

**TO:** Mt. Lebanon Commission

**FROM:** Keith McGill, Municipal Manager

**DATE:** February 29, 2024

**SUBJECT:** Agenda – Regular Meeting – March 11, 2024 – 8 p.m. – Mt. Lebanon Municipal Bldg., 710 Washington Road, Commission Chambers – Meeting is Recorded

**Zoom Link:** <https://us02web.zoom.us/j/85481438432?pwd=V1JRYTNieVZtN2l4Um9ib2hnYVZWQT09>

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

**ASW 1. Commission / Manager’s announcements:**

- Summary of discussion session topics (Manager McGill)
- Manager’s announcements (Manager McGill)
- Community highlights (Commission Vice President Craig Grella)

**ASW 2. Junior Commissioner Kate Yang comments.**

**ASW 3. Citizens Comments / Online Comments.**

**CG 4. Consideration of the minutes from the Adjourned Meeting held February 27, 2024.**

*Recommended Action:* Move to approve the minutes.

**SS 5. Public hearing and consideration of Ordinance (Bill No. 2-24) Making Technical Amendments to the Garbage Fee Ordinance.**

Mt. Lebanon currently has an ordinance assessing a fee for garbage collection. It is desirable to enact some technical amendments to the ordinance to clarify provisions relating to calculation, exoneration, and review procedures regarding the fee.

This ordinance was introduced on February 27, 2024.

*Recommended Action:* ASW 1. Conduct the public hearing.  
SS 2. Move to enact Ordinance (Bill No. 2-24).

**CG 6. Consideration for the Adoption of the Standard Resolution No. R-5-24 for a Planning Module for the Beadling Road Subdivision.**

As a part of the subdivision permit process, the Pennsylvania Department of Environmental Protection (PADEP) requires sewage planning approval. The proposed Beadling Road Subdivision consists of 3 single family lots located along Beadling Road and 1 single family lot located along James Place has submitted the required sewage planning documents. This includes the standard resolution associated with updating the “Official Sewage Facilities Plan” to include the development

and the standard transmittal letter. The development project has also obtained preliminary approval from the Planning Board.

The Municipal Engineer has reviewed the documents submitted and recommends adoption of the standard resolution and transmitting it to the PADEP.

Recommended Action: Move to adopt the standard resolution for Beadling Road Subdivision project and transmit the Planning Module to the PADEP.

**JS 7. Appointments as Commission Liaison to Municipal Advisory Boards.**

On February 28, 2023 the Commission approved Ordinance No. 3356 amending the administrative code to realign the structure of municipal advisory boards, which takes effect on April 1, 2024. The new advisory boards will have the following Commissioners serve as liaisons. All other liaison appointments made at the January 2, 2024 Reorganization Meeting are still in effect.

Recommended Action: **Announce the following appointments:**

Civic Engagement	Anne Swager Wilson
Community Sustainability and Economic Development	Jeff Siegler
Mobility and Transportation	Andrew Flynn
Parks and Recreation	Craig Grella
Financial Management	Steve Silverman

**AF 8. Appointments to municipal boards.**

The Municipality maintains a number of boards and authorities. The Commission thanks all of these dedicated residents for their hours of service to the municipality. At this time, it is necessary to reappoint members who are eligible for another term and to appoint new members to fill vacancies caused by board member retirements or resignations.

Recommended Action: **Move to reappoint:**

Name	Address	Board	Term Expiring
Amanda D'Amico	Vernon Drive	Civil Service	03/31/30
Robert Taylor	Catalpa Place	Library	03/31/27
Dr. Anthony Moretti	Sylvandell Drive	Library	03/31/27
David Hornicak	Lovingston Drive	Planning	03/31/28
Andrew Campanaro	Carleton Drive	Zoning	03/31/27

On February 28, 2023 the Commission approved Ordinance No. 3356 amending the administrative code to realign the structure of municipal advisory boards. Ordinance No. 3356 takes effect on April 1, 2024. At this time the Commission needs to appoint residents to serve on these advisory boards.

