

BOROUGH OF VANDERGRIFT  
MINUTES OF THE VANDERGRIFT COUNCIL

NOVEMBER 5, 2018

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

MEMBERS PRESENT:

Kathleen Chvala	Casimer Maszgay
Peter Basile	Vernon Sciuлло
Christine Wilson	

OTHER OFFICIALS:

Stephen DelleDonne, Secretary	
Larry Loperfito, Solicitor	Theresa Geltz, Asst. Secretary
Lucien Bove, Engineer	Joseph Caporali, Police Chief

Solicitor Loperfito stated that he like to amend the October 1, 2018 minute regarding the issue of the street banners. He stated that Mr. Collini believed Council took the appropriate action regarding this matter based on the information available at that time.

MINUTES:

The Minutes of the October 1, 2018 meeting were approved by motion of Mr. Basile, second by Mr. Maszgay, as amended. Motion carried

VISITORS:

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

Chloe Kruse informed Council that she is purchasing the property located at 262 Franklin Avenue, of which will be use as a community center for social, educational and recreational activities. (See page 1-A)

Solicitor Loperfito stated that this use may require action by the Zoning Board.

262 Franklin Avenue

The center will offer families in the community and surrounding areas a place for social, educational and recreational activities. There will be a myriad of classes for children of all ages to educate them on topics such as art, music, performing arts, and structured play.

Similar to the Head Start program that was previously located in the building, Chloe's plans for a center would also provide a comprehensive early childhood education through parent involvement. It would have almost the exact same physical set up, with structured play areas in the large space of the basement, and the use of the smaller spaces in the back as classrooms. However the center would not offer drop off childcare like Head Start, and all structured play and classes would require parent involvement.

In the future, the center could also offer spaces for rent upstairs. The chapel could be used for theatre performances by the children. The rooms upstairs could be used as classrooms for performing arts instruction, art studios and spaces that could provide family services such as parent support groups.

In conclusion, the center would be providing very useful and more importantly, much needed resources to families in Vandergrift and surrounding communities.

Please reference Chloe's work in the community by looking up The Vandergrift Parent Project and The Outdoor Classroom with Chloe. She is an involved PTO member at East Primary Elementary, a local Girl Scout Troop leader (troop 28708) an organizer of the community table at the Vandergrift Farmers Market, an organizer for the Vandergrift Holiday Market, and an organizer for the Vandergrift Arts Festival (children's activities and music performances.) Chloe also held chair on the board of directors for many years at the Kiddies Korner Nursery School, is a certified Music Together Teacher and is working on becoming a certified Lamaze Childbirth Educator.

Marilee Kessler stated that planned use is similar to the existing use of the building, and therefore, would not need approval from Vandergrift Zoning Board.

Byron Brown, 1017 Hancock Avenue, presented Council with a petition with names requesting that Council name the Vandergrift Bridge after Rudolph Minarcin.

Marilee Kessler stated that she has survey forms regarding the closing of Sprankle's Store. She stated that the forms are part of a Penn State student project.

Marilee Kessler informed Council that the Vandergrift Police Department is sponsoring an "Adopt-A-Family for the purpose of gathering donations for Thanksgiving & Christmas. (see page 2-A)

Ashley Hannigan, No. 1 Fire Department, thanked Council and Peter Basile for a successful Halloween Parade.

Don Detar, 213 Lowell Street, questioned what can be done to reduce speeding on Lowell Street. He asked to have the speed limit reduce to 15mph.

Chief Caporali stated that a traffic study revealed a normal traffic with no indication of a speeding. He also stated that there have been no accidents on this street due to speeding.

Mr. Detar questioned if high grass at the corner of Hancock & Lowell can be cut.

Mr. Sciallo stated that the area is scheduled to be cut by the Borough on Tuesday.

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

MAYOR'S REPORT:

