

**MINUTES OF THE REGULAR MEETING MARCH 8, 2016
OF THE MT. LEBANON COMMISSION**

The Commission of Mt. Lebanon, Pennsylvania, held a Regular Meeting at 8:00 P.M., on Tuesday, March 8, 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, Public Works Director Sukal, Finance Director McCreery, I.T. Manager Schalles, Inspections Officer Berkley, Business District Officer Milliron, and Senior Online Editor Lilley. Also present were Phil Weis of the solicitor's office and Matt Bagaley of the engineer's office.

COMMISSION/MANAGER'S ANNOUNCEMENTS

Ms. Fraasch summarized the information that was reviewed during the discussion session, including the 2015 year-end financial report, the awarding of bids, a website overview by Nick Schalles and Laura Lilley, and activity of boards and authorities.

Mr. McGill stated that prior to the meeting, the Commission met in executive session to discuss litigation regarding Twin Hills and Ms. Gillen, as well as received legal advice from the solicitor on three separate issues, including the Zamagias property, the Seymour proposal and McNeilly Park. Also discussed were appointments to boards and authorities. The next adjourned meeting is scheduled for Monday, March 28, 2016, at 8 p.m. The discussion session will begin at approximately 6:15 p.m., in Room C.

Mr. Brumfield stated that pool permits are on sale now at a 10% discount through April 28. He also stated that Saturday, April 9 is the 20th anniversary of Martha's Run, which is in honor of resident Martha Dixon who was a FBI agent who was killed in the line of duty. He also stated that Friday is the last day to nominate an outstanding volunteer. He also spoke about resident Madison Cable, who was MVP of the women's ACC basketball tournament, while playing for Notre Dame.

JUNIOR COMMISSIONER CHRISTIAN VIETMEIER COMMENTS

Junior Commissioner Christian Vietmeier spoke about the high school's community service events, including logging over 100 hours making 300 meals for the homeless, making 10 fleece blankets for children suffering from pediatric cancer, and packaging medical supplies for aid in third world countries. He also stated that spring sports are commencing, as well as planning for the prom and other spring activities.

CITIZEN COMMENTS

Bill Hoon of 456 Coolidge Avenue spoke against deer culling.

Barbara Sollenberger spoke against deer culling. She also spoke about her car sustaining damage to a side view mirror and her interaction with the police. She also spoke about reports of gun shots.

**CONSIDERATION OF THE MINUTES FROM
THE ADJOURNED MEETING HELD FEBRUARY 22, 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 RESOLUTION NO. R-6-16
FOR THE TRANSFER OF A LIQUOR LICENSE TO GUTBUBS, LLC**

Mr. Bendel said changes in state law allow liquor licenses to be transferred between establishments in different municipalities. Prior to submitting the license transfer to the Liquor Control Board, the municipality, into which the license is being transferred, must hold a public hearing and act on the transfer.

GUTBUBS, LLC, has a lease for property located at 292 Beverly Road, Pittsburgh, PA, 15216 and is seeking to transfer a liquor license to a restaurant they plan on opening at this location. GUTBUBS, LLC, has requested a hearing before the Commission for approval of the transfer of a liquor license to this location.

Ms. Fraasch declared the public hearing opened.

Mark Kozar of 410 Avon Drive, an attorney with Flaherty & O'Hara, stated their sole area of practice is liquor laws and liquor licensing. He stated that they are representing Gutbubs, LLC. He also stated that owner Brooks Broadhurst, who is a Mt. Lebanon resident, was also present. Mr. Kozar said they were requesting the inter-municipality transfer of a liquor license for a restaurant called Block 292, located at 292 Beverly Road. He stated that law requires the PLCB to approve the transfer of the license, which first must be approved by the municipality through a resolution.

Mr. Kozar stated that Block 292 will be a full table, casual restaurant, with seating for approximately 50 people. He stated the restaurant will connect to a butcher shop, which will sell fresh meats, along with local produce. The restaurant will be open from 8 a.m. until 11 p.m., serving breakfast, lunch and dinner. The restaurant will employ 30 full and part-time people that will be hired locally. He stated that alcohol will be served as a complement to food and not as the main attraction. Anyone serving alcohol will undergo training beforehand.

Mr. Brumfield asked if there would be stools around a bar area, and Mr. Kozar said yes.

