

**MINUTES OF THE ADJOURNED MEETING FEBRUARY 27, 2017
OF THE MT. LEBANON COMMISSION**

The Commission of Mt. Lebanon Pennsylvania held an Adjourned Meeting at 8:00 P.M., on Monday, February 27, 2017, at the Municipal Building. Commission President Dave Brumfield called the meeting to order and led in the Pledge of Allegiance to the Flag. Manager Keith McGill called the roll. Present were Commissioners John Bendel, Kelly Fraasch, Steve McLean, Steve Silverman and Dave Brumfield. Also present were Assistant Manager/Planner McMeans, Police Chief Lauth, Finance Director McCreery, Recreation Director Donnellan, Public Works Director Sukal, and Library Director Vittek. 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 pay as you throw program, the Beverly Road Parking Study, the bids for annual contracts, and the assessment appeals program.

Mr. McGill stated that prior to the meeting, the Commission met in executive session to receive legal advice from the solicitor on several issues. He stated that the next regular Commission meeting is scheduled for Tuesday, March 14, 2017, at 8 p.m. The discussion session will also begin approximately 6:20 p.m., in Room C.

Mr. Silverman stated that season passes for tennis and swimming will go on sale beginning Monday, March 6, at the recreation center during regular business hours. The swim pass will be discounted 10% through April 27. He also stated that according to municipal ordinances, dogs must be kept on a leash when walking through Twin Hills Park, Bird Park or Robb Hollow Park. He also said that the library will be recycling old computers, cellphones, small appliances, cameras, fax machines, keyboards, etc., on Saturday, March 18, from 10 a.m. to 1 p.m. He also stated that the police department made four drug arrests the past week. He noted that if you see criminal activity, you can use your cellphone to text the information anonymously to the police, at TIP411. In the text message box, write: MLPD tips, plus your tip.

Mr. Brumfield stated that item five on the agenda regarding the duties of the library board has been tabled. He also noted that the deer culling program has ended early due to the warmer weather.

JUNIOR COMMISSIONER ELIZABETH GLADDEN COMMENTS

Elizabeth Gladden stated that 17 students are running for Student Council. She said that there has been a decrease in the number of students running over the past five years even though the requirements have significantly gone down. She also stated that student community activities remain strong.

CITIZEN COMMENTS

Manny Bhojwani of 31 Lebanon Hills Drive stated that he's not an advocate of censorship; however, he has concerns with minors having access to provocative DVDs at the library. He felt there should be restrictions on these DVDs. He asked that the Commission look into this matter.

Bill Hoon of 456 Coolidge Avenue spoke about vehicle accidents that he witnessed. He also spoke about an intersection on Bower Hill Road that is obstructed by hedges, creating an unsafe situation. He also stated that he doesn't know of anyone who has been involved in a deer/vehicle accident.

Nick Meduho of 101 Castle Shannon Boulevard spoke about what he deemed irregular billing for the magazine. He also spoke about an ad on Mt. Lebanon's Facebook page.

Barbara Sollenberger of 120 Newburn Drive inquired about the final report from White Buffalo. She requested a running total of the amount spent on deer management since its inception, as well as the total number of deer that have been killed. She also asked that the Commission consider an aerial survey.

**CONSIDERATION OF THE MINUTES
FROM THE REGULAR MEETING HELD FEBRUARY 14, 2017**

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

**CONSIDERATION OF RESOLUTION NO. R-2-17 REGARDING
AN AGREEMENT TO REIMBURSE THE MUNICIPALITY FOR
PROVIDING STREET SWEEPING SERVICES ALONG STATE ROADS**

Ms. Fraasch said the Pennsylvania Department of Transportation (PennDOT) has requested that the Municipality prepare and sign a Resolution and enter into a Reimbursement Agreement to sweep streets within the Municipality that are owned by the State. The term of the agreement is three years, from 2017 through 2019. Reimbursement will be based on an hourly rate provided by the State.

Ms. Fraasch moved and Mr. Silverman seconded to approve Resolution No. R-2-17 authorizing the Municipal Manager to authorize a three-year agreement with the Pennsylvania Department of Transportation for the reimbursement to sweep streets within the Municipality that are owned by the State. The vote was called. The motion carried unanimously.

**CONSIDERATION TO AWARD A PROFESSIONAL
SERVICES CONTRACT TO DIVERSIFIED MUNICIPAL SERVICES**

Ms. Fraasch said Diversified Municipal Services, Inc., has proposed to represent the Municipality in defending and appealing assessed values, including compiling sales data on the subject and comparable properties. With the 2017 appeals program, Diversified will prepare and analyze assessment to sale ratios for all transactions that have occurred in Mt. Lebanon in the past. Diversified will charge a flat fee of \$175 for each appeal attended.

Ms. Fraasch moved and Mr. Silverman seconded to authorize the proper municipal officials to execute an agreement with Diversified Municipal Services. The vote was called. Ms. Fraasch, Mr. Silverman and Mr. Brumfield voted in favor of the motion. Mr. Bendel and Mr. McLean voted against the motion. The motion passed three to two.

