

**MINUTES OF THE REGULAR MEETING AUGUST 9, 2016
OF THE MT. LEBANON COMMISSION**

The Commission of Mt. Lebanon, Pennsylvania, held a Regular Meeting at 8:00 P.M., on Tuesday, August 9, 2016, at the Municipal Building. Commission Vice President Dave Brumfield called the meeting to order and led in the Pledge of Allegiance to the Flag. Assistant Manager/Planner Ian McMeans called the roll. Present were Commissioners John Bendel, Steve McLean, Steve Silverman and Dave Brumfield. Commissioner Kelly Fraasch was not present. Also present were Finance Director McCreery, Police Chief Lauth, Public Works Director Sukal, and Fire Chief Sohyda. Also present were Phil Weis of the solicitor's office and Dan Deiseroth of the engineer's office.

COMMISSION/MANAGER'S ANNOUNCEMENTS

Assistant Manager McMeans summarized the information that was reviewed during the discussion session, including Uptown's priorities and relationship to the Capital Improvement Program, an update on the Comprehensive Plan, responses to operational and program questions for the proposed 2016 controlled archery hunt program, the Sleepy Hollow Traffic Calming Project bids, an update on the progress and status of various municipal projects, Commission comments regarding activities of boards and authorities, as well as conducted the quarterly IDA meeting.

Mr. McMeans stated that prior to the meeting, the Commission met in executive session to discuss the Junior Commissioner position, as well as received legal advice from the solicitor regarding litigation involving Scott Township. He also stated that the library will be conducting a fall speakers' series about growing together and connecting with nature. He noted that there will be three sessions which will be taped and broadcast. The first series will be held September 27, from 7-8 p.m., with Jessica Wallister; the second series is October 9, from 2-3 p.m., with Gabby Hughes; and, October 26, from 7-8 p.m. with Faith Starr. He stated the next Commission meeting is scheduled for Monday, August 22, 2016, at 8 p.m. The discussion session will begin at approximately 6:20 p.m., in Room C.

Mr. Silverman spoke about community highlights, congratulating Mt. Lebanon resident Leah Smith who won a Bronze Medal in the 400-meter freestyle in the Olympics. He also noted that there is a community meeting to discuss the opioid epidemic scheduled for Thursday, September 1, from 7-9 p.m., at Beth El Congregation, where various officials will be present.

CITIZEN COMMENTS

Bill Hoon of 456 Coolidge Avenue spoke about a doe study that was released several weeks ago showing that some does move farther than bucks do. He also spoke about the rise in deer/vehicle accidents.

Darla Duffy of 120 Markham Drive spoke about a deer that jumped in front of her while driving on Beadling Road. She spoke in support of the deer management program, including the deer signage that was posted. She said it's important to listen to the professionals.

Barbara Alsko of 815 Florida Avenue spoke against the use of lethal means to manage deer. She stated that the community should educate drivers. She also asked that the community continue conversation with the Game Commission regarding sterilization.

Marianne Keefer of 827 Vallevista Avenue stated that she opposes the deer management program. She stated that people should coexist with deer.

Barbara Lowenstein of 325 Orchard Drive stated that various family members have been involved in deer/vehicle accidents, and she supports deer management. She stated that there was a noticeable difference after last year's deer management program.

Stacy Chick of 177 Sleepy Hollow Road spoke against lethal means to manage deer. She stated that garden tour residents are the people who support deer management since they want to protect their yards. She said that the priority of the community should be safety, and she believed that crossbows were not safe. She also spoke about traffic calming on Sleepy Hollow, stating that vehicles continually drive through the stop signs.

Kimberly Schevtchuk of 519 Lyndhurst Avenue discussed what she believed to be policy process flaws with the deer management program.

Barbara Sollenberger of 120 Newburn Drive stated that it's the responsibility of gardeners to take measures to protect their yards from deer, not the municipality's. She also spoke about the increase in deer/vehicle collisions.

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

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

RECEIPT OF THE CAPITAL IMPROVEMENT PROGRAM (CIP).

Mr. McLean said as required by the Charter, the Capital Improvement Program (CIP) for 2017-2021 was submitted to the Commission on August 1, 2016. A public hearing is required to be held on this program prior to the issuance of the Manager's Recommended Budget.

Mr. McLean acknowledge receipt of the 2017-2021 Capital Improvement Program (CIP), and the public hearing was set for Tuesday, October 11, 2016. (It was later determined that this meeting had been changed and scheduled for Monday, October 10, 2016.)

**CONSIDERATION OF FINAL APPROVAL FOR THE PROPOSED
RETAIL BUILDING 1701 COCHRAN ROAD LAND DEVELOPMENT PLAN**

Mr. Bendel said at its meeting on Tuesday, May 24, 2016, the Planning Board voted in favor of a motion to recommend final approval for the Retail Building 1701 Cochran Road Land Development.