Mr. Bendel stated that he is in agreement with the traffic flow study and the positive recommendations that have been submitted by the fire department and police department and others after studying the matter. Mr. Bendel stated that the merchants have concerns with the parking situation in the area, and the municipality is looking into expanding parking. He said that Mr. Broadhurst has also taken steps to assist in alleviating this problem.

Mr. Silverman asked if alcohol can be taken off of the premises. Mr. Kozar stated that the license permits patrons to get beer to go.

Mr. Brumfield asked if the butcher shop will have beer to go, and Mr. Kozar stated no.

Maria Cirillo stated that she is the owner of 274 and 280 Beverly Road, and she has concerns about the type of place the restaurant will be, specifically the noise that could be generated from it, as well as parking.

Barbara Sollenberger of 120 Newburn Drive had concerns with the parking situation.

Mr. Brumfield stated that the Commission is voting only on whether a liquor license should be granted.

Mr. Bendel stated that there's no zoning laws requiring parking because there was an existing use at this location. They will be providing five parking spaces on the property. He also said that the parking board has taken up the issue of parking on Beverly Road.

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

Mr. Bendel moved and Mr. Silverman seconded to adopt Resolution No. R-6-16. The vote was called. The motion carried unanimously.

**CONSIDERATION OF RESOLUTION NO. R-8-16 AUTHORIZING
THE DESTRUCTION OF CERTAIN MUNICIPAL RECORDS**

Mr. Brumfield said in 1989, Mt. Lebanon adopted a Retention and Disposition schedule for municipal records issued by the Pennsylvania Historical and Museum Commission.

Each year the Municipality reviews its records and removes those no longer required under the schedule. This resolution authorizes destruction of various listed records according to the schedule.

Mr. Brumfield moved and Mr. McLean seconded to adopt Resolution No. R-8-16. The vote was called. The motion carried unanimously.

**CONSIDERATION OF RESOLUTION NO. R-9-16 RESTATING THE
MT. LEBANON MONEY PURCHASE PLAN FOR RETIREMENT BENEFITS**

Mr. McLean said in May 2010, Mt. Lebanon established a Money Purchase Plan (the "Plan") on behalf of employees not qualified for one of the three defined benefit plans of the municipality. The Plan is administered by ICMA-RC on behalf of the municipality. Every six years the plan documents are reviewed by ICMA-RC for incorporation of legislative and regulatory changes. This resolution will incorporate those changes and update our agreements with ICMA-RC.

Mr. McLean moved and Mr. Brumfield seconded to adopt Resolution No. R-9-16. The vote was called. The motion carried unanimously.

**INTRODUCTION OF A CONDITIONAL USE REQUEST BY
UNITARIAN UNIVERSALIST CHURCH OF SOUTH HILLS
FOR THE PARTIAL DEMOLITION AND EXPANSION
OF AN EXISTING PLACE OF WORSHIP ON WASHINGTON ROAD**

Mr. Silverman said the property is known as 1240 Washington Road and is zoned R-1 Single-family Residential District. Chapter XX of the Mt. Lebanon Code, Zoning, Section 202.3.3 identifies Places of Worship as a conditional use in this district.

The Mt. Lebanon Planning Board voted to recommend approval of the conditional use request at its regularly scheduled meeting on February 23, 2016.

The Conditional Use request was introduced, and the public hearing was set for Monday, March 28, 2016.

**CONSIDERATION TO PURCHASE ONE
CATERPILLAR 259D CTL COMPACT TRACK LOADER**

Mr. Bendel said Commission approval is requested to purchase one Caterpillar Compact Track Loader from Cleveland Brothers at a total cost of \$50,716. Funding is included in the 2016 Capital Budget. The final price is based on PA State Contract 4400011420 and includes a discount of 33.7% below list price of \$76,565.

Mr. Bendel moved and Mr. Silverman seconded to purchase one Caterpillar Compact Track Loader from Cleveland Brothers at a total cost of \$50,716. The vote was called. The motion carried unanimously.

**CONSIDERATION FOR THE AWARD OF THE MT. LEBANON
MUNICIPAL BUILDING EAST ELEVATION FAÇADE REPAIRS**

Mr. Brumfield said five bids were received on February 15, 2016 for the Municipal Building East Elevation Façade Repairs Project which involves repairing the bulging bricks, re-caulking all window, door, and architectural feature joints, wet sealing all first-floor windows, replacing cracked bricks, cleaning and painting all third-floor window lintels, isolated tuck-pointing brick mortar joints, coping repairs at parapets, and cleaning the facade along the entire east façade elevation at the Mt. Lebanon Municipal Building.

