

BOROUGH OF VANDERGRIFT
MINUTES OF THE VANDERGRIFT COUNCIL
JUNE 5, 2017

The Council of the Borough of Vandergrift met in the Council Chambers of the Municipal Building at 7:00 p.m., with President Carricato presiding. The Pledge of Allegiance to the Flag was recited.

MEMBERS PRESENT:

Kathleen Chvala
Brian Carricato
James Rametta
Lenny Collini

Vernon Sciallo
Christine Wilson
Frank Moliterno

OTHER OFFICIALS:

Stephen DelleDonne, Secretary
Larry Loperfido, Solicitor
Lucian Bove, Engineer

Theresa Geltz- Asst. Secretary
Joseph Caporali, Police Chief

MINUTES:

The Minutes of the May 1, 2017 meeting were approved, as corrected, by motion of Mr. Sciallo, second by Mr. Collini. Motion carried.

VISITORS:

A motion was made by Mr. Collini, second by Mrs. Chvala, to hear from visitors at this time. Motion carried.

Taylor Troiano, 328 Harrison Avenue, addressed Council in regards to roof water runoff from his neighbor is causing damage to his property.

President Carricato stated that he would have the Borough Engineer look into this situation.

Byron Brown, 1017 Hancock Avenue, requested Council to support the effort of naming the Vandergrift Bridge in the name of Rudy Minarcin. He stated that he has over a 1,000 signatures in favor of this matter.

Solicitor Loperfido stated that it would require 10% of voters to place this matter on a referendum. However, he stated that the final approval would come from the State.

Ashley Hannigan, provided Council with additional forms regarding the sale of Hometown Hero Military Banners.

Ms. Hannigan questioned how long to keep the existing banners.

President Carricato suggested that the banners be left up until Veterans Day.

Jack Scott, Vandergrift High Rise, addressed Council in regards to large rats getting in the garbage from residents in Custer Avenue alley.

Mr. Sciullo stated that he will have rat poison placed in this area.

Mrs. Chvala stated that the placement of garbage in the proper receptacles need to be enforced.

Aleesha Kelly, Arts Festival Chairman, presented changes to the 10th Annual Arts Festival planned for August 5, 2017. (See page 2-A)

Larry Chiccola, 149 Franklin Avenue, stated that he has recently purchase the structure located a 147 Franklin Avenue and question what is required to proceed with demolition of the property. He also questioned whether there are individuals who perform demolition work.

Mrs. Wilson stated that the Borough uses Dale Lutterman out of Latrobe for demolition work. She also stated that the Borough can issue a demolition permit.

Don Detar, 213 Lowell Street, questioned when the Borough will begin sweeping the streets.

Mr. Sciullo stated that the sweeping of streets will begin as soon as he has a full number of street employees available.

Peter Basile, 159 Jefferson Avenue, addressed Council in regards to safety hazard existing in the rear of 148 Washington Avenue. He suggested in putting some type of barrier to prevent kids from entering this area.

Solicitor Loperfido stated that a citation has been filed against the Casino Theater. He stated that hearing is scheduled at the Magistrate's Office on June 29th.

2-17

Vandergrift Improvement Program, Inc.

P.O. Box 77, Vandergrift, PA 15690

Phone: 724-567-5286 Email: vip15690@comcast.net

A 501©3 non-profit organization

Mission Statement

The Vandergrift Improvement Program's (VIP) mission is to protect, preserve and restore the historic commercial district and improve the quality of life in Vandergrift.

June 5, 2017

TO: Vandergrift Council

FROM: Aleesha Kelly

RE: Art Festival

The 10th annual VIP Fine Arts Festival is being planned for Saturday, August 5th, 2017 from 11 am until 6 pm. We are planning for art related activities and projects for kids, live art shows, and performances from local dancers and musicians to take place on Grant Avenue. For the safety of everyone involved, we respectfully request that Grant Ave. be blocked off from the intersection of Sumner up to and including the intersection of Columbia. We ask that this section of Grant Ave. be blocked off between the hours 8:00am and 7:00pm due to the added time vendors will need to set up and tear down their booths. Also, with your permission, we would like to allow the kids to draw chalk pictures on the sidewalks and/or street as a free activity.

If you have any questions or would like to help with the festival, please call or email me. 724.994.7055 / aleeshadkelly@gmail.com

Thank you in advance!

Aleesha Kelly
Arts Festival Chairman

Rachael Pearson, 174 Washington Avenue, stated that she would like to discuss the flow of traffic in town with the appropriate Borough officials. Due to the operation of the Whinery, she stated that vehicles are parking on both sides of 10th Street. She also recommended that Council consider placing a stop sign at every intersection on Washington Avenue as a means of slowing traffic. She also recommended that a curfew be activated in town.

