

**MINUTES OF THE REGULAR MEETING SEPTEMBER 8, 2020
OF THE MT. LEBANON COMMISSION**

The Commission of Mt. Lebanon, Pennsylvania, held a Regular Meeting at 8:00 P.M., on Tuesday, September 8, 2020. Commission President Craig Grella called the meeting to order and led in the Pledge of Allegiance to the Flag. Manager McGill called the roll. Present were Commissioners Andrew Flynn, Leeann Foster, Mindy Ranney, Steve Silverman, and Craig Grella. Also present were Assistant Manager/Planner McMeans, Police Chief Lauth, I.T. Manager Schalles, Public Information Officer Lilley, and Library Director Vittek (remotely). Also present were Phil Weis of the solicitor's office (remotely) and Matt Bagaley of the engineer's office.

COMMISSION/MANAGER'S ANNOUNCEMENTS

Manager McGill summarized the information that was reviewed during the discussion session, including the formation of the Diversity Equity and Inclusion Ad Hoc Committee as a subcommittee of the Community Relations Board, and an update on the Communications Plan Project. Due to time constraints, the Commission were unable to review the Comprehensive Plan updates. This item will be reviewed at a future meeting. We also adjourned to the IDA special meeting.

Manager McGill stated that prior to this meeting, the Commission met in executive session to receive legal advice from the solicitor on various legal issues as well as discuss a board appointment. After tonight's meeting, we will go back into executive session to discuss further some legal issues as well as discuss the manager's 2020 performance evaluation. He stated that the next adjourned meeting is scheduled to be held on Tuesday, September 22, 2020, at 8 p.m., in Commission Chambers with the discussion session meeting starting at approximately 6:30 p.m., to be held in Room C, and the executive session starting at approximately 6 p.m. He noted that Mt. Lebanon is taking precautionary measures to stay safe, and any resident attending must wear a mask, as well as social distance, where chairs are already appropriately spaced. Room C will also be available in the event of an overflow.

Ms. Ranney said September is *both* "Love Your Library Month" *and* "Library Card Sign-Up Month!" This Saturday, September 12, is Love Your Lebo Library Day, with special story times and other videos on the library website and Facebook page. If you share a picture of yourself on the Mt. Lebanon Public Library Facebook, Twitter or Instagram, holding your favorite book or any library card (don't show the card number!) you could win a "Love Your Library" Basket. Especially important are the matching donations from Pittsburgh's Jack Buncher Foundation for the money raised in September...so this is a perfect month to donate. Find out how at mtlebanonlibrary.org.

Please join me in congratulating Animal Control Officer Tony Capozzoli and Public Works Mechanic Mark Pesanka on their retirements. Tony has proudly served Mt. Lebanon and the communities of the South Hills Cooperative Animal Control for 30 years. Mark has kept our municipal fleet well serviced, on the road, and has served the municipality for the last nine years. We wish them both a long, happy and rewarding retirement, and we thank them for their service and commitment to our community.

The Mt. Lebanon Fire Department, the Mt. Lebanon Police Department and CrossFit Mt. Lebanon will host the 10th annual Mogadishu Mile, a 5K run, walk and four-person team CrossFit challenge, on Friday, October 2, from 6 to 8 p.m. at the Jefferson Middle

School track. Proceeds will go to the Withrow Family. Jerrod Withrow, a Mt. Lebanon police officer, was recently diagnosed with Stage 4 colon cancer and has just started chemotherapy. It is unknown what financial impact the disease will have on his family, including his wife, Lisa, a U.S. Air Force veteran, and their three children. The cost is \$30 per person and \$120 for a team of four people. Register online at *mtlfd.org*.

The Historical Society of Mount Lebanon is having its annual gala virtually on Wednesday, October 21, with a Roaring '20s theme. Speakers include sports author Jim O'Brien and Pittsburgh History and Landmarks educator Louise Sturgess. For tickets and details, go to *lebohistory.org*.

JUNIOR COMMISSIONER JACK HARRIGAN COMMENTS

Junior Commissioner Jack Horrigan stated that the majority of students want to go back to in-person classes at the school. He also spoke in support of the diversity and inclusion committee, stating it was progress.

CITIZENS COMMENTS

Bill Hoon of 456 Coolidge Avenue spoke about COVID, suggesting that testing should be made available to residents in order to combat this virus. He also spoke about deer management, stating that gardeners were the reason for the program.

Kristin Meier of 492 Haverhill Road, member of the EOB, stated that in 2017, a non-discrimination ordinance was passed to protect the rights of all citizenry. She also spoke about the Equal Opportunity Board, believing the Commission wanted to dissolve it.

Ms. Foster stated that she is the liaison to the EOB, and there is no intent by this Commission to dissolve this board. She noted that a legal clarification has been made so that the board is focused on performing a quasi-judicial role in the community. Members of the EOB were asked if they wanted to continue to serve on the EOB in a quasi-judicial role or would they prefer to transition to the Diversity Equity and Inclusion ad hoc board.

