

**MINUTES OF THE REGULAR MEETING NOVEMBER 13, 2018
OF THE MT. LEBANON COMMISSION**

The Commission of Mt. Lebanon Pennsylvania held a Regular Meeting at 8:00 P.M., on Tuesday, November 13, 2018, at the Municipal Building. Commission President Steve Silverman called the meeting to order and led in the Pledge of Allegiance to the Flag. Manager McGill called the roll. Present were Commissioners John Bendel, Kelly Fraasch, Craig Grella, Steve McLean, and Steve Silverman. Also present were Assistant Manager McMeans, Police Chief Lauth, Public Works Director Sukal, Finance Director McCreery, 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.

**CHIEF LAUTH TO RECOGNIZE PROMOTIONS OF
DEPUTY CHIEF JASON HABERMAN, DEPUTY CHIEF PAUL PETRAS,
LIEUTENANT MICHAEL SMAKOSZ, AND LIEUTENANT JOSHUA CHOPS**

Chief Lauth recognized these officers and presented them with badges relative to their promotion.

**CHIEF LAUTH TO RECOGNIZE 2018 "OFFICER OF
THE YEAR" RECIPIENT - OFFICER RYAN MILLER**

Chief Lauth recognized Officer Ryan Miller as the 2018 Officer of the Year.

COMMISSION/MANAGER'S ANNOUNCEMENTS

Manager McGill summarized the information that was reviewed during the discussion session, including review of recycling and the global market, the non-discrimination ordinance, and held the IDA meeting. Because of time constraints, the public works site grading item will be placed on a future discussion session agenda.

Manager McGill stated that prior to the meeting, the Commission met in executive session to receive legal advice from the solicitor on various legal issues, as well as discussed the manager's review process. The next adjourned Commission meeting is scheduled for Monday, November 26, 2018, at 8 p.m. The discussion session will also begin at approximately 6:30 p.m. in Room C. A budget workshop was held on Saturday, November 10, and there are two additional workshops scheduled for Monday, November 19, at 6 p.m. and Monday, December 3, at 6 p.m. All workshops will be held in Room C. There is a hearing on the 2019 budget this evening, and a second hearing on Tuesday, December 11.

Mr. McLean stated that the Veterans Day ceremony took place on Sunday evening at the Veterans Memorial. He thanked those who served in the military. He also extended congratulations to Connor Lamb, who was elected to the 17th Congressional District House of Representatives, and also State Representative Dan Miller who was re-elected. He also stated that the 2019 Manager's Recommended Budget can be viewed on our website at www.mtlebanon.org. He also thanked the Public Works Department for their efforts with the leaf pickup, noting that the leaves dropped late, and the weather conditions have been difficult. He also noted that the Historical Society of Mt. Lebanon will have a traveling WWII exhibit from December 1 through January 29 at the Historical Society building located at 794 Washington Road. He also wished everyone a Happy Thanksgiving.

JUNIOR COMMISSIONER AOIFE RUBY DUNNE COMMENTS

Ms. Dunne was not able to attend the meeting due to a school function.

CITIZEN COMMENTS

Bill Hoon of 456 Coolidge Avenue spoke about serial killers stating that they practice on animals until the killing becomes casual. He equated the deer culling program to casual killing.

Noelle Conover of 16 Mt. Lebanon Boulevard spoke in support of the library, emphasizing the impact it has had on the community. She stated that the teen librarian is a vital part of the library, asking that the position become full-time.

Martin Flaherty of 283 Arden Road inquired about the lateral inspection ordinance.

Kathy Hrabovsky of 280 Orchard Drive spoke about challenges facing new recycling procedures. She stated that single-stream recycling is not sustainable. She spoke about glass recycling, stating that Upper St. Clair is considering having someone come once a month to the recreation center to collect recycled glass. She spoke about other possible programs for recycling glass.

Debra Smit of 37 Woodland Drive spoke about recycling glass, believing there is a need for recycled glass.

**CONSIDERATION OF THE MINUTES FROM THE
ADJOURNED MEETING HELD OCTOBER 22, 2018**

Mr. Grella moved and Ms. Fraasch seconded to approve the minutes. The vote was called. The motion carried unanimously.

