

**MINUTES OF THE ADJOURNED MEETING SEPTEMBER 26, 2016
OF THE MT. LEBANON COMMISSION**

The Commission of Mt. Lebanon, Pennsylvania, held an Adjourned Meeting at 8:00 P.M., on Monday, September 26, 2016, at the Municipal Building. Commission 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 Assistant Manager/Planner McMeans, Finance Director McCreery, Police Chief Lauth, Public Works Director Sukal, Fire Chief Sohyda, and Library Director Robyn Vittek. Also present were Phil Weis of the solicitor's office and Dan Deiseroth of the engineer's office.

COMMISSION/MANAGER'S ANNOUNCEMENTS

Manager McGill summarized the information that was reviewed during the discussion session, including a policy for neighborhood entry signs, an update on the Look Up Lebo campaign, a review of bids for the Sleepy Hollow traffic calming project and Orchard storm sewer reroute project, a review of responses for the Beverly Road parking study, a review of 2016 sotrmwater capital projects and possible 2017 projects, as well as Commission comments regarding activities of boards and authorities.

Mr. McGill stated that prior to the meeting, the Commission met in executive session to receive legal advice from the solicitor regarding a tax appeal issue and a board and authority matter. He stated that the next Commission meeting is scheduled for Monday, October 10, 2016, at 8 p.m. The discussion session will begin at approximately 6:15 p.m., in Room C.

Mr. Brumfield spoke about community highlights including the Artists Market this past weekend, which he deemed a success. He also stated that on Tuesday, September 27, at 7 p.m., a presentation on deer and pest proofing your garden will be held at the library, and on October 18, at 8 p.m., the author Alexander McCall Smith will be participating in a lecture at the middle school.

JUNIOR COMMISSIONER VARSHA VENUGOPAL COMMENTS

Varsha Venugopal was not able to attend.

CITIZEN COMMENTS

Faith Williard of 250 Park Entrance Drive spoke about neighborhood entry signs.

**CONSIDERATION OF THE MINUTES FROM
THE REGULAR MEETING HELD SEPTEMBER 13, 2016**

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

**CONSIDERATION OF ORDINANCE (BILL NO. 5-16) ADDING CLEARVIEW
COMMON AND CHURCH PLACE TO THE DEFINITION
OF PARKS AND ADDING A CLOSING TIME FOR CLEARVIEW**

Mr. Brumfield stated that Clearview Common and Church Place are currently operated as municipal facilities. The proposed ordinance will formally add these facilities to the parks ordinance, thereby subjecting use of these facilities to the standard park rules. The proposed ordinance also establishes a closing time for Clearview Common. This ordinance was introduced September 13, 2016.

Mr. Brumfield moved and Mr. McLean seconded to enact Ordinance (Bill No. 5-16) adding Clearview Common and Church Place to the Definition of Parks and adding a closing time for Clearview. The vote was called. The motion carried unanimously.

**CONSIDERATION OF RESOLUTION NO. R-16-16
TO SUPPORT SMALL BUSINESS SATURDAY**

Mr. McLean said this Resolution acknowledges the Municipality's support for Small Business Saturday and encourages the residents of our community, and communities across the country, to support small businesses and merchants on Small Business Saturday and throughout the year. Mt. Lebanon has participated in this event since its inception.

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

**CONSIDERATION OF RESOLUTION NO. R-17-16 REQUESTING
\$1,000,000 IN GRANT FUNDING FROM THE ALLEGHENY
COUNTY SANITARY AUTHORITY'S GROW GRANT PROGRAM**

Mr. Brumfield said in June 2016, ALCOSAN launched the Green Revitalization of Our Waterways (GROW) Grant Program. In July the Municipality submitted letters of interest for two projects and was invited to apply for funding for the Altoona, Mapleton and Marlin Drive Sanitary Sewer Project which was completed in October 2015. The project removed approximately 9.5 million gallons of stormwater infiltration from the sanitary sewer system. The project cost the Municipality \$2,567,922, and the Municipality is eligible to apply for up to \$1,000,000 from the GROW Grant Program.

This Resolution formally requests grant funding from ALCOSAN's GROW Grant Program for reimbursement of costs for the Altoona, Mapleton and Marlin Drive Sanitary Sewer Projects and designates Commission President Kelly Fraasch and Municipal Manager Keith McGill as the officials to execute all documents and agreements between the Municipality and ALCOSAN to facilitate and assist in obtaining the requested grant.

