

BOROUGH OF VANDERGRIFT

MINUTES OF THE VANDERGRIFT COUNCIL

DECEMBER 3, 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 Sciuillo
Christine Wilson	Lenny Collini
James Rametta	

OTHER OFFICIALS:

Barbara Turiak, Mayor	
Larry Loperfito, Solicitor	Theresa Geltz, Asst. Secretary
Lucien Bove, Engineer	Joseph Caporali, Police Chief

MINUTES:

The Minutes of the November 5, 2018 meeting were approved by motion of Mr. Rametta second by Mr. Sciuillo. Motion carried

VISITORS:

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

Don Detar, 213 Lowell Street, appreciated the grass being cut on corner of Hancock and Lowell. He also wanted to know if something could be done about the dip on Franklin in front of the St. Gertrude Church.

He also stated that there is ice build- up at corner of Layfatte & Hamilton.

Mrs. Wilson stated that she would contact the water company again.

Marilee Kesler, 421 Hancock Avenue, stated that the police are going to present the "police caps" to the children at the Cardinal Maidina Academy.

Ms. Kesler presented the result of the Penn State students report on the former Sprankles Market. (See page 2-A)

James Held, 211 Holmes Street, requested a confirmation on the "Paws & Claws" festival for 2019.

Mr. Basile stated that the date requested is confirmed.

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

MAYOR'S REPORT:

Mayor Turiak thanked all police and the individuals involved with the crime watch for all they do.

Mr. Turiak stated that the Police Department provided meals for 35 families for Thanksgiving. Also, she stated that the police will be adopting two families for this Christmas.

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

SECRETARY REPORT:

No Report

CODE OFFICER'S REPORT:

Mr. Young reported that he issued 20 violations, filed 9 citations, attended 2 hearings and had 2 vehicles removed.

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

CORRESPONDENCE & COMMUNICATIONS:

None

REGULAR & STATED BILLS:

2-A

December 3, 2018

To: Members of Vandergrift Borough Council

Borough solicitor

Vandergrift Improvement Program

Interested community members

Re: Penn State University CED 475 Student survey of Vandergrift residents regarding the closure of Sprankles Market. This project was done with the cooperation and help of the Vandergrift Improvement Program (VIP) and the Smart Growth Initiative of Westmoreland County.

The student team of Dr. Kelsey's CED475 class have now completed the creation, collection, and analysis of surveys which were filled out by Vandergrift residents over the last 6-8 weeks. Approximately 100 surveys were randomly given to residents at various sites.

The students and Dr. Kelsey would like to complete their project by presenting their findings to members of Vandergrift government, the Vandergrift Improvement Program, and interested residents. They would like to do this via a live stream interactive meeting to be held beginning at 6:30 on Wednesday, Dec. 5. Our hope is to secure permission to hold a meeting of approximately 90 minutes at the borough building. If necessary, an alternate site will be secured.

Please consider attending this meeting to learn about the sentiments of borough residents, to give feedback for thought about possible future plans regarding the access to food, and to help these young students to have a very successful completion of their senior project.

Thanks for your cooperation

Marilee Kessler

Vandergrift Improvement Program

Project liaison

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

STREET & SANITATION REPORT:

Mr. Sciuillo stated that he has no report>

Mr. Basile brought up about the water line break on Washington Avenue.

Mrs. Wilson stated that the water company will repair or patch it for now. However, the area will properly when the weather permits.

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

ENGINEER'S REPORT:

Engineer Bove reported that he held a pre-construction meeting with contractor awarded the bid for the 2018 Sewer Repair & I/I Elimination Project. He stated that the contractor will stated within two or three weeks.

Mr. Lucian stated that some correspondence has been going on regarding the property at 518 Hancock Avenue.

Mr. Basile questioned when the work will be done at Vic Capretto property.

Mr. Lucien stated that he is looking into this matter, of which, may be done in house.

Mr. Basile stated that desired to have this matter on the list to be done some time next, and proposed that this work could be contracted out.

Mr. Lucien stated that he may obtain a quote from the contractor who will be performing the 2018 Sewer Project.

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

BUDGET & FINANCE REPORT:

A motion was made by Mrs. Wilson, second by Mr. Basile, to adopt the 2019 Budget of the Vandergrift Borough for the fiscal year 2019.

A motion was made Mr. Basile, second to Mrs. Wilson, to adopt Ordinance No. 2-2018, setting the tax millage for 2019 at 28 mills. Motion carried. (See page)

LEGAL NOTICE

Notice is hereby given that the Council of the Borough of Vandergrift will meet during a regularly scheduled meeting on December 3, 2018 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 2 of 2018, which said Ordinance is the Tax Ordinance of the Borough of Vandergrift setting and fixing the tax rate for fiscal year 2019.

TAX ORDINANCE 2 OF 2018

AN ORDINANCE OF THE BOROUGH OF VANDERGRIFT, COUNTY OF WESTMORELAND, AND COMMONWEALTH OF PENNSYLVANIA FIXING THE TAX RATE FOR FISCAL YEAR 2018.