**PUBLIC HEARING ON ORDINANCE (BILL NO. 7-18) AMENDING
THE DUTIES OF THE TRAFFIC BOARD
AND REVISING THE PARKING TICKET APPEAL PROCEDURES**

Mr. McLean said Mt. Lebanon currently provides for appeals of parking tickets. This ordinance adjusts those procedures by establishing a two-step appeal process. The first step is to appeal to the Parking Enforcement Supervisor. A second step allows the appeal of a decision of the Parking Enforcement Supervisor to the Traffic Board. The Traffic Board is also authorized to establish procedures for the hearing of appeals, which procedures may include having the appeals heard and determined by one or more of the members of the Traffic Board.

This ordinance was introduced October 9, 2018.

Mr. Silverman declared the public hearing opened.

Dave Egler of 121 Poplar Drive stated that the Parking Facilities Board was not aware of this procedure until it was introduced. Since that time, the Traffic Board met and asked several questions about this new procedure. He said that it's concerning that the board assigned the task doesn't understand what their job is pertaining to the ordinance.

He stated that he is aware the magistrate was inundated with parking tickets, thus a new procedure is being implemented. He noted that there are many boards available with professional people, stating that it would make sense to speak with the boards for ideas on this subject matter and how best to proceed. He believes it is a parking issue, noting the proceeds will go into the parking fund; therefore, he believes it would be more appropriate to have the Parking Facilities Board oversee this program. He believes more research needs done on the issue.

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

**PUBLIC HEARING ON ORDINANCE (BILL NO. 10-18) SETTING
REQUIREMENTS FOR SANITARY SEWER LATERAL TESTING**

Ms. Fraasch said Mt. Lebanon currently prohibits transfer of real property without evidence that there are not illegal stormwater connections into the sanitary sewer. The proposed ordinance expands the definition of illegal stormwater connection to include essentially any drain or connection that carries storm, surface or ground water into the sanitary sewer. The ordinance also establishes a prohibition on the transfer of real property without evidence that there are no defects in the property's sanitary sewer lateral. A defect includes any separation, break, root infiltration, crack, breach, failed or defective wye, or break in tap. Laterals must be tested using closed circuit television. Defects must be repaired before evidence of compliance will be issued. The ordinance also establishes a process for obtaining the proper certification from the Municipality.

This ordinance was introduced October 22, 2018.

Mr. Silverman declared the public hearing opened.

Dan Deiseroth stated the genesis of the ordinance is a requirement of the consent order, noting there are many communities already requiring lateral testing. He said there is a requirement for the person doing the testing to be NASSCO certified, which is a nationally recognized certification program, noting it is the same standards used on the main lines owned and maintained by the municipality. The standards would be uniform as to whether or not the lateral needed replaced or repaired.

The Commission discussed the ordinance at length.

Mr. McLean inquired as to utilizing NASSCO requirements and modifying it, stating that there are already established plumbers who can do the work, but it would involve an expense for them to become NASSCO certified. He doesn't understand why certification is required when seasoned plumbers can do the work.

Ms. Fraasch noted that there is value in the certification. As a realtor, they ask who is going to be liable for that line, and when you have an agreement between a seller and buyer, and the sale is contingent on this testing, you're not going to want anyone unless they are certified, especially if you wind up in litigation.

Mr. McLean asked when a dye test is done, who does it, and whose standards do they abide by. Mr. Deiseroth stated that it is a registered plumber, who is certified by the Allegheny County Health Department. Mr. McLean believed the matter needed more discussion.

Mr. McGill stated that under the current consent order, the municipality is held to the NASSCO standard. He noted that it's possible when the next consent order comes out, the standard will require the NASSCO certification for lateral testing.

Mr. Weis believed it was important to make certain a person is NASSCO certified and follows the national standards.

Mr. Grella stated that the importance of this ordinance is to make certain that there is no stormwater infiltration in our pipes.

Mr. Deiseroth stated that he has personal experience with having to replace his own lateral. There will be people who will argue that they don't need to replace the lateral if you don't have a clearly defined path and numbers. There can't be any subjectivity. It costs \$5,000 to \$6,000 to replace a lateral, and if you don't have established uniform standards, people won't want to do it.

Mr. Grella stated that we need to inform the public as well.

Mr. Bendel stated that unless someone read the ordinance, it would not be obvious to them that a lateral test is required for the transfer of property. He had concerns with a lateral test being done for a remodeling project.

Mary Jane Edwards of 229 Thornberry Circle stated she was representing the Woodridge Condominium Association. She said the potential financial impact on the association would be significant. She stated that there are hundreds of units in Woodridge, and it would be the association's responsibility to pay for each lateral to be tested every time a unit sold. She asked for a point of contact from the municipality that she could communicate with. She added that she found the question/answer information on the website to be very informative. She inquired as to there being enough plumbers available to do this work.

