

MINUTES OF THE REGULAR MEETING NOVEMBER 9, 2021 OF THE MT. LEBANON COMMISSION

The Commission of Mt. Lebanon, Pennsylvania, held a Regular Meeting at 8 P.M., on Tuesday, November 9, 2021, in person and on Zoom. Commission President Mindy Ranney 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, Craig Grella, Steve Silverman, and Mindy Ranney. Also present were Assistant Manager/Planner McMeans, Fire Chief Sohyda, Police Chief Lauth, Finance Director McCreery, Human Resource Officer Cross, Library Director Vittek, and Public Information Officer Lilley. 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 solar on the library roof, a framework regarding DEI initiatives, and an update on Vibrant Uptown.

Manager McGill stated that prior to this meeting, the Commission met in executive session to receive legal advice from the solicitor on various issues. The Commission will go back into executive session after this meeting to discuss a board appointment and other legal issues. The next adjourned meeting is scheduled to be held on Tuesday, November 23, 2021, at 8 p.m., to be held in person as well as on Zoom, with the discussion session meeting starting at approximately 6:30 p.m., and the executive session starting at approximately 6 p.m. The Commission also held its first budget workshop on Monday, November 8, and will have additional workshops on Wednesday, November 17, Friday, December 3, and if necessary, Monday, December 6, all commencing at 5:30 p.m.

Mr. Flynn said November is Native American History Month. Native Americans were the first settlers on the land we now call Mt. Lebanon. In 1681, when William Penn began his "Holy Experiment" that became Pennsylvania, the six square miles now comprising Mt. Lebanon were part of nearly 30 million acres of unbroken, primeval forest, a wilderness of small game, deer, elk, bear, cougar and rattlesnake. Native Americans of a dozen or so different tribes, including the Leni Lenape (Delaware) and Shawnee, inhabited the area, while Pennsylvania's European population remained primarily in the colony's eastern end.

British victories in the French and Indian War and in Pontiac's Indian uprising that followed brought more Europeans to the area. As the Pennsylvania Indian populations dwindled—from about 20,000 when Europeans began arriving to scarcely 1,200 by 1790—thousands of settlers began pouring into Western Pennsylvania from the east. To learn more about the rich history, culture and traditions of Native Americans, go to **NativeAmericanHeritageMonth.gov**.

The Municipality, in cooperation with local school districts, has installed nine Purple Air monitors around town. To check our air quality, just go to **purpleair.com** and you can see the levels of our monitors, as well as others placed by members of the community.

Please help the Municipality honor all who served our country at the 2021 Veterans Day Ceremony, on Thursday, November 11, at 4 p.m. at the Veterans Memorial, near the Mt. Lebanon Rec Center, off Cedar Boulevard. Keynote speaker is Dr. Josh Cannon, a former Marine sergeant, who served two tours in Iraq.

Apply today to be part of the Mt. Lebanon Residents Academy. The free, nine-week program starts Thursday, January 6, and runs each week from 6:30 to 8:30 p.m. Participants learn about each municipal department and our partner agencies. To apply, go to mtlebanon.org and click on “trending now.”

Lebo Light Nite is on Thursday, November 18, from 6 to 8 p.m. on Washington Road. This beloved tradition is back in person this year, with music, food and festivities. Start your holiday shopping, watch the tree lighting and the kids can visit with the Jolly Old Elf.

JUNIOR COMMISSIONER RAAFAY KHAN COMMENTS.

Raafay Khan spoke about events at the high school, stating that the Blue Devils are preparing for their semi-final game against North Allegheny this Friday, a fall spirit assembly was held for the first time in two years, and the annual PSCA conference was held over the weekend. He also stated that at the last meeting, he conveyed how the students just want to get back to normal life at the school. He stated that this past year and a half has been an exceptional change for all of us, and we should use this time of change to move past normal. He said that students place a lot of value on their GPA, and they are judged on this one number. He stated that failure should be normalized, giving students opportunities to remediate tests or writing assignments, encouraging them to learn the material they did poorly on, which it teaches us that failure is a key part of the system. He said that it allows us to learn rather than encouraging us to cheat for a better grade. He stated that we have encountered many challenges with the pandemic, but it also has presented many opportunities, if only we have the courage to take them.

CITIZENS COMMENTS

Bill Hoon of 456 Coolidge Avenue spoke against the deer management program, stating that it's his understanding that police officers are being hired to partake in this program, which he did not support.

