

**TO:** Mt. Lebanon Commission  
**FROM:** Keith McGill, Municipal Manager  
**DATE:** September 8, 2023  
**SUBJECT:** Agenda – Regular Meeting – September 12, 2023 – 8 p.m. – Mt. Lebanon Municipal Bldg., 710 Washington Road, Commission Chambers – Meeting is Recorded  
**Zoom Link:** <https://us02web.zoom.us/j/85822616224?pwd=Y2FWSFZxaElzbStIT0VGWFpjK0NYUT09>

Call to Order – Pledge of Allegiance to the Flag – Roll Call

- SS 1. **Commission / Manager’s announcements:**
- Summary of discussion session topics (Manager McGill)
  - Manager’s announcements (Manager McGill)
  - Community highlights (Commission Vice President Swager Wilson)
- SS 2. **Junior Commissioner Sarah Hudak comments.**
- SS 3. **Citizens Comments / Online Comments.**
- ASW 4. **Consideration of the minutes from the Adjourned Meeting held August 22, 2023.**
- Recommended Action:* Move to approve the minutes.
- AF 5. **Consideration of final approval of a subdivision plan for the Black Oak Hill project at 397 Old Gilkeson Road.**
- Request for recommendation for final approval of a subdivision plan. Disyga, LLC is requesting to subdivide the property at 397 Old Gilkeson Road into 12 parcels. This would accommodate the Black Oak Hill land development plan submitted by Disyga, LLC to construct 10 single-family attached homes on the property.
- The Planning Board recommended final approval of the subdivision plan at its July 18, 2023, meeting. A presentation was given at the Commission meeting on August 22, 2023, by the developer.
- Recommended Action:* Move to grant final approval of a subdivision plan for the Black Oak Hill project at 397 Old Gilkeson Road.
- MR 6. **Consideration of final approval for the Black Oak Hill land development plan at 397 Old Gilkeson Road.**
- At its meeting on Tuesday, July 18, 2023, the Planning Board voted in favor of a motion to recommend final approval for the Black Oak Hill Land Development Plan. The developer presented the project to the Commission at the August 22, 2023, meeting.

Disyga LLC has submitted the Black Oak Hill plan to construct 10 single-family attached homes on approximately 2.7 acres, located at 397 Old Gilkeson Road in the R-3 Zoning District. Single-Family Attached dwellings are a use by right in the R-3 Zoning District.

The developer has requested the following modifications to the Mt. Lebanon Code, Chapter XVI, Subdivision and Land Development (SALDO).

- A modification to Section 805.9 related to sidewalks. The developer is requesting to not install sidewalks on the Old Gilkeson Road side of the property due to site topography and the location of the property boundaries in relation to the right-of-way line. Sidewalks will be provided on the Gilkeson Road side of the property.
- A modification to Section 707 to provide the required shade trees within the lot frontage on Old Gilkeson Road in lieu of planting the trees within the right-of-way due to limited space between the right-of-way line and the cartway. The shade trees planted on private property will be maintained by the property owners.

Recommended Action: Move to:

1. Grant the requested modifications to Section 805.9 and Section 707.
2. Grant the final approval to the Black Oak Hill Land Development Plan conditioned on the execution and approval of the required development agreement, conditioned upon the receipt of necessary permits from outside agencies, and conditioned upon receipt of the required financial securities within 60 days.

**CG 7. Consideration for the execution of a Development Agreement and Stormwater Operations & Maintenance Agreement with Disyga, LLC.**

At tonight's meeting, the Mt. Lebanon Commission granted final approval for the Black Oak Hill 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. Additionally, the engineer and solicitor have recommended the municipality enter into a Stormwater Operations & Maintenance Agreement to ensure the private stormwater infrastructure on site will be owned and maintained by the private property owners.

Recommended Action: Move to authorize the proper municipal officials to execute the following documents along with any revisions approved by the Manager and Solicitor:

1. Development Agreement between Mt. Lebanon Municipality and Disyga, LLC for the Black Oak Hill Land Development Plan conditioned upon receipt of the required financial securities within 60 days of approval.
2. Stormwater Operations and Maintenance Agreement with Disyga, LLC for their private stormwater management facilities as part of the Black Oak Hill land development plan.