Mr. Brumfield moved and Mr. McLean seconded to adopt Resolution No. R-17-16. The vote was called. The motion carried unanimously.

**CONSIDERATION OF RESOLUTION NO. R-18-16
TO SUPPORT THE SAFE COMMUNITIES AMERICA PROGRAM**

Mr. Silverman said the Safe Communities America Program is a designation of the National Safety Council. Community partners are pursuing the Safe Communities America designation with the intent of making the Municipality of Mt. Lebanon a safe place to live, work, recreate, worship, and be educated through collaborative activities, networking and sharing of resources.

Mr. Silverman moved and Mr. Bendel seconded to adopt Resolution No. R-18-16 solidifying the Commission's effort to support the pursuit of Safe Communities America, a designation of the National Safety Council, for the Municipality of Mt. Lebanon. The vote was called. The motion carried unanimously.

**CONSIDERATION OF A REQUEST FOR RE-APPROVAL OF THE
MT. LEBANON CONDOMINIUMS SUBDIVISION (CONSOLIDATION) PLAN**

Mr. McLean said this is a request for re-approval for a subdivision plan.

The owner, Zamagias Properties (WPBH LLC), is requesting approval for a consolidation of lots 98-P-62, 98-P-102 and 98-P-100 into one contiguous lot.

The plan received final approval from the Mt. Lebanon Commission, but the 90-day time limitation to record the plan expired before the plan was recorded. The applicant is requesting that the Commission reapprove and re-execute the subdivision plan so that it can be recorded.

Mr. McLean moved and Mr. Brumfield seconded to grant re-approval for the Mt. Lebanon Condominiums Subdivision (Consolidation) Plan and to authorize proper municipal officials to re-execute the subdivision plan. The vote was called. The motion carried unanimously.

**CONSIDERATION OF FINAL RE-APPROVAL FOR THE
MT. LEBANON CONDOMINIUMS LAND DEVELOPMENT PLAN**

Mr. Bendel said this is a request for re-approval for a land development plan.

Zamagias Properties (WPBH LLC), is requesting re-approval of a land development plan for property located on Washington Road between Bower Hill Road and Oak Way, to construct 46 condominium units, associated parking, site amenities, and the creation of 18 on-street parking spaces that would be controlled by the municipality. The municipality would also be provided an easement for the possible future creation of a turn lane on Bower Hill Road immediately abutting the development.

The plan received final approval from the Mt. Lebanon Commission, but the 90-day time limitation to record the plan expired before the plan was recorded. The applicant is requesting that the Commission reapprove and re-execute the land development plan so that it can be recorded.

Mr. Bendel moved and Mr. Silverman seconded to grant re-approval of the Mt. Lebanon Condominiums 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 ZAMAGIAS PROPERTIES (WPBH LLC) AND MT. LEBANON
FOR THE MT. LEBANON CONDOMINIUMS LAND DEVELOPMENT PLAN**

Mr. Silverman said at a previous meeting, the Mt. Lebanon Commission granted final approval for the Mt. Lebanon Condominiums 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. Silverman moved and Mr. Bendel seconded to authorize the proper municipal officials to execute the Development Agreement between Zamagias Properties (WPBH LLC) and Mt. Lebanon for the Mt. Lebanon Condominiums Land Development Plan. The vote was called. The motion carried unanimously.

**CONSIDERATION OF A TAX APPEAL STIPULATION
INVOLVING TITHONUS (THE PINES) TAX APPEAL**

Mr. Bendel said the School District and Tithonus Mount Lebanon have negotiated a settlement for a tax appeal filed with the Board of Viewers at BV 07-005194. The parties have stipulated to the following assessed values:

<u>Years</u>	<u>Assessed Value</u>
2007- 2012	\$5,500,000
2013 to 2016	\$5,700,000

This property is the Pines Residence Home near Primanti's.

Mr. Bendel moved and Mr. McLean 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 FOR AWARD OF THE
SLEEPY HOLLOW ROAD TRAFFIC CALMING PROJECT CONTRACT**

Mr. Brumfield said bids were received on September 13, 2016, for the Sleepy Hollow Road Traffic Calming Project contract. The project consists of traffic calming improvements at the intersection of Brafferton Drive at Sleepy Hollow Road and Old Farm Road including construction of new concrete rolled curb, ADA compliant ramp and sidewalk installation, landscaping, pavement markings, new signage and the installation of a speed hump in the Municipality of Mt. Lebanon.

