

BOROUGH OF VANDERGRIFT

MINUTES OF THE VANDERGRIFT COUNCIL MEETING

DECEMBER 4, 2023

The Council of the Borough met in the Council Chambers of the Municipal Building at 7:00 pm, with Vice President Holmes presiding. The Pledge of Allegiance to the Flag was recited.

At this time Vice President Holmes called for a moment of silence for the passing of Kathleen Chvala.

MEMBERS PRESENT:

Jody Sarno	Thomas Holmes
Daisha Clayton	Marilee Kessler
Christine Wilson	John Uskuraitis

OTHER OFFICIALS:

Lenny Collini, Mayor	Stephen DelleDonne, Secretary
Shae Kraft, Solicitor	Theresa Geltz, Assistant Secretary
Lucian Bove, Engineer	Joseph Caporali, Police Chief

MINUTES:

The Minutes of the November 6, 2023 meeting were approved by motion of Ms. Clayton , second by Mrs. Wilson. Motion carried.

VISITORS:

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

Karen Cramer, 910 Holland Street, questioned Council if any event sponsors in town would be able to have an input in regards to the proposed Public Property Use Policy.

Mr. Holmes stated that this will be living policy, that will be subject to change from time to time.

Mr. Sarno stated that Council has been discussing this matter at prior meetings.

Solicitor Kraft stated that this will be general policy for all events in town.

Denise Lewendowski, 416 Longfellow Street, thanked all who helped bring about this year's Holiday Extravaganza and she will not be part of this event in 2024.

Kaley Vance, 137 California Avenue, introduced Arin Serena as the new director of the Vandergrift Library.

A motion was made by Mr. Uskuraitis, second by Mr. Sarno, to return to the regular order of business. Motion carried.

#### MAYOR'S REPORT:

Mayor Collini thanked the V.I.P and the Holiday Extravaganza people for a wonderful job regarding extravaganza event.

Mayor Collini stated that he wants all organizations in town to come together and support each other.

A motion was made by Mrs. Wilson, second by Ms. Clayton, to accept the Mayor's Report. Motion carried.

#### SECRETARY'S REPORT:

The Secretary presented for adoption Ordinance No. 5-2023, which fixes the tax rate for 2024 at 28 mills. (See page 2-A)

A motion was made by Mrs. Kessler, second by Mr. Sarno, to adopt Ordinance NO. 5-2023. Motion carried.

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

#### CODE OFFICER'S REPORT:

No Report

#### COMMUNICATIONS & CORRESPONDENCE:

None

LEGAL NOTICE

2-19

Notice is hereby given that the Council of the Borough of Vandergrift will meet during the regular meeting of Council on December 4, 2023 at 7:00 P.M. at 109 Grant Avenue, Vandergrift, Westmoreland County, Pennsylvania, for the purpose of general business of the Council of the Borough of Vandergrift and for the purpose of considering the adoption of Ordinance 5 of 2023, which said Ordinance is the Tax Ordinance of the Borough of Vandergrift setting and fixing the tax rate for fiscal year 2024.

TAX ORDINANCE 5 OF 2023

**AN ORDINANCE OF THE BOROUGH OF VANDERGRIFT, COUNTY OF WESTMORELAND, AND COMMONWEALTH OF PENNSYLVANIA FIXING THE TAX RATE FOR FISCAL YEAR 2024.**

BE IT ORDAINED AND ENACTED, and is hereby ordained and enacted by the Council of the Borough of Vandergrift, County of Westmoreland and Commonwealth of Pennsylvania:

Section 1. That a tax be, and the same is, hereby levied on all property and occupations within the said Borough subject to taxation for Borough purposes for the year 2024 as follows:


Tax rate for general Borough purposes, the sum of twenty-eight (28) mills remains on each dollar assessed valuation.

Making a total tax rate for all Borough purposes of twenty-eight (28) mills remains on each dollar of assessed valuation.

Section 2. That any ordinance, or any part of any ordinance, conflicting with this ordinance shall be hereby repealed insofar as the same affects this ordinance.