Martin Flaherty of 283 Arden Road stated that there are many cast iron traps in Mt. Lebanon, so even if the sewer is good, they will need to dig up the yard and replace the trap to comply with the Allegheny County Health Department. He asked that this issue be researched further before enacting the ordinance.

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

PUBLIC HEARING ON ORDINANCE (BILL NO. 11-18)
AMENDING THE 2018 BUDGET FOR REVENUE
AND EXPENDITURES NOT ANTICIPATED IN THE 2018 BUDGET

Mr. Bendel said the following adjustments are proposed:

General Fund

Revenue:

Use of Fund Balance	\$	794,030
	\$	794,030

Expenditures:

Server Battery Backup	\$	15,980
Cable Television System		18,810
2019 Police Vehicle Replacement		99,240
2018 Vehicle Purchases (Opted not to Lease)		96,150
Transfer to Capital Projects Fund		563,850
	\$	794,030

Capital Projects Fund

Revenue:

Transfer from General Fund	\$	563,850
Use of Fund Balance		96,150
N. Wren Traffic Signal Project (Contributions)		90,000
N. Wren Traffic Signal Project (Grant)		220,000
	\$	970,000

Expenditures:

N. Wren Traffic Signal Project	\$	310,000
Public Works Facility Additional Funding		660,000
	\$	970,000

This ordinance was introduced on October 22, 2018.

Mr. Silverman declared the public hearing opened.

Dave Egler of 121 Poplar Drive stated that he'd like to see funding for acquiring delinquent property on Pennsylvania Boulevard.

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

**PUBLIC HEARING ON THE 2019 MANAGER'S RECOMMENDED
BUDGET AND THE PROPOSED TAX RATE FOR THE YEAR 2019**

Mr. McLean said the Manager's 2019 Recommended Budget, prepared pursuant to the Home Rule Charter, was submitted to the Commission November 1, 2018. Residents may inspect the budget during normal business hours at 710 Washington Road (Municipal Building) and at the library. The Recommended Budget is also available on Mt. Lebanon's website at www.mtlebanon.org.

Tonight citizens have the opportunity to provide written and oral comments and suggestions regarding the budget and tax rate for 2019. The tax rate is proposed at 4.71 mills. The public will also have an opportunity on December 11, 2018 to comment on the Commission's proposed adjustments to the Manager's Recommended Budget.

Mr. Silverman declared the public hearing opened.

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

**INTRODUCTION OF ORDINANCE (BILL NO. 12-18)
CONCERNING THE MUNICIPALITY'S 2019 BUDGET**

Mr. Grella said the Commission held a scheduled budget work session to review the budget on Saturday, November 10. Additional budget work sessions will be held on Monday, November 19, and Monday, December 3. A public hearing was just held to comment on the Manager's 2019 recommended budget. A second public hearing is scheduled on December 11, regarding any Commission revisions to the manager's recommended budget. The 2019 budget ordinance is scheduled for consideration at the December 11, 2018 meeting.

Ordinance (Bill No. 12-18) was introduced.

**INTRODUCTION OF ORDINANCE (BILL NO. 13-18)
FIXING THE TAX RATE FOR THE YEAR 2019**

Ms. Fraasch said the municipality will be reaffirming its tax rate in accordance with the adopted budget. The tax rate for general purposes is currently 4.71 mills. The tax shall continue in force for each successive calendar year unless the tax is subsequently changed.

Ordinance (Bill No. 13-18) was introduced.

**CONSIDERATION TO AWARD A CONTRACT FOR THE CLOSED
LOOP DOOR OPERATOR ON CAR #2 AT THE SOUTH PARKING GARAGE**

Mr. Bendel said the total cost to repair and replace the closed loop door operator on Car #2 at the South Parking Garage is \$45,442.84, which will be funded through the Parking Fund. All materials and labor will be provided by Otis Elevator, an approved National IPA Contractor. This pricing is guaranteed through National IPA Contract #384899 and includes removal, purchasing, moving and installation costs.

Mr. Bendel moved and Mr. McLean seconded to award a contract to Otis Elevator to repair the closed loop door operating hardware on Car #2 at the South Parking Garage under National IPA Contract #384899 through Otis Elevator at a total cost of \$45,442.84. The vote was called. The motion carried unanimously.

ADJOURNMENT

The meeting adjourned at 9:15 p.m.