**ASW 8. Consideration of Brick Streets Policy.**

Over the past several years, the Historic Preservation Board has worked to develop a preservation policy for the brick streets in the community. Mt. Lebanon’s brick streets are part of its heritage and contributed strongly to its National Historic District Register designation and are a key historic and aesthetic feature of our community. The Commission has received input from the Historic Preservation Board, researchers at Carnegie Mellon University, municipal staff and engineers, community residents, and local experts in other municipalities who have tackled brick street preservation. The Commission has discussed the policy several times in Discussion Sessions over the past year.

*Recommended Action:* Move to adopt the Brick Streets Policy.

**AF 9. Consideration of commencement of pension benefits.**

Mt. Lebanon sponsors three defined pension benefit plans for their 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. It also recommends that all benefit commencements regardless of plan type be approved by the Commission.

The employees detailed below have requested benefit commencement commensurate with the terms of their respective pension plans.

<b>Employee Name</b>	<b>Pension Plan</b>	<b>Start Date</b>
Laurena Schultz	General Employees	09/01/2023

*Recommended Action:* Move to approve benefit commencement for Laurena Schultz.

**MR 10. Consideration to purchase a 2024 Jacobsen GP400 greens mower from Baker Vehicle Systems, Inc.**

This mower will replace the existing 2018 greens mower. The existing greens mower will be converted to a tee mower. The current tee mower is a 2013 converted greens mower. The Jacobsen GP400 is \$47,968.50 and is in accordance with Omnia purchasing contract #20470. Due to supply chain delays, this item will not be available until 2024. It will be ordered this year and sufficient budgeted funds will be carried over to next year.

*Recommended Action:* Move to authorize purchase of a 2024 Jacobsen GP400 mower from Baker Vehicles Systems, Inc. in accordance with Omnia purchasing contract #20470 at a total cost of \$47,968.50.

**SS 11. Adjournment.**

## MT. LEBANON, PENNSYLVANIA

### DRAFT Brick Street Reconstruction Policy

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#### Background

Mt. Lebanon, like a number of other older communities, has been discussing the question of how to preserve its brick streets as part of its overall street infrastructure maintenance programs. Mt. Lebanon has 4,400 properties contained within a National Historic Register District. The way our neighborhoods were laid out and developed is indicative of early car-driven suburbs. Mt. Lebanon's brick streets are part of its heritage and contributed strongly to its National Historic Register designation and are a key historic and aesthetic feature of our community. Brick streets can also present certain challenges for maintenance and restoration that asphalt does not. Most of our brick streets are between 60 and 100 years old and require repair, and in some cases, would need to be completely rebuilt in order to be retained. Original bricks as a street material have historically been more durable than alternatives such as asphalt or concrete. However, brick manufacturing and winter treatments such as the use of rock salt have changed over the last half-century. New street brick has not been installed for a long enough period since these changes to validate a similar useful life as the original brick. Repair and/or reconstruction of brick streets is a costly undertaking (considerably more costly than asphalt at the reconstruction stage). Some residents (including both those who live on brick streets and those who do not) have expressed the desire to keep our brick streets, but there is a question of how much more they may be willing to pay to do so.

For the past several years, the Mt. Lebanon Historic Preservation Board (the "HPB") has worked to develop a preservation policy for our brick streets. To be successful, such a policy must be cognizant of the issue of costs. In implementing such a policy that aims to preserve brick streets in the historic district and in neighborhoods of connected brick streets.

In the course of that project, the HPB received the benefit of organizational efforts from a committee of Mt. Lebanon residents who identified as brick street advocates as well as a white paper authored by researchers at Carnegie Mellon University in 2021 called *Preserving Brick Streets with Data – a Mt. Lebanon, PA Case Study* (the "Brick Streets White Paper").<sup>1</sup> The Brick Streets White Paper included the results of a survey of Mt. Lebanon residents seeking to ascertain their views on the Municipality's brick streets, including their appetite for additional expenditures to preserve them. Of the residents surveyed, results suggest a strong level of public support for brick streets. The HPB has also engaged in extensive discussions with the Mt. Lebanon Department of Public Works, the Municipality's municipal engineer, brick manufacturing firms, and public works departments of other communities that are also engaged in the preservation of brick streets. This Brick Street Preservation Policy (this "Policy") incorporates the insights drawn by the HPB from those various discussions and analyses, and in addition to the efforts of the HPB, reflects the efforts of those local residents. The HPB strongly advocates that Mt. Lebanon preserve its brick streets to the greatest extent reasonably possible.

