

MINUTES OF THE REGULAR MEETING MARCH 9, 2021 OF THE MT. LEBANON COMMISSION

The Commission of Mt. Lebanon, Pennsylvania, held a virtually run Regular Meeting at 8 P.M., on Tuesday, March 9, 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, Fire Chief Sohyda, Finance Director McCreery, Public Works Director Sukal, I.T. Manager Schalles, Library Director Vittek, Chief Building Inspector Sarver, 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 review of the Sports Advisory Board's project priorities, review of the proposed plan for opening the Swim Center in 2021, and heard information from commission liaisons on activities with various boards and authorities. Due to time constraints, the item regarding Commission priority projects for 2021 will be discussed at the next meeting.

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 also review board and authority appointments. The Commission will go back into executive session following this meeting. The next regular meeting is scheduled to be held on Tuesday, March 23, 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.

Mr. Flynn said one of the most rewarding things we do in Mt. Lebanon is recognize our neighbors who set the standard for volunteerism. Each year, the Community Relations Board selects a resident whose volunteerism deserves our highest level of gratitude. The deadline for this year's nominations for the Community Service Award is THIS Friday, March 12th. To nominate someone, go to: Mtlebanon.org/communityserviceaward or fill out the form in your March issue of Mt. Lebanon Magazine. We have more here at the municipal building customer service desk if you need an extra.

March is Women's History Month. The Mt. Lebanon Commission is joining in to commemorate and encourage the study, observance and celebration of the vital role of women in American history as well as the myriad contributions women make every day in Mt. Lebanon. For ideas on ways to learn and celebrate the month in your family, go to womenshistorymonth.gov

To make it easy for you to patronize Mt. Lebanon businesses, we have placed several "curbside pickup" parking spaces in our Central Business District on Washington Road. In those MARKED spaces only, parking is free for 10 minutes to allow you to collect your purchase quickly. Additionally, the Mt. Lebanon Partnership is helping local business with its new video collection called "Love Lebo Learning Series," where you can learn all sorts of things from local businesses, such as how to make artful coffee drinks, delicious risotto or paint like Van Gough. The videos are available on demand on the Mt. Lebanon Partnership's YouTube channel. Subscribe to the channel to get notifications as the Partnership expands the series.

Every year, blowing winter snow, the runoff from snowmelt and the action of the plows can lead to the unintended consequence of litter along our streets. Please take some time during these early thaws to pick up the area around your sidewalks, and promptly discard any trash that may have blown or fallen from cans. Our public works crews are cleaning catch basins to remove leaves and sticks that may have collected there, but you are also encouraged to freshen up the ones near your home if the crews have not gotten to your neighborhood yet.

The Center for Theater Arts is celebrating its 40th anniversary with a virtual performance from Heinz Hall on Saturday, March 20, at 7:30 p.m. Congratulations to this community gem. For tickets and information, go to *centerfortheaterarts.org*.

JUNIOR COMMISSIONER RUBY SIEFKEN COMMENTS

Ms. Siefken stated that a fundraiser will be held on March 24, at Panera, to support childhood cancer. She also stated that the Devil's Advocate is getting a lot of attention because of an article that was published entitled, Your Kids are Watching. She also stated that the high school was hosting the SATs on Saturday. She stated that spring sports are in full swing. She noted that a decision about five-day in-person school is forthcoming, and if approved, would commence March 29.

COVID-19 UPDATE/INFORMATION

Ms. Lilley gave an update on COVID-19, stating that the cases of COVID are trending down. She stated that more people in Allegheny County have received the COVID vaccination than who have had COVID. She read a consortium of information from medical directors regarding vaccinations. She also mentioned various websites where you can sign up for the COVID vaccination, which are all on Mt. Lebanon's website. She spoke about recreation programs that are open and those that have been cancelled.

