

MINUTES OF THE ADJOURNED MEETING JUNE 23, 2020 OF THE MT. LEBANON COMMISSION

The Commission of Mt. Lebanon, Pennsylvania, held a virtually-run Adjourned Meeting at approximately 9 P.M., on Tuesday, June 23, 2020, due to the coronavirus pandemic. Commission President Craig Grella called the meeting to order and led in the Pledge of Allegiance to the Flag. Manager McGill called the roll. Present were Commissioners Andrew Flynn, Leeann Foster, Mindy Ranney, Steve Silverman, and Craig Grella. Also present were Assistant Manager/Planner McMeans, Fire Chief Sohyda, Police Chief Lauth, Finance Director McCreery, Public Works Director Sukal, Recreation Program Manager Cannon, I.T. Manager Schalles, Business District Manager Milliron, Library Director Vittek, and Senior Online Editor Bowe. 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 an update on what municipal facilities are opened and which ones are closed, review of bids for the fuel canopy, Dixon restrooms, and Meadowcroft Park improvements, and heard Commission liaison activities with various boards and authorities.

Manager McGill stated that prior to this meeting, the Commission met remotely in executive session to receive legal advice from the solicitor on various legal issues. Following tonight's meeting, the Commission will go back into executive session to continue our conservation. He stated that the next regular meeting is scheduled to be held remotely on Tuesday, July 14, 2020, at 8 p.m. with the discussion session meeting starting remotely at approximately 6:30 p.m., and executive session starting remotely at approximately 6 p.m. Mr. McGill indicated that they are planning on returning to in-person meetings at July 28 meeting, provided there are no new developments or changes related to the pandemic.

Ms. Ranney said June is Pride Month, in commemoration of the June 1969 Stonewall riots in New York City, which led to the formation of gay, lesbian and bisexual civil rights groups. Mt. Lebanon will continue to thrive upon the diversity of its residents, including those with varied backgrounds of culture, race, ethnicity, gender and sexual identity. We nurture a culture of inclusivity and acceptance, where everyone is free to be themselves. This month, we especially note that LGBTQ+ rights are human rights, protected by the U.S. Constitution.

We also take this opportunity to remind you that in 2017, Mt. Lebanon commissioners passed a nondiscrimination ordinance to protect the rights of all of our citizenry, including our LGBTQ+ population. The ordinance makes it illegal to discriminate in all matters involving employment, housing and use of public accommodations. The ordinance also established an Equal Opportunity Board. You may read the ordinance on the Equal Opportunity Board's page on [***mtlebanon.org***](http://mtlebanon.org).

The municipality continues opening more of its facilities and programs. We are working with the school district to return team sports very soon. On July 6, the Mt. Lebanon Library, ice rink and municipal building are scheduled to open, with restrictions. Recently, all playgrounds opened and block parties have been permitted to return. They joined the pavilions, parks, athletic fields, tennis courts, platform tennis and municipal golf course, which all are NOW available for use. Our website will continue to have ALL the updates in addition to detailed rules, procedures and reservation systems.

We do have some continued cancellations to report. Among them: the July First Friday event scheduled for July 3, July Fourth Community Day and fireworks, and the annual Public Safety Camp have all been cancelled.

A last note, on Wednesday, July 1, the cashiers are returning to the parking garages, and rates will go back to regular levels. Cashiers still would appreciate your using credit or debit cards and self-pay kiosks if you are able.

She noted that a group of Scouts are organizing an Eagle Scouts project and fundraiser for the Chartiers Creek Cleanup project. The cleanup day is Saturday, July 18. If you choose to participate, you may have the opportunity to clean up on a Kayak. More details can be found on the Mt. Lebanon Magazine Facebook page.

CITIZENS COMMENTS

There were no citizen comments.

**CONSIDERATION OF THE MINUTES FROM THE
THE REGULAR MEETING HELD JUNE 9, 2020**

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

**INTRODUCTION OF ORDINANCE (BILL NO. 4-20)
CONCERNING AN AMENDMENT TO THE LEASE WITH
LA POMPONNEE FOR SPACE IN THE NORTH GARAGE**

Mr. Silverman said La Pomponnee, Inc., and the Municipality have agreed to make an adjustment to the rent payments for their current lease in the North Garage in recognition of the COVID-19 pandemic. Certain rent payments will be added to the rent for the remainder of the lease term instead of being paid currently. Under the Charter, this amendment must be approved by Ordinance.