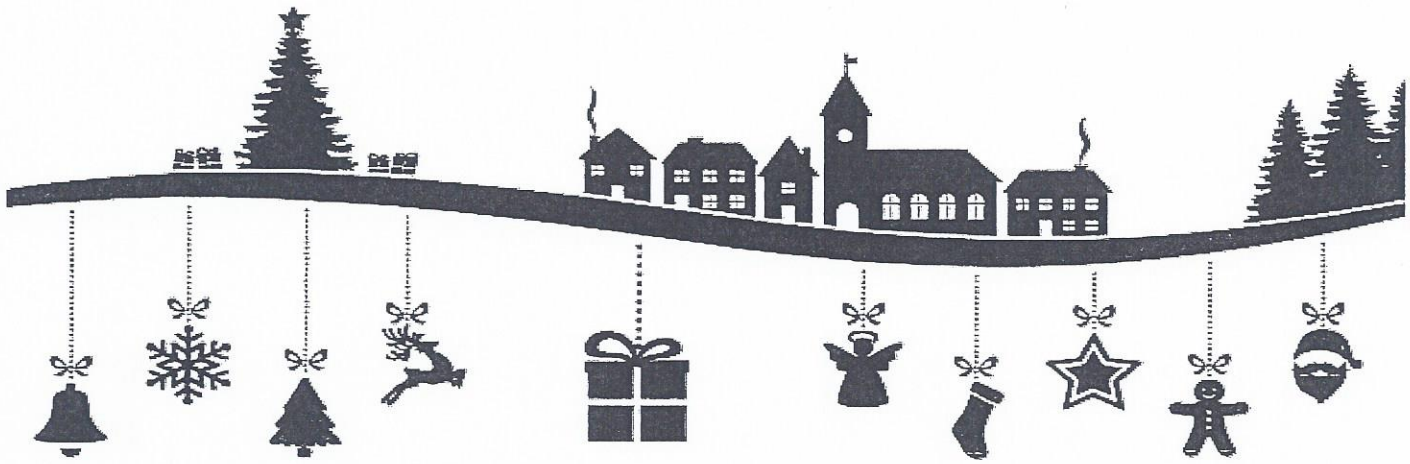
No Report

SECRETARY'S REPORT:

The Secretary presented a renewal agreement between the Borough of Vandergrift and the Westmoreland County Transit Authority regarding transportation service for the Borough. He stated that Borough's assessment for the fiscal year 2018-2019 will remain at \$1,275.75.

A motion was made by Mr. Sciallo, second by Mrs. Wilson, to renew the aforementioned agreement. Motion carried.





## Adopt-A-Family

The Vandergrift Police Department, coordinated by Officer Gray, is again gathering donations to help make a bright Thanksgiving and Christmas for community families in need. Please bring nonperishable items or monetary donations to the Community Watch meeting on November 14 between 7-9 pm. And stay for the meeting if you can. If you can't bring items on the 14th, donations for Thanksgiving can be taken to the police station or borough office through the 16th -to the attention of Officer Gray. Toys and other items and monetary donations are gladly accepted for the Christmas adopt a family project through Dec. 17. If you've got any questions, please see Officer Gray or call Marilee Kessler at 724-454-1625 or Mayor Barb Turiak at 724-567-5377

The Secretary presented a renewal agreement between the Borough of Vandergrift and Hoffman Boarding Kennels for providing dog control service for 2019. He stated that rate for 2019 will be \$180.00 per month, an increase of \$5.00 per month.

A motion was made by Mr. Sciallo, second by Mrs. Wilson, to renew the aforementioned agreement. Motion carried.

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

#### CODE OFFICER'S REPORT:

Mr. Young reported that he issued 50 code violations during the month of October. He also stated that 4 citations were filled at magistrate's office. He also stated that he had 5 vehicles removed.

A motion was made by Mr. Sciallo, second by Mr. Maszgay, to accept the Code Officer's Report. Motion carried.

#### COMMUNICATIONS & CORRESPONDENCE:

Exhibit 1-A: Deborah Chiado, County Tax Office.

Subject: Tax Claim Bureau received a bid from Mark & Debbie Zarbaugh for the Property located at 113 18<sup>th</sup> Street for \$1,516.00.

A motion was made by Mr. Basile, second by Mr. Sciallo, to approve the sale of said Property. Motion Carried.

Exhibit 2-A: Deborah Chiato, County Tax Office.

Subject: Tax Claim Bureau received a bid from Jessi Showalter for the property located at 504 Hancock Avenue.

A motion was made by Mr. Sciallo, second by Mr. Basile, to approve the sale of said property. Motion carried.

#### REGULAR & STATED BILLS:

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

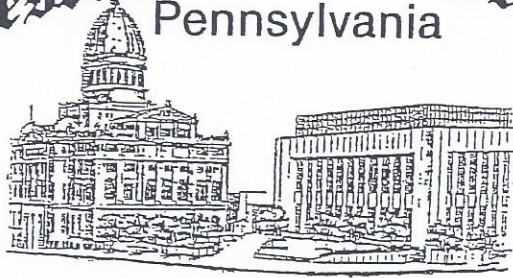


Ted Kopas  
Commissioner

Gina Cerilli  
Chairman

Exhibit 1-A  
Charles W. Anderson  
Commissioner

# Westmoreland County Pennsylvania



REAL ESTATE  
TAX OFFICE  
Director

Deborah T. Chiado

Telephone: 724-830-3420

Fax: 724-853-4628

Deputy Director  
JoAnn Sebastiani

Telephone: 724-830-3422

Date: October 4, 2018

To: Borough of Vandergrift  
109 Grant Avenue  
Vandergrift, PA 15690

Gentlemen:

A bid has been received by the Westmoreland County Tax Claim Bureau to purchase a property in your taxing district that is presently in the Unsold Property Repository pursuant to Section 627 of the Real Estate Tax Sale Act (72 P.S. 627).

