

**MINUTES OF THE REGULAR MEETING AUGUST 11, 2015
OF THE MT. LEBANON COMMISSION**

The Commission of Mt. Lebanon, Pennsylvania, held a Regular Meeting at 8:00 P.M., on Tuesday, August 11, 2015, at the Municipal Building. 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, Public Works Director Sukal, Finance Director McCreery, Planning Officer McGill, and Managing Editor Jantz. 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 during the discussion session including reviewing a draft policy for naming rights of municipal facilities, recommended two junior commissioners for the upcoming school year, reviewed the recommendation of the traffic board regarding Academy Avenue parking, and discussed a sharpshooting proposal.

Mr. Feller stated that prior to the meeting, the Commission met in executive session to discuss several personnel issues, an assessment appeal and appointments to advisory boards with the solicitor. The next regular meeting is scheduled for Tuesday, September 8, 2015. He reminded residents that there would not be an adjourned meeting during August.

Mr. Feller also stated that during the discussion session, Ms. Vuono added another item to the regular agenda.

Ms. Fraasch stated that the First Friday events have been occurring on the first Friday of each month. She stated that the last one for the year will be held on Friday, September 4.

CITIZEN COMMENTS

Maureen Barrett of 226 McCully Street spoke against culling deer.

Elaine Gillen of 735 Vallevista Avenue spoke against deer culling. She asked if it was required to give notification to surrounding neighbors if they authorize deer culling on their property.

Nancy Elbaum of 201 Pennsylvania Boulevard stated that there wasn't a deer problem in the community. She also spoke against deer culling, stating that people should coexist with deer, and if they didn't want to, then they should move to a place where deer don't exist.

Bill Hoon of 456 Coolidge Drive stated that more drivers are on the road, and they are moving at faster speeds and are more distracted. He stated that the community doesn't have a deer problem, and the only people complaining about deer are the gardeners.

Ed Modaro of 125 Longuevue Drive spoke against the use of arrows and guns to manage the deer population.

Nita Fandray of 125 Longuevue Drive spoke against deer culling. She was concerned about liability issues associated with culling.

Nick Meduho of 101 Castle Shannon Boulevard stated that his emails regarding the upcoming archery hunt are not being answered. He asked the questions from the emails, and Mr. Bendel provided answers. He also asked why the lacrosse teams are not utilizing the new fields. Mr. Brumfield stated that the lacrosse association applied and received 35 "slots" today.

Geneva Pullen of 180 Morrison Drive spoke about safety issues associated with discharging weapons in the community.

Marty Murray of 615 Washington Road spoke against culling deer. She had concerns with people being in the parks while culling was occurring.

Becky Myton of 140 Baywood Avenue spoke against deer culling, asking that sterilization be considered.

Kimberly Schevtchuk of 519 Lyndhurst Avenue spoke against the use of archers on private property and in the parks, believing it was an unsafe practice.

Barbara Sollenberger of 120 Newburn Drive spoke against culling deer, stating that the act of hunting drives deer into the streets.

Shirley Feko of 900 Washington Road, Unit 105, supported the deer culling program.

Wes Smith of 380 Avon Drive spoke about the guidelines for the archery program, stating that extensive testing is required for the archers, and they would be erecting tree stands and shooting down in a small area. He suggested residents attend the informative meeting scheduled for Saturday when the company overseeing this program will be present to answer all questions and apprise the residents on what to expect.

**CONSIDERATION OF THE MINUTES FROM
THE REGULAR MEETING HELD JULY 14, 2015**

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

**INTRODUCTION OF ORDINANCE (BILL NO. 9-15)
AMENDING MUNICIPAL PARK RULES**

Ms. Fraasch said this Ordinance amends the rules to prohibit smoking in any area of a park and public grounds facility posted with "No Smoking" signs or symbols.

Ordinance (Bill No. 9-15) was introduced, and the public hearing was set for September 8, 2015.

**CONSIDERATION OF RESOLUTION NO. R-11-15
ACCEPTING A DUI ENFORCEMENT GRANT FROM
THE PENNSYLVANIA DEPARTMENT OF TRANSPORTATION**

Ms. Vuono 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.

Ms. Vuono moved and Mr. Silverman seconded to adopt Resolution No. R-11-15 authorizing acceptance of the grant funds. The vote was called. The motion carried unanimously.

**CONSIDERATION OF RESOLUTION NO. R-12-15
FOR AN ENERGY SERVICES CONTRACT**

Mr. Silverman said this resolution authorizes the release of a Request for Proposal (RFP) for energy services contract under Pennsylvania Act 39 of 2010 (previously Act 77 of 2005).

Mr. Silverman moved and Ms. Vuono seconded to adopt Resolution No. R-12-15. The vote was called. The motion carried unanimously.

