

## MINUTES OF THE REGULAR MEETING JULY 13, 2021 OF THE MT. LEBANON COMMISSION

The Commission of Mt. Lebanon, Pennsylvania, held a virtually run Regular Meeting at 8 P.M., on Tuesday, July 13, 2021. Commission President Mindy Ranney 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, Craig Grella, Steve Silverman, and Mindy Ranney. Also present were Assistant Manager/Planner McMeans, Police Chief Lauth, Finance Director McCreery, Public Works Director Sukal, Assistant Fire Chief Daniels, I.T. Manager Schalles, Chief Building Inspector Sarver, Library Director Vittek, and Public Information Officer Lilley. 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 overview of the Mt. Lebanon Partnership activities to assist businesses through the pandemic, review of the Robb Hollow Parklet Phase II (Cedar Hill) project and bids, review of the bids for the gun range and ballistic paneling, and also heard information from commission liaisons on activities with various boards and authorities.

Manager McGill stated that prior to this meeting, the Commission met in executive session to receive legal advice from the solicitor on various legal issues and discussed a board appointment. The next adjourned meeting is scheduled to be held on Tuesday, July 27 2021, at 8 p.m., to be held remotely, with the discussion session meeting starting at approximately 6:30 p.m., to be held remotely, and the executive session starting at approximately 6 p.m. Until further notice, all public Commission meetings will be held on the Zoom webinar format. To watch or participate, you may register at [www.mtlebanon.org/commission](http://www.mtlebanon.org/commission).

Mr. Flynn said the first phase of construction for Vibrant Uptown, the multi-million dollar project that will vastly improve our Washington Road business district, has begun. Please sign up for our email newsletter and get information on construction by going to [mtlebanon.org/VibrantUptown](http://mtlebanon.org/VibrantUptown). You also can email questions to our staff at [vibrantuptown@mtlebanon.org](mailto:vibrantuptown@mtlebanon.org).

When the weather gets hot, we often end up with dangerous Air Quality Action Days. Sign up to receive alerts from Allegheny County for Action Days as well as for other health issues. You can choose to receive phone calls, texts and emails. Go to: [alleghenycounty.us/alerts](http://alleghenycounty.us/alerts)

If you'd like a say in what our parks and recreation might look like for the next few decades, here's your opportunity. The Municipality has engaged Environmental Planning and Design to update the 2004 Parks and Recreation Master Plan and to investigate the feasibility of a new recreation center. The first step is public input, which is crucial for accurate planning. There are two survey options --- a short one that will take 1-2 minutes and a longer one that will take 8-10 minutes. Go to [mtlebanon.org/ParksPlan](http://mtlebanon.org/ParksPlan) to participate.

Spend 10 weeks learning all about the Mt. Lebanon Police Department, including its procedures, training and processes, direct from the officers, at the 2021 Citizens Police Academy, September 14 through November 16. Enrollment is now open at [mtlebanonpd.org](http://mtlebanonpd.org). The Academy is free and

open to all people ages 18 and older who live and work here, with one three-hour class each Tuesday evening from 6:30 p.m. to 9:30 p.m. Background checks are required.

Speaking of police, congratulations to Corporal Tom Rutowski (Ruh-TOWE-Ski) who retired last month after 24 years of service with the department. Best wishes for a long and happy retirement.

The Mt. Lebanon Public Library is thrilled to announce that the Book Cellar is now open on the library's lower level. Hours are Tuesday, Thursday and Saturday from 10 a.m. to 4 p.m. Donations are being accepted. Simply place them on the red cart at the end of the hallway. The online store is still available as well. Details at [mtlebanonlibrary.org](http://mtlebanonlibrary.org).

### **CITIZENS COMMENTS**

Dan Caste of 62 Woodland Drive stated that he was representing Platform Tennis in the event anyone had questions about the agenda items.

Bryan Neft of 1163 Firwood Drive spoke about the Castlegate Green project. He stated that this property is owned by Allegheny County Housing Authority, and he cannot find any confirmation that the Housing Authority approves of this development; therefore, he asked that the commission forego a decision until the county approves the development. He said that this is a lower-income housing program, and the Allegheny County Housing Authority owns the land, and in speaking with the tax office, they are not anticipating any real estate taxes from this property for the municipality or the school district. He said that this is significant since there is very little land in Mt. Lebanon to develop, and this leaves a significantly valuable piece of land off of the real estate tax rolls for the municipality and school district, but it increases the burden to both.

Solicitor Phil Weis stated that there is nothing in Mt. Lebanon's ordinances regarding a property being tax exempt. He said that the commission should make its decision based on the ordinances, including zoning and land development, regarding use and infrastructure.

