

**MINUTES OF THE ADJOURNED MEETING JANUARY 25, 2016  
OF THE MT. LEBANON COMMISSION**

The Commission of Mt. Lebanon, Pennsylvania, held an Adjourned Meeting at 8:00 p.m., on Monday, January 25, 2016, at the Municipal Building. President Kelly Fraasch called the meeting to order and led in the Pledge of Allegiance to the Flag. Manager Keith McGill called the roll. Present were Commissioners John Bendel, Dave Brumfield, Steve McLean, Steve Silverman, and Kelly Fraasch. Also present were Chief of Police Lauth, Fire Chief Sohyda, Recreation Director Donnellan, Public Works Director Sukal, Finance Director McCreery, Inspections Officer Berkley, IT Officer Schalles, Business District Officer Milliron, 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 a follow-up report on pedestrian and bicycle safety, the pay as you throw program, assessment appeals, code enforcement issues, and Commission goals and priorities for 2016.

Mr. McGill stated that prior to the meeting, the Commission met in executive session to discuss appointments to boards and authorities and litigation with the solicitor involving Twin Hills. The Commission also met in executive session on December 14 and 15 to discuss the manager's position. The next regular meeting is scheduled for Tuesday, February 9, 2016, at 8 p.m., and the discussion session will be held in Room C at approximately 6:20 p.m.

Mr. Brumfield stated that if you know a talented, committed community volunteer, please consider nominating him or her for the community relations board's new service award, which will recognize an individual who significantly improves the quality of life in Mt. Lebanon. The information is online and in the magazine. He also spoke about the Junior Commissioner program.

**CHIEF LAUTH TO RECOGNIZE NEWLY-PROMOTED  
CORPORALS SMAKOSZ, CHOPS AND O'BRIEN**

Chief Lauth stated that it's with great pleasure that he recognizes newly-promoted Corporals Smakosz, Chops and O'Brien.

**CHIEF LAUTH TO ISSUE THE LIFE SAVER AWARD TO  
OFFICER RUTOWSKI (TWO TIMES) AND OFFICER HYSLOP**

Chief Lauth explained the importance of the Life Saver Award. He presented Officer Rutowski with the Life Saver Award for saving two people and also Officer Hyslop for saving one person.

**FIREFIGHTER OF THE YEAR**

Chief Sohyda said the Firefighter of the Year Award is awarded annually to a volunteer firefighter who has demonstrated outstanding service to the Mt. Lebanon Fire Department and Mt. Lebanon residents with regard to fire prevention, fire protection, and/or suppression while upholding the core values and goals of the Mt. Lebanon Fire Department. This year's firefighter of the year was nominated by his peers for his commitment to the Mt. Lebanon Fire Department,

having attended the most calls off-duty for the second consecutive year. He serves as a role model in a “quiet way with a positive attitude”, participates in the fire and life safety education program in the schools, and rarely misses a training opportunity. The 2015 Firefighter of the Year Award for Outstanding Service to the Mt. Lebanon Fire Department is awarded to Fire Fighter Bill Dougherty.

### **FIRE OFFICER OF THE YEAR**

Chief Sohyda said the Fire Officer of the Year is awarded annually to the career fire officer who has demonstrated outstanding service to the Mt. Lebanon Fire Department and Mt. Lebanon Residents with regard to fire prevention, fire protection, and/or fire suppression while upholding the core values and goals of the Mt. Lebanon Fire Department. This year’s Fire Officer of the Year was nominated by his peers for the extra time and effort he puts into the department and its people. As a 33-year member of the department, serving as both a volunteer and career firefighter, he continues to respond to the highest number of off-duty calls of all the career personnel, serves in a leadership role on SHACOG Technical Rescue Team, and is a member of the Pennsylvania Urban Search and Rescue Strike Team. He is also involved in the community, supporting the Mt. Lebanon Relay for Life and St. Clair Hospital’s Adopt-a-Highway Program. The 2015 Fire Officer of the Year award for Outstanding Service to the Mt. Lebanon Fire Department is awarded to Deputy Chief Rodger Ricciuti.