Section 627 requires the written consent of each taxing district where the property is located prior to the sale. No taxing district may unreasonably withhold its consent to the sale of the property.

The information concerning the proposed sale is as follows:

Tax Map No: 37-01-07-0-060

Property Address: 113 18<sup>th</sup> St.

Property Owner: Estate of Madaline Tutchstone, Her Heirs and Assigns

Amount of Bid: \$1,516.00

Please bear in mind that a property is placed in the Repository after it has been exposed to the annual public sale and at least one judicial sale proceedings. Most often, the reason that the property has not been sold is because the amount of the delinquent taxes and judgments of record far exceed the market value of the property. In addition, as long as the property is held in the Repository, it does not generate any real estate taxes.

Accordingly, please take action at your public meeting with regard to this request for consent. Please indicate your consent by countersigning this letter and returning it to this office within 40 days. We must have written consent in order to proceed to place this property back on the tax rolls and for your district to receive tax dollars.

PROSPECTIVE BUYERS:

Mark G. Zarbaugh and Debbie L. Zarbaugh

Very truly yours,

*Deborah T. Chiado*

Deborah T. Chiado  
Director, Tax Office

CONSENTING: \_\_\_\_\_



Ted Kopas  
Commissioner

Gina Cerilli  
Chairman

Exhibit 2-A  
Charles W. Anderson  
Commissioner

# Westmoreland County Pennsylvania



REAL ESTATE  
TAX OFFICE

Director

Deborah T. Chiado

Telephone: 724-830-3420

Fax: 724-853-4628

Deputy Director  
JoAnn Sebastiani

Telephone: 724-830-3422

Date: September 25, 2018

To: Borough of Vandergrift  
Attention: Secretary  
109 Grant Avenue  
Vandergrift, PA 15690

Gentlemen:

A bid has been received by the Westmoreland County Tax Claim Bureau to purchase a property in your taxing district that is presently in the Unsold Property Repository pursuant to Section 627 of the Real Estate Tax Sale Act (72 P.S. 627).

Section 627 requires the written consent of each taxing district where the property is located prior to the sale. No taxing district may unreasonably withhold its consent to the sale of the property.

The information concerning the proposed sale is as follows:

Tax Map No: 37-01-05-0-366

Property Address: 504 Hancock Avenue, Vandergrift, PA 15690

Property Owner: Brad D. Broman

Amount of Bid: \$828.00

Please bear in mind that a property is placed in the Repository after it has been exposed to the annual public sale and at least one judicial sale proceedings. Most often, the reason that the property has not been sold is because the amount of the delinquent taxes and judgments of record far exceed the market value of the property. In addition, as long as the property is held in the Repository, it does not generate any real estate taxes.

Accordingly, please take action at your public meeting with regard to this request for consent. Please indicate your consent by countersigning this letter and returning it to this office within 40 days. We must have written consent in order to proceed to place this property back on the tax rolls and for your district to receive tax dollars.

PROSPECTIVE BUYERS:  
Jessi L. Showalter

Very truly yours,

A handwritten signature in cursive script that reads "Deborah T. Chiado".

Deborah T. Chiado  
Director, Tax Office

CONSENTING: \_\_\_\_\_

SPECIAL BILLS:

None

STREET & SANITATION REPORT:

Chairperson Sciuolo stated that he is upset with the manner the water company repaired their work on Linden Street. He explained that they failed to replace the bricks that were removed, but instead filled the repair area with blacktop. He stated that the area in question was that in which the Borough spend thousands of dollars in having the new bricks installed.

He also stated the area near the former Corner Bar is in the same condition left by the water company.

Mrs. Wilson stated that she had spoken to Ken Volk of the water company, of whom, has indicated that the blacktop material is temporary and that a work order has been issued to replace the bricks.

Mr. Sciuolo stated that the work done by the gas company on Hawthorne Street is such a condition that it will tear up the snow plows. He concluded in saying that something has to be done about the utility companies not performing the proper restoration work.

Solicitor Loperfido requested that Mr. Sciuolo him with a list of the areas in question for the purpose of submitting a letter to gas & water company about these concerns of the Borough.