State Rep. Dan Miller spoke about the vaccination distribution, emphasizing that the state needs a better system going forward. He stated that the National Guard will be mobilized to assist in getting the teachers vaccinated in order to get the kids back to in-person school.

CITIZENS COMMENTS

Richard Culbertson of 1430 Bower Hill Road spoke about overnight parking. He said the current requirement of not parking on public streets was a bad idea fifty years ago and is a bad idea now. Do not perfect bad ideas. He didn't believe this was the best use of the police department. He stated that he pays taxes, which should enable him to use the public streets and sidewalks 24 hours per day. He said this a good community, and we want to keep it that way.

Brieta Dougherty-Brill of 340 Kenmont Avenue spoke about the proposed overnight parking ordinance. She has concerns with parking pads in front yards, stating they are aesthetically displeasing, and most of the time the vehicles extend over the sidewalk, forcing people to walk into the street. She spoke about various aspects of the ordinance, stating that no one wants to park overnight on the street. She stated that if this ordinance is approved, she asked that residents be permitted to park in front of their own homes instead of three blocks away.

Alexis Trbovich of 614 Ridgefield Avenue stated that she works for Rep. Devlin Robinson, and she offered the assistance of Rep. Robinson.

Ms. Ranney read into record the following public comments received through e-mail:

Hello, my name is Elaine Frantz and I live at 454 Willow Drive. I have been studying police and police reform for a long time now, and have been paying close attention to how things work here in Mount Lebanon. I have come increasingly to believe that the commissioners' lack of dedication to meaningful oversight of the police is at the very heart of what is wrong here. The commissioners are meant to oversee the police, but some at least seem afraid to displease our police chief by asking tough questions or even by accessing the information they would need to oversee the police effectively. Some commissioners seem to imagine that their role is not to carefully examine the functioning of police but rather to defer to the wishes of the police or even to act as a PR agent for the police to concerned members of the public. This has to end.

It is true that our police haven't been at the center of any scandals... we pay them well, the crime rate they have to deal with is low, and they run things smoothly enough that we don't really hear too much about them. And we should not take that for granted. Yet no institution is going to function well without healthy, critical oversight, and from everything I can see, that oversight is way too close to non-existent in our system in Mount Lebanon.

The police's refusal to allow community members to examine their Use of Force policy is just one very obvious example of the collapse of democratic oversight over the police in Mount Lebanon. There are so many more, but I hope that the commissioners can stand up for our community's values by requiring that the police be subject to the same healthy scrutiny as other areas of our government. Thank you.

Patricia B. Dunkis of 900 Washington Road, Apartment 304 wrote that as a relatively new member of the Mt. Lebanon Community, I am coming to the awareness that Mt. Lebanon may be over-policed. I hear sirens many times throughout the day and night. Can there really be so many emergencies or violations of law here?

As a supporter for the Mt. Lebanon Organization for Racial Equality (M.O.R.E.), and an advocate for criminal justice reform, I am also concerned about the lack of transparency in the Mt. Lebanon Police Department's Use of Force policy. I feel it should be added to the police department website, in full, so all residents and visitors are aware of the department's approach and policy regarding the use of force. Research shows that police departments that adopt a policy of transparency can achieve more trust and support between them and the people they serve, especially people of color.

My understanding is that an agreement to redraft and post the policy has not been honored. It is time to do so!

As my Commissioners, will you please sign M.O.R.E.'s pledge to state your support on the record for making the MLPD's Use of Force Policy public and to require the expeditious re-drafting of the policy so that the agreement can be met?