### **JUNIOR COMMISSIONER CHRISTIAN VIETMEIER COMMENTS**

Junior Commissioner Christian Vietmeier congratulated the police officers and fire officers that were recognized. He also thanked the Commission for giving him the opportunity to be Junior Commissioner. He stated that there was a coat drive, where 200 coats were collected. He also spoke about upcoming events including the Snowball Dance and a blood drive.

### **CITIZEN COMMENTS**

Robert Carroll of 13 Forest Glen Drive asked that the Forest Glen Stormwater Project be stopped because he believed it was a private homeowner’s responsibility.

Mr. Deiseroth stated that there is an issue with a pipe on the Anderson property, which was installed in the 80s. At that time, there was no requirement for a DEP permit, and Mt. Lebanon did not have any ordinances to regulate the pipe. He stated that 75 acres of community water comes through a pipe on this property. He added that funding from the stormwater fee will be used for the repairs. He also stated that Forest Glen was developed as a private street, but public infrastructure for other streets comes through Forest Glen.

Bill Hoon of 456 Coolidge Avenue spoke about snowplows throwing snow onto sidewalks when plowing streets. He also spoke about Right to Know requests, the Zamagias property, and the archery program.

Nick Meduho of 101 Castle Shannon Boulevard asked about litigation involving Twin Hills and also the use of private properties for sharpshooting.

Barbara Sollenberger of 120 Newburn Drive spoke against culling deer and in support of deer sterilization. She inquired about the archery program results. She also reported hearing rifle shots on Sunday, which she called the police about.

Bill Slater of 140 Skylark Circle spoke about pay as you throw. He also spoke against the use of bicyclists on primary roadways, stating that they are hazardous because they travel under the speed limit. He also spoke in support of deer culling.

**CONSIDERATION OF THE MINUTES FROM  
THE REGULAR MEETING HELD JANUARY 12, 2016**

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

**PUBLIC HEARING AND CONSIDERATION OF ORDINANCE (BILL NO. 1-16)  
AMENDING THE MT. LEBANON CODE TO INCLUDE NEWLY  
ENACTED ORDINANCES OR AMENDMENTS TO  
EXISTING ORDINANCES ENACTED SINCE JANUARY 26, 2015**

Mr. Brumfield said Mt. Lebanon's ordinances were codified in 1978 with updates occurring periodically since that time. All of the ordinances have been enacted previously by the Commission, but this action will codify the documents.

Ms. Fraasch declared the public hearing opened.

There were no citizen comments. Ms. Fraasch declared the public hearing closed.

Mr. Brumfield moved and Mr. McLean seconded to enact Ordinance (Bill No. 1-16). The vote was called. The motion carried unanimously.

**CONSIDERATION OF RESOLUTION NO. R-1-16  
AUTHORIZING A TRAFFIC SIGNAL MAINTENANCE  
AGREEMENT WITH THE PA DEPARTMENT OF TRANSPORTATION**

Mr. McLean said the Pennsylvania Department of Transportation (PennDOT) has requested the Municipality prepare and sign a Resolution and enter into an Agreement to maintain certain traffic signals that will be upgraded as part of the upcoming Cochran Road resurfacing project.

The following signals are included in this agreement:

- Cochran Road at Lebanon Avenue
- Cochran Road at Cedar Boulevard
- Cochran Road at Altoona Place
- Cochran Road at Bower Hill Road
- Cochran Road at Beverly Road

The Municipality currently maintains all of these signals.

Mr. McLean moved and Mr. Brumfield seconded to adopt Resolution No. R-1-16 and enter into a Traffic Signal Maintenance Agreement with PennDOT for the five identified traffic signals as part of the Cochran Road resurfacing project. The vote was called. The motion carried unanimously.