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 2019 as follows:

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

Making a total tax rate for all Borough purposes of twenty-eight (28) mills 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 3rd day of December, 2018.

BOROUGH OF VANDERGRIFT

BY: Kathleen A Chvala
KATHLEEN CHVALA
Council President

ATTEST:

Stephen J. DelleDonne (SEAL)
STEPHEN J. DELLEDONNE,
Borough Secretary

APPROVED:

Barbara Turiak
BARBARA TURIAK, Mayor

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

POLICE & PUBLIC SAFETY REPORT:

No Report

BUILDING & GROUNDS REPORT:

Mr. Basile reported that he has ordered three (3) light posts for the lower parking lot, with a ten to twelve turn-a-round.

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

TREE & LIGHT REPORT:

No Report

GENERAL GOVERNMENT REPORT:

President Chvala commented on the petition received Byron Brown to rename the Vandergrift Bridge. (See page 4-A)

Solicitor Loperfido stated that he addressed this matter with PennDot and that the petition should now be sent to Parks Township.

President Chvala questioned the matter of lifting the moratorium on handicap parking.

A motion was made by Mr. Collini, second by Mr. Sciallo, to authorize the Solicitor to prepare an ordinance amending the issuance of handicap parking.

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

RECREATION REPORT:

Chairperson Basile stated that all parks will be closed for the winter, and advise the Police Department to not open any of the park facilities.

Mr. Basile stated that there is a leak in the shed roof at the Pool. He stated that he will be obtaining quotes for this repair.

Renaming Vandergrift Bridge: Byron and Sylvia Brown and Beth Patoka approached Parks on June 19, 2017 to change the name of the Vandergrift Bridge to Rudy Minarcin Bridge. Parks will support and told the interested parties that they needed a petition signed by 10% of the voters. Vandergrift was also approached in June 2017. Per our Solicitors office research, there are no requirements under state law for a municipality, which adjoins a bridge, to provide consent or authority for the naming of a state bridge, although the consent will provide greater likelihood of its approval. Currently, all that is required is that a senator or member of the House submit in bill form a piece of legislation to change the name of a bridge. In 2014, there was "talk" of a potential proposal that would allow citizens to propose names directly to the secretary of transportation by submitting a petition showing local support and a legislative sponsor. However this proposal was never introduced.

Vandergrift is supportive, we will defer to legislator we are neutral on name.

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

SOLICITOR'S REPORT:

Solicitor Loperfito stated that he has prepared a Quality of Life Ordinance regarding the establishment of issuing tickets for violations, such as high grass, accumulation of junk, setting the first violation at \$25.00. He stated that tickets will be issued by the Code Officer.

Solicitor Loperfito stated that he has prepared Ordinance No. 1-2019, amending Section 382-6 of the Borough code, whereby the capping of unused sewers thereby rendering the property unoccupiable. (Sed pages 5-A thru 5-C)

A motion was made by Mr. Maszgay, second by Mr. Collini, to advertise Ordinance No. 1-2019 for adoption. Motion carried.

Solicitor Loperfito questioned whether Council wanted him to draft two types of uses for Kennedy Park. He stated that the first would be regarding the No. 1 Fire Department carnivals, and the second would be regarding Tiny Cause events.

Solicitor Loperfito stated that a motion is needed to adopt the regular monthly meetings of the Vandergrift Borough Council to be set for the first Monday of the month, at 7:00 pm. (See page 5-D)

A motion was made by Mr. Sciallo, second by Mr. Collini, to advertise the aforementioned matter. Motion carried.

Solicitor Loperfito stated that a motion is need to adopt the regular monthly meetings of the Vandergrift Planning Commission to be set for second Monday of each month, at 7:00 pm. (See page 5-E)

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

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

UNFINISHED BUSINESS:

Mrs. Kessler requested to use the Council Chambers to host the Penn State's students regarding the results of their survey.

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

BOROUGH OF VANDERGRIFT

ORDINANCE NO. 1 OF 2018 2019

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, (SEAL)
Borough Secretary

APPROVED:

BARBARA TURIK, Mayor

**NOTICE OF REGULAR MEETING
OF THE BOROUGH OF VANDERGRIFT
FOR THE CALENDAR YEAR 2019**

NOTICE, in compliance with the Sunshine Act (Act of October 15, 1998, P.L., 729, No. 93), as amended by the Commonwealth of Pennsylvania, is hereby given that the regular monthly meeting of the Council of the Borough of Vandergrift, for calendar year 2019 will be held in the Council Room of the Municipal Building, 109 Grant Avenue, Vandergrift, Pennsylvania, beginning at 7:00 p.m., prevailing time, on the following dates:

- January 7, 2019
- February 4, 2019
- March 4, 2019
- April 1, 2019
- May 6, 2019
- June 3, 2019
- July 1, 2019
- August 5, 2019
- September 3, 2019
- October 7, 2019
- November 4, 2019
- December 2, 2019

Stephen J. DelleDonne,
Borough Secretary

**NOTICE OF REGULAR MEETINGS OF THE
PLANNING COMMISSION FOR THE BOROUGH OF
VANDERGRIFT FOR CALENDAR YEAR 2019**

PURSUