO ICE RINK DEHUMIDIFICATION PROJECT**

Ms. Vuono said two bids were received for the studio ice rink dehumidification project. The scope includes the installation of a dehumidification system in the studio ice rink to remove condensation that forms on the steel beam above the rink.

The municipal engineer has verified the bid as follows:

	East West Manufacturing	R&B Mechanical
Dehumidification Project	\$104,000	\$137,000

The engineer's estimate for the project was \$130,000. The contractor has previous experience with similar projects, and the Municipal Engineer recommends that the project be awarded to the low bidder.

Ms. Vuono moved and Mr. Silverman seconded to award the studio ice rink dehumidification project to East West Manufacturing and Supply Company in the amount of \$104,000. The vote was called. The motion carried unanimously.

**CONSIDERATION OF BIDS FOR THE
VICTAULIC FITTING REPLACEMENT PROJECT**

Ms. Fraasch said two bids were received for the Victaulic fitting replacement project. This project includes the removal and replacement of approximately 175 Victaulic fittings for the boiler recirculation pipes at the recreation center.

The municipal engineer has verified the bid as follows:

	East West Manufacturing	R&B Mechanical
Victaulic fittings replacement	\$67,000	\$97,000

~~The engineer's estimate for the project was \$70,000. The contractor has previous experience w~~

The engineer's estimate for the project was \$70,000. The contractor has previous experience with similar projects, and the municipal engineer recommends that the project be awarded to the low bidder.

Ms. Fraasch moved and Mr. Brumfield seconded to award the Victaulic fitting replacement project to East West Manufacturing and Supply Company in the amount of \$67,000. The vote was called. The motion carried unanimously.

**CONSIDERATION OF ADDITIONAL STRUCTURAL
CONCRETE REPAIRS AT THE SOUTH GARAGE**

Mr. Silverman said on May 13, 2014, the Commission approved a contract in the amount of \$1,433,625 with Nathan Contracting for improvements at the south and north garages. This project was anticipated to be completed over two years, with the south garage improvements starting in 2014. During the 2014 improvements it was discovered that the top reinforcing bars on the third floor level in the south garage were in much worse condition than anticipated.

Since the 2015 south garage improvements were going to be below the third floor, the municipality made contingencies within the funding structure to ensure improvements could be made if the lower levels were worse than anticipated. The 2014-2015 improvements were partially funded by the 2014 bond issue and Parking Fund reserves. In anticipation of the additional funds needed, the 2014 bond issue was increased by \$250,000 with any surplus from the project remaining in the parking fund reserves.

During the 2015 improvements, an additional \$240,000 in additional partial and full depth repairs were needed to complete the repairs at the south garage. The repairs were reviewed and recommended by the municipal engineer and approved by the manager.

Mr. Silverman moved and Ms. Vuono seconded to ratify the additional partial and full depth repairs at the south garages in the amount of \$240,000. The vote was called. The motion carried unanimously.

**CONSIDERATION OF ADDITIONAL STORM SEWER WORK AS
PART OF THE BEVERLY ROAD SIDEWALK INSTALLATION PROJECT**

Mr. Brumfield said on April 27, 2015, the Commission approved a contract in the amount of \$147,267.50 for the Beverly Road Sidewalk Installation Project, which included an alternate to install a storm sewer along the southern side of Beverly Road. Based on comments from business owners, it was brought to the municipality's attention that there was a need to install a storm sewer on the northern side of the road as well, which was subsequently verified by public works personnel.

A quote for an additional storm sewer designed to capture the roof leaders and connect to the storm sewer system was submitted by the contractor on May 29, 2015, in the amount of \$52,700. It includes 250 linear feet of pipe, two new inlets, a cleanout, a new manhole and trench repaving across Beverly Road. The estimate was reviewed by the municipal engineer and determined to be fair and reasonable in comparison to the bid received for the southern side of the street and for the required work on Beverly Road. The manager approved the work so that the improvements could be properly coordinated and installed by the contractor. The project is funded from the storm water fund.

Mr. Brumfield moved and Ms. Fraasch seconded to ratify the manager's approval of additional work needed to install a storm sewer on the northern side of Beverly Road as part of the Beverly Road Sidewalk Installation Project to Joseph Palmieri Construction in the amount of \$52,700. The vote was called. The motion carried unanimously.

**CONSIDERATION OF A PROPOSAL FOR
PROFESSIONAL DEER MANAGEMENT SERVICES**

Mr. Silverman said White Buffalo, Inc., has submitted a proposal to select and train archery hunters and work with property owners on an archery hunt. The contract proposal totals \$15,460.