President Carricato stated that he would contact Ms. Pearson as to when the next Police & Public Safety Committee will be held.

A motion was made by Mrs. Chvala, second by Mrs. Wilson, to return to the regular order of business. Motion carried.

MAYOR'S REPORT:

No Report

SECRETARY'S REPORT:

The Secretary informed Council that the Westmoreland Conservation District is planning to schedule a MS4 workshop in the area.

The Secretary informed Council that he has received notice from Michelle Saxion, Peoples Gas, that they are planning on replacing pipeline on Cooper Street, from Bryant to Whittier.

The Secretary presented Council an inspection report by the Borough Engineer for the 229 Longfellow Street. (See page 3-A)

The Secretary informed Council that he has received notice from DCER regarding the Close-Out Certification Form of the \$10,000 pool grant.

The Secretary stated that the No. 1 Fire Department is requesting that Randy Dunmire to authorized to make changes to the dispatching for 911.

A motion was made by Mr. Sciullo, second by Mrs. Chvala, to approve the aforementioned request. Motion carried.

A motion was made by Mr. Rametta, second by Mr. Collini, to accept the Secretary's Report. Motion carried.

CODE OFFICER'S REPORT:

No Report

3-11

BOVE ENGINEERING COMPANY

ARMBRUST PROFESSIONAL CENTER

8201 ROUTE 819

GREENSBURG, PA 15601

724-925-9269

FAX: 724-925-1216

May 23, 2017

Vandergrift Borough Council
109 Grant Avenue
Vandergrift, Pennsylvania 15690

Attention: Stephen J. DelleDonne, Secretary

REF: 229 Longfellow Street (former Carpenter Café)
Post Demolition Inspection

Ladies and Gentlemen:


As requested, I conducted an inspection of the above referenced demolished structure and property on May 1, 2017. At that time, the sanitary sewer inspection stack was observed to be capped. However, the following items need to be addressed:

- The site needs to be seeded and mulched or otherwise vegetated.
- Storm drain pipes which serviced the prior structure appear to have been filled in. They should be cleaned out and also capped.
- The sidewalk has been cut and has been undermined approximately 3 feet. The undermining needs to be filled and the sidewalk needs to be repaired.
- The demolition of the rear part of the building has left a steep drop-off along the parking lot of the adjacent property. Note that there is parking along the side of the unprotected steep drop-off wall. There is potential that vehicles or persons could drive over or fall over the wall. No steep slope should be left unprotected. Other than providing required safety railings and possibly guide rails, the maximum slope should be 1 foot vertical to 2 feet horizontal. This could be done by filling along the wall and establishing a gradual slope from the wall to the level ground.

The above referenced items should be addressed prior to any release of security for this demolition project. If you have any questions, please feel free to contact me.

Sincerely,

BOVE ENGINEERING COMPANY


Lucien Bove, P.E.

LB:dlb

Attachment

copy: Steven Tatar, 331 Kennedy Avenue, East Vandergrift, PA 15629

2016-531:VANDERGRIFF 2017/Unsafe Structures/229 Longfellow St

COMMUNICATIONS & CORRESPONDENCE:

Exhibit 1-A: John Detore, Secretary Vandergrift Lions Club.

Subject: Request to use Kennedy Park on July 30th for their annual car show.

A motion was made by Mrs. Chvala, second by Mr. Collini, to approve the aforementioned request. Motion carried.

REGULAR & STATED BILLS:

A motion was made by Mrs. Chvala, second by Mr. Collini, to pay all stated and approved bills. Motion carried.

SPECIAL BILLS:

None

STREET & SANITATION REPORT:

Chairperson Sciuillo stated that the Engineer will report on the situation regarding 9th Street.

Mr. Sciuillo informed Council that he will need to reorder additional recycling bins. He stated that he has gone through 250 bins within the last two years.

Mr. Sciuillo informed Council that the Mack refuse truck was in for repairs on the regeneration system at a cost of about \$3000.00.

A motion was made by Mr. Collini, second by Mr. Rametta, to accept the Street & Sanitation Report. Motion carried.

ENGINEER'S REPORT:

Engineer Lucien Bove presented and reviewed his report on the 9th Street Wall and the house demolition at 240 Vandergrift Lane (East Vandergrift). (See page 4-A thru 4-C) He suggested installing 60 feet of guide rail as a safety precaution.

President Carricato stated that a temporary solution is needed now, with a permanent one to follow. He also requested the Solicitor to notify the owner for the purpose of discussing the responsibility of this situation.

Mr. Bove stated that the Borough can apply for a 2017 DCED Multimodal Transportation Fund Grant Application for a street improvement project. He stated that the grant requires a 30% match from the Borough.