The Municipal Engineer has verified the bids as follows:

Contractor	Bid Price
Michael Facchiano Contracting, Inc.	\$ 56,070.00
Tony Baiano Construction	\$ 68,475.00
A. Merante Contracting	\$ 68,725.00
Peter J. Caruso & Sons	\$ 69,900.00

The Municipal Engineer has reviewed the bids and recommends the project be awarded to the low bidder, Michael Facchiano Contracting, Inc., which has been determined to be accurate. The contractor has completed similar work in Mt. Lebanon in a satisfactory manner.

The engineer's opinion of cost for the project is \$54,500 and sufficient funds are available for its completion.

Mr. Brumfield moved and Mr. McLean seconded to award the Sleepy Hollow Road Traffic Calming Project Contract to Michael Facchiano Contracting, Inc. in the amount of \$56,070. The vote was called. The motion carried unanimously.

**CONSIDERATION FOR AWARD OF THE ORCHARD DRIVE
STORM SEWER REROUTE PROJECT CONTRACT**

Mr. McLean said bids were received on September 6, 2016, for the Orchard Drive Storm Sewer Reroute Project contract. The project includes the installation of storm sewer pipe, storm sewer manholes, and all associated restoration to complete the project.

The Municipal Engineer has verified the bids as follows:

Contractor	Bid Price
Lawson Excavating, Inc.	\$140,540.00
Niando Construction, Inc.	\$152,930.00
Morgan Excavating L.P.	\$165,043.00

The Municipal Engineer has reviewed the bids and determined the low bid is incomplete, the correct bid form and proposal was not used. The contractor failed to acknowledge and submit Addendum Number 3. Therefore, the Engineer recommends the project be awarded to the second bidder, Niando Construction, Inc., which has been determined to be accurate. The contractor has completed similar work in other municipalities in a satisfactory manner.

The engineer's estimate for this contract was \$150,000. The project is within budget and is to be funded through the Stormwater Fund Account.

Mr. McLean moved and Mr. Brumfield seconded to award the Orchard Drive Storm Sewer Reroute Project Contract to Niando Construction, Inc., in the amount of \$152,930. The vote was called. The motion carried unanimously.

**CONSIDERATION OF A PROFESSIONAL SERVICES PROPOSAL TO CONDUCT
A PARKING STUDY IN THE BEVERLY ROAD COMMERCIAL DISTRICT**

Mr. Bendel said on July 8, 2016, the Municipality issued a Request for Proposals for a Beverly Road Commercial District Parking Study. The parking study will evaluate current parking usage, review historical parking, consider all uses in the district related to parking and propose solutions should a parking challenge be discovered.

Eight (8) proposals were received and reviewed by an ad hoc Selection Committee comprised of members of the Beverly Road Merchant Association, Parking Advisory Board, Economic Development Council and staff. After discussion, it is both the Selection Committee and Parking Advisory Board's recommendation to the Mt. Lebanon Commission to award the contract for professional services to Environmental Planning and Design, in a form as reviewed and approved by the Manager and the Solicitor, in the amount of \$18,462.

Mr. Bendel moved and Mr. Silverman seconded to authorize the proper officials to execute the contract with Environmental Planning and Design, in a form as reviewed and approved by the Manager and the Solicitor, in the amount of \$18,462. The vote was called. The motion carried unanimously.

**CONSIDERATION OF BID FOR THE 2016/2017
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 eight contractors. One bid was received from Little's 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 2015/2016 season in a satisfactory manner, and there is sufficient funding remaining in the 2016 budgeted snow and ice contractual account to award the contract based on the proposed cost.

Mr. Silverman moved and Mr. Bendel seconded to award the 2016/2017 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 AUGUST TOTALING \$5,478,171.72**

Mr. Brumfield moved and Mr. Silverman seconded to approve the expenditure list for August totaling \$5,478,171.72. The vote was called. The motion carried unanimously.

DEPARTMENTAL REPORTS

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

ADJOURNMENT

The meeting adjourned at 8:30 p.m.