**CONSIDERATION OF A TAX APPEAL STIPULATION
INVOLVING THE SPRINGHILL SUITES TAX APPEAL**

Mr. Bendel said the School District and Mt. Lebanon Hospitality Associates have discussed a settlement for a tax appeal filed with the Board of Viewers at BV 15-001347. The parties have tentatively negotiated the following assessed values for the following years:

<u>Year</u>	<u>Assessed Value</u>
2015	\$10,790,000
2016	\$10,930,000
2017	\$10,350,000

This property is the SpringHill Suites at 611 Washington Road.

Mr. Bendel moved and Mr. McLean seconded to authorize the municipal manager and/or solicitor to sign the order of settlement and discontinuance with any minor adjustments as are needed. The vote was called. The motion carried unanimously.

**CONSIDERATION OF THE EXTENSION OF FINAL APPROVAL OF
A LAND DEVELOPMENT PLAN FOR THE ST. CLAIR HOSPITAL
CENTRAL UTILITY BUILDING LAND DEVELOPMENT PLAN**

Mr. McLean said the Mt. Lebanon Commission granted final approval for the St. Clair Hospital Central Utility Land Development Plan and associated Development Agreement at a Commission meeting held on September 9, 2014.

Section 514 of the Mt. Lebanon Code, Chapter XVI, Subdivision and Land Development states that if construction of a land development which has been granted final approval is not initiated and diligently pursued within one year of the date of final approval, final approval shall expire immediately; provided however, that the Commission may grant a reasonable extension if a developer presents satisfactory evidence that difficulties have prevented the work from being initiated and/or diligently pursued.

At a prior Commission meeting, an extension of the approval was granted to and including March 8, 2017. By letter dated February 23, 2017, St. Clair Hospital is requesting an additional extension for the St. Clair Hospital Central Utility Land Development Plan and associated Development Agreement. The hospital has acquired property at 1082 Bower Hill Road that is adjacent to the current campus and has reviewed the hospital's Master Facility Plan to determine any impacts this may have on the proposed Central Utility Plant. Now that the review has been completed, the hospital will be finalizing the process to advance the Central Utility Building project and expects to commence construction no later than December 31, 2017.

Mr. McLean moved and Mr. Bendel seconded to authorize the proper municipal officials to grant an extension of the deadline to initiate construction for the St. Clair Hospital Central Utility Land Development Plan and associated development agreement to and including December 31, 2017, conditioned on the execution of an amended development agreement to reflect a revised estimate

of cost for the identified private improvements. The vote was called. The motion carried unanimously.

**CONSIDERATION TO PURCHASE ONE LEAF LOADER TO
REPLACE A UNIT THAT HAS REACHED THE END OF ITS USEFUL LIFE**

Mr. Silverman said Commission approval is requested to purchase one trailer-mounted leaf loader from A&H Equipment of Bridgeville at a total cost of \$44,689. Funding is included in the 2017 Operating Budget. A & H Equipment participates in the Pennsylvania Costars Purchasing Program, Contract #25-044.

Mr. Silverman moved and Ms. Fraasch seconded to purchase one trailer-mounted leaf loader through the Costars Purchasing Program from A&H Equipment for \$44,689. The vote was called. The motion carried unanimously.

**CONSIDERATION FOR THE AWARD OF THE 2017
YEARLY CONCRETE CURB MAINTENANCE PROGRAM**

Mr. McLean said bids were received on February 15, 2017 for the 2017 Yearly Concrete Curb Maintenance Program 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:

G. Pasquale & Sons Construction	\$ 93,330.00
Joseph Palmieri Construction, Inc.	\$ 115,450.00
Cilenti construction Company, Inc.	\$ 135,650.00

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 & Sons Construction. The contractor has completed similar work in previous years for the Municipality in a satisfactory manner.

The budgeted amount for this contract is \$85,000; 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.

Mr. McLean moved and Mr. Bendel seconded to award the 2017 Yearly Concrete Curb Maintenance Contract to G. Pasquale & Sons Construction in the amount of \$93,330. The vote was called. The motion carried unanimously.

**CONSIDERATION FOR THE AWARD OF THE
2017 BRICK STREETS ESTORATION PROGRAM**

Mr. Bendel said bids were received on February 15, 2017 for the 2017 Brick Streets Restoration Program 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:

Cilenti Construction Co., Inc.	\$ 61,327.50
Next Construction, Inc.	\$ 98,770.00

The Municipal Engineer has reviewed the bids and determined the low bid to be accurate. The Engineer recommends the project be awarded to Cilenti Construction Co., Inc. The contractor has completed this work in previous years for the Municipality in a satisfactory manner.

The budgeted amount for this contract is \$64,000. The project is within budget and is to be funded through the transportation portion of the Operating Budget.

Mr. Bendel moved and Mr. McLean seconded to award the 2017 Brick Streets Restoration Program Contract to Cilenti Construction Co., Inc., in the amount of \$61,327.50. The vote was called. The motion carried unanimously.

**CONSIDERATION FOR THE AWARD OF THE 2017
MAIN ROAD SIDEWALK REPLACEMENT PROGRAM**

Ms. Fraasch said bids were received on February 15, 2017 for the 2017 Main Road Sidewalk Replacement Program contract. The project includes the removal and replacement of concrete sidewalks throughout the Municipality.