The developer also has requested a modification of Section 704.1 of the Subdivision and Land Development Ordinance not to install sidewalks for the development due to the fact there are no other sidewalks on adjoining properties to provide a connection.

All engineering comments related to the application have been satisfied.

CE-Acquisitions II, LP, is requesting final approval to re-use an existing two-story brick commercial building and construct a new two-story commercial building on the same lot at 1701 Cochran Road.

Mr. Bendel moved and Mr. Silverman seconded to:

1. Grant a waiver to Chapter XVI of the Mt. Lebanon Code, Subdivision and Land Development, Section 704 Sidewalks. Grant the requested waiver to Section 704.1 requiring that sidewalks be installed along all portions of a property abutting a street as recommended by the Municipal Engineer. The abutting properties do not have sidewalks.
2. Grant final approval of the Proposed Retail Building 1701 Cochran Road Land Development Plan conditioned on the execution and approval of the required development agreement.

The vote was called. The motion carried unanimously.

**CONSIDERATION OF THE EXECUTION OF THE DEVELOPMENT AGREEMENT
BETWEEN CE-ACQUISITIONS II, LP, AND MT. LEBANON FOR THE PROPOSED
RETAIL BUILDING 1701 COCHRAN ROAD LAND DEVELOPMENT PLAN**

Mr. Bendel said at tonight's meeting, the Mt. Lebanon Commission granted final approval for the Proposed Retail Building 1701 Cochran Road Land Development 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 public and private improvements, submission of a cash deposit, and any other provisions or conditions that may be required by the municipality.

Mr. Bendel moved and Mr. Silverman seconded to authorize the proper municipal officials to execute the Development Agreement between CE-Acquisitions, LP, and Mt. Lebanon for the Proposed Retail Building 1701 Cochran Road Land Development Plan. The vote was called. The motion carried unanimously.

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

Mr. McLean said White Buffalo, Inc., has submitted a proposal to provide archery management services to manage the hunters that participated in last year's deer management program. The contract proposal totals \$9,000.

Mr. McLean moved and Mr. Bendel seconded to authorize the proper officials to execute the contract with White Buffalo, Inc., for deer management services utilizing archery.

Mr. Silverman stated that deer culling is not an action the Commission takes lightly; it's a deer reduction plan not an extermination. He noted that he has young drivers in his family, and he is concerned for them. He said that deer management is an ongoing process, and he will be supporting the contract.

Mr. Bendel stated that according to the police chief, White Buffalo, Inc., managed a safe program that was executed extremely well by using a tried and true method to vet archers and property, as well as surrounding property. He stated the fact that White Buffalo, Inc., is being considered for this contract again speaks to the value that they provide in making sure the program is done safely and properly.

Mr. Brumfield stated this program is recurring. He stated that this program has brought to light the amount of hunting that has been going on in the community over the years. He said that he would rather see hunting done through this program versus some private arrangement. He also stated that while he understands the concerns of resident who oppose hunting, people have a right to hunt on their own property in accordance with Game Commission rules.

The vote was called. The motion carried unanimously.

**CONSIDERATION FOR THE REJECTION OF THE
SLEEPY HOLLOW ROAD TRAFFIC CALMING PROJECT**

Mr. Silverman said bids were received on July 26, 2016 for the Sleepy Hollow Road Traffic Calming Project. The project includes, but is not limited to, traffic calming improvements at the intersection of Brafferton Drive at Sleepy Hollow Road and Old Farm Road including construction of new concrete rolled curbs, ADA compliant ramp and sidewalk installation, landscaping, pavement markings, new signage and the installation of a speed hump in the Municipality of Mt. Lebanon. There was one contract that was out for bid.

The Municipal Engineer has verified the bids as follows:

	Contract 1
McK Construction	\$104,400

The engineer's estimate and budgeted amount for this work is approximately \$45,000.

Because only one bid was received and exceeded the budgeted amount, it is recommended that the contract be rebid.

Mr. Silverman moved and Mr. Bendel seconded to reject the Sleepy Hollow Road Traffic Calming Project bid of McK Construction. The vote was called. The motion carried unanimously.

CONSIDERATION OF APPOINTMENTS TO SERVE AS JUNIOR COMMISSIONERS

Mr. Bendel said the Commission received applications from five highly-qualified applicants for Junior Commissioner. All of the applicants were interviewed by a committee.

Mr. Bendel moved and Mr. Silverman seconded to make the following appointments:

- a) Varsha Venugopal
- b) Elizabeth Gladden

One applicant will be serving as Junior Commissioner for the Fall Semester and one for the Spring Semester.

The vote was called.

Mr. Bendel stated that he and Commissioner Brumfield interviewed the five candidates, and it was a tough decision to make since all of the applicants were highly-qualified. He stated that the Commission appreciates the interest from the applicants.

Mr. Brumfield stated the future will be bright because of people like these five applicants, who he stated were fantastic.

The motion carried unanimously.

ADJOURNMENT

The meeting adjourned at 9 p.m.