

**MINUTES OF THE ADJOURNED MEETING OCTOBER 26, 2015
OF THE MT. LEBANON COMMISSION**

The Commission of Mt. Lebanon, Pennsylvania, held an Adjourned Meeting at 8:00 P.M., on Monday, October 26, 2015, at the Municipal Building. Vice President Kelly Fraasch called the meeting to order and led in the Pledge of Allegiance to the Flag. Interim Manager Keith McGill called the roll. Present were Commissioners Dave Brumfield, Kelly Fraasch, Steve Silverman, and Coleen Vuono. Commissioner John Bendel was not present. Also present were Police Lt. Fisher, Public Works Director Sukal, Recreation Director Donnellan, Finance Director McCreery, and Public Information Officer Morgans. Also present were Phil Weis of the solicitor's office and Dan Deiseroth of the engineer's office.

COMMISSION/MANAGER'S ANNOUNCEMENTS

Ms. Fraasch summarized the information that was reviewed during the discussion session including the energy projects, the naming rights policy, the sports advisory board's recommendation for future CIP projects, user fees, fleet and equipment replacement schedule, CIP recommendations, a dog park, and deer management.

Mr. McGill stated that prior to the meeting, the Commission met in executive session to discuss tax appeals for 900 Washington Road and the Galleria, as well as labor negotiations and other legal issues. The next regular meeting is scheduled for Tuesday, November 10, 2015, at 8 p.m., at which time the first public hearing will be held on the manager's recommended 2016 budget. There will also be three budget workshops scheduled in Room C on Thursday, November 5, Thursday, November 12, and Wednesday, November 18, at 5:30 p.m.

Mr. Brumfield summarized the community highlights, including the Halloween parade. He also stated that Mt. Lebanon received notification that the Teen Center is closing due to the legislative changes involving clearances with children. He noted that while this is a great law, it is impacting a lot of organizations due to the time involved in getting the clearances. Mr. Brumfield asked if anyone in the community already has the required clearances and would like to volunteer their services for the Teen Center, to contact either the school district or municipality.

JUNIOR COMMISSIONER NANCY LU COMMENTS

Ms. Lu spoke about the various activities of the students as well as athletic events, including the pink-out night at the football game on Friday against Upper St. Clair. She also spoke about the choir concert on Thursday, October 29, at 7:30 p.m., at the high school auditorium, and the holiday show in December. She spoke about Project Ignite where CMU students provide mentorship to Mt. Lebanon students in fields ranging from fine arts to engineering.

CITIZEN COMMENTS

Brian Foster of 235 Outlook Drive spoke about several neighborhood residents and dogs who have been diagnosed with Lyme disease. He spoke in support of controlling the deer population. He noted that he is a former Marine infantry officer who set up rifle ranges on multiple continents throughout the world, and he stated that sharpshooting is more humane than archery. Barb Alsko of 815 Florida Avenue spoke against sharpshooting. She also spoke in support of deer sterilization.

Tom Leech of 852 Towercrest Drive spoke about reimbursement of legal fees from the municipality for a property violation.

Virginia Leech of 852 Towercrest Drive spoke about violation letters that she received from the municipality.

Nick Meduho of 101 Castle Shannon Boulevard spoke about deer sterilization, a dog park, and the archery program.

Bruce Slater of 140 Skylark Circle suggested that the Teen Center contact the school district for the names of volunteers who have already received their clearances. He also spoke about the proposed construction for Cochran Road. He spoke about HSUS, believing this organization has not been forthcoming with answering questions, adding that White Buffalo responded to every question they were asked.

Barbara Sollenberger of 120 Newburn Drive spoke about rodent control and deer management.

**CONSIDERATION OF THE MINUTES FROM
THE REGULAR MEETING HELD OCTOBER 13, 2015**

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

**PUBLIC HEARING AND CONSIDERATION OF ORDINANCE (BILL NO. 13-15)
ADJUSTING THE COMMISSION'S UNASSIGNED FUND BALANCE GOALS**

Mr. Brumfield said the Administrative Code includes a requirement that the unassigned fund balance shall have a goal of 10% of total expenditures and shall not fall below 8% of total expenditures without corrective action.

The proposed ordinance would adjust the levels as follows:

1. The stated unassigned fund balance goal of 10% in Section 143.3.2 shall be adjusted to 12%;
2. The unassigned fund balance shall be progressively increased above the 12% with the target being 15%;
3. The stated unassigned fund balance minimum level in Sections 143.3.3, 143.3.4, and 143.3.5 shall be increased from 8% to 10%.