Recommended Action: **Move to appoint:**

Name	Address	Board	Term Expiring
Kevan Rutledge	Morrison Drive	Appeals	03/31/29
William McGrane	Kewanna Avenue	Appeals	03/31/29
Margaret Izzo	Woodhaven Drive	Civic Engagement	03/31/27
Noah Evans	Woodhaven Drive	Civic Engagement	03/31/27
Adam Flango	Rae Avenue	Civic Engagement	03/31/27
Dr. Terry Timm	Woodhaven Drive	Civic Engagement	03/31/26
Emily West	Marlin Drive East	Civic Engagement	03/31/26
Kelsey Leigh	Hazel Drive	Civic Engagement	03/31/26
Dr. Anna Roman	Lancaster Avenue	Civic Engagement	03/31/25
Agnese Polluce	Thornycroft Avenue	Civic Engagement	03/31/25
Kevin Brand	Elm Spring Road	Civic Engagement	03/31/25
Phillip Neusius	Arrowood Drive	Community Sustainability & Economic Development	03/31/27
Anna Siefken	Woodland Drive	Community Sustainability & Economic Development	03/31/27
John Vogel	Chalmers Place	Community Sustainability & Economic Development	03/31/27
Grace Gartman	Washington Road	Community Sustainability & Economic Development	03/31/26
Dr. Michael Gullo	MacArthur Drive	Community Sustainability & Economic Development	03/31/26
Kyrylo Tropin	Margaretta Avenue	Community Sustainability & Economic Development	03/31/26
Jennifer Rick	Sunridge Drive	Community Sustainability & Economic Development	03/31/25
Lynne Lindley	Overlook Drive	Community Sustainability & Economic Development	03/31/25
John Rombold	Broadmoor Avenue	Community Sustainability & Economic Development	03/31/25
Sam Ashbaugh	Lakemont Drive	Financial Management	03/31/27
Terry Johnson	Mayfair Drive	Financial Management	03/31/27
Adam Bauman	Hoodridge Lane	Financial Management	03/31/27
Matthew Bucek	Sandrae Drive	Financial Management	03/31/26
Kevin Repcheck	Moffett Street	Financial Management	03/31/26
Elaine Vincent	Atlanta Drive	Financial Management	03/31/26
Marty Bacik	Outlook Drive	Financial Management	03/31/25
Jason Ruggles	Hazel Drive	Financial Management	03/31/25
Thomas Provins	Washington Road	Financial Management	03/31/25
Seth Davis	Hillcrest Place	Mobility and Transportation	03/31/27
Elizabeth McCabe	Shady Drive West	Mobility and Transportation	03/31/27
Charlotte Ford	Vee Lynn Drive	Mobility and Transportation	03/31/27
Lisa Hurm	Questend Avenue	Mobility and Transportation	03/31/26
Aaron Lauth	Old Farm Road	Mobility and Transportation	03/31/26
Paul O'Rourke	Roycroft Avenue	Mobility and Transportation	03/31/26
John Ragan	Shady Drive East	Mobility and Transportation	03/31/25
Brook Webb	Wainwright Drive	Mobility and Transportation	03/31/25
Taryn Malavite Babb	Greenhurst Drive	Mobility and Transportation	03/31/25
Andrew Grobe	Kelso Road	Parks and Recreation	03/31/27
Thomas Schevtchuk	Lyndhurst Avenue	Parks and Recreation	03/31/27
Amanda Rost	Osage Road	Parks and Recreation	03/31/27
Natalie Drozda	Seminole Drive	Parks and Recreation	03/31/26
MaryAnn Banks	Tampa Avenue	Parks and Recreation	03/31/26
Thomas Langston	Ordale Boulevard	Parks and Recreation	03/31/26
Patrick King	Longuevue Drive	Parks and Recreation	03/31/25
Michael Wallen	Summer Place	Parks and Recreation	03/31/25
Patrick West	Willow Drive	Parks and Recreation	03/31/25
Susanne Wagner	Kingsberry Circle	Library	03/31/27

John Conti	Greenhurst Drive	Zoning	03/31/27
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SS 9. **Consideration for the award of the Activate Uptown Planning Contract.**

Activate Uptown is planning an initiative focused on targeted areas in the Uptown Main Street District to activate and enhance key nodes where placemaking investments and/or site improvements are necessary to attract vitality to our Central Business District. The Municipality seeks to enter into contract with Pashek MTR to provide consultant services enabling this effort.

The total budgeted amount for this contract is \$44,500. The project is to be funded through a DCED Keystone Community Grant (\$22,250), and a Municipal match of \$22,250.

Recommended Action: Move to award Activate Uptown contract to Pashek MTR in the amount of \$44,500.

JS 10. **Consideration for the award of the Public Works Storage Building and Grading and Foundation Work for the Fire Training Center.**

Bids were received on February 13, 2024 for the Public Works Storage Building and Fire Training Center. The project involves the preparation for and construction of a new pre-engineered metal storage building (Base Bid 1) and preparing the Fire Training Center foundations (Base Bid 2) at the Mt. Lebanon Public Works Yard. The bid request also included an add alternate it for a larger crane (Add Alternate No.1) for the Public Works building.