CONSIDERATION OF APPOINTMENTS TO SERVE AS JUNIOR COMMISSIONERS

Mr. Brumfield said the Commission received applications from seven highly-qualified applicants for Junior Commissioner. All of the applicants were interviewed by Commissioners Brumfield and Fraasch.

Mr. Brumfield moved and Ms. Fraasch seconded to appoint Nancy Lu and Christian Vietmeier as Junior Commissioners to serve separately for the fall 2015 semester and spring 2016 semester. The vote was called. The motion carried unanimously.

RECEIPT OF THE CAPITAL IMPROVEMENT PROGRAM (CIP)

Ms. Vuono said as required by the Charter, the Capital Improvement Program (CIP) for 2016-2020 was submitted to the Commission on July 31, 2015. A public hearing is required to be held on this program prior to the issuance of the Manager's Recommended Budget.

The Commission acknowledged receipt of the 2016-2020 Capital Improvement Program (CIP), and the public hearing was set for October 13, 2015.

**CONSIDERATION TO ADJUST THE
FINANCIAL SECURITY POSTED FOR MT. LEBANON**

Ms. Fraasch said that the Mt. Lebanon School District has asked to reduce the financial security posted for improvements installed for the development of the Mt. Lebanon High School Project. The request includes a reduction in the amount of the security posted to reflect the actual work completed. The request has been reviewed and verified by the Municipal Engineer, and he recommends approval of the reduction of financial security posted to \$3,674,148.10.

Ms. Fraasch moved and Mr. Brumfield seconded to decrease the financial security from \$4,645,164.10 to \$3,674,148.10 for a reduction of \$971,016. The vote was called. The motion carried unanimously.

**CONSIDERATION OF RE-APPROVAL FOR THE
SUMMIT POINTE PLAN OF LOTS #2 SUBDIVISION PLAN**

Mr. Brumfield said this is a request for re-approval for a land development plan. The plan received final approval from the Mt. Lebanon Commission conditioned on: "A grading permit application must be submitted and include all information required in Part VI of the Mt. Lebanon Code, including but not limited to Plans and Specifications for Grading and a Geotechnical Engineering Report to support the proposed plan. A Development Agreement must also be executed."

The grading permit application and plans have been submitted and reviewed by the Engineer.

The owner is also requesting that the name of the owner be changed to Charter Homes at Summit, Inc., and that the Commission reapprove and re-execute the land development plan so that it can be recorded.

Mr. Brumfield moved and Ms. Fraasch seconded to grant re-approval of Summit Point Plan of Lots #2 Subdivision Plan. The vote was called. The motion carried unanimously.

**CONSIDERATION OF THE EXECUTION OF THE DEVELOPMENT
AGREEMENT BETWEEN CHARTER HOMES AT SUMMIT, INC., AND MT.
LEBANON FOR THE SUMMIT POINTE PLAN OF LOTS # 2 SUBDIVISION PLAN**

Mr. Brumfield said in the previous agenda item, the Commission granted final approval for the Summit Pointe Plan of Lots #2 Subdivision Plan.

One of the requirements for final approval is the development agreement that addresses such issues as posting of an amenities bond or letter of credit for the required private improvements, submission of a cash deposit, and any other provisions or conditions that may be required by the municipality.

Mr. Brumfield moved and Ms. Fraasch seconded to authorize the proper municipal officials to execute the Development Agreement between Charter Homes at Summit, Inc., and Mt. Lebanon for the Summit Pointe Plan of Lots # 2 Subdivision Plan. The vote was called. The motion carried unanimously.

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

Ms. Vuono stated that USDA Wildlife Services has submitted a proposal to provide deer removal services utilizing sharpshooting. The proposal includes baiting during the duration of the removal and the processing of the meat for donation to food banks. The contract proposal total is \$89,513.50.

Ms. Vuono moved and Mr. Silverman seconded to authorize the proper municipal officials to enter into a contract for sharpshooting management services with USDA Wildlife Services based on the approval of a plan that they are to submit to the commission at the meeting on September 8, 2015.

After an extensive discussion, Ms. Vuono withdrew the motion. Instead, the consensus of the Commission was that Mr. Feller will contact USDA Wildlife Services and ask that they submit a proposal and full work plan for the September 8, 2015 meeting, at which time the Commission will consider the proposal. In addition, Mr. Feller will invite Stephanie Boyles Griffin of the Humane Society to review a proposed project outlined in a letter dated August 11, 2015 to Commissioner Fraasch.

**CONSIDERATION OF THE EXPENDITURE
LIST FOR JULY TOTALING \$5,642,834.79**

Ms. Vuono moved and Mr. Silverman seconded to approve the expenditure list for July totaling \$5,642,834.79. 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 9:50 p.m.

MEMORANDUM

To: Steve Feller
From: John Bendel
Date: August 11, 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.