VANDERGRIFT LIONS CLUB

John G. Dettore, Sec'y
405 Longfellow Street
Vandergrift, PA 15690-1448

Exhibit 1-A

MAY 24, 2017

STEVEN J. DELLE DONNE
BOROUGH SECRETARY
MUNICIPAL BUILDING
GRANT AVENUE
VANDERGRIFT, PA, 15690

DEAR MR. DELLE DONNE:

WE ARE WRITING THIS LETTER REQUESTING
PERMISSION FOR THE USE OF KENNEDY PARK,
JACKSON AVENUE. THE DATE IS SUNDAY, JULY 30TH, 2017.
FROM 8:00AM UNTIL 6:00PM. OUR CAR CRUISE.

AS IN THE PAST YEARS, OUR INSURANCE
COVERAGE IS TAKEN CARE OF, WE ALSO MAKE
SURE KENNEDY PARK IS CLEANED UP AFTER
IT'S DAYS USE.

SINCERELY,
John G. Dettore
JOHN G. DETTORE
SECRETARY

4-A

BOVE ENGINEERING COMPANY

ARMBRUST PROFESSIONAL CENTER

8201 ROUTE 819

GREENSBURG, PA 15601

724-925-9269

FAX: 724-925-1216

Vandergrift Borough Council
109 Grant Avenue
Vandergrift, Pennsylvania 15690

May 30, 2017

Attention: Stephen J. DelleDonne, Secretary

REF: Ninth Street Wall and House Demolition
240 Vandergrift Lane (East Vandergrift)

Ladies and Gentlemen:

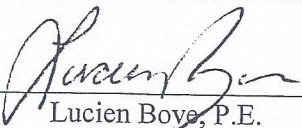
On Friday, May 26, 2017 we received notice regarding demolition of a residential structure at 240 Vandergrift Lane (East Vandergrift). The property fronts on Ninth Street, which is a Vandergrift street, and is located between sections of retaining walls which support the street. Please note that a wall in front of this structure partially supports the street and may now be unstable without the weight of the structure behind it. The demolition of this structure has left a section where the earth fill under the street is exposed approximately 6 feet wide and at least 6 feet deep. There were steps at this location which were removed and now there is no structure holding the street in place (see attached photos). With this dwelling removed, a section of guide rail approximately 60 feet long is now needed to protect vehicles and travelers from the vertical drop-off. Additionally, there is a 3-foot wide slab on top of the retaining wall which is flimsily supported by numerous vertical steel supports which are extensively deteriorated, creating an unstable condition.

From the discussion with the property owner, the front wall left in place along the street was made of blocks and was repaired some 40 years ago because the blocks were shifting. This demolition has left a section of a retaining wall, approximately 35 to 40 feet long which is of questionable stability. It is located between sections of existing retaining walls previously repaired or replaced by the Borough. If the area is left unsupported, Ninth Street will eventually fail at this location. Therefore, at this time, four things need to be addressed:

1. A guide rail is needed along Ninth Street approximately 60 linear feet long. A temporary barrier is required until the guide rail can be installed.
2. The remaining portion of the wall in front of the former structure which supports the street needs to be evaluated for structural stability and may need to be removed and replaced.
3. The unsupported section of alley needs to be supported with a properly designed and properly constructed retaining wall. Temporary support may be needed until the permanent repair is made.
4. The 3-foot wide slab at the top of the retaining wall creates an unsafe condition and should be carefully removed to expose the top of the retaining wall and the street edge will need to be restored.

Immediate action is required regarding this matter. Please advise if you have any questions or require any additional information.

Sincerely,
BOVE ENGINEERING COMPANY


Lucien Bove, P.E.