The Municipal Engineer has verified the bids as follows:

Contractor	Base Bid 1 Storage Building	Base Bid 2 Fire Training Center	Add Alternate No 1 Alternate 5-ton Electric Crane
Dimarco Construction	\$526,447.00	\$153,616.00	\$47,774.00
Fleeher Contracting LLC	\$574,515.00	\$134,559.00	\$54,049.00
UHL Construction	\$584,286.00	\$131,285.00	\$83,500.00
Sunrise Commercial Contracting	\$550,324.00	\$235,824.00	\$16,00.00
Arcon Contracting, Inc	\$965,375.00	\$193,562.00	\$245,000.00

The Municipal Engineer has reviewed the bid and determined the low bid to be accurate. The Engineer recommends the project be awarded to Dimarco Construction. The contractor has completed this type of work previously in a satisfactory manner.

The total budgeted amount for this contract including fire training center structure is \$1,265,000 .00. The project is to be funded through the General Fund and a grant application is pending for the Fire Training Center Structure purchase and installation.

Recommended Action: Move to award the DPW Storage Building and Fire Training Center contract to Dimarco Construction for Base Bid 1 minus the 2-ton crane (\$487,904.00), Base Bid 2

(\$153,616.00) and Add Alternate No. 1 for the 5-ton electric crane (47,774.00) for a total amount of \$689,294.00.

**AF 11. Consideration for the award of the 2024 Brick Streets Restoration Program.**

Bids were received on February 7, 2024 for the 2024 Brick Streets Restoration contract. The project consists of the removal and replacement of deteriorated portions of brick streets throughout the Municipality.

One bid was received. The Municipal Engineer has verified the bid as follows:

**Next Construction, Inc. \$98,755.00**

The Municipal Engineer has reviewed the bids 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 budgeted amount for this contract is \$93,320 and the Engineer's Estimate for the project was \$90,000. The Director of Public Works will monitor quantities to stay within the assigned budget. The project is to be funded through the transportation portion of the Operating Budget.

Recommended Action: Move to award the 2024 Brick Streets Restoration contract to Next Construction, Inc. in the amount of \$98,755.

**CG 12. Consideration for the award of the 2024 Crack Sealing Program.**

Bids were received on February 7, 2024 for the 2024 Crack Sealing contract. The project includes the crack sealing of various streets throughout the Municipality.

The contract includes a base year, 2024, with three optional renewal periods. This would allow the contract to be extended, at Mt. Lebanon's sole discretion, until 2027 to maintain continuity.

The Municipal Engineer has verified the bids as follows:

	<b>Russell Standard Corporation</b>	<b>Scodeller Construction Inc.</b>
2024 Project	\$17,800.00	\$79,800.00
1 <sup>st</sup> Renewal – 2025	0% increase	3.00% increase
2 <sup>nd</sup> Renewal – 2026	0% increase on the 2024 price	3.00% increase on the 2024 price
3 <sup>rd</sup> Renewal – 2027	0% increase on the 2024 price	3.00% increase on the 2024 price

The Municipal Engineer has reviewed the bid and determined the low bid to be accurate. The Engineer recommends the project be awarded to Russell Standard Corporation. The contractor has completed work previously for the Municipality in a satisfactory manner.

The budgeted amount for this contract is \$26,250.00. The project is to be funded through the transportation portion of the Operating Budget.

Recommended Action: Move to award the 2024 Crack Sealing contract to Russell Standard Corporation in the amount of \$17,800.00.

**JS 13. Consideration for the award of the 2024 Yearly Concrete Curb Maintenance Program.**

Bids were received on February 7, 2024 for the 2024 Yearly Concrete Curb Maintenance Contract. The project consists of the removal and replacement of various sizes of concrete straight curb, concrete roll curb, and concrete curb and gutter throughout the Municipality.

One bid was received. The Municipal Engineer has verified the bid as follows:

**G. Pasquale and Sons Construction Company \$161,150.00**

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 \$177,190 and the Engineer's Estimate for the project was \$175,000. The project is within budget and is to be funded through the transportation portion of the Operating Budget.

Recommended Action: To award the 2024 Yearly Concrete Curb Maintenance Contract to G. Pasquale and Sons Construction Company in the amount of \$161,150.00.