Lindsay Cashman of 820 Ella Street spoke in support of the solar roof on the library. She also stated that as a member of the DEI ad hoc board, she's excited about the Community Relations Board expansion to continue the work.

**CONSIDERATION OF THE MINUTES FROM
THE ADJOURNED MEETING HELD OCTOBER 26, 2021**

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

**PUBLIC HEARING ON ORDINANCE (BILL NO. 10-21)
AMENDING THE 2021 BUDGET FOR REVENUE AND
EXPENDITURES NOT ANTICIPATED IN THE 2021 BUDGET**

Mr. Flynn said the following adjustments are proposed:

General Fund

Revenue:	Justification:		
Use of Fund Balance		\$	221,090
Assigned Fund Balance Release	YE 2020 Assignments		702,760
ARPA Revenue Loss Recognition for Parking Fund	2020 Revenue Losses		400,000
ARPA Revenue Loss Recognition for Stormwater Fund	2021 Change orders (Lakemont/Firwood)		100,000
Insurance Proceeds	Firing Range Insurance Payments		190,810
	Total	\$	1,614,660

Expenditures:	Justification:		
Public Works Small Dump Truck	Delays in 2020 delivery, Assigned FB	\$	93,500
Public Works Large Dump Truck	Delays in 2020 delivery, Assigned FB		166,000
Police Transit Van	Delays in 2020 delivery, Assigned FB		68,260
Municipal Building Camera Project	Delays from 2020, Unassigned FB		16,090
Municipal Building Meeting Room Upgrades	Commission Authorization		25,000
Firing Range Improvements	Commission Authorization		580,810
Assign Library Savings for 2022 Budget	Savings intended for 2022 budget		65,000
Assign Fund Balance for Vibrant Uptown Phase II	Commission Authorization		100,000
Decrease in the use of Fund Balance			500,000
	Total	\$	1,614,660

Capital Projects Fund

Revenue:	Justification:		
Fund Balance	YE 2020 Assignments	\$	160,000
Fund Balance	2020 Bond Refinance Proceeds		117,840
	Total	\$	277,840

Expenditures:	Justification:		
Bower Hill Rd/Segar Rd Intersection Improvement	Increased funding needed	\$	70,000
Bower Hill Rd/Washington Rd Intersection Improvement	Increased funding needed		90,000
Ballistic Walls at Firing Range	Commission Authorization		117,840
	Total	\$	277,840

Ordinance (Bill No. 10-21) was introduced on October 26, 2021.

Ms. Ranney declared the public hearing opened.

Because there were no comments, Ms. Ranney declared the public hearing closed.

**PUBLIC HEARING ON THE 2022 MANAGER’S RECOMMENDED
BUDGET AND THE PROPOSED TAX RATE FOR THE YEAR 2022**

Ms. Foster said the Manager’s 2022 Recommended Budget, prepared pursuant to the Home Rule Charter, was submitted to the Commission November 1, 2021. 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 2022. The tax rate is proposed at 4.91 mills. The public will also have an opportunity on December 14, 2021 to comment on the Commission’s proposed adjustments to the Manager’s Recommended Budget.

Ms. Ranney declared the public hearing opened.

Mr. Grella encouraged residents to contact the commissioners if they have an issue or are pleased with a service, noting that public comments do allow the commissioners to know where the community stands on issues.

Because there were no further comments, Ms. Ranney declared the public hearing closed.

**INTRODUCTION OF ORDINANCE (BILL NO. 11-21)
CONCERNING THE MUNICIPALITY'S 2022 BUDGET**

Mr. Grella said the Commission held a scheduled budget work session to review the budget on Monday, November 8. Additional budget work sessions will be held on Wednesday, November 17, Friday, December 3, and if needed, on Monday, December 6, at 5:30 p.m. A public hearing was just held to comment on the Manager's 2022 recommended budget. A second public hearing is scheduled on December 14, regarding any Commission revisions to the manager's recommended budget. The 2022 budget ordinance is scheduled for consideration at the December 14, 2021 meeting.

Ordinance (Bill No. 11-21) was introduced.

**INTRODUCTION OF ORDINANCE (BILL NO. 12-21)
FIXING THE TAX RATE FOR THE YEAR 2022**

Mr. Silverman 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 be fixed at the rate of 4.91 mills for the year 2022 and continue in force for each successive calendar year without annual reenactment unless the tax is subsequently changed.