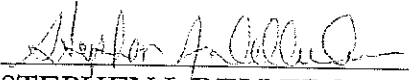
**ADOPTED this 4<sup>th</sup> day of December, 2023.**

**BOROUGH OF VANDERGRIFT**

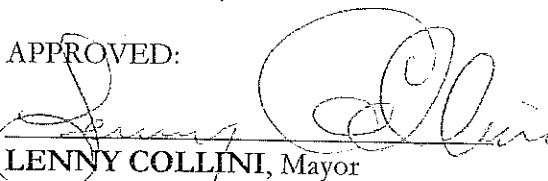
BY: 

**THOMAS HOLMES**  
Council Vice-President

ATTEST:

 (SEAL)  
**STEPHEN J. DELLEDONNE,**  
Borough Secretary

APPROVED:

  
**LENNY COLLINI, Mayor**

REGULAR AND STATED BILLS:

A motion was made by Mr. Sarno, second by Ms. Clayton, to pay all stated and approved bills. Motion carried.

STREET & SANITATION REPORT:

Chairperson Wilson reported on the following matters performed by the Street & Sanitation Department:

1. Recommended the hiring Owen Pearson as a full-time labor, effective January 2, 2023 on a 90 day probation.

A motion was made by Mrs. Wilson, second by Mr. Sarno, to approve the aforementioned matter. Motion carried.

2. Cut low hanging tree limbs on various streets.
3. Reset bricks on Beech Street over sink hole area.
4. Paved with hot patch on Sherman Ave. over sink hole area.
5. Paved with hot patch on 9<sup>th</sup> Street.
6. Installed small catch basin behind the YMCA.
7. Winterized facilities at the Pool, Playgrounds, and Davis Field.
8. Rebuilt block wall around the drainage pipe behind pump building at the Pool.
9. Freightliner garbage truck was hit by Westmoreland Transit Authority Bus.
10. Collected leaves on various streets.

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

ENGINEER'S REPORT:

In regards to the application for the 2024 CDBG Street Application, Engineer Bove stated that he is waiting certain income surveys.

Engineer Bove reported that the draft bidding documents are being submitted to DCNR for the Olmsted Park Development Project. He stated that once approval to advertise for said bids are received for final design approval from DCNR, he would like approval to advertise for bids.

A motion was made Mrs. Kessler, second by Mr. Uskuraitis, to approve the Engineer's request to advertise for bids regarding the Olmster Park Development Project. Motion carried.

Engineer Bove requested that Council consider the closing of 13<sup>th</sup> Street for the purpose of having this street use as a staging area during work on this Project.

Engineer Bove requested authorization to proceed with the preparation of plans and bidding documents required for the Vandergrift Casino Theater & Library Improvement Project-Phase 2. He stated that the project, in the amount of \$419,513.00 grant, funded by Local Share Account Grant. He also stated that the grant covers all engineering cost.

A motion was made by Ms. Clayton, second by Ms. Kessler, to approve the aforementioned request. Motion carried.

Engineer Bove reported that Peoples gas is planning to continue the installation of new gas lines on Hancock Avenue, and include work on 15<sup>th</sup> Street and all of Washington Avenue.

Mrs. Wilson stated that she has requested a site meeting with the gas company to review this work.

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

BUDGET & FINANCE REPORT:

Chairperson Clayton stated the members of Council have been provide with copies of the General Fund, Pool Fund and State Aid Budgets for the month of November.

Ms. Clayton stated that the proposed budget for the fiscal year 2024 has been advertise for adoption at the December 4, 2023 meeting and was place on display for public inspection.

A motion was made by Mr. Sarno, second by Mrs. Wilson, to adopt the proposed budget of the Vandergrift Borough for the fiscal year, 2024. Motion carried

A motion was made by Mr. Uskuraitis, second by Mrs. Kessler, to accept the Budget & Finance Report. Motion carried.

POLICE & PUBLIC SAFETY REPORT:

No Report

Chief Caporali provided the following activity of the Vandergrift Police during the month of November:

1. Responded to 206- 911 calls.
2. Issued 4 non-traffic tickets.
3. Eight (8) criminal arrests.

4. 16 illegally parking tickets.

A motion was made by Mr. Uskuriatis, second by Ms. Clayton, to accept the Police & Public Safety Report. Motion carried.

BUILDING & GROUNDS REPORT:

No Report

TREE & LIGHT REPORT:

No Report

GENERAL GOVERNMENT REPORT:

No Report

RECREATION REPORT:

No Report

SOLICITOR'S REPORT:

Solicitor Kraft requested authorization to advertise the Reorganization Meeting of Council to be held on January 2, 2024, and to advertise the Regular Monthly Meetings of Council for 2024.