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

ENGINEER'S REPORT:

Engineer Lucien Bove reported that the Street Committee has reviewed the bids opened at the October 1<sup>st</sup> meeting regarding the sewer repair project. He stated that certain line items in the low bid were eliminated, thereby reducing the low bid from \$141,329 to \$117,613.00. (See pages 4-A & B).

A motion was made by Mr. Sciuolo, second by Mr. Basile, to award the Sewer Repair Project to Excavation Contracting by Eremic, Inc. (dba Eveready Contracting) the low bidder at \$117,613.00. Motion carried with Mrs. Wilson abstaining.

Engineer Bove stated that he has receive a bid proposal from State Pipe Services for an internal sanitary sewer work from 28<sup>th</sup> Street to Emerson Street in the amount of 9,800.00. He stated that 6 proposals were sent out and only 1 was received. He stated that this quote is higher that he anticipated, and therefore, recommended that project be reevaluated for the purpose of obtaining a better price.



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, PA 15690

October 9, 2018

ATTN: Stephen J. DelleDonne, Secretary

Reference: Sewer Repair and I&I Elimination Project  
Using Borough Sewer Funds  
Vandergrift Borough, Westmoreland County

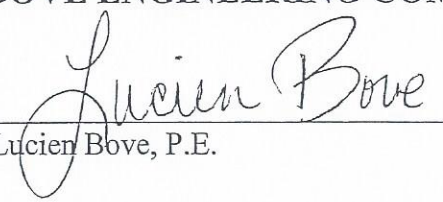
Ladies and Gentlemen:

Attached please find the Bid Tabulation for the above referenced project. The bids were opened on Monday, October 1, 2018 at 7:00 p.m. The bid instructions stipulate that bids will be awarded to the lowest responsible bidders for each Base Bid or Option, or any combination of Base Bids and Options, and will be awarded to the lowest responsible bidder up to the amount of funds available. Bids were received from six bidders overall with the lowest price for Bid A, Bid B, Bid C and Option 1 in the amount of \$141,329.00 from Excavation Contracting by Eremic, Inc. (shown on the Bid tab and doing business as Eveready Contracting).

The bid bond, references and all forms and affidavits were attached, as required. We have contacted the references provided and have received nothing but very good remarks. Based on the documents provided and the comments received, we have determined this low bidder to be responsible. The bidding documents reserves the right for the owner to, among other things, eliminate items of work up to 25% of the cost of the bid. Therefore, if council concurs, we recommend proceeding with issuing the contract award to Excavation Contracting by Eremic, Inc. (dba Eveready Contracting) in the reduced amount of \$117,413.00 as per the attached Reduced Bid Tabulation.

If you have any questions or require any additional information, please do not hesitate to contact me.

Respectfully yours,  
**BOVE ENGINEERING COMPANY**

  
\_\_\_\_\_  
Lucien Bove, P.E.

LB:lar  
Attachment

**BOROUGH OF VANDERGRIFT  
2018  
SEWER REPAIR AND I&I ELIMINATION PROJECT  
USING  
BOROUGH SEWER FUNDS**

**BID TABULATION**

Bids Opened: Monday, October 1, 2018 - 7:00 PM

ITEM	DESCRIPTION	QTY	UNIT	1 Eveready Contracting		2 Iron City Contracting		3 KGD Contracting		4 Winfall Energy		5 A. Folino Construction		6 Lutterman Excavating	
				UNIT COST	PRICE	UNIT COST	PRICE	UNIT COST	PRICE	UNIT COST	PRICE	UNIT COST	PRICE	UNIT COST	PRICE
Bid A - PA Ave. Storm Sewer Replacement from Delaware to Virginia & other work															
A1	Replace 24" Perforated Storm Sewer	776	LF	\$42.00	\$32,592.00	\$65.00	\$50,440.00	\$90.00	\$69,840.00	\$78.00	\$60,528.00	\$109.00	\$84,584.00	\$118.00	\$91,568.00
A2	Repair Existing Catch Basins	4	EA	\$1,800.00	\$7,200.00	\$480.38	\$1,921.52	\$1,200.00	\$4,800.00	\$2,625.00	\$10,500.00	\$1,675.00	\$6,700.00	\$2,500.00	\$10,000.00
A3	Type "D-W" Endwall	1	EA	\$2,600.00	\$2,600.00	\$5,238.00	\$5,238.00	\$5,600.00	\$5,600.00	\$6,500.00	\$6,500.00	\$2,050.00	\$2,050.00	\$4,000.00	\$4,000.00
A4	R-5 Rock Rip Rap	22	TN	\$68.00	\$1,496.00	\$121.00	\$2,662.00	\$65.00	\$1,430.00	\$82.00	\$1,804.00	\$70.00	\$1,540.00	\$50.00	\$1,100.00
A5	Wallace SL Sink Hole Repair (depth ±4.5 ft)	1	LS	\$6,200.00	\$6,200.00	\$3,400.00	\$3,400.00	\$6,000.00	\$6,000.00	\$4,800.00	\$4,800.00	\$2,225.00	\$2,225.00	\$3,200.00	\$3,200.00
A6	Pavement Restorations (PA Ave. Storm)	137	SY	\$145.00	\$19,865.00	\$100.00	\$13,700.00	\$65.00	\$8,905.00	\$75.00	\$10,275.00	\$74.00	\$10,138.00	\$68.00	\$9,316.00
A7	Temporary Asphalt Surfacing	10	TN	\$160.00	\$1,600.00	\$482.00	\$4,820.00	\$250.00	\$2,500.00	\$150.00	\$1,500.00	\$400.00	\$4,000.00	\$380.00	\$3,800.00
Bid A Totals:					\$78,753.00		\$84,103.04		\$103,875.00		\$108,407.00		\$117,937.00		\$132,984.00