The add alternate items included:

- #1 - Remove flashing from between the parapet coping stones and the brick below on the front of east facade and replace with aluminum drip edge.
- #2 - Remove the parapet coping stones and install new flashing and Bituthene waterproofing over the east façade parapet wall.
- #3 - Install a drip cap above the west façade first-floor windows below the aluminum spandrels.
- #4 - Remove approximately 7' section of the 4" diameter cast-iron pipe and replace with PVC pipe.

The Municipal Engineer has verified the bid as follows:

| Contractor | Base Bid | Add Altern ate #1 | Add Alternate #2 | Add Alternate #3 | Add Alternate #4 |
|-----------------------------|-----------------|----------------------------------|---------------------------------|---------------------------------|---------------------------------|
| Arch Masonry, Inc. | \$35,000 | \$1,600 | \$7,000 | \$1,050 | \$800 |
| Graciano Corporation | \$45,695 | \$5,267 | \$15,108 | \$5,313 | \$2,809 |
| Mariani & Richards, Inc. | \$47,700 | \$2,800 | \$28,000 | \$2,450 | \$2,400 |
| Wilson Restoration | \$80,167 | \$2,500 | \$18,500 | \$3,570 | \$4,000 |
| Allegheny Restoration, Inc. | \$90,700 | \$2,000 | \$28,000 | \$8,400 | \$8,000 |

The Municipal Engineer has reviewed the bids and determined the low bid to be accurate. The Engineer recommends the project be awarded to Arch Masonry, Inc. The low bidder has completed other projects for the Municipality, including the Municipal Building South Elevation Façade Repairs, in a satisfactory manner. The low bid is also within the budgeted amount of \$110,000.

Mr. Brumfield moved and Mr. McLean seconded to award the Base Bid for the Municipal Building East Elevation Façade Repair contract to Arch Masonry, Inc., in the amount of \$35,000, Add Alternate #2 at \$7,000, Add Alternate #3 at \$1,050 and Add Alternate #4 at \$800, for a total of \$43,850. The vote was called. The motion carried unanimously.

**CONSIDERATION FOR THE AWARD FOR THE ANNUAL STORM
AND SANITARY SEWER CLEANING AND TELEVISIONING CONTRACT**

Mr. McLean said bids were received on February 22, 2016 for the annual Storm and Sanitary Sewer Cleaning and Televising Contract. This contract for 2016 encompasses approximately 20 miles of cleaning and video inspection to fulfill the requirements of the O & M portion of the Consent Order as well as to inspect sewers under roads to be repaved or reconstructed.

The contract includes a base year of 2016, with two optional renewal periods. This would allow the contract to extend, at Mt. Lebanon's discretion, to maintain continuity. The Municipal Engineer has verified the bids as follows:

| Contractor | 2016 Base Bid | First Renewal Period - 2017 | Second Renewal Period - 2018 |
|--------------------------------|----------------------|--|---|
| Roto Rooter Plumbing Services | \$161,975.00 | \$198,950.00 | \$200,350.00 |
| AAA Flexible Pipe | \$186,808.00 | \$236,608.00 | \$257,744.60 |
| Jet Jack, Inc. | \$227,125.00 | \$286,160.45 | \$293,871.03 |
| State Pipe Services | \$247,100.00 | \$313,875.00 | \$328,850.00 |
| Insight Pipe Contracting, L.P. | \$266,825.00 | \$317,165.00 | \$302,015.00 |
| Robinson Pipe Cleaning Co. | \$307,600.00 | \$449,850.00 | \$471,550.00 |

The Municipal Engineer has reviewed the bids and determined the low bid to be accurate. The Municipal Engineer and the Public Works Department, based upon past performance of the contractor, recommends award of the contract to Roto-Rooter Plumbing Services. The project is within budget, and funding for the work will be split as required through the storm and sanitary sewer funds.

Mr. McLean moved and Mr. Brumfield seconded to award the Storm and Sanitary Sewer Cleaning and Televising Contract to Roto-Rooter Plumbing Services in the amount of \$161,975 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
SANITARY AND STORM SEWER POINT REPAIR CONTRACT**

Mr. Silverman said bids were received on February 22, 2016 for the Sanitary and Storm Sewer Point Repair Contract. This contract is used to make repairs in the sanitary and storm sewer system as they are identified in the calendar year through investigative work or emergency situations.