**SS 14. Consideration for the award of the 2024 Root Damaged Sidewalk Maintenance Contract.**

Bids were received on February 14, 2024 for the 2024 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:

<b>Contractor</b>	<b>Base Bid Amount</b>
G. Pasquale and Sons Construction Company	\$78,305.00
Avelli Construction	\$129,415.00
Fryer Excavating, LLC.	\$148,340.00

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 contractor has completed similar projects for the Municipality in a satisfactory manner.

The budgeted amount for this contract is \$93,150 and the Engineer's Estimate for the project was \$90,000. The project is within budget and is to be funded through the transportation portion of the Operating Budget.

Recommended Action: Move to award the 2024 Root Damaged Sidewalk Maintenance Contract to G. Pasquale and Sons Construction Company in the amount of \$78,305.00.

ASW 15. Adjournment.

Bill No. 2-24  
Introduced: February 27, 2024  
By Commissioner: Steve Silverman  
Enacted: \_\_\_\_\_

**MT. LEBANON, PENNSYLVANIA**

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE OF MT. LEBANON, PENNSYLVANIA MAKING  
TECHNICAL AMENDMENTS TO THE GARBAGE FEE ORDINANCE**

**WHEREAS**, Mt. Lebanon, PA ("Mt. Lebanon") currently has an ordinance for the collection of Garbage (Ordinance 3362); and

**WHEREAS**, Mt. Lebanon desires to make technical clarifying amendments to Ordinance 3362 to clearly align with the budget, the intent and language of Ordinance 3362, the garbage contract and the Manager's interpretation of Ordinance 3362.

**NOW THEREFORE**, Mt. Lebanon, Pennsylvania, hereby ordains as follows:

**Section 1.** The following provisions of Section 14-101 of Chapter XIV of the Mt. Lebanon Code are amended as follows (new text underlined):

(2) **Fee** – Sums calculated per dwelling unit (as defined in the Zoning Ordinance) and assessed, imposed and to be collected from each Residence and its Owner which receives Garbage collection.

**Section 2.** The following sections of Part 7 of Chapter XIV of the Mt. Lebanon Code are amended as follows (new text underlined):

**14-701. Fee.** A fee for collection and disposal of Garbage from each Residence is hereby assessed. The Fee shall be as indicated below.

<u>Year</u>	<u>Annual Fee (per dwelling unit in a Residence)</u>
2024:	\$290
2025:	\$316
2026:	\$345
2027:	\$375
2028:	\$410

**14-702. Owner Responsible.** The Owner is responsible for the payment of the Fee for each Residence owned by the Owner. The Fee (or any part thereof) set herein provided may be paid by the Owner, tenant, lessee,



or User of a particular Residence or dwelling unit, but timely payment of the entire Fee shall be the responsibility of the Owner.

#### **14-704. Exoneration.**

Any Residence or dwelling unit in a Residence which is totally unoccupied, and which generates no Garbage for an entire consecutive six-month or twelve-month period in a calendar year shall be exonerated from the Fee as herein provided. Such exoneration shall be granted only after:

A. The Owner has filed a notarized affidavit with the Manager or the Manager's designee certifying such vacancy; and

B. The Owner must provide documentary evidence of the lack of occupancy, e.g., evidence from two utilities, i.e., electric and water bills, demonstrating the minimum six-month vacancy of the Residence or dwelling unit within the Residence.

C. Mt. Lebanon shall have the right to inspect and verify the occupancy status of any property for which an exoneration request is made.

D. An exoneration given for one six-month period shall reduce the per dwelling Fee by 50%. An exoneration given for an entire calendar year shall reduce the Fee by 100%.

**14-705. Delinquencies.** Effective September 1, a penalty of five percent (5%) of the Fee or portion thereof assessed for that calendar year and not paid by such date shall be added for nonpayment.

Interest at the rate of ten percent (10%) per year shall accrue starting September 1 on the Fee or portion thereof that is not paid, and shall continue to accrue until the full amount of such Fee, penalties and other charges are paid in full.

**14-707. Appeal.** Any Owner who believes the provisions of this Ordinance have been applied in error may appeal in the following manner and sequence.

An Owner may appeal to the Municipal Manager or the Manager's designee within thirty (30) days of the ~~due~~ billing date for the Fee. The appellant, stating the grounds for further appeal, shall deliver notice of the appeal to Mt. Lebanon Manager or the Manager's designee. The Municipal Manager or designee shall issue a written decision on the appeal within thirty (30) days. All decisions by the Municipal Manager or the Manager's designee shall be personally delivered to the owner or, sent to the billing address of the customer by first class mail.

