

**MINUTES OF THE REGULAR MEETING JUNE 13, 2017
OF THE MT. LEBANON COMMISSION**

The Commission of Mt. Lebanon Pennsylvania held a Regular Meeting at 8:00 P.M., on Tuesday, June 13, 2017, at the Municipal Building. Commission President David 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, Steve Silverman, and Dave Brumfield. Commissioners Kelly Fraasch and Steve Mclean were not present. Also present were Police Chief Lauth, Finance Director McCreery, Public Works Director Sukal, Recreation Director Donnellan, and Public Information Officer Morgans. Also present were Phil Weis of the solicitor's office and Dan Deiseroth of the engineer's office.

Mr. Brumfield noted that item 14 regarding an appointment to the MRTSA board was being postponed until the next meeting.

PRESENTATION OF COMMUNITY SERVICE AWARD TO HAROLD HASLEY

Mr. Brumfield said the Community Service Award is presented annually by the Mt. Lebanon Community Relations Board to a volunteer who has provided exemplary service to the community—a man or woman who is a positive role model for others who might wish to enhance our community and the lives of our residents through volunteer service. Mr. Hasley is well-known as the go-to guy who throughout his life has always been ready to extend a helping hand to friends and neighbors. He also was a longtime Mt. Lebanon volunteer firefighter.

Commissioner Steve Silverman, who serves as liaison to the Community Relations Board, and Community Relations Board Chair Lisa Borrelli Dorn will present a certificate of appreciation to Mr. Hasley, who will be honored along with the 2018 award winner at the Volunteer Appreciation Dinner next spring. Mr. Hasley's name will be inscribed on a plaque that hangs permanently in the municipal building.

COMMISSION/MANAGER'S ANNOUNCEMENTS

Manager McGill summarized the information that was reviewed during the discussion session, including review of the 2016 Auditor's Report, the status of the ice rink project, review of the 2016-2017 deer management program, discussed the cable franchise renewal with Verizon, and heard Commission comments regarding the activities of boards and authorities.

Manager 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 adjourned Commission meeting is scheduled for Monday, June 26, 2017, at 8 p.m. The discussion session will also begin approximately 6:20 p.m., in Room C.

Mr. Silverman stated that information regarding applying to serve as a Junior Commissioner is on the website at: www.mtlebanon.org. Applications are due by July 1. He stated that entries for the Community Relations Board Unity in the Community Art Contest are due July 1. He said that the Mt. Lebanon Fire Department is sponsoring a blood drive on Saturday, June 17, from 9 a.m. to 3 p.m., in support of Frank Durante. The drive will be held on the second floor of the public safety center. Mr. Silverman also said the 45th Greek Food Festival runs from June 13-16, at the Holy Cross Greek Orthodox Church.

CITIZEN COMMENTS

Bill Hoon of 456 Coolidge Avenue spoke about deer management.

Barbara Sollenberger of 120 Newburn Drive spoke about the deer management program. She inquired about the costs involved and the results. She also asked if the Commission would support an aerial survey.

Manny Bhojwani of 31 Lebanon Hills Drive discussed the library's position on elicited material and the use of computers. Mr. Brumfield explained that the library adheres to the American Library Association's guidelines and indicated he does not feel there is a need to have further discussion on this issue.

**CONSIDERATION OF THE MINUTES
FROM THE REGULAR MEETING HELD MAY 9, 2017**

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

**PUBLIC HEARING ON ORDINANCE (BILL NO. 6-17) TO AMEND
THE ZONING DISTRICT MAP FOR 121 MT. LEBANON BOULEVARD**

Mr. Bendel said the proposed ordinance would amend the Zoning District Map. The Ordinance is that the Mt. Lebanon Zoning District Map made a part of the Zoning Ordinance in Section 106.3.1, of Chapter XX, "Zoning," shall be amended by changing the zoning classification of the following certain property from R-1 Single-Family Residential District to R-4 Multi-Family Mixed-Residential District.

The property at 121 Mt. Lebanon Boulevard is acquiring 1,459.42 square feet of property from the adjoining properties at 124 Rock Haven Lane and 128 Rock Haven Lane as part of the Hoffman-Ung-Lee Subdivision Plan that was approved by the Commission on April 11, 2017. The property at 121 Mt. Lebanon Boulevard is part of the R-4 zoning district, and the properties on Rock Haven Lane are part of the R-1 zoning district. The request would rezone the 1,459.42 square feet of property that is being consolidated with the property at 121 Mt. Lebanon Boulevard from R-1 to R-4.

On March 28, 2017, the Planning Board recommended approval of the Ordinance.

This ordinance was introduced on May 9, 2017.

Mr. Brumfield declared the public hearing opened.

Mr. McGill stated that the property at 121 Mt. Lebanon Boulevard is a multi-family property that at some point in time paved a portion of the property belonging to 124 Rock Haven Lane and 128 Rock Haven Lane. The property at 121 Mt. Lebanon Boulevard has acquired this area from the respective property owners and consolidated it with their existing property. Therefore, in order for the apartment building to be in compliance with the zoning ordinance, these two small pieces need to be rezoned R-4 zoning.

Because there were no further comments, Mr. Brumfield declared the public hearing closed.