The bid includes 87 items which could be used in such work, and as such, the total contract value is overstated in the amount of work that will be completed in any calendar year. To address this issue, the contract documents clearly state that there is no guarantee as to the amount of work issued by the Municipality.

The contract included a base year of 2016, with two optional renewal periods. This would allow the contract to extend, at Mt. Lebanon's discretion, to maintain continuity.

The Municipal Engineer has verified the bids as follows:

| Contractor Name | 2016 Base Bid | First Renewal Period 2017 | Second Renewal Period – 2018 |
|----------------------------------|----------------------|--|---|
| Niando Construction, Inc. | \$622,608 | 4.0% | 5.0% |
| A. Merante Construction | \$799,560 | 7.0% | 10.0% |
| Independent Enterprises, Inc. | \$2,360,340 | 2.5% | 3.0% |

The Municipal Engineer has reviewed the bids and determined the low bid to be accurate. The Engineer recommends the project be awarded to Niando Construction, Inc. The contractor has successfully held this contract for years and has completed other projects for the Municipality, including multiple Capital Storm Sewer Projects and reconstruction projects.

The amount of work issued under the contract will be paid for from the Sanitary and Storm Sewer Budget.

Mr. Silverman moved and Mr. Bendel seconded to award the Storm Sewer Point Repair contract to Niando Construction, Inc., in the amount of \$622,608 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
2016 SANITARY SEWER LINING CONTRACT**

Mr. Bendel said bids were received on February 22, 2016 for the annual Blanket Sanitary Sewer Lining Contract. This contract is used to make repairs to the sanitary sewer system as they are identified in the calendar year through investigative work. Lining is used as a means to rehabilitate portions of the sanitary sewer system without excavation.

The contract included a base year of 2016, with two optional renewal periods. This would allow the contract to be extended, at Mt. Lebanon's discretion, until 2018 to maintain continuity.

The Municipal Engineer has verified the bids as follows:

| Contractor | 2016 Base Bid | First Renewal Period - 2017 | Second Renewal Period - 2018 |
|--------------------------|----------------------|--|---|
| Jet Jack, Inc. | \$421,690.00 | 2.5% | 3.0% |
| Insight Pipe Contracting | \$453,225.00 | 4.0% | 8.0% |

The Municipal Engineer has reviewed the bids and determined the low bid to be accurate. The Engineer recommends the project be awarded to Jet Jack, Inc. The contractor has completed similar work in other municipalities in a satisfactory manner.

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

Mr. Bendel moved and Mr. Silverman seconded to award the Sanitary Sewer Lining Contract to Jet Jack, Inc., in the amount of \$421,690 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 FOR
THE MANHOLE REHABILITATION PROGRAM**

Mr. Brumfield said bids were received on February 22, 2016 for the Manhole Rehabilitation Program. This project involves the rehabilitation of sanitary sewer manholes showing signs of deterioration throughout the Municipality. This is a required activity of the EPA Consent Order.

The contract included a base year of 2016, with two optional renewal periods. This would allow the contract to extend, at Mt. Lebanon's discretion, to maintain continuity.

The Municipal Engineer has verified the bids as follows:

| Contractor Name | 2016 Base Bid | First Renewal Period – 2017 Bid | Second Renewal Period – 2018 Bid |
|--------------------------|----------------------|--|---|
| Robinson Pipe Cleaning | \$248,820.00 | \$270,910.00 | \$271,200.00 |
| Insight Pipe Contracting | \$338,505.00 | \$388,340.00 | \$395,395.00 |
| Lake County Sewer | \$342,275.00 | \$350,925.10 | \$359,186.91 |
| National Gunitite | \$355,005.00 | \$362,360.00 | \$359,490.00 |
| State Pipe Services | \$374,175.00 | \$408,875.00 | \$443,200.00 |

The Municipal Engineer has reviewed the bids and determined the low bid to be accurate. The Municipal Engineer and the Public Works Department, based upon past performance of the contractor, recommends award of the contract to Robinson Pipe Cleaning.

Funding will be provided through the EPA 308 Sewer Work Capital Project Account.

Mr. Brumfield moved and Mr. McLean seconded to award the Manhole Rehabilitation Program Contract to Robinson Pipe Cleaning in the amount of \$248,820 for 2016 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.

ADJOURNMENT

The meeting adjourned at 8:50 p.m.