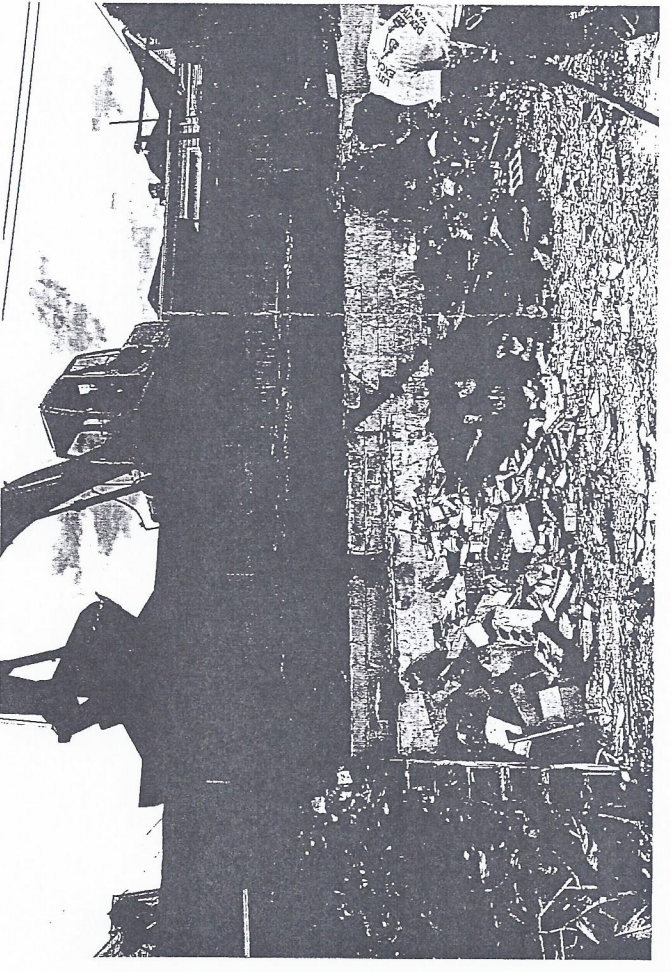
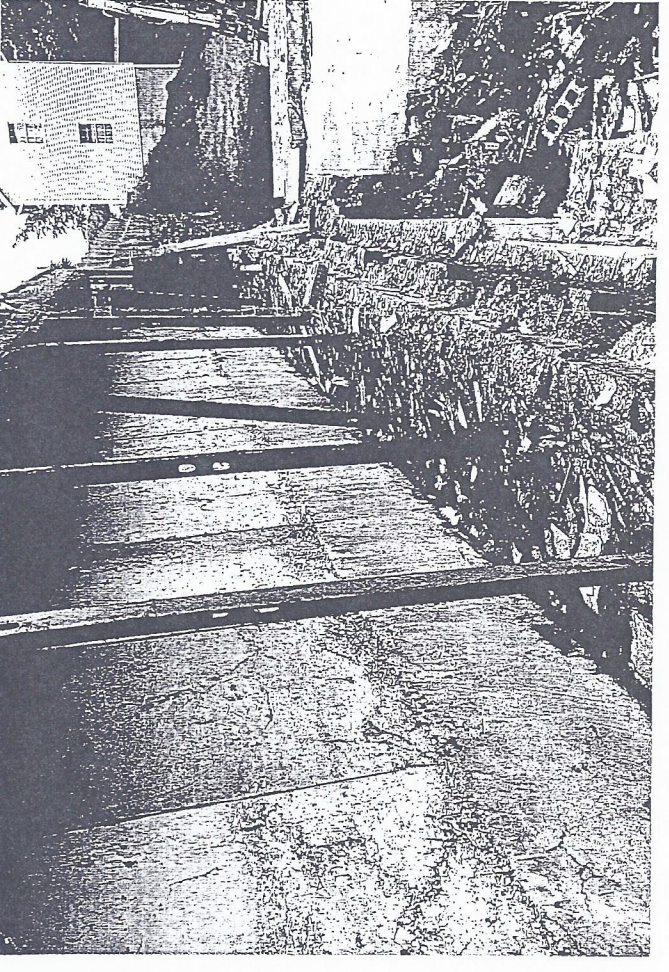
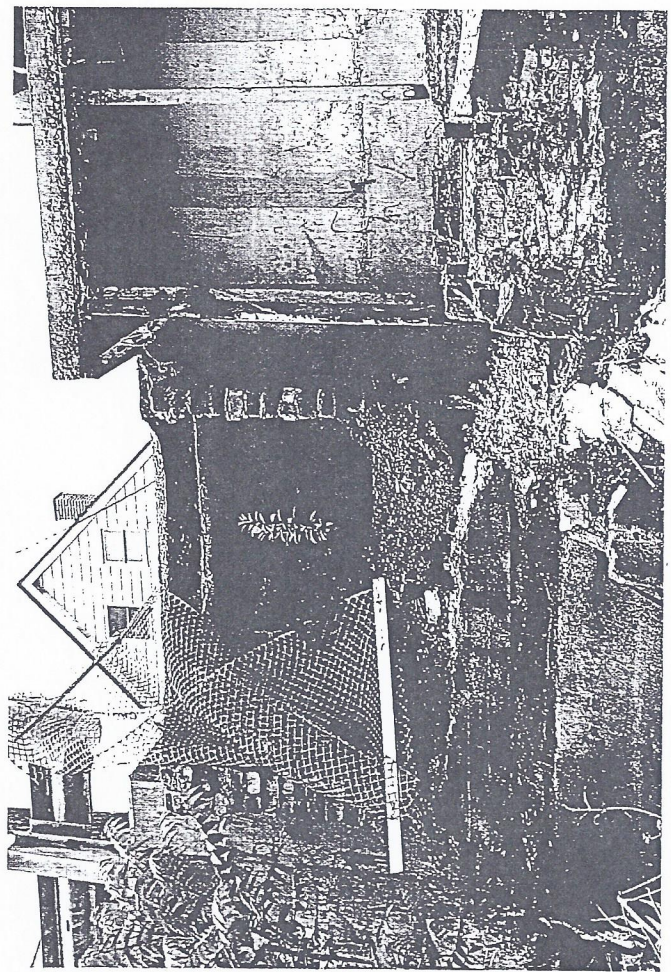
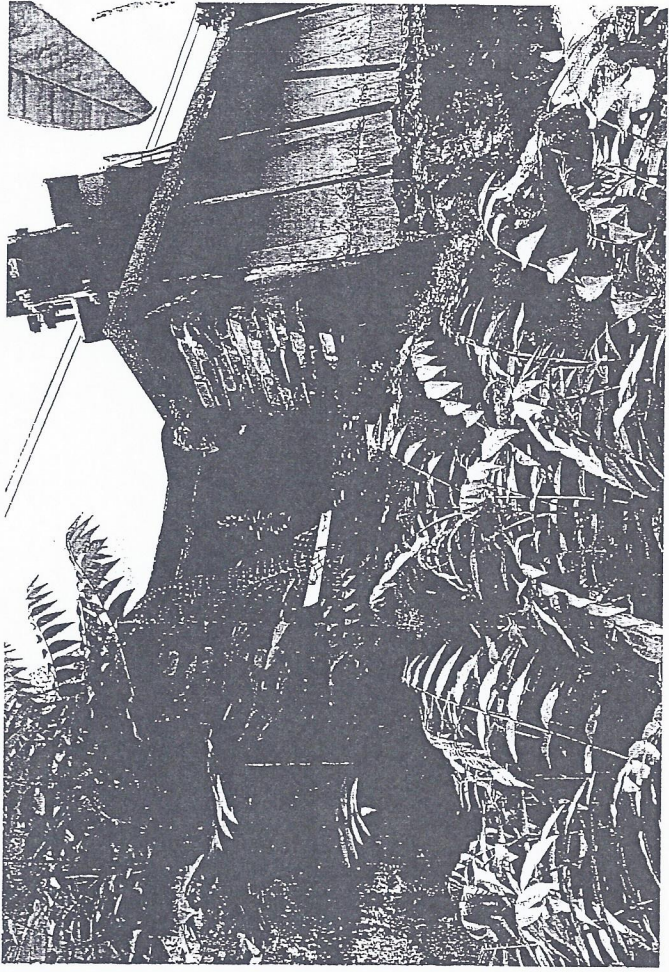
LB:dlb