**CONSIDERATION OF THE MINUTES FROM THE
THE ADJOURNED MEETING HELD FEBRUARY 23, 2021**

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

**INTRODUCTION OF AN ORDINANCE (BILL NO. 2 -21) MT. LEBANON,
PENNSYLVANIA, AMENDING OVERNIGHT PARKING RESTRICTIONS**

Mr. Grella said Mt. Lebanon currently prohibits overnight parking on public streets, subject to certain exceptions. This ordinance adjusts the exceptions to allow each vehicle license plate twenty (20) overnight parking requests per calendar year. Thereafter, a resident will need to follow either an existing process to obtain a permit for an overnight parking zone or a new process to establish and obtain a permit for a special permit parking space, which requires a demonstration of good reason and items beyond the control of the applicant. The Ordinance contains other requirements and restrictions including on the number of vehicles which are eligible for permits, as well as a distance requirement from available parking for a special parking space. The ordinance imposes an annual application requirement and an annual fee. The ordinance also clarifies the duties of the Manager in establishing traffic and parking controls under the Motor Vehicle Code.

Mr. Grella introduced Ordinance (Bill No. 2-21), and the public hearing was set for April 13, 2021.

CONSIDERATION OF A MINOR SUBDIVISION PLAN

Mr. Flynn stated this is a request for final approval for a minor subdivision plan. Dr. Ali Melhem owns the neighboring properties located at 824 and 830 Osage Road with lot and block numbers 99-E-60 and 99-E-66. The plan moves the interior property line between the lots by 40.90 feet and conveys 7,357.5 square feet of land (0.169 acres) to the property at 824 Osage Road. Both properties are zoned as R-1 Residential and are currently in compliance with the zoning standards of the district. Both lots will continue to comply with the zoning standards for the R-1 District after the lot line is moved and the land is conveyed.

The Planning Board reviewed and recommended approval of the Subdivision Plan at its February 16, 2021 meeting. All engineering comments have been addressed.

Mr. Flynn moved and Mr. Silverman seconded to grant final approval for the Melhem Plan of Lots Subdivision Plan. The vote was called. The motion carried unanimously.

**CONSIDERATION TO PURCHASE AUTOMATIC LICENSE
PLATE RECOGNITION (ALPR) EQUIPMENT AND SOFTWARE**

Ms. Foster said the police department and parking enforcement department have researched numerous methods for enhancing the efficiency and consistency of parking enforcement throughout the community. The most cost-effective solution was identified as Automatic License Plate Recognition (ALPR) technology.

ALPR involves the addition of cameras to police and parking enforcement vehicles that automatically screen license plates for potential violations of metered, timed and permit zones.

This request covers the purchase of ALPR equipment, hardware and software to equip three new police vehicles and one new parking enforcement vehicle.

The total purchase price of this equipment and software as quoted by Vigilant Solutions, LLC under PA State Contract #4400019259 is \$82,045. The budgeted amount for this equipment and software is \$86,100.

Ms. Foster moved and Mr. Flynn seconded to purchase ALPR equipment and software from Vigilant Solutions, LLC at a total price of \$82,045. The vote was called. Mr. Flynn, Ms. Foster, Mr. Silverman and Ms. Ranney voted in favor of the motion. Mr. Grella voted against the motion. The motion passed four to one.

**CONSIDERATION FOR THE AWARD OF THE 2021
YEARLY CONCRETE CURB MAINTENANCE PROGRAM**

Mr. Silverman said bids were received on February 24, 2021 for the 2021 Yearly Concrete Curb Maintenance Contract. The project consists of the removal and replacement of various sizes of concrete curb, concrete roll curb, and concrete curb and gutter throughout the Municipality.

The Municipal Engineer has verified the bids as follows:

<u>Contractor</u>	<u>Amount</u>
G. Pasquale and Sons Construction Company	\$143,775.00
Arch Masonry and Restoration	\$334,220.00

The Municipal Engineer has reviewed the bids and determined the low bid to be accurate. The Engineer recommends the project be awarded to G. Pasquale and Sons Construction Company. The low bidder has completed similar projects for the Municipality in a satisfactory manner.

The budgeted amount for this contract is \$167,250 and the engineer's estimate for the project was \$165,000. The project is within budget and is to be funded through the transportation portion of the Operating Budget.