Cynthia Bogнар of 795 Flintridge Road had concerns with the proposed Castlegate Green development being tax exempt, stating that it would be a burden to existing taxpayers.

Ms. Ranney stated that one email citizen comment was received as follows:

Matthew Zwier of 1151 Cedar Boulevard stated that I would like to publicly express my disappointment with the municipality in their handling of gas pipeline replacement work being performed by Columbia Gas and their sub-contractor Infrasource on Cedar Blvd. in the area between Mayfair to Beadling. Since February the residents in this area have not been able to freely move in or out of their driveways, nor park on the street during daylight hours. We are subject to their loud equipment starting at 7:30 a.m. until most workdays ending around 6 p.m. Why does the municipality not require they clean the street each evening? Each night debris is left on the road including rocks, dirt, asphalt chips and uneven pavement patches.

They have excavated our sidewalks making for dangerous walking conditions for kids that were walking to school at Markham and the high school. Now that summer is here, kids, bicyclists

and other pedestrians are forced to maneuver uneven pavement, holes, and rocks that pose tripping hazards. I hope the municipality will hold them accountable for proper and timely restoration of our street and not simply a poor patch job as Columbia Gas has done in other municipalities. I have expressed my concerns to Columbia Gas, and the Pennsylvania Public Utility Commission.

I would ask that the municipality support its residents and hold Columbia Gas accountable for getting our street back to normal. Thank you for your time.

**CONSIDERATION OF THE MINUTES FROM  
THE ADJOURNED MEETING HELD JUNE 22, 2021**

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

**CONSIDERATION OF APPROVAL OF A  
CONDITIONAL USE PLAN AT 900 CEDAR BOULEVARD**

Mr. Flynn said Mt. Lebanon Municipality owns the warming hut associated with the existing platform tennis courts in Main Park. The Mt. Lebanon Platform Tennis Association (MLPTA) is proposing to renovate the existing warming hut with the addition of a second story, bathrooms, and outdoor seating deck. The platform tennis hut is located in Main Park which is part of the OS-A Open Space Active zoning district. Facilities incidental to the operation of public recreational uses are a conditional use in the OS-A District.

The Planning Board recommended approval of the conditional use request on May 18, 2021.

The Commission held a public hearing on the conditional use request on June 22, 2021.

Mr. Flynn moved and Mr. Silverman seconded to approve the conditional use request conditioned upon the subsequent approval of the Platform Tennis Hut Expansion site plan. The vote was called. The motion carried unanimously.

**CONSIDERATION OF FINAL APPROVAL  
OF THE PLATFORM TENNIS HUT SITE PLAN**

Ms. Foster said at its meeting on June 15, 2021, the Planning Board voted in favor of a motion to recommend final approval to the Platform Tennis Hut site plan. The Municipality of Mt. Lebanon owns the existing platform tennis courts and warming hut in Main Park. The Mt. Lebanon Platform Tennis Association proposes to renovate the existing warming hut with the addition of a second floor, bathrooms, and an outdoor seating deck. The property is zoned OS-A Open Space-Active. Facilities incidental to the operation of public recreational uses are a conditional use in the OS-A District.

Earlier tonight the Commission approved the Conditional Use request for Platform Tennis Hut located in Main Park at 900 Cedar Boulevard.

Ms. Foster moved and Mr. Grella seconded to grant Final approval to the Platform Tennis Hut Site Plan. The vote was called. The motion carried unanimously.

**CONSIDERATION FOR THE AWARD OF THE  
ROBB HOLLOW PARKLET PHASE 2 CONTRACT**

Mr. Silverman said bids were received on July 6, 2021, for the Mt. Lebanon Department of Public Works Robb Hollow Parklet Phase 2 project. The project consists of the construction of a pocket park, including the installation of an aggregate pedestrian path; installation of a retaining wall; tree and shrub planting; site preparation and grading; erosion and sedimentation controls; site protection; resident notification; site restoration; and traffic control.

The Municipal Engineer has verified the bids as follows:

<b>Contractor</b>	<b>Base Bid</b>	<b>Alternative Bid 1</b>	<b>Alternate Bid 2</b>
John Zottola Landscaping, Inc.	\$113,840.00	\$49,140.00	\$24,750.00
Plavchak Construction Co., Inc.	\$138,580.00	\$49,770.00	\$41,850.00
C.H. & D. Enterprises	\$147,037.00	\$46,200.00	\$ 7,875.00
Vermont Stone & Horticulture	\$152,076.90	\$71,820.00	\$38,189.25
WG Land, LLC	\$287,191.00	\$178,290.00	\$44,943.75

The budgeted amount for the overall Robb Hollow Parklet project is \$360,000 and the Engineer's estimate for Phase 2 of the project was \$121,095. The project is within budget and is to be funded through the Capital Projects Fund.