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<sup>1</sup> See *Preserving Brick Streets with Data – a Mt. Lebanon, PA Case Study*, February 1, 2021, Carnegie Mellon University, <https://www.cmu.edu/news/stories/archives/2021/february/images/preserving-brick-streets-data-visualization-study.pdf>

## **Purpose:**

The purpose of this policy is to establish a systematic and consistent approach during the decision-making process when it has been determined that a municipal street, which is currently constructed of brick, should be reconstructed in brick. Brick streets provide a feeling of historical significance to residential neighborhoods. The policy will be used as a guide when determining whether the street should be reconstructed of brick pavers or if some other method or material should be used to reconstruct the street surface. The goal is to preserve Mt Lebanon's brick street infrastructure where feasible, particularly within the Historic District.

## **Brick Street Policy Statement:**

This policy will act as a guide to determine the method of construction to be used when a street that is currently constructed of brick is in need of full-depth reconstruction. The Commission and staff will consider brick streets as part of the overall street reconstruction program. Brick streets will be reconstructed according to the normal procedures of municipal street reconstruction, taking the Pavement Condition Index (or other relevant metrics) into account in keeping with the overall goals of the adopted Comprehensive Plan related to mobility and street conditions.

## **Objectives:**

This policy will establish guidelines for discussion when a brick street needs to be reconstructed, Attachment A includes a recommended classification of brick streets that takes into account the following factors:

- The location of the street in respect to the Mt Lebanon Historic District.
- The surrounding streets in the neighborhood to determine if the brick street was part of a larger network of brick streets.
- The impact on safety due to grades, slopes, turns, precipitation, winter operations, amount of daily use, or other variables. The cost of restoring a street to the original brick surface as compared to the cost of using asphalt, concrete or other construction materials.
- Life cycle costs of maintaining the street as a brick street as compared to asphalt or construction materials other than brick. New materials and the quality of existing materials on the market will be evaluated by the Public Works Department and municipal engineer.

Overall, the objectives related to the final construction method should consider all relevant facts and circumstances, including but not limited to those analyzed as part of Attachment A.

## **Procedures:**

This section of the policy covers the steps the Municipality will take when prioritizing street reconstruction projects.

### **1) Brick streets at the end of their useful life:**

- a) When a brick street is deemed to have reached the end of its useful life, it will be included on the Commission's list for potential street reconstruction projects.
- b) Streets classified as "Preserve" will be reconstructed with brick if cost and other relevant considerations are met. Brick streets may be evaluated via separate bidding processes

than asphalt streets. Bid specifications may include add-alternate costs for restoration utilizing existing street bricks, where possible, or for replacement with new bricks or a combination thereof.

- c) Brick streets classified as “Replace with other materials” will be assessed by municipal staff and engineers for the best materials to reconstruct the street.
- d) Residents on the affected streets will be notified by letter or other formal communication as soon as the Commission awards a contract for street reconstruction and follow-up information will be shared on the municipal website.

**2) Brick streets not at end of useful life:**

- a) Brick streets not appearing on the list for street reconstruction will be prioritized for repairs under the Brick Street maintenance program. The Brick Street maintenance program will focus primarily on streets designated in Attachment A as “Preserve.”
- b) Any brick street in need of utility or other infrastructure work will be repaired with brick removed to make the repair, or brick of a similar color where feasible, as reviewed and approved by the Public Works Director.
- c) When utility or other infrastructure work occurs on streets classified as “Replace with other materials,” the municipality may assess the street and determine the best course of action.

**3) Budgeting:**

- a) During the annual budget process for the street repair program, the Commission, Municipal Engineer, staff, and the Municipal Manager will consider the Policy and street repair needs when deciding what funds to budget for repair, reconstruction, and/or deposit into a reserve fund for future brick street-related costs.

**4) Communications:**

- a) The municipal staff will ensure that residents on brick streets that are to be repaired, reconstructed, or will be impacted by emergency repairs are notified by letter or other formal communication.

**Exemptions:**

The Commission may receive advice from the Municipal Engineer, the Director of Public Works, the Chief of Police, the Fire Chief, or any of their designees regarding potential exemptions from the processes outlined in this Policy due to considerations under their respective purview. The Commission shall consider exemptions from this Policy when the use of brick to reconstruct a street would create public safety risks for motorists and other users.