A motion was made by Mrs. Wilson, second by Mr. Sarno, to approve the aforementioned matter. Motion carried.

Solicitor Kraft presented for adoption Ordinance No. 4-2023 regarding noise disturbances and prohibitions within the Borough. (See page 5-A & B)

A motion was made by Ms. Clayton, second by Mr. Sarno, to adopt Ordinance No. 4-2023. Motion carried.

Solicitor Kraft presented for adoption Resolution 10-2023, which adopts a modifiable public use policy for public areas of the Borough. (See page 5-C)

A motion was made by Mr. Jody, second by Mrs. Kessler, to adopt Resolution No.-2023. Motion carried.

Solicitor Kraft requested an executive session of Council for the purpose of discussing an on-going litigation matter.

**BOROUGH OF VANDERGRIFT  
ORDINANCE NO. 4 OF 2023**

**AN ORDINANCE OF THE BOROUGH OF VANDERGRIFT, COUNTY  
OF WESTMORELAND, COMMONWEALTH OF PENNSYLVANIA,  
AMENDING CHAPTER 311 OF THE VANDERGRIFT BOROUGH CODE  
REGARDING NOISE DISTURBANCES AND PROHIBITIONS WITHIN  
THE BOROUGH.**

**WHEREAS**, the Borough of Vandergrift is empowered to establish Ordinances to protect the health, safety, and welfare of the public and for the benefit of the residents, citizens and general public of the Borough of Vandergrift by and through the powers granted under and pursuant to the Borough Code of the Commonwealth of Pennsylvania at 8 Pa.C.S. Section 101 et. seq.; and,

**WHEREAS**, in order to protect the health, safety and welfare of the public and for the benefit of residents, citizens, workers and general public of the Borough of Vandergrift, the definitions and parameters regarding noise disturbances within the Borough of Vandergrift must be amended or established to deter nuisances and prevent the disturbance or interference with the peaceful enjoyment of property of Borough residents;

**NOW THEREFORE**, the Borough of Vandergrift does hereby enact and ordain as follows:

**CHAPTER 311 – NUISANCES**

**Section 311-1. Definitions and Interpretation**

Section 311-1 of the Code of the Borough of Vandergrift shall be amended to include the following new subsection 311-1(C)(11) for the purpose of clarifying and regulating the times when noise disturbances are prohibited within the Borough as follows:

(C)(11) Any noise disturbance is prohibited between the hours dusk to dawn (unless otherwise identified in this Chapter) that:

- (i) Endangers or injures the safety or health of humans or animals;
- (ii) Annoys or disturbs a reasonable person of normal sensitivities and sensibilities; or
- (iii) Endangers or injures any personal or real property.

**REPEALER**

All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of any inconsistency.

**SEVERABILITY**

If any clause, sentence, paragraph or part of this Ordinance, or the application thereof to any person or circumstance, shall for any reason be adjudged by a court of competent jurisdiction to be

invalid, such judgement shall not affect, impair or invalidate the remainder of this Ordinance nor the application of such clause, sentence, paragraph or part to other persons or circumstances, directly involved in the controversy in which such judgement shall have been rendered. It is hereby declared to the legislative intent that this Ordinance would have been adopted had such provisions not been included or such persons or circumstances been expressly excluded from their coverage.

**CODIFICATION**

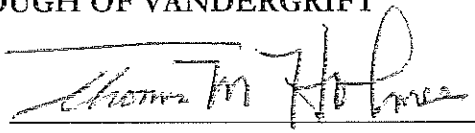
The provisions of this Ordinance shall be codified by update of the Code of the Borough of Vandergrift.

**EFFECTIVE DATE:**

This ordinance shall be effective immediately.

This Ordinance is Ordained and Enacted this 4<sup>th</sup> day of December, 2023 by the Council of the Borough of Vandergrift at a public meeting of the Borough Council of the Borough of Vandergrift at Vandergrift, Pennsylvania.