A decision of the Municipal Manager that is adverse to appellant may be further appealed to the Commission within thirty (30) days of receipt of the adverse decision. The Appellant, stating the ground for further appeal, shall deliver notice of the appeal to the Municipal Manager or designee. The appellant shall present the appeal at the next meeting of the Commission that is at least 14 days after delivery of the appeal. The Local Agency Law shall apply. The Commission shall issue a written decision on the appeal within thirty (30) days of the conclusion of the presentation. The decision of the Commission shall be final.

### **Section 3. Severability; Transition.**

If any section, subsection, sentence, clause, phrase or portion of this Ordinance or its application to any person, property or circumstances is for any reason held invalid or unconstitutional by any court, such holding shall not be construed to affect the validity of any of the remaining provisions of this Ordinance or its application, for such portion shall be deemed as a separate, distinct and independent provision from the remaining provisions which shall be and remain in full force and effect. It is hereby declared the legislative intent that this Ordinance would have been adopted had such invalid or unconstitutional provision of its application not been included therein. This ordinance adds to and is a clarification of Ordinance 3362 and accordingly is not a repealer of Ordinance 3362. The change in Section 14-707 will be applied in 2023 as a tolled date that will run commencing with the effective date of this ordinance, and will be the billing date in subsequent years. No new billing is required hereunder, and the current bills, all Fees and the due dates are affirmed.

#### **Section 4. Effective Date**

This Ordinance shall become effective immediately.

**ORDAINED AND ENACTED** into an Ordinance and passed by the Commission of Mt. Lebanon, Pennsylvania on this \_\_\_\_ day of \_\_\_\_\_, 2024.

ATTEST:

MT. LEBANON, PENNSYLVANIA

\_\_\_\_\_  
Secretary

By: \_\_\_\_\_  
President of the Commission



## RESOLUTION FOR PLAN REVISION FOR NEW LAND DEVELOPMENT

RESOLUTION NO. R-5-24

RESOLUTION OF THE (SUPERVISORS) (COMMISSIONERS) (COUNCILMEN) of Municipality of Mount Lebanon  
(TOWNSHIP) (BOROUGH) (CITY), Allegheny COUNTY, PENNSYLVANIA (hereinafter "the municipality").

**WHEREAS** Section 5 of the Act of January 24, 1966, P.L. 1535, No. 537, known as the *Pennsylvania Sewage Facilities Act*, as Amended, and the rules and Regulations of the Pennsylvania Department of Environmental Protection (DEP) adopted thereunder, Chapter 71 of Title 25 of the Pennsylvania Code, require the municipality to adopt an Official Sewage Facilities Plan providing for sewage services adequate to prevent contamination of waters of the Commonwealth and/or environmental health hazards from sewage wastes, and to revise said plan whenever it is necessary to determine whether a proposed method of sewage disposal for a new land development conforms to a comprehensive program of pollution control and water quality management, and

**WHEREAS** Rolling Lambert Building Co. has proposed the development of a parcel of land identified as  
land developer

Beadling Road, and described in the attached Sewage Facilities Planning Module, and  
name of subdivision

proposes that such subdivision be served by: (check all that apply), ☒ sewer tap-ins, ☐ sewer extension, ☐ new treatment facility, ☐ individual onlot systems, ☐ community onlot systems, ☐ spray irrigation, ☐ retaining tanks, ☐ other, (please specify). \_\_\_\_\_

**WHEREAS**, Municipality of Mt. Lebanon finds that the subdivision described in the attached  
municipality

Sewage Facilities Planning Module conforms to applicable sewage related zoning and other sewage related municipal ordinances and plans, and to a comprehensive program of pollution control and water quality management.

**NOW, THEREFORE, BE IT RESOLVED** that the (Supervisors) (Commissioners) (Councilmen) of the (Township) (Borough) (City) of Municipality of Mt. Lebanon hereby adopt and submit to DEP for its approval as a revision to the "Official Sewage Facilities Plan" of the municipality the above referenced Sewage Facilities Planning Module which is attached hereto.

I \_\_\_\_\_, Secretary, Keith McGill

(Signature)

Township Board of Supervisors (Borough Council) (City Councilmen), hereby certify that the foregoing is a true copy of the Township (Borough) (City) Resolution # \_\_\_\_\_, adopted, \_\_\_\_\_, 20\_\_\_\_.

Municipal Address:

Municipality of Mt. Lebanon

710 Washington Road

Pittsburgh, PA 15228

Telephone 412-343-3400

*Seal of*

*Governing Body*