Attachments

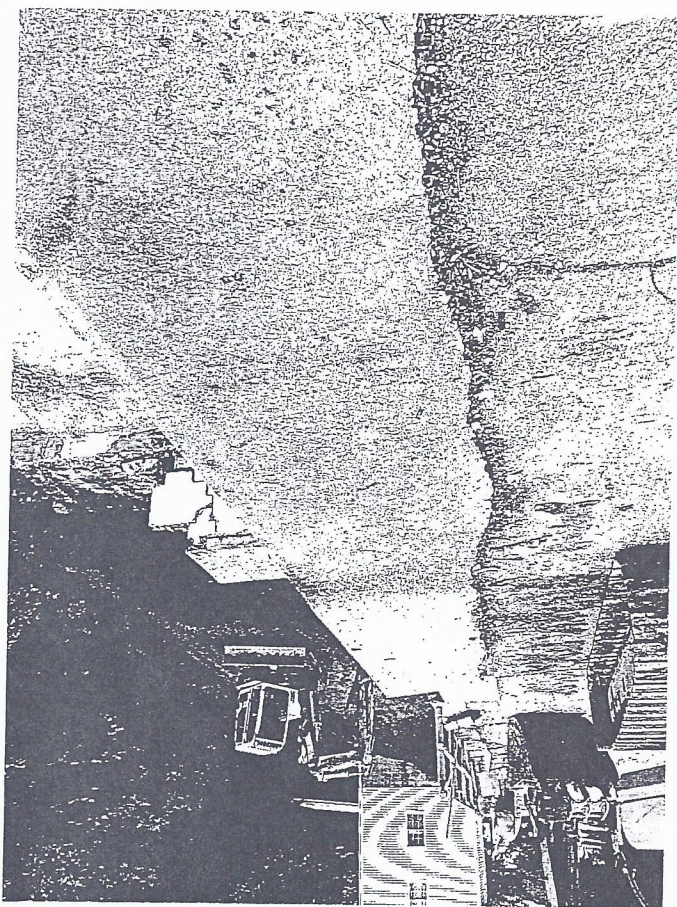
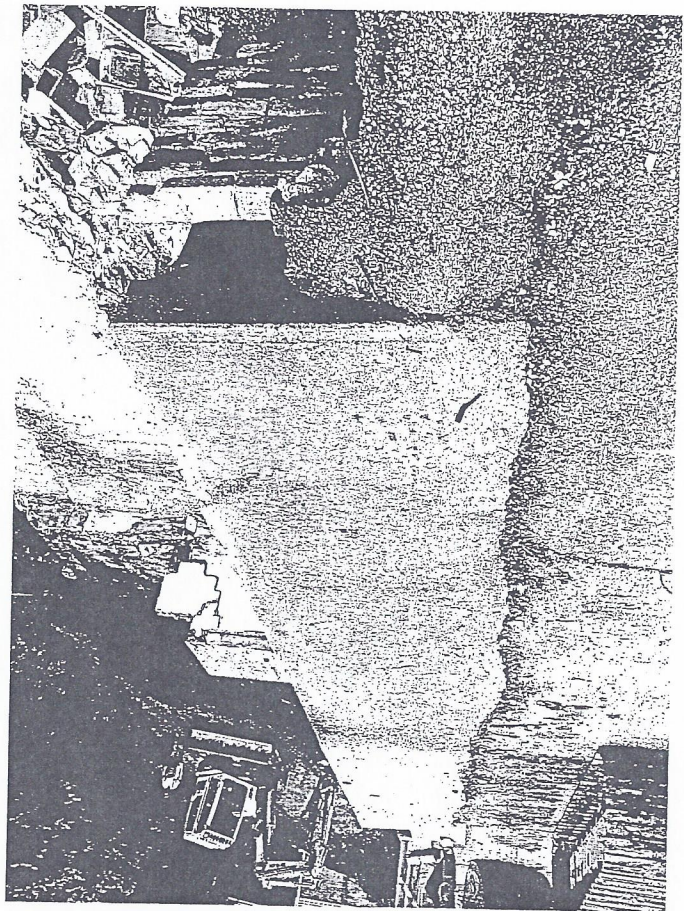
copy: Larry D. Loperfito, Borough Solicitor