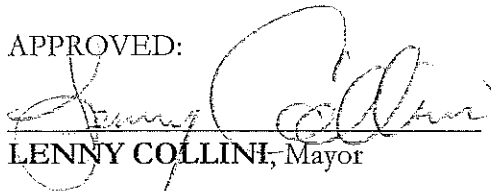
**BOROUGH OF VANDERGRIFT**

BY:   
**THOMAS HOLMES**, Vice-President  
Vandergrift Borough Council

**ATTEST:**

 (SEAL)  
**STEPHEN J. DELLEDONNE**,  
Borough Secretary

**APPROVED:**

  
**LENNY COLLINI**, Mayor



RESOLUTION 10 OF 2023

RESOLUTION OF THE BOROUGH OF VANDERGRIFT  
TO ADOPT A MODIFIABLE PUBLIC USE POLICY FOR  
PUBLIC AREAS OF THE BOROUGH OF VANDERGRIFT

WHEREAS, the Borough of Vandergrift is empowered to adopt Resolutions regarding Public Policy to protect the health, safety, and welfare of the public, and for the benefits of the residents, citizens, and general public of the Borough of Vandergrift by and through the powers granted under and pursuant to the Borough Code of the Commonwealth of Pennsylvania at 8 Pa.C.S. Section 101 et. seq.; and,

WHEREAS, the Borough of Vandergrift desires to create a Policy, modifiable, from time to time hereafter, to establish uniform regulations associated with the use of public property of the Borough of Vandergrift;

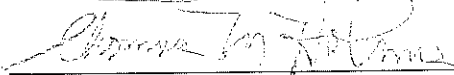
WHEREAS, the Borough of Vandergrift desires to create a Policy, modifiable, from time to time hereafter, to establish uniform regulations associated with the use of public property of the Borough of Vandergrift;

NOW THEREFORE, pursuant to the powers granted to the Borough of Vandergrift Council as set forth in 8 Pa.C.S. Section 3301.1(c) the Borough of Vandergrift does hereby enact this Resolution as follows:

RESOLVED that the Borough of Vandergrift does hereby adopt a Policy for the use of public property of the Borough of Vandergrift, modifiable, from time to time hereafter by action of the Council of the Borough of Vandergrift, to amend the Policy and to attach thereto such future guidelines, as determined from time to time, which are in the best interests of the health, safety, welfare of the citizens of the Borough of Vandergrift.

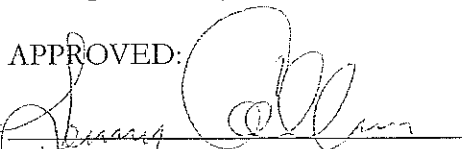
RESOLVED at Vandergrift, Pennsylvania this 4<sup>th</sup> day of December, 2023.

BOROUGH OF VANDERGRIFT

By:   
THOMAS HOLMES, Vice-President  
Vandergrift Borough Council

ATTEST:

 (SEAL)  
STEPHEN J. DELLEDONNE,  
Borough Secretary

APPROVED:   
LENNY COLLINI, Mayor

A motion was made by Mr. Sarno, second by Mrs. Wilson, to accept the Solicitor's Report.  
Motion carried.

UNFINISHED BUSINESS:

None

NEW BUSINESS:

Vice President Holmes stated that the Alle-Kiski Intergovernmental Council minutes of November and spreadsheet should have been received by members of Council.

The Secretary stated that he had not received said minutes and spreadsheets.

In regards to Active Transportation Planning Grant, Ms. Clayton reported that she, Mrs. Kessler, Mr. Holmes, Cindy Conti, Mayor Collini meet with a representative of the Pennsylvania Downtown Center on November 19<sup>th</sup> and did a walking tour of the town to inspect the quality of our sidewalks, crossings, and the walk ability in town and the flow of traffic. She also stated that we are still moving forward with this matter.

Vice President Holmes stated there are no funds available by the Borough to enter into any agreement regarding this matter.

At 7:52, a motion was made by Mr. Uskuraitis, second by Mr. Sarno, to hold an executive session of Council for the purpose of discussing an on-going litigation matter. Motion carried.

At 8:04, a motion was made by Mr. Sarno, second by Mrs. Kessler, to return to the regular order of business and to stated that no action was taken during the executive session. Motion carried.

A motion was made by Mr. Sarno, second by Mr. Uskuraitis, to enter into a Limited Mutual Partial Waiver and Partial Release of Claims regarding the work performed by RenoSys Corporation at the Vandergrift Pool and the acceptance of the offer by the Borough to pay \$15,766.00. Motion carried.

ADJOURNMENT:

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

The meeting was adjourned at 8:06 pm