Ordinance (Bill No. 4-20) was introduced.

**INTRODUCTION OF ORDINANCE (BILL NO. 5-20)
CONCERNING AN AMENDMENT TO THE LEASE WITH
EBCB VENTURES LLC FOR SPACE IN THE NORTH GARAGE**

Mr. Flynn said EBCB Ventures LLC (d/b/a Play Town) and the Municipality have agreed to make an adjustment to the rent payments for their current lease in the North Garage in recognition of the COVID-19 pandemic. Certain rent payments will be added to the rent for the remainder of the lease term instead of being paid currently. Under the Charter, this amendment must be approved by Ordinance.

Ordinance (Bill No. 5-20) was introduced.

**SETTING A PUBLIC HEARING ON AN APPLICATION FOR INTERMUNICIPAL
TRANSFER OF A LIQUOR LICENSE FROM OM ENTERPRISE LLC.**

Ms. Foster said Mt. Lebanon has received an application for an intermunicipal transfer of a liquor license from OM Enterprise LLC, 601 McNeilly Road. In accordance with the State Liquor Code, the Commission hereby acknowledges that an extension for it to reach a decision has been invoked, and the Commission desires to set the date for the required public hearing on the application.

Ms. Foster announced the 60-day extension of time for decision, and the public hearing was set for July 28, 2020.

**CONSIDERATION TO EXECUTE AN AGREEMENT WITH
SMSA LIMITED PARTNERSHIP D/B/A VERIZON WIRELESS**

Ms. Ranney said SMSA Limited Partnership d/b/a Verizon Wireless desires to employ small cell technology in the Municipality. This agreement delineates the terms for the use of the Municipal right-of-way for this purpose. The agreement contains provisions on fees, indemnity and insurance and is consistent with the requirements of State and Federal law.

Ms. Ranney moved and Mr. Flynn seconded to authorize the execution of this agreement with SMSA Limited Partnership d/b/a Verizon Wireless subject to the approval of the Manager and the Solicitor of any minor revisions to the agreement. The vote was called. The motion carried unanimously.

**CONSIDERATION FOR THE AWARD OF THE
MT. LEBANON PUBLIC WORKS FUEL CANOPY CONTRACT**

Mr. Silverman said bids were received on June 10, 2020, for the Mt. Lebanon Public Works Fuel Canopy contract. The project includes the replacement of the existing fuel canopy with a new pre-engineered fuel canopy at the Mt. Lebanon Public Works yard. This includes demolition of the existing canopy, pad, and foundation, and installation of the new foundation, pad, and canopy.

The municipal engineer has verified the bids as follows:

Contractor	Bid Amount
Total Tank Works	\$112,000.00
Petroleum Technical Services	\$155,190.17
Michael Facchiano Contracting	\$166,000.00
Shiloh Industrial Contractors	\$192,999.00
McK Construction	\$240,000.00

The municipal engineer has reviewed the bids and determined the low bid to be accurate. The engineer recommends the base bid project be awarded to Total Tank Works. The contractor has

completed similar work in other communities and performs other work for Mt. Lebanon in a satisfactory manner.

The budgeted amount for this contract is \$101,490 The project exceeds the budget, but the finance director indicates that additional funding is available.

Mr. Silverman moved and Ms. Foster seconded to award the Mt. Lebanon Public Works Fuel Canopy contract to Total Tank Works in the amount of \$112,000. The vote was called. Mr. Flynn, Ms. Foster, Ms. Ranney and Mr. Silverman voted in support of the motion. Mr. Grella voted against the motion. The motion passed four-to-one.

**CONSIDERATION FOR THE AWARD OF THE MEADOWCROFT ADA
ACCESS PHASE 2 GENERAL CONTRACT AND ELECTRICAL CONTRACT**

Mr. Flynn said bids were received on June 10, 2020, for the Meadowcroft Park ADA Access Phase 2 contracts, general contract and electrical work contract.

The general contract includes ADA access work at Meadowcroft Park, including, demolition, grading, storm sewer repairs, paving and overlay, line striping, installation of new posts and nets for the existing tennis courts. Alternate bid items included: Alternate #1 - removal and replacement of the concrete sidewalk and curb; Alternate #2 - removal and replacement of the concrete sidewalk, steps including cheek walls, handrails, retaining wall, railing and final grading.

The electrical contract includes the removal and replacement of the existing light poles, bases and fixtures.