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

Mr. Silverman moved and Mr. Flynn seconded to award the Mt. Lebanon Department of Public Works Robb Hollow Parklet Phase 2 Contract to John Zottola Landscaping, Inc. for the Base Bid in the amount of \$113,840. The vote was called. Mr. Flynn, Ms. Foster, Mr. Silverman and Ms. Ranney voted in support of the motion. Mr. Grella voted against the motion. The motion passed four to one.

**CONSIDERATION OF FINAL APPROVAL OF THE  
CASTLEGATE GREEN LAND DEVELOPMENT PLAN**

Mr. Grella said at its meeting on May 18, 2021, the Planning Board voted in favor of a motion to recommend final approval to the Castlegate Green Land Development plan. The Community Builders, Inc has an equitable interest in the property located at 2904 Castlegate Avenue. The developer is proposing a multi-family development with 51 residential units on the parcel. There will be seven structures with residential units along with a building to serve as a management

office. The developer will also construct associated parking, utilities, and stormwater management infrastructure to serve the development. The property is zoned R-4 Residential with a Continuing Care overlay. Multi-family dwellings are an authorized use subject to site plan approval in the R-4 zoning district. The approval of the Site Plan will include a Stormwater Facilities Operations and Maintenance Agreement with The Community Builders, Inc.

Mr. Grella moved and Ms. Foster seconded to:

1. Grant Final approval to the Castlegate Green Land Development plan conditioned on the execution and approval of the required development agreement and conditioned upon receipt of the required amenities bond within 60 days and verification of approvals from other governing bodies.
2. Authorize the proper municipal officials to execute an Operations and Maintenance Agreement with The Community Builders, Inc for their private stormwater management facility as part of the Castlegate Green Land Development plan.
3. Approval is contingent on the seven items in Gateway Engineer's review letter dated July 8, 2021 being addressed.

The vote was called. The motion carried unanimously.

**CONSIDERATION FOR THE EXECUTION OF A  
DEVELOPMENT AGREEMENT WITH THE COMMUNITY  
BUILDERS INC. FOR THE CASTLEGATE GREEN LAND DEVELOPMENT PLAN**

Mr. Flynn said at tonight's meeting, the Mt. Lebanon Commission granted final approval for the Castlegate Green 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. Flynn moved and Mr. Silverman seconded to authorize the proper municipal officials to execute the Development Agreement between The Community Builders, Inc. for the Castlegate Green Land Development Plan conditioned upon receipt of the required financial securities within 60 days of approval. The vote was called. The motion carried unanimously.

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

Mr. Silverman said the Municipality received a proposal for the provision of services related to the Deer Management Program. Suburban Wildlife Management Solutions, LLC has provided management services to the last three archery programs and most recent sharpshooting program. The proposal includes both the management services for the archery program as well as the professional sharpshooting services. Municipal staff has reviewed the proposal and deemed the proposal to meet the goals and objectives of the municipality's deer management program. The proposal is a one-year contract with the municipal option to renew for two additional years.

The cost of the archery program management in 2021-2022 is \$8,000 and the cost of the professional sharpshooting in 2022 is \$45,000. The award of the sharpshooting portion of the

contract is contingent upon the municipality receiving the necessary permits for the program from the Pennsylvania Game Commission.

Mr. Silverman moved and Mr. Flynn seconded to authorize the proper officials to execute the contract with Suburban Wildlife Management Solutions, LLC for deer management services including archery and sharpshooting for the 2021-2022 season with the municipal option to renew for two additional years. The vote was called. The motion carried unanimously.

**CONSIDERATION OF COMMENCEMENT OF PENSION BENEFITS**

Ms. Foster said Mt. Lebanon sponsors three defined pension benefit plans for its employees: General Employees, Police and Firefighters. The Commonwealth of Pennsylvania’s Department of the Auditor General requires that all benefit commencements for the Police Pension Plan be approved by the Commission.

The employee detailed below has requested benefit commencement in accordance with the terms of their respective pension plans.

<b>Employee Name Title</b>	<b>Pension Plan Department</b>	<b>Benefit Start Date</b>
Thomas Rutowski Corporal	Police Police	07/01/2021

Ms. Foster moved and Mr. Grella seconded to approve benefit commencement for Thomas Rutowski. The vote was called. The motion carried unanimously.

**CONSIDERATION OF AN APPOINTMENT TO THE  
ENVIRONMENTAL SUSTAINABILITY BOARD TO FILL AN UNEXPIRED TERM**

Mr. Flynn moved and Ms. Foster seconded to appoint Charles Hansen of Sunnyhill Drive to fill an unexpired term ending March 31, 2023. The vote was called. The motion carried unanimously.

**ADJOURNMENT**

The meeting was adjourned at 8:55 p.m.