**CONSIDERATION OF ORDINANCE (BILL NO. 5-17) TO CLARIFY
AND UPDATE A NUMBER OF PROVISIONS IN THE ZONING CODE**

Mr. Silverman said the proposed ordinance would amend Chapter XX of the Mt Lebanon Code, entitled "Zoning," to clarify and update a number of provisions in the Zoning Code. The Ordinance includes amendments to uses, clarifications on side yards and setbacks, clarification of clauses relating to the Comprehensive Plan and Pennsylvania Department of Environmental Protection, the addition of requirements for medical marijuana and self-storage facilities, additional definitions, and an amendment to the provisions on methadone clinics.

On March 28, 2017, the Planning Board recommended approval of the Ordinance.

This ordinance was introduced on April 11, 2017, and the public hearing was held May 9, 2017.

Mr. Silverman moved and Mr. Bendel seconded to enact Ordinance (Bill No. 5-17). The vote was called. The motion carried unanimously.

**INTRODUCTION OF ORDINANCE (BILL NO. 9-17)
ADJUSTING THE COMPOSITION OF THE TRAFFIC BOARD**

Mr. Bendel said the Administrative Code establishes and includes a description of the composition of the Traffic Board.

The proposed ordinance would add a requirement that the Commission make appointment to the Traffic Board such that at least one member on the Board shall be from each Ward in the Municipality.

Ordinance (Bill No. 9-17) introduced, and the public hearing was set for June 26, 2017.

**CONSIDERATION OF RESOLUTION NO. R-9-17 ACCEPTING
A DUI ENFORCEMENT GRANT FROM THE
PENNSYLVANIA DEPARTMENT OF TRANSPORTATION**

Mr. Silverman said the Pennsylvania Department of Transportation is providing grant funds totaling \$45,000 for the Mt. Lebanon Area Regional Sobriety Checkpoint and Expanded DUI Enforcement Program.

Mr. Silverman moved and Mr. Bendel seconded to adopt Resolution No. R-9-17 authorizing acceptance of the grant funds. The vote was called. The motion carried unanimously.

**CONSIDERATION FOR THE ADJUSTMENT TO FINANCIAL
SECURITY POSTED FOR MT. LEBANON HIGH SCHOOL PROJECT**

Mr. Bendel said the Mt. Lebanon School District has requested to reduce the financial security posted for improvements installed for the development of the Mt. Lebanon High School Project. The request includes a reduction in the amount of the security posted for work that has been completed to date. The request has been reviewed and verified by the Municipal Engineer. The Engineer is recommending approval of the reduction of financial security posted by \$740,000.

Mr. Bendel moved and Mr. Silverman seconded that the financial security posted for improvements for the Mt. Lebanon High School Project be reduced by \$740,000. The vote was called. The motion carried unanimously.

**CONSIDERATION OF THE EXECUTION OF THE DEVELOPMENT
AGREEMENT BETWEEN NORTHPOINT DEVELOPMENT, LLC AND MT.
LEBANON FOR THE BEYOND SELF-STORAGE LAND DEVELOPMENT PLAN**

Mr. Silverman said at a previous meeting, the Mt. Lebanon Commission granted final approval for the Beyond Self-Storage 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. Silverman moved and Mr. Bendel seconded to authorize the proper municipal officials to execute the Development Agreement between NorthPoint Development, LLC and Mt. Lebanon for the Beyond Self-Storage Land Development Plan. The vote was called. The motion carried unanimously.

**CONSIDERATION OF THE EXECUTION OF THE DEVELOPMENT
AGREEMENT BETWEEN ROLLING LAMBERT BUILDING COMPANY, INC.,
AND MT. LEBANON FOR THE UPTOWN PLACE LAND DEVELOPMENT PLAN**

Mr. Bendel said at a previous meeting, the Mt. Lebanon Commission granted final approval for the Uptown Place 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. Bendel moved and Mr. Silverman seconded to authorize the proper municipal officials to execute the Development Agreement between Rolling Lambert Building Company, Inc., and Mt. Lebanon for the Uptown Place Land Development Plan. The vote was called. The motion carried unanimously.

CONSIDERATION OF COMMENCEMENT OF PENSION BENEFITS

Mr. Silverman said Mt. Lebanon sponsors three defined pension benefit plans for their employees: General Employees, Police and Firemen. 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 employee detailed below has requested benefit commencement commensurate with the terms of their respective pension plan.

Employee Name Title	Pension Plan Department	Benefit Start Date
Diana Bozzelli Deferred Pension Benefit	General Employees n/a	7/1/2017

Mr. Silverman moved and Mr. Bendel seconded to approve benefit commencement for Diana Bozzelli. The vote was called. The motion carried unanimously.

**CONSIDERATION FOR THE REJECTION OF
THE 2017 UTILITY PATCH PROGRAM CONTRACT**

Mr. Bendel said bids were received on June 6, 2017, for the 2017 Utility Patch Program contract. The project includes the installation of utility patches at various locations throughout the Municipality.

The Municipal Engineer has verified the bids as follows:

Contractor	Base Bid
A. Folino Construction, Inc.	\$47,374

The engineer's estimate for this work is approximately \$25,000.

Because only one bid was received and exceeded the budgeted amount, it is recommended that the contract be rebid.

Mr. Bendel moved and Mr. Silverman seconded to reject the 2017 Utility Patch Program bid of A. Folino Construction, Inc. The vote was called. The motion carried unanimously.

ADJOURNMENT

The meeting adjourned at 8:46 p.m.