**General:**

The Municipality has the right to amend or terminate this policy at any time and for any reason, in whole or in part. Without limiting the generality of the foregoing, the Municipality may eliminate or disregard the policy with respect to a particular street, a particular year, or entirely. Nothing herein will prevent the Municipality from altering any public street in its discretion.

The purpose of this Policy is to assist the Commission in evaluating, selecting, and implementing options relative to streets by outlining the underlying philosophies and processes to be followed by the Commission. It is intended that this Policy provide a meaningful

framework to accomplish these objectives while remaining flexible to allow the Commission to be responsive to future changes in the economic environment, budgets, traffic, contractor costs, materials, as well as the overall direction and the competing needs of residents, the community and the Municipality. Accordingly, the Commission may adjust or disregard one or more of the provisions listed herein, or employ other considerations not listed herein, where the Commission has determined that such action is desirable in its discretion. Without limiting the generality of the foregoing, the Commission may require funding or additional funding from residents regardless of anything contained herein to the contrary. The decision to proceed or not to proceed with any street project is always within the discretion of the Commission, is subject to any conditions the Commission may choose to attach to any decision, and no decision to proceed with one street will serve as precedent for any other street. This Policy may be discontinued at any time and for any reason and remains subject at all times to having available funds, which the Commission is under no obligation to provide or to allocate to any particular street.

ATTACHMENT A – Street Classification List

Preserve as Brick

ADELINE AVENUE  
ALLENDALE PLACE  
ALTOONA PLACE  
ARDEN ROAD  
ATLANTA DRIVE  
AUDUBON AVENUE  
BAYWOOD AVENUE  
BEVERLY ROAD  
BIRCH AVENUE (Hilf to Spruceton)  
BROADMOOR AVENUE  
BUCHANAN PLACE  
CARNEGIE DRIVE  
CENTRAL SQUARE  
CHEROKEE PLACE  
CIRCLE DRIVE  
CONNECTING ROAD  
COUNTRY CLUB DRIVE  
CRYSTAL DRIVE (partial)  
DAN DRIVE  
DIXON AVENUE  
DUQUESNE DRIVE  
HIGHLAND ROAD  
HOODRIDGE DRIVE  
JAYSON AVENUE  
KENILWORTH DRIVE  
KEWANNA AVENUE  
LANSDALE PLACE  
LAWNCROFT AVENUE  
LEBANON HILLS DRIVE  
MAIN ENTRANCE DRIVE  
MARTHA AVENUE  
MCCANN PLACE  
MIDWAY ROAD  
MOHICAN DRIVE  
MORRISON DRIVE  
NAVAHOE DRIVE (Mohican to Terrace)  
NAVATO PLACE  
NEULON AVENUE  
NORTH MEADOWCROFT AVENUE  
OLD ORCHARD ROAD  
OUTLOOK DRIVE  
OVERLOOK DRIVE  
PARK ENTRANCE DRIVE  
PARKER DRIVE  
PARKWAY DRIVE  
PUEBLO DRIVE  
RIDGEFIELD AVENUE  
ROCKWOOD AVENUE  
ROSELAWN AVENUE

ROYCE AVENUE  
SAGE DRIVE  
SEMINOLE DRIVE  
SERPENTINE DRIVE  
SHADOWLAWN AVENUE  
WISTERIA AVENUE

Replace at End of Useful Life

ACADEMY PLACE  
BARTH AVENUE  
BIRCH AVENUE (Hilf to dead end)  
CRAIG COURT  
CRYSTAL DRIVE (lower Gypsy to Castle Shannon Blvd)  
EARLSWOOD AVENUE  
HILF STREET  
IROQUOIS DRIVE  
LINCOLN WAY  
MCCULLY STREET (Royce to Cochran)  
NAKOMA DRIVE  
NAVAHOE DRIVE (Mohican to dead end)  
PENNSYLVANIA BOULEVARD  
POPLAR DRIVE  
ROYCE AVENUE (Cochran to McCully)  
ROSS WAY  
SAVANNAH AVENUE  
SHOT WAY  
SOUTH MEADOWCROFT AVENUE  
VIRGINIA WAY  
WASSON PLACE