This ordinance was introduced October 13, 2015.

Ms. Fraasch declared the public hearing opened.

Dave Egler of 121 Poplar Drive spoke in support of the ordinance. He also spoke about the unassigned fund balance and how it would be spent. Mr. Brumfield stated that the previous commission's intent was to insure that excess from the unassigned fund balance would be spent on capital projects and not the operating budget.

Nick Meduho of 101 Castle Shannon Boulevard spoke about unassigned funds. Mr. Brumfield clarified what unassigned funds were used for and where they come from.

Because there were no further comments, Ms. Fraasch declared the public hearing closed.

Mr. Brumfield moved and Mr. Silverman seconded to enact Ordinance (Bill No. 13-15). The vote was called. The motion carried unanimously.

CONSIDERATION OF RESOLUTION NO. R-15-15 AUTHORIZING A REIMBURSEMENT AND MAINTENANCE AGREEMENT WITH THE PENNSYLVANIA DEPARTMENT OF TRANSPORTATION (PENNDOT)

Ms. Vuono said the reimbursement agreement was approved at a prior Commission meeting. PennDOT is requiring a resolution to accompany the agreement.

In the spring of 2016, PennDOT will be awarding a contract to resurface Cochran Road from Washington Road to Beverly Road. As part of this contract, Mt. Lebanon has asked PennDOT to include new pedestrian facilities that meet current ADA designs guidelines on the side streets at 16 separate intersections. PennDOT is requiring a reimbursement agreement for the cost to do this work.

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

CONSIDERATION TO REMOVE NO PARKING SIGNS ON BOWER HILL ROAD IN FRONT OF TEMPLE EMANUEL

Mr. Silverman said this item was presented to the Traffic Board at its October 7, 2015 meeting for consideration. Temple Emanuel is requesting that the no parking signs directly adjacent to the Temple on Bower Hill Road be removed. Parking is currently allowed on the other side of the street and on both sides of the street in other areas on Bower Hill Road. The Traffic Board and Municipal Traffic Engineer are recommending removal of these signs.

Mr. Silverman moved and Ms. Vuono seconded to direct public works to remove the no parking signs on Bower Hill Road in front of Temple Emanuel as recommended by the Traffic Board and Municipal Traffic Engineer. The vote was called. The motion carried unanimously.

CONSIDERATION OF A TAX APPEAL STIPULATION INVOLVING 900 WASHINGTON CORPORATION (LOT AND BLOCK 141-N-161)

Mr. Brumfield said the Mt. Lebanon School District negotiated a settlement for an appeal to the board of viewers. The parties have stipulated to the following:

Year Assessed Value
2013 - \$4,753,800
2014 - \$4,753,800
2015 - \$4,753,800

This is the 900 Washington Road co-op building. The 2015 value would carry on for future years unless further appealed by either party.

Mr. Brumfield moved and Mr. Silverman 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 OF SETTLEMENT OF A
REAL PROPERTY TAX ASSESSMENT APPEAL**

Ms. Vuono said for tax year 2011, the School District, Municipality and the owners of the Galleria shopping center have agreed upon the assessed value of the center at \$30,000,000. While the parties recently settled years 2012 and forward, unique issues delayed the resolution of this year until now.

Ms. Vuono moved and Mr. Silverman 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 BID FOR THE 2015 / 2016
CONTRACTUAL SIDEWALK SNOW AND ICE REMOVAL SERVICE**

Mr. Silverman said requests for bids, as well as specifications for the contractual removal of snow and ice from municipal steps and sidewalks, were sent to nine contractors. One bid was received from Little Landscaping LLC. The proposed cost per response was \$920 with a minimum guaranteed number of 35 responses for a total of \$32,200. Little Landscape LLC provided this service during the 2014 / 2015 season in a satisfactory manner, and there is sufficient funding remaining in the 2015 budgeted contractual account to award the contract based on the proposed cost.

Mr. Silverman moved and Ms. Vuono seconded to award the 2015 / 2016 Contractual Sidewalk Snow and Ice Removal Service to Little Landscaping LLC in the amount of \$32,200. The vote was called. The motion carried unanimously.

**CONSIDERATION OF THE EXPENDITURE
LIST FOR SEPTEMBER TOTALING \$5,069,723.81**

Mr. Brumfield moved and Mr. Silverman seconded to approve the expenditure list for September totaling \$5,069,723.81. The vote was called. The motion carried unanimously.

DEPARTMENTAL REPORTS

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

ADJOURNMENT

The meeting adjourned at 9:20 p.m.