**CONSIDERATION OF RESOLUTION NO. R-2-16 TRANSFERRING  
ALL ASSETS OF THE OTHER POST-EMPLOYMENT  
BENEFITS TRUST FUND FROM ICMA-RC TO US BANK**

Mr. Bendel said on December 8, 2015, the Mt. Lebanon Commission authorized a professional services contract with US Bank to act as custodian for the Municipality's Other Post-Employment Benefits Trust Fund. Assets of the fund are currently held with ICMA-RC. ICMA-RC requires a resolution to be passed to formally acknowledge the transfer of the assets to another provider.

Mr. Bendel moved and Mr. Silverman seconded to adopt Resolution No. R-2-16. The vote was called. The motion carried unanimously.

**CONSIDERATION OF RESOLUTION NO. R-3-16  
TO PARTICIPATE IN LIVE WELL ALLEGHENY**

Mr. Silverman said the Municipality is committed to the well-being of its residents and seeks to support this goal through a coordinated effort. Live Well Allegheny is such an opportunity. Live Well Allegheny is a program of the Allegheny County Health Department. Living well is a broad concept that incorporates physical health, mental wellness, personal and community safety, prevention and preparedness, physical activity, nutrition, fitness, managing chronic disease, improving well-being and so much more. The Municipality demonstrates its commitment to these objectives via support for the Uptown Mt. Lebanon Farmers' Market, encouragement of community volunteers in activities, the Tour de Mt. Lebanon, countless recreational opportunities, trail development and numerous other healthy initiatives.

Mr. Silverman moved and Mr. Bendel seconded to adopt Resolution No. R-3-16. The vote was called. The motion carried unanimously.

**CONSIDERATION FOR THE AWARD OF  
THE BACKWATER VALVE MAINTENANCE CONTRACT**

Mr. Brumfield said one bid was received on January 30, 2015 for the backwater valve maintenance contract. This contract is used to maintain the sanitary sewer backwater valves at various addresses in the Municipality.

The project includes a provision for renewal for a second, third, and fourth year at the Municipality's discretion.

The Municipal Engineer has verified the bid as follows:

<u>Contractor Name</u>	<u>2015</u>	<u>2016</u>	<u>2017</u>	<u>2018</u>	<u>Total</u>
Mongiovi & Son Excavating, Inc.	\$14,500	\$15,100	\$15,100	\$15,700	\$60,400

The low bidder has completed this contract for the Municipality for the past several years in a satisfactory manner. The Municipal Engineer has reviewed the bid prices and recommends award to the low bidder.

The project is to be funded through the EPA 308 Sewer Work Capital Project Account.

Mr. Brumfield moved and Mr. McLean seconded to award the 2016 Backwater Maintenance Valve Contract to Mongiovi & Son Excavating, Inc., in the amount of \$15,100 with the option for additional years at the Municipality's discretion per the terms of the contract documents. The vote was called. The motion carried unanimously.

**CONSIDERATION FOR THE AWARD OF  
THE CHEMICAL ROOT TREATMENT PROGRAM**

Mr. McLean said bids were taken on January 12, 2016 for the chemical root treatment project.

This project includes the chemical root treatment of approximately 50,000 LF of sanitary sewers throughout the Municipality. The contract included a base year, 2016, with three optional renewal periods. This would allow the contract to extend, at Mt. Lebanon's discretion, to maintain continuity.

One bid was received and verified as follows:

	<b>Duke's Root Control, Inc.</b>
2016 Project	\$ 72,250
1 <sup>st</sup> Renewal – 2017	2% increase
2 <sup>nd</sup> Renewal – 2018	4% increase on the 2016 price
3 <sup>rd</sup> Renewal – 2019	6% increase on the 2016 price

The Municipal Engineer has reviewed the bids and determined the low bid to be accurate. Duke's Root Control, Inc., has provided its qualifications and references. After review of the project, the Engineer recommends the base bid be awarded. The Engineer's estimate for this project was \$72,500.

Mr. McLean moved and Mr. Brumfield seconded to award the Base Bid for the Chemical Root Treatment Program to Duke's Root Control, Inc., in the amount of \$72,250. The vote was called. The motion carried unanimously.

**CONSIDERATION FOR THE AWARD OF  
THE 2016 STREET REJUVENATOR PROGRAM**

Mr. Bendel said bids were received on January 11, 2016 for the street rejuvenator program.