The Municipal Engineer has verified the bid as follows:

G. Pasquale and Sons Construction	\$ 91,693.75
-----------------------------------	--------------

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

The budgeted amount for this contract is \$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.

Ms. Fraasch moved and Mr. Silverman seconded to award the 2017 Main Road Sidewalk Replacement Program Contract to G. Pasquale and Sons Construction in the amount of \$91,693.75. The vote was called. The motion carried unanimously.

**CONSIDERATION FOR THE AWARD OF THE 2017
ROOT-DAMAGED SIDEWALK REPLACEMENT PROGRAM**

Mr. Silverman said bids were received on February 15, 2017 for the 2017 Root-Damaged Sidewalk Replacement Program contract. The project includes the removal and replacement of concrete sidewalks damaged by tree roots throughout the Municipality.

The Municipal Engineer has verified the bid as follows:

G. Pasquale and Sons Construction

\$ 73,837.50

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

The budgeted amount for this contract is \$72,900; 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.

Mr. Silverman moved and Ms. Fraasch seconded to award the 2017 Root-Damaged Sidewalk Replacement Program Contract to G. Pasquale and Sons Construction in the amount of \$73,837.50. The vote was called. The motion carried unanimously.

CONSIDERATION FOR THE AWARD OF THE 2017 CRACK SEALING PROGRAM

Mr. McLean said bids were received on February 15, 2017 for the 2017 Crack Sealing Program contract. The project includes the crack sealing of various streets throughout the Municipality.

The Municipal Engineer has verified the bids as follows:

Matcon Diamond, Inc.

\$ 15,775.00

Russel Standard Corporation

\$ 19,175.00

The Municipal Engineer has reviewed the bids and determined the low bid to be accurate. The Engineer recommends the project be awarded to Matcon Diamond, Inc. The contractor has completed work previously for the Municipality in a satisfactory manner.

The budgeted amount for this contract is \$26,000. The project is within budget and is to be funded through the transportation portion of the Operating Budget.

Mr. McLean moved and Mr. Bendel seconded to award the 2017 Crack Sealing Program Contract to Matcon Diamond, Inc., in the amount of \$15,775. The vote was called. The motion carried unanimously.

**CONSIDERATION FOR THE AWARD OF THE MT. LEBANON
MUNICIPAL BUILDING NORTH ELEVATION FACADE REPAIRS**

Mr. Bendel said bids were received on February 15, 2017, for the Municipal Building North Elevation Façade Repairs Project, which involves pressure washing and cleaning the brick façade, tuckpointing brick mortar joints, replacing window, door, and architectural feature joint sealants, cleaning and repainting steel lintels, replacing cracked bricks, installing flashing below roof coping stones, rebuilding bulging brick, replacing lintels with galvanized lintels and other miscellaneous items along the entire north façade elevation at the Mt. Lebanon Municipal Building.

The add alternate items included:

#1 - Brick work at the roof levels

#2 - Concrete repairs at the lower entrance

#3 - Cleaning and replacing joint sealants at the main entrance rotunda roof

The deduct alternate item included:

#1 - Install aluminum drip edge at roof parapet coping stones

The Municipal Engineer has verified the bid as follows:

Contractor	Base Bid	Add Alternate #1	Add Alternate #2	Add Alternate #3	Deduct Alternate #1
Allegheny Restoration, Inc.	\$44,975	\$14,325	\$18,100	\$5,000	\$2,000
Wilson Restoration	\$48,040	\$21,320	\$16,500	\$4,715	\$1,775
Graciano Corp.	\$64,231	\$22,778.25	\$13,500	\$7,300	\$3,000
Mariani-Richards	\$67,880	\$18,975	\$17,200	\$10,800	\$5,000
Arch Masonry, Inc.	\$83,700	\$24,000	\$28,600	\$6,700	\$3,500

The Municipal Engineer has reviewed the bids and determined the low bid had a math error in calculating the total for Add Alternate #1. This math error did not result in a change to the low bid, and the Municipal Engineer recommends the project be awarded to Allegheny Restoration, Inc. The low bidder has completed other projects in the area in a satisfactory manner according to references provided.

The budgeted amount for this contract is \$110,000. The project is within budget and is to be funded through the Capital Projects Fund.

Mr. Bendel moved and Mr. McLean seconded to award the Base Bid for the Municipal Building North Elevation Façade Repairs contract to Allegheny Restoration, Inc., in the amount of \$44,975, Add Alternate #1 at \$14,325, Add Alternate #2 at \$18,100 and Add Alternate #3 at \$5,000, for a total of \$82,400. The vote was called. The motion carried unanimously.

**CONSIDERATION OF THE EXPENDITURE
LIST FOR JANUARY TOTALING \$4,235,982.87**

Ms. Fraasch moved and Mr. Silverman seconded to approve the expenditure list for January totaling \$4,235,982.87. The vote was called. The motion carried unanimously.

DEPARTMENTAL REPORTS

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

ADJOURNMENT

The meeting adjourned at 9:05 p.m.