Ordinance (Bill No. 12-21) was introduced.

**CONSIDERATION OF RESOLUTION NO. R-15 -21 AUTHORIZING
THE PARTICIPATION OF THE MUNICIPALITY IN THE
REDEVELOPMENT AUTHORITY OF ALLEGHENY COUNTY'S
VACANT PROPERTY RECOVERY PROGRAM SUBJECT TO REQUIREMENTS**

Mr. Flynn said the Redevelopment Authority of Allegheny County operates a program which can allow unused and vacant property to be acquired by the Authority and sold to productive use. The Municipality, for the benefit of its citizens, wishes to authorize participation in the program, which requires the execution of a cooperation agreement with the Authority and complying with all requirements therein.

Mr. Flynn moved and Mr. Silverman seconded to adopt Resolution No. R-15-21. The vote was called. Mr. Flynn, Ms. Foster, Mr. Silverman and Ms. Ranney voted in favor of the motion. Mr. Grella voted against the motion. The motion passed four to one.

**CONSIDERATION OF FINAL APPROVAL OF THE PRIMANTI BROTHERS SITE
PLAN FOR AN ADDITION TO THE STRUCTURE AT 1539 WASHINGTON ROAD**

Ms. Foster said at its meeting on April 21, 2020 the Planning Board voted in favor of a motion to recommend final approval to the 1539 Washington Road Primanti Brothers plan. Due to the COVID-19 pandemic, Primanti's put their expansion plans on hold and an extension to the preliminary approval was granted by the Planning Board. Primanti Brothers operates an existing restaurant at 1539 Washington Road and is seeking to expand their facility. The site plan calls for the addition of 1,265 total square feet on the east side of the building with 1,005 net square feet of a new enclosed dining area. The new exterior wall will contain insulated aluminum and glass garage doors that can be opened in favorable weather.

Ms. Foster moved and Mr. Grella seconded to:

1. Grant Final approval to the Primanti Brothers Site plan conditioned on compliance with the terms and conditions in the Final Land Development Plan Review Memorandum dated November 5, 2021 prepared by Gateway Engineers, which terms and conditions include the execution and approval of the required development agreement and receipt of the required amenities bond within 90 days; recording of an acceptable Operations and Maintenance Agreement;
2. Authorize the proper municipal officials to execute an Operations and Maintenance Agreement with Primanti Brothers or record owner for the private stormwater management facility as part of the Primanti Brothers site plan.

The vote was called. The motion carried unanimously.

**CONSIDERATION FOR THE EXECUTION OF A
DEVELOPMENT AGREEMENT WITH PRIMANTI BROTHERS**

Mr. Grella said at tonight's meeting, the Mt. Lebanon Commission granted final approval for the Primanti Brothers Site 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. Grella moved and Ms. Foster seconded to authorize the proper municipal officials to execute the Development Agreement with Primanti Brothers for the Site Plan to expand the existing facility at 1539 Washington Road conditioned upon receipt of the required financial securities within 90 days of approval. The vote was called. The motion carried unanimously.

**CONSIDERATION FOR THE FULL RELEASE TO FINANCIAL SECURITY
POSTED FOR 957 CONNOR ROAD SANITARY SEWER EXTENSION PROJECT**

Ms. Foster said the required two-year maintenance bond is due to expire on the improvements installed for 957 Connor Road Sanitary Sewer Extension. The project has been inspected by Public Works personnel and the Municipal Engineer with no issues observed. It is the recommendation of the Municipal Engineer for a full release of the financial security posted for the maintenance bond and inspections, a total release of \$5,493.45.

Ms. Foster moved and Mr. Grella seconded to release the remaining financial security posted for the maintenance bond on improvements for the 957 Connor Road Sanitary Sewer Extension project, a release of \$5,493.45. 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 employees detailed below have requested benefit commencement commensurate with the terms of their respective pension plans.

Employee Name Title	Pension Plan Department	Benefit Start Date
Matthew Mankamyer Police Officer	Police Police	11/01/2021
William Harbison Police Officer	Police Police	11/01/2021
Donald Boden Forester	General Employees Public Works	11/01/2021

Mr. Silverman moved and Mr. Flynn seconded to approve benefit commencement for Matthew Mankamyer, William Harbison and Donald Boden. The vote was called. The motion carried unanimously.

ADJOURNMENT

The meeting was adjourned at 8:50 p.m.