Mr. Silverman moved and Mr. Flynn seconded to award the 2021 Yearly Concrete Curb Maintenance Contract to G. Pasquale and Sons Construction Company in the amount of \$143,775. The vote was called. The motion carried unanimously.

**CONSIDERATION FOR THE AWARD OF THE
2021 BRICK STREETS RESTORATION PROGRAM**

Mr. Grella said bids were received on February 24, 2021 for the 2021 Brick Streets Restoration contract. The project consists of the removal and replacement of deteriorated portions of brick streets throughout the Municipality.

The Municipal Engineer has verified the bids as follows:

<u>Contractor</u>	<u>Amount</u>
Next Construction, Inc.	\$55,790.00
Cilenti Construction Co., Inc.	\$57,835.00

The Municipal Engineer has reviewed the bid and determined the low bid to be accurate. The Engineer recommends the project be awarded to Next Construction, Inc. The contractor has completed this work in previous years for the Municipality in a satisfactory manner. The bid specifications were sent to nine contractors during the bidding process which included the six contractors from the CMU Preserving Brick Streets with Data presentation.

The budgeted amount for this contract is \$63,270 and the Engineer's Estimate for the project was \$63,000. The project is within budget and is to be funded through the transportation portion of the Operating Budget.

Mr. Grella moved and Ms. Foster seconded to award the 2021 Brick Streets Restoration contract to Next Construction, Inc. in the amount of \$55,790. The vote was called. The motion carried unanimously.

**CONSIDERATION FOR THE REJECTION OF THE
MT. LEBANON SANITARY AND STORM SEWER LINING PROJECT**

Mr. Flynn said three bids were received on February 16, 2021 for the Mt. Lebanon Sanitary and Storm Sewer Lining project. The project involves sanitary and storm sewer full length, manhole to manhole, lining.

The Municipal Engineer has verified the bids as follows:

<u>Contractor</u>	<u>Base Bid</u>	<u>Add Alternate-1 Bid</u>
Jet Jack, Inc.	\$934,775.00	\$17,000.00
Standard Pipe Services, LLC	\$990,000.00	\$500.00
Insight Pipe Contracting, LLC	\$1,246,155.00	\$4,500.00

It is recommended that the contract be rebid and the bids be rejected.

Mr. Flynn moved and Mr. Silverman seconded to reject the bids for the Mt. Lebanon Sanitary and Storm Sewer Lining Project. The vote was called. The motion carried unanimously.

**CONSIDERATION FOR THE AWARD OF THE 2021
ROOT-DAMAGED SIDEWALK MAINTENANCE CONTRACT**

Ms. Foster said bids were received on March 3, 2021 for the 2021 Root-Damaged Sidewalk Maintenance Contract. The project includes the removal and replacement of concrete sidewalks damaged by tree roots throughout the Municipality.

The Municipal Engineer has verified the bids as follows:

<u>Contractor</u>	<u>Amount</u>
G. Pasquale and Sons Construction Co.	\$113,156.00
Arch Masonry and Restoration	\$115,087.50
Independent Enterprises, Inc.	\$118,557.50
N&N Landscaping, LLC.	\$180,510.00
A. Liberoni, Inc.	\$220,589.95

The Municipal Engineer has reviewed the bids and determined the low bid to be accurate. The Engineer recommends the project be awarded to G. Pasquale and Sons Construction Company. The contractor has completed similar projects for the Municipality in a satisfactory manner.

The budgeted amount for this contract is \$125,050 and the engineer's estimate for the project was \$124,000. The project is within budget and is to be funded through the transportation portion of the Operating Budget.

Ms. Foster moved and Mr. Grella seconded to award the 2021 Root-Damaged Sidewalk Maintenance Contract to G. Pasquale and Sons Construction Company in the amount of \$113,156. The vote was called. The motion carried unanimously.

ADJOURNMENT

The meeting was adjourned at 9:03 p.m.