Bidder Name:  
10% Bid Bond:  
References/Documentation Provided:

ITEM	DESCRIPTION	QTY	UNIT	1 Eveready Contracting		2 Iron City Contracting		3 KGD Contracting		4 Winfall Energy		5 A. Folino Construction		6 Lutterman Excavating	
				UNIT COST	PRICE	UNIT COST	PRICE	UNIT COST	PRICE	UNIT COST	PRICE	UNIT COST	PRICE	UNIT COST	PRICE
Bid B - Indiana to Delaware Storm Sewer Replacement															
B1	Replace Existing Storm Sewer thru yard	260	LF	\$45.00	\$11,700.00	\$70.05	\$18,614.00	\$66.00	\$24,060.00	\$-	\$-	\$88.00	\$24,640.00	\$-	\$-
B2	Install New Catch Basins (2 turning pls)	2	EA	\$3,400.00	\$6,800.00	\$638.00	\$1,276.00	\$3,500.00	\$7,000.00	\$-	\$-	\$2,350.00	\$4,700.00	\$-	\$-
B3	Underdrain (if needed)	100	LF	\$31.00	\$3,100.00	\$63.03	\$6,303.00	\$10.00	\$1,000.00	\$-	\$-	\$30.00	\$3,000.00	\$-	\$-
B4	Type "D-W" Endwall	1	EA	\$2,600.00	\$2,600.00	\$4,870.00	\$4,870.00	\$4,100.00	\$4,100.00	\$-	\$-	\$1,650.00	\$1,650.00	\$-	\$-
B5	R-5 Rock Rip Rap	22	TN	\$68.00	\$1,496.00	\$126.36	\$2,779.92	\$65.00	\$4,100.00	\$-	\$-	\$69.50	\$1,529.00	\$-	\$-
B6	Install Earth Berm Along WW Stream	100	LF	\$20.00	\$2,000.00	\$48.52	\$4,852.00	\$25.00	\$2,500.00	\$-	\$-	\$60.50	\$6,050.00	\$-	\$-
B7	Temporary Asphalt Surfacing	2	TN	\$180.00	\$360.00	\$1,624.50	\$3,249.00	\$500.00	\$1,000.00	\$-	\$-	\$389.00	\$778.00	\$-	\$-
Bid B Totals:					\$28,956.00		\$42,943.92		\$11,110.00		No Bid		\$42,347.00		No Bid

ITEM	DESCRIPTION	QTY	UNIT	1 Eveready Contracting		2 Iron City Contracting		3 KGD Contracting		4 Winfall Energy		5 A. Folino Construction		6 Lutterman Excavating	
				UNIT COST	PRICE	UNIT COST	PRICE	UNIT COST	PRICE	UNIT COST	PRICE	UNIT COST	PRICE	UNIT COST	PRICE
Bid C - Sanitary Sewer Replacement West of Delaware															
C1	Sanitary Sewer Replace (8" dia. SDR-35)	100	LF	\$110.00	\$11,000.00	\$63.00	\$6,300.00	\$100.00	\$10,000.00	\$160.00	\$16,000.00	\$145.00	\$14,500.00	\$-	\$-
C2	Raise Sanitary Manhole	3	VF	\$1,940.00	\$5,820.00	\$1,456.33	\$4,368.99	\$1,500.00	\$4,500.00	\$1,000.00	\$3,000.00	\$910.00	\$2,730.00	\$-	\$-
Bid C Totals:					\$16,820.00		\$10,668.99		\$14,500.00		\$19,000.00		\$17,230.00		No Bid