Steve J. Klobuka Jr., 228 Franklin Ave., Vandergrift, PA 15690

4-B



4-C



Mr. Bove stated that the grant would be applied towards the reconstruction of Washington Avenue, from Franklin Avenue to the island at Custer and Washington; Grant Avenue, from Franklin to Columbia Avenue; and Columbia Avenue, from Grant to Washington. He stated that the cost of the project, including engineering fees, is in the amount of \$168,937, Program Grant at \$118,000.00 and Borough share at \$50,937.00.

Mr. Bove stated that the Borough will need to submit a letter of commitment of 30% match to Pa. Department of Community & Economic Development (DCED) with the application,

A motion was made by Mrs. Chvala, second by Mr. Collini, to approve the submission of a letter of commitment. Motion carried.

Solicitor Loperfito presented for adoption Resolution No. 4-2017, in which the Borough requests a Multimodal Transportation Fund Grant of \$118.00. (See page 5-A

A motion was made by Mr. Sciallo, second by Mr. Collini, to adopt Resolution No. 4-2017. Motion carried

A motion was made by Mr. Rametta, second by Mr. Sciallo, to accept the Engineer's Report. Motion carried.

BUDGET & FINANCE REPORT:

None

POLICE & PUBLIC SAFETY REPORT:

Chairperson Moliterno presented and read a letter of resignation of Raymond Luther as a part-time patrolman of the Vandergrift Police Department effective May 9, 2017. (See page 5-B)

A motion was made by Mrs. Chvala, second by Mrs. Wilson, to accept Mr. Luther's resignation. Motion carried.

A motion was made by Mr. Rametta, second by Mr. Sciallo, to accept the Police & Public Safety Report. Motion carried.

BUILDING & GROUNDS REPORT:

Chairperson Rametta reported that he will be having the locks to the doors of the police department.

RESOLUTION 4 OF 2017

Be it RESOLVED, that the Borough of Vandergrift (Name of Applicant) of Westmoreland (Name of County) hereby request a Multimodal Transportation Fund grant of \$ 118,000.00 from the Commonwealth Financing Authority to be used for Street Reconstruction

Be it FURTHER RESOLVED, that the Applicant does hereby designate Brian J. Carricato, President (Name and Title) and Vernon E. Sciallo, Vice President (Name and Title) as the official(s) to execute all documents and agreements between the Borough of Vandergrift (Name of Applicant) and the Commonwealth Financing Authority to facilitate and assist in obtaining the requested grant.

Stephen J. Borough of
I, DelleDonne, duly qualified Secretary of the Vandergrift (Name of Applicant), Westmoreland (Name of County) Westmoreland, PA, hereby certify that the forgoing is a true and correct copy of a Resolution duly adopted by a majority vote of the Borough Council (Governing Body) at a regular meeting held June 5, 2017 (Date) and said Resolution has been recorded in the Minutes of the Borough of Vandergrift (Applicant) and remains in effect as of this date.