The municipal engineer has verified the bids as follows:

General Contract

Contractor	Base Bid	Alternate #1	Alternate #2
McElroy Paving Company	\$146,279.60	\$23,983.00	\$94,460.70
DeFrank Development	\$254,895.00	\$31,810.00	\$119,900.00
FMS Construction Company	\$250,900.75	\$34,681.50	\$157,652.75
Arcon Contracting	\$393,620.00	\$40,255.00	\$197,600.00

Electrical Contract

Contractor	Base Bid
IE Power	\$86,700.00

The municipal engineer has reviewed the bids and determined the low bids to be accurate. The engineer recommends the general contract base bid and alternate #1 be awarded to McElroy

Paving and the electrical contract be awarded to IE Power. Both contractors have completed similar work in other communities in a satisfactory manner.

The total budgeted amount for this project is \$314,000.00. The project is within budget with a total of both awards at \$256,962.60, and it is to be funded through the 2019 Bond issue.

Mr. Flynn moved and Mr. Silverman seconded to award the Meadowcroft Park ADA Access Phase 2 General Contract to McElroy Paving base bid at \$146,279.60 and Alternate #1 at \$23,983.00 for a total of \$170,262.60, and also recommend the award for the Meadowcroft Park Ada Access Phase 2 Electrical Contract to IE Power in the amount of \$86,700. The vote was called. The motion carried unanimously.

**CONSIDERATION FOR THE AWARD OF THE
DIXON FIELD – RESTROOM ADA IMPROVEMENTS**

Ms. Ranney said bids were received on June 10, 2020, for the Dixon Field – Restroom ADA Improvements contract. The project involves improvements to the Dixon Concession Stand to meet Accessibility Guidelines for Buildings and Facilities (ADA). The project base bid consists of bathroom renovations, replacement of interior concrete slab and other interior installations along with masonry repairs and replacement of exterior concrete and asphalt pavement. Alternate bids include: Alternate #1 – repair mortar joints, skyward masonry joints and face brick; Alternate #2 – install metal cap along the masonry walls; Alternate #3 – install stone cap along the masonry walls; Alternate #4 – pre-wire for electric hand dryers; Alternate #5 – install exhaust fans; Alternate #6 – install electronic door access; Alternate #7 – install coiling door.

The municipal engineer has verified the bids as follows:

	R.D. Stewart Company	TBI Contracting, Inc.	Arcon Contracting, Inc.
Base Bid	\$80,378.00	\$88,400.00	\$130,350.00
Alternate #1	\$5,250.00	\$4,800.00	\$7,410.00
Alternate #2	\$5,000.00	\$4,200.00	\$4,800.00
Alternate #3	\$9,000.00	\$12,000.00	\$12,750.00
Alternate #4	\$1,400.00	\$2,100.00	\$910.00
Alternate #5	\$8,800.00	\$5,000.00	\$3,750.00
Alternate #6	\$5,500.00	\$8,000.00	\$8,000.00
Alternate #7	\$5,800.00	\$6,000.00	\$4,600.00

The municipal engineer has reviewed the bids and determined the low bid to be accurate. The engineer recommends the base bid and add alternate # 1, 2, 4, 6, and 7 be awarded to R.D. Stewart Company. The contractor has completed similar work in Mt. Lebanon and other municipalities in a satisfactory manner.

The budgeted amount for this contract is \$143,200. The project is within budget and is to be funded through the 2019 bond issued.

Ms. Ranney moved and Mr. Flynn seconded to award the base bid for the Dixon Field – Restroom ADA Improvements contract to R.D. Stewart Company for base bid at \$80,378, add Alternate #1 at \$5,250, add Alternate #2 at \$5,000, add Alternate #4 at \$1,400, add Alternate #6 at \$5,500, and add Alternate #7 at \$5,800 for a total of \$103,328.

Mr. Grella acknowledged former Commissioner Kelly Fraach who had worked to bring this project to fruition over the past several years.

The vote was called. The motion carried unanimously.

**CONSIDERATION OF THE EXPENDITURE
LIST FOR MAY TOTALING \$4,477,644.98**

Ms. Foster moved and Ms. Ranney seconded to approve the expenditure list for May totaling \$4,477,644.98. The vote was called. The motion carried unanimously.

DEPARTMENTAL REPORTS

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

ADJOURNMENT

Mr. Grella closed the meeting thanking everyone for their support and effort during this difficult time. The meeting adjourned at 9:25 p.m.