This project includes the application of approximately 20,000 SY of Reclamite pavement rejuvenator throughout the municipality. Reclamite is a cost-effective way to extend the life of the asphalt pavement and has been used successfully by the municipality for over 20 years.

The original contract included a base year, 2016, with three optional renewal periods. This would allow the contract to be extended, at Mt. Lebanon's sole discretion, until 2019 to maintain continuity.

The Municipal Engineer verified the bid in 2016 as follows:

	<b>Pavement Technology, Inc.</b>
2016 Project	\$ 16,600
1 <sup>st</sup> Renewal – 2017	3% increase
2 <sup>nd</sup> Renewal – 2018	4% increase on the 2016 price
3 <sup>rd</sup> Renewal – 2019	5% increase on the 2016 price

In accordance with the provisions of the contract, the low bidder was selected based upon the total amount and also, Pavement Technology, Inc., has completed this contract since 2008. The Municipal Engineer, based upon past performance of the contractor, recommends award of the contract to Pavement Technology, Inc. The budgeted amount for the project was \$16,600.

Mr. Bendel moved and Mr. Silverman seconded to award the 2016 Street Rejuvenator Program to Pavement Technology, Inc., in the amount of \$16,600 for the Base Bid. The vote was called. The motion carried unanimously.

**APPOINTMENT TO THE COMMUNITY  
RELATIONS BOARD TO FILL AN UNEXPIRED TERM**

Mr. Silverman moved and Mr. Bendel seconded to appoint Kiersten Lane of 241 Jonquil Place to fill an unexpired term ending March 31, 2017. The vote was called. The motion carried unanimously.

**CONSIDERATION OF THE EXPENDITURE  
LIST FOR DECEMBER TOTALING \$6,258,866.01**

Mr. Brumfield moved and Mr. McLean seconded to approve the expenditure list for December totaling \$6,258,866.01. The vote is called. The motion carried unanimously.

**DEPARTMENTAL REPORTS**

Mr. McLean asked that the reports be received and filed.

Before adjourning, Ms. Fraasch asked if any of the Commissioners had questions about Forest Glen.

Mr. Silverman asked Mr. Deiseroth to confirm that the pipe at the bottom of Forest Glen to accumulate and capture all of the water was going to be upsized to 72 inches, and Mr. Deiseroth stated that was correct for one section of pipe. Mr. Silverman stated that the pipe is 42 inches, and the project will take the size up to 72 inches in one area. Mr. Deiseroth stated that it's based on the slope where the pipe is put in. Pipe capacity is based on two factors, the circumference of the pipe and the slope that the pipe is on, and in that area, at the very the bottom of where the pipe will go is flat, so a larger area is required to accommodate the water.

Mr. Deiseroth clarified that Chapter 105 regulations were in effect in the 80s; however, with any environmental regulation, the amount of scrutiny with the regulations has increased over time. He stated that the determining factor for a waiver for a permit is that if you have an area under 100 acres, and there are no wetlands involved, then there is no requirement for a DEP permit. In the 80s, as an engineer, he applied for those specific permits. Today, though, almost everything is regulated, and you have to get a joint permit with the DEP, which involves the Army Corp of Engineers to make sure you are utilizing the best method. This permit is known as the GP permit, and it was designed to make certain you are following the best practices for installation.

Mr. Deiseroth stated that they looked at an alternate way to put the pipe in without running through the Anderson's property, but that would have amounted to going through the Forest Glen road and bucking grade, which consists of trying to dig down while the grade is going up, which was more costly, and it would have caused more disruption for the neighborhood.

Mr. Silverman stated that this is a large project involving approximately 10 properties on Woodhaven that will get relief from this project. The project is addressing a larger community issue without worrying about which property gets what dollar amount benefit in order to improve the situation. Mr. Silverman stated that he supports the project.

Ms. Fraasch stated that she notified the solicitor and manager that she has placed her house on the market and will be staying within Ward 5.

**ADJOURNMENT**

The meeting adjourned at 9:10 p.m.