ITEM	DESCRIPTION	QTY	UNIT	1 Eveready Contracting		2 Iron City Contracting		3 KGD Contracting		4 Winfall Energy		5 A. Folino Construction		6 Lutterman Excavating	
				UNIT COST	PRICE	UNIT COST	PRICE	UNIT COST	PRICE	UNIT COST	PRICE	UNIT COST	PRICE	UNIT COST	PRICE
Option 1															
1	Sanitary Sewer Backflow Devices	4	EA	\$4,200.00	\$16,800.00	\$4,661.00	\$19,444.00	\$3,000.00	\$12,000.00	\$4,800.00	\$19,200.00	\$3,000.00	\$12,000.00	\$-	\$-
Option 2															
1	8" Sanitary Sewer, Sec'd Internal Lining	2	EA	\$-	No Bid	\$3,651.00	\$7,302.00	\$-	No Bid	\$-	No Bid	\$-	No Bid	\$-	No Bid
Option 3															
1	8" Sanitary Sewer Internal Lining	200	LF	\$-	No Bid	\$117.62	\$23,524.00	\$-	No Bid	\$-	No Bid	\$-	No Bid	\$-	No Bid

No bids were received from Daniel's Excavating, S&E Utility Contracting or R/J Development.

141,329  
117,613 + Emerson

428



Mr. Bove also recommended that the aforementioned project be prepared in the form of contract, which will provide for insurance certificated, performance bonds, etc.

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

BUDGET & FINANCE REPORT:

Chairperson Wilson stated that the budget for the fiscal year 2019 is ready for presentation to the members of Council. She requested that tonight's meeting be recessed until Tuesday, November 13<sup>th</sup>, at 6:30 pm, for the purpose of presenting and reviewing said budget for 2019.

A motion was made by Mr. Sciuillo, second by Mr. Maszgay, to accept the Budget & Finance report. Motion carried.

POLICE & PUBLIC SAFETY REPORT:

No Report

BUILDING & GROUNDS REPORT:

Mr. Basile informed Council that West Penn Power has provided a \$5,000 grant towards the purchase and installation of three (3) light poles at the lower parking lot along Washington Avenue. He stated that the Casino Theater has also offered funds for this project. He requested Council's authorization to order the 3 light poles.

A motion was made by Mr. Sciuillo, second by Mr. Basile, to approve the aforementioned request. Motion carried.

Mr. Basile stated that he, as a safety issue, is looking into erecting a partition at the entrance to the police station. He also stated that he is looking into the lighting around the outside of the Municipal Building.

Mr. Basile reported that all of the outside buildings of the Borough have been winterized.

A motion was made Mr. Sciuillo, second by Mr. Maszgay, to accept the Building & Grounds Report. Motion carried.

TREE & LIGHT REPORT:

Chairperson Maszgay reported that he waiting for the company to return so that the remaining work can be completed.

A motion was made by Mrs. Wilson, second by Mr. Basile, to accept the Tree & Light Report. Motion carried.

GENERAL GOVERNMENT REPORT:

President Chvala directed members of Council to the Memorandum from the Westmoreland County Planning Department, which invites Council to review and comment on the County's 2018 Comprehensive Plan-Reimaging Our Westmoreland.

Mrs. Chvala stated that those responding can return the response form to the Secretary.

A motion was made by Mr. Basile, second by Mr. Sciallo, to provide parking during the holiday season, beginning November 21, 2018 to January 2, 2019. Motion carried.

A motion was made by Mr. Basile, second by Mr. Maszgay, to accept the General Government Report. Motion carried.

RECREATION REPORT:

Chairperson Basile commented on an issues regarding a bonfire sponsored by the No. 2 Fire Department. He questioned why the Borough Crew is digging the hole, and afterwards, bringing dirt to refill the hole. He stated that all this was done on Borough time, and that the No. 2 Fire Department did not compensate the Borough. He stated that he would like the No. 2 Fire Department pay for the Borough's expense.

Mr. Sciallo stated this is a volunteer organization that the Borough is trying to help. He stated that it makes no sense to charge either department. He also stated that the Borough Crew is requested to perform work, on Borough time, for other events in town.

Mr. Basile question for next year, is the Borough going to charge both fire departments for insurance, as is the case for No. 1 Fire Dept.

President Chvala stated that the Borough has always requested that No. 1 Fire Dep. Provide insurance for their carnival event, of which, was provided from the carnival owner.