IN WITNESS THEREOF, I affix my hand and attach the seal of the Borough of Vandergrift (Applicant), this 5 day of June, 2017.

Vandergrift Borough
Name of Applicant

Westmoreland
County

Stephen J. DelleDonne
Secretary

5-B

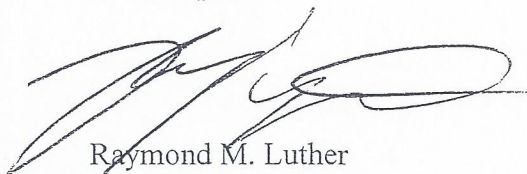
Borough of Vandergrift
109 Grant Ave.
Vandergrift, Pa. 15690

Dear Chief Caparelli,

Please accept this letter as notification of my resignation from my role as part of the Vandergrift Borough University Police Department. My last day with the agency will be May 9, 2017. I have accepted a position of full time police officer with Plum Borough Police Department and just cannot pass it up.

I would like to thank you for the opportunity to work as a police officer for Vandergrift Borough. It had come at a much needed time.

With respect,

A handwritten signature in black ink, appearing to read 'Raymond M. Luther', with a stylized, flowing script.

Raymond M. Luther

724-681-4925

Mr. Rametta explained that the brick portion of the building of the Vandergrift No. 1 Fire Department will require the repointing of a least 70% of the building. Mr. Rametta recommended that the building be appraised for the purpose of it being sold.

President Carricato stated that a meeting should be held with the officer's of the fire department over the needed repairs.

A motion was made by Mrs. Chvala, second by Mr. Collini, to accept the Building & Grounds Report. Motion carried.

TREE & LIGHT REPORT:

Chairperson Wilson reported that a utility truck struck a light pole which a struck a Borough tree. She stated that the tree had to be removed. She requested that the police provide her with a report identifying the driver for the purpose of obtaining reimbursement of cost to remove the tree.

Chief Caporali stated that he would provide her with the aforementioned information.

Mrs. Wilson stated that seven (7) new trees have been purchase and the planting had begun today.

Mrs. Wilson requested that the East Vandergrift Borough be notified about trees along 9th Street hanging over the street, and therefore, should be trimmed back.

A motion was made by Mr. Rametta, second by Mr. Sciallo, to accept the Tree & Light Report. Motion carried.

GENERAL GOVERNMENT REPORT:

President Carricato stated that there may be funds available through the Marcellus Shale for the demolition of the buildings along Washington Avenue. He stated that Representative Joseph Petrarca has been approached to assist in acquiring this funding.

President Carricato stated that May 15th, Casimer Maszgay turned in his resignation as the Borough's Code Officer.

A motion was made by Mr. Sciallo, second by Mr. Collini, to accept Mr. Maszgay's resignation. Motion carried.

President Carricato stated that Stephen Potoka has submitted an application for the position of Code Officer for the Borough.

A motion was made by Mr. Moliterno, second by Mr. Rametta, to hire Stephen Potoka as the Borough's Code Officer, effective June 5, 2017. Motion carried.

A motion was made by Mr. Collini, second by Mrs. Chvala, to accept the General Government Report. Motion carried.

RECREATION REPORT:

Chairperson Collini stated that he had met with Mike Reilly, No. 1 Fire Department, regarding to damages to Kennedy Park from the Carnival vehicles and equipment. He stated that Mr. Rametta contacted Allegheny Twp. for the purpose of obtaining use of their 3 ton roller for the field.

Mr. Collini suggested the possibility of charging people to park within Kennedy Park while attending the Kiski Area Football games at Davis Field.

President Carricato recommended that Mr. Collini look into this idea and bring a report at the July 3rd meeting.

Mr. Collini stated that the pool is open and heated.

A motion was made by Mrs. Chvala, second by Mrs. Wilson, to accept the Recreation Report. Motion carried.

SOLICITOR'S REPORT:

Solicitor Loperfido presented for Council's approval a police regarding use of facilities within the Vandergrift Police Department. He recommended adoption of said policy for the purpose of security of records, documents, etc. with the police department. (See page 7-A)

A motion was made by Mrs. Chvala, second by Mr. Collini, to adopt the aforementioned policy. Motion carried.