Mr. Silverman moved and Ms. Vuono seconded to authorize the proper municipal officials to enter into a contract for archery management services, with the understanding that: (a) Dr. DeNicola and Jody Maddock will follow the rigorous screening and training criteria outlined in their proposal of June 30, 2015; and (b) Prior to conducting an archery hunt, representatives of White Buffalo will attend the September 8, 2015, Commission meeting to describe the details of the final program including the background of the manager and hunters, number of public and private properties to be used, and safety procedures that will be utilized. The vote was called. Mr. Brumfield, Mr. Silverman, Ms. Vuono and Mr. Bendel voted in favor of the motion. Ms. Fraasch voted against the motion. The motion passed four to one.

**CONSIDERATION OF A TAX APPEAL STIPULATION
INVOLVING 650 WASHINGTON ROAD ASSOCIATES (L&B 141-F-032)**

Mr. Brumfield said the school district negotiated a settlement for an appeal to the board of viewers. The parties have stipulated to the following:

<u>Year</u>	<u>Assessed Value</u>
2013	\$5,200,000
2014	\$5,200,000
2015	\$5,200,000

This is also known as the Cyclops property located at the southwest corner of Washington and Cedar.

Mr. Brumfield moved and Ms. Fraasch seconded to authorize the municipal manager and/or solicitor to sign the order of settlement and discontinuance. The vote was called. The motion carried unanimously.

**CONSIDERATION TO PURCHASE ONE FULLY EQUIPPED HEAVY
DUMP TRUCK FROM FYDA FREIGHTLINER PITTSBURGH, INC.**

Ms. Vuono said this truck will replace #211, a 2001 International which will be sold at public auction this fall. The heavy dump trucks are used for main road snow plowing, hauling leaf boxes and tow behind leaf vacuum units, and other heavy hauling. The new 2015 truck includes a model 108SD Freightliner Chassis, with two-wheel drive, Cummins diesel engine, six-speed automatic transmission, snow plow preparation package, 9'6" J&J aluminum dump body with options, central hydraulic system, Hi-Way 304 s/s tailgate auger-spinner spreader, Wester 10' pro-Plus plow, and trailer tow package, at a total cost of \$144,229. There are sufficient funds in the 2015 budget for this purchase.

Ms. Vuono moved and Mr. Silverman seconded to purchase one fully equipped snow plow truck from FYDA Freightliner Pittsburgh, Inc., through the Pennsylvania COSTARS Cooperative Purchasing Program at a total cost of \$144,229. The vote was called. The motion carried unanimously.

**CONSIDERATION TO PURCHASE ONE READY TO
USE SNOW PLOW TRUCK FROM WOLTZ AND WIND FORD**

Ms. Fraasch said this truck will replace one of the older 17,950 pound gross vehicle weight trucks that will be sold at public auction this fall. The new 2015 snow plow truck includes a Ford F550, with four-wheel drive, 6.7L Ford turbo diesel engine, six-speed automatic transmission, snow plow preparation package, 8'6" J&J aluminum dump body with options, central hydraulic system, Hi-Way 304 stainless steel tailgate auger-spinner spreader, Wester 9' pro-Plus plow, and trailer tow package, at a total cost of \$95,020. There are sufficient funds in the 2015 budget for this purchase.

Ms. Fraasch moved and Mr. Brumfield seconded to purchase one ready to use snow plow truck from Woltz and Wind Ford through the Pennsylvania COSTARS Purchasing Program at a total cost of \$95,020. The vote was called. The 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 Rudolph Sukal as Director of Public Works. The vote was called. The motion carried unanimously.

**CONSIDERATION OF THE EXPENDITURE LIST FOR MAY
TOTALING \$3,697,380.72 AND JUNE TOTALING \$4,027,227.85**

Mr. Silverman moved and Ms. Vuono seconded to approve the expenditure list for May totaling \$3,697,380.72 and June totaling \$4,027,227.85. The vote was called. Mr. Bendel abstained from voting because of his son's seasonal part-time employment with the tennis center. The motion carried with four votes and one abstention.

DEPARTMENTAL REPORTS

Ms. Fraasch asked that the reports be received and filed.

ADJOURNMENT

The meeting adjourned at 11 p.m.

MEMORANDUM

To: Steve Feller
From: John Bendel
Date: July 14, 2015
Re: Abstention from vote

My son is employed at the Tennis Center. I am therefore abstaining from voting on the monthly payroll. I also request that this memo be filed with the minutes of tonight's meeting.