Mr. Basile stated that the No. 1 Fire Department was charged for damage during a carnival event held a few years ago. He state that both companies should be treated equally.

The Secretary stated that the Borough made the repairs to the aforementioned issue, and that no money was paid to the Borough by the No. 1 Fire Department. He also stated that the Borough had requested that the No. 1 Fire Dept. to file a claim with the issue carrier of the carnival.



A motion was made by Mr. Sciallo, second Mr. Maszgay, to accept the Recreation Report. Motion carried.

SOLICITOR'S REPORT:

Solicitor Loperfido requested that Council call an executive session for the purpose of discussing a litigation issue.

Solicitor Loperfido that the Kiski Valley Water Pollution Control Authority is changes with sewer taps, and sewer tap capping. (See page 7-A) He also requested that Council review the proposed ordinance on this matter. (See page 7-B thru 7-D).

Solicitor Loperfido stated that he was asked look into the "Quality of Life Ticketing Program". He explained that this is an alternative method of citing individuals with property problems. He stated that this would be the equivalent of a ticket for a high grass issue or any other types of code violatios.

Mr. Basile stated that this eliminates the need to go the magistrate which involves a time frame in which the violation is addressed. He also stated that the revenue from these tickets comes directly back to the Borough.

Solicitor Loperfido stated that this program is a faster and better way to effectively inforce the Borough codes. He stated that none payment of ticket would then result in a citation being filed at the magistrate's office. However, he stated that the overall purpose of this program is to reduce the number of violations.

A motion was made by Mrs. Wilson, second by Mr. Basile, direct the Solicitor to move forward with adoption of a new ordinance on this matter. Motion carried.

In regards to the situation at the property at 518 Hancock, the Solcitor stated that he will be turning information over to the Code Officer to immediately take appropriate action on this on this matter.

Solicitor Loperfido stated that he will be meeting April Kopas, of the Land Bank, and her attorney for the purpose of discussing development of the properties located on Washington Avenue.

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

UNFINISHED BUSINESS:

None

7-14



Geary and Loperfito LLC

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

*Email Address:*  
*ldl@gllawyers.com*

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

October 31, 2018

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

**IN RE: Sewer Tap Capping**

Dear Steve:

As a result in changes in billing practices at Kiski Valley Water Pollution Control Authority, capping or removal of sewer taps has become an issue in the 13 member communities. Currently, debt service is charged (and sewer recovery fees from the Borough of Vandergrift) are charged on any property containing a sewer tap. There are occasions when individuals never intend to use the property again for a structure or a use which would require sewage. This is sometimes applicable when a person buys a neighboring property and tears down the structure to simply extend their yard. Under those circumstances, the person is completely disconnecting from the sewer tap for said property and charging that individual for two taps may be considered unjust. Accordingly, in very limited circumstances, an applicant will be able to apply for a tap removal and capping, pay the fees associated with it and then exclude themselves from additional billing from the Borough of Vandergrift and the Kiski Valley Water Pollution Control Authority for sewer recovery fees and debt service.

I am attaching a draft Ordinance for your review. I am circulating the same to the General Government Committee for their consideration. I believe that the amendment of our Code is necessary in order to enact this amendment to our Code which will provide this opportunity for individuals to disconnect completely in a situation where the property is uninhabitable. Please contact me with any questions or concerns.

Very truly yours,  
  
LARRY D. LOPERFITO

LDL/slk  
Enclosure

c: Kathleen Chvala, Council President (via: Email)  
Vernon E. Sciuillo (via: Email)  
Lenny Collini (via: Email)



BOROUGH OF VANDERGRIFT

ORDINANCE NO. 2 OF 2018

AN ORDINANCE OF THE BOROUGH OF VANDERGRIFT, COUNTY OF WESTMORELAND, AND COMMONWEALTH OF PENNSYLVANIA AMENDING SECTION 382-6 OF THE CODE OF THE BOROUGH OF VANDERGRIFT, PERMIT FOR CONNECTION, AS ASSOCIATED WITH RESIDENTS WHO ELECT TO CAP THEIR SEWER TAP THEREBY RENDERING THE PROPERTY UNOCCUPIABLE FOR HUMAN HABITATION.