Mary Beth Waine of 1183 Arrowood Drive, member of the EOB, stated that she appreciates the time and work that the Commission put into the community. She also said that she has serious concerns with the DEI ad hoc board. She stated that over the years, there's been a lot of conversation on the same topics, starting with the Community Relations Board. She believed there was a difference between knowledge and attitude. She discussed the ordinance that created the Community Relations Board. She stated that instead of an ad hoc board, it should be permanent, with a long-range commitment.

Ms. Ranney said the Commission received legal guidance that it's best to do it through the CRB.

Josephine Posti of 291 Arden Road, member of the EOB, stated that they recently learned that many of the responsibilities of the EOB were being transitioned to the CRB because of concerns that it is a quasi-judicial body and some of the work could be perceived as partial rather than educational. She noted that she reviewed the ordinances that created the EOB and CRB. She said that there is duplication of responsibilities between the two boards, which gives her pause,

and she wonders why the EOB was created in the first place. She asked if the Commission would be voting on the creation of the CRB working groups, if it's an action item. She said that the EOB has been told for a year now that the municipality has been waiting to hear from the state regarding a workshare agreement that would permit the EOB to hold hearings. She asked if a workshare agreement currently exists with the CRB, since they also have the authority to hold hearings for similar types of complaints. She also asked what the most recent communication was with the Pennsylvania Human Relations Commission. If there hasn't been any, what measure is Mt. Lebanon taking to get the workshare agreement finalized. Is there a fallback plan if there is no workshare agreement between the state and Mt. Lebanon. She stated that if Mt. Lebanon doesn't plan to revise these two ordinances, how will complaints in the future be handled. She stated that both the CRB and EOB have the ability to hold hearings according to the descriptions and responsibilities of the boards. Therefore, will Mt. Lebanon in essence have two ordinances granting authority for two different boards to hear complaints that are all going to be sent to the state ultimately anyway.

Amy Williamson of 355 Parkway Drive, member of the EOB, stated that she concurs with what the other EOB members said. She noted that she is a labor employment attorney, and she was excited to join the EOB and give back to the community. She stated that she has biracial children, so not only does she have a professional interest with some of these issues, but she has personal ones as well. She said she appreciates that the board is not being dissolved, but it's been made clear that the board does not have any authority. She said it's disappointing to her on a myriad of levels that not only is the board not going to really exist, but Mt. Lebanon is giving a message that it does.

**CONSIDERATION OF THE MINUTES FROM THE
THE REGULAR MEETING HELD AUGUST 10, 2020**

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

**INTRODUCTION OF AN ORDINANCE (BILL NO. 6-20)
REGULATING UNCONTROLLED WATER DISCHARGES**

Mr. Flynn said the proposed Ordinance addresses the adverse consequences of uncontrolled stormwater discharges onto a public street, sidewalk or public right-of-way. The ordinance regulates discharges from new and existing pipes and drains. The ordinance contains restrictions relating to location, setbacks, design and installation standards. The ordinance requires a permit for the installation of new facilities.

Ordinance (Bill No. 6-20) was introduced, and the public hearing was set for September 22, 2020.

CONSIDERATION OF A RESOLUTION NO. R-16-20

**RECOGNIZING THE MT. LEBANON FIELD HOCKEY
ASSOCIATION AS A CIVIC AND SERVICE ORGANIZATION**

Ms. Foster said under the Local Options Small Games of Chance Act, an organization may operate certain small games of chance and conduct raffles to generate funds to finance its operations and further its purposes. The Mt. Lebanon Field Hockey Association desired to obtain a license from the Treasurer of Allegheny County to conduct a raffle. In order to receive a license, the Association must obtain a Resolution from the Municipality affirming the Association's status as a civic and/or service association within the comprehension of the Act.

Ms. Foster moved and Mr. Silverman seconded to approve Resolution No. R-16-20. 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 its 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 employee detailed below has requested benefit commencement commensurate with the terms of his respective pension plan.

Employee Name Title	Pension Plan Department	Benefit Start Date
Anthony Capozzoli Animal Control Officer	General Employees Animal Control	9/1/2020

Mr. Silverman moved and Ms. Foster seconded to approve benefit commencement for Anthony Capozzoli. The vote was called. The motion carried unanimously.

**CONSIDERATION OF AN APPOINTMENT TO THE
HISTORIC PRESERVATION BOARD TO FILL AN UNEXPIRED TERM**

Ms. Ranney moved and Mr. Flynn seconded to appoint Krista Ford of Inglewood Drive to fill an unexpired term ending March 31, 2021. The vote was called. The motion carried unanimously.

ADJOURNMENT

The meeting was adjourned at 9:05 p.m.