Solicitor Loperfido updated Council on the matter involving the Gregory Mihalko properties, of which is in bankruptcy. He stated the Rosemary Crawford, bankruptcy trustee, has been placed on notice of violations of the International Property Maintenance Code. He stated that, because she has failed to resolve these issues or work with the Borough, he recommended engaging the service of Attorney Robert Sloan, who is a bankruptcy attorney and bankruptcy trustee in the Western District of Pennsylvania, to intervene on the behalf of the Borough and to pursue a nuisance action against Mr. Milhalko. (See page 7-B)

A motion was made by Mr. Sciuillo, second by Mr. Rametta, to engage the service of Attorney Robert Sloan regarding the aforementioned legal matters. Motion carried.

17-A

POLICY OF THE BOROUGH OF VANDERGRIFF REGARDING USE OF FACILITIES
WITH BOROUGH POLICE DEPARTMENT

THIS POLICY of the Borough of Vandergrift is effective as of the date of enactment of the Council of the Borough of Vandergrift as set forth below and shall apply to the use of Borough facilities located within the Borough Building and Police Station situate at 109 Grant Avenue, Vandergrift, Pennsylvania 15690.

WHEREAS, the Borough of Vandergrift deems the security of its Borough Building and Police Department to be of paramount importance to the security of records, documents, evidence, as well as the health, safety and welfare of the employees and visitors to the public portions of the building; and,

WHEREAS, the Borough of Vandergrift deems it to be paramount that the safety of its officers, investigatory information, evidence and facilities of the Borough Police Department require security and limitations to access;

NOW THEREFORE, the Borough of Vandergrift does hereby adopt this use policy as associated with the aforementioned facilities.

It is the policy of the Borough of Vandergrift that access to the Vandergrift Borough Police Department and use of the facilities within the Vandergrift Borough Police Department including, but not limited to, the main station area, lounge areas, evidence room, weight room and related facilities shall be limited to active police officers employed by the Borough of Vandergrift on a full time or part-time basis only; provided however, that the main Police Department area which contains the officer's desks shall be available for use by the officers with citizens and other individuals provided that at all times, an active police officer employed by the Borough of Vandergrift is present with any such individuals at all times.

IN WITNESS WHEREOF, this Policy has been adopted by the Borough of Vandergrift at its regular public meeting on June 5, 2017.

BOROUGH OF VANDERGRIFF:

BRIAN J. CARRICATO, Council President

ATTEST:

 (SEAL)
STEPHEN J. DELLEDONNE, Secretary



Geary and Loperfito
LLC

Larry D. Loperfito, Esquire
Alaine G. Generelli, Esquire

159 Lincoln Avenue
Vandergrift, PA 15690
Phone: (724) 568-3694
Fax: (724) 568-2500

Email Address:
ldl@gllawyers.com

June 5, 2017

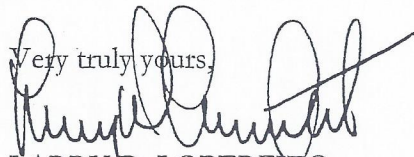
Stephen J. DelleDonne, Borough Secretary
Borough of Vandergrift
109 Grant Avenue
Vandergrift, PA 15690

IN RE: Gregory A. Mihalko Properties

Dear Steve:

Enclosed please find my latest letter to Rosemary Crawford, Bankruptcy Trustee. This letter combines issues associated with 406 Linden Street and his other properties. Based upon Lucien's past evaluation, statements from individuals indicating that water is "pouring" in the basement of the Anchor Building and the neglect of 406 Linden Street, I have grave concerns regarding the integrity of these structures. As we are not permitted access to these properties to check the structural integrity, I have requested the same of Attorney Crawford.

Because of the fears set forth by Lucien, especially with regard to the former Petrosky building on Washington Avenue and because of the lack of action by Attorney Crawford on any matter, this matter become quite complicated. At this point, the Borough may need to engage the services of Attorney Robert Sloan, who is a bankruptcy attorney and bankruptcy trustee in the Western District of Pennsylvania. He would be engaged for the purpose of intervening in the bankruptcy on behalf of the Borough of Vandergrift and seeking authority for the Borough of Vandergrift to pursue a nuisance action against Gregory Mihalko. If we pursue a nuisance against Mr. Mihalko and these properties and if we were successful, the burden would fall upon the Borough of Vandergrift to remediate the nuisance. That could involve the Westmoreland County Land Bank once we were able to take control of these properties. You will note that I have suggested the same to Attorney Crawford by seeking to include the Land Bank as part of the group to meet with her, Mihalko and his attorney. I would ask that you review this matter, consider the options and advise how you would like me to proceed.

Very truly yours,

LARRY D. LOPERFITO

LDL/slk
Enclosure

UNFINISHED BUSINESS:

None

NEW BUSINESS:

Mr. Collini requested that Council review the parking restriction on the Borough alleys, with possibility of amending certain ordinances.

ADJOURNMENT:

A motion was made by Mrs. Chvala, second by Mr. Rametta, to adjourn the meeting. Motion carried.

The meeting was adjourned at 8:25 pm.