WHEREAS, the resident of the Borough of Vandergrift may make an application to permanently remove their sewer tap and cease the payment of debt service fees associated with said property and in the process thereof, rendering said property uninhabitable for human occupancy; and,

WHEREAS, the Borough of Vandergrift deems this opportunity to be limited in nature and affecting only those properties that do not possess a structure thereon and only if there is no intent to rebuild on the property within five years of the date of the application to terminate the sewer tap; and,

WHEREAS, the Borough of Vandergrift is authorized to enact such an Ordinance pursuant to the power granted to the Borough of Vandergrift under the Borough Code of the Commonwealth of Pennsylvania, 8 Pa.C.S. §101, et seq. (including supplements);

NOW THEREFORE, Section 382-6 of the Code of the Borough of Vandergrift, as codified by the Borough of Vandergrift is hereby amended as follows:

Section 382-6 – Application for Removal Sewer Tap

The provision shall be added to Section 382-6 of the Code of the Borough of Vandergrift:

382-6(L) – An applicant may apply to the Borough of Vandergrift for removal of a sewage tap on property owned by the applicant subject to the following conditions:

1. The applicant shall complete an application to remove and/or cap the sewer tap on a form provided by the Borough of Vandergrift;
2. The application to the Borough of Vandergrift to cap or remove a sewer tap may only be submitted to the Borough of Vandergrift if there is no structure on the subject lot, piece or parcel of land in question and if there is no intended or actual construction on the property within one year after the application is submitted to the Borough of Vandergrift;
3. Any connection within five (5) years of application for termination, to the sanitary sewer system of the Borough of Vandergrift on the lot, piece or parcel of land upon the termination was requested, shall require said applicant to pay a new tap fee to the Borough of Vandergrift, including any capacity fee portion due and payable to the Kiski Valley Water Pollution Control Authority, and in addition thereto, said applicant shall be required to pay any and all debt service fees, sewer recovery fees or other fees which would have been due and owing to either the Borough of Vandergrift from the date of tap termination to the date of application for a new tap on the lot, piece or parcel of land in question and, upon application, an application fee in the amount of \$500.00 made payable to the Borough of Vandergrift or such amount, as may be amended, from time to time, hereafter, by resolution of the Council of the Borough of Vandergrift;
4. Removal and/or capping of the sewer tap shall be performed by a contractor approved by the Borough of Vandergrift;
5. A representative of the Borough of Vandergrift shall be present to inspect at the time of the removal and/or capping of the sewer tap in question;
6. Removal of and/or capping of the sewer tap shall be performed as directed by the Borough of Vandergrift.
7. The applicant shall be responsible for all costs and expenses associated with the removal and/or capping of the sewer tap and the inspection by the Borough of Vandergrift;
8. No capping or removal of the sewer tap shall be permitted if it is the intent of the applicant to construct on the property in question within one year of the date of application for capping or removal of the sewer tap.



**Repealer:**

Any part or provision of any other Ordinance which conflicts with the provisions of this Ordinance shall be repealed to the extent that they conflict herewith.

**Severability:**

If any sentence, clause, section or part of this Ordinance is, for any reason, found to be unconstitutional, illegal or invalid, such unconstitutional, illegal or invalid part or portion shall be removed and shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of this Ordinance. It is hereby declared that it is the intent of the Borough of Vandergrift that this Ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herewith.

**Effective Date:**

This Ordinance shall be effective immediately upon enactment.

THIS ORDINANCE BEING ORDAINED AND ENACTED THIS \_\_\_\_ DAY OF \_\_\_\_\_, \_\_\_\_\_ BY THE COUNCIL OF THE BOROUGH OF VANDERGRIFT AT A PUBLIC MEETING OF VANDERGRIFT BOROUGH COUNCIL, IN VANDERGRIFT, PENNSYLVANIA.

**BOROUGH OF VANDERGRIFT**

BY: \_\_\_\_\_  
KATHLEEN CHVALA,  
Council President

**ATTEST:**

\_\_\_\_\_  
STEPHEN J. DELLEDONNE,  
Borough Secretary (SEAL)

**APPROVED:**

\_\_\_\_\_  
BARBARA TURIK, Mayor

NEW BUSINESS:

None

At 8:07 pm, a motion was made by Mr. Sciallo, second by Mrs. Wilson, to hold an executive session for the purpose of discussing a litigation matter. Motion carried.

At 8:30 pm, a motion was made by Mr. Sciallo, second by Mr. Basile, to return to the regular order of business. Motion carried.

A motion was made by Mr. Basile, second by Mr. Mazgay, to approve the V.I.P's annual Light-up Vandergrift Christmas Parade and Party festivities to be held on Friday, November 23, 2018. Motion carried.

RECESS:

A motion was made by Mr. Basile, second by Mrs. Wilson, to recess the meeting until Tuesday, November 13, 2018, beginning at 6:30 pm, for the purpose of presenting the proposed 2019 budget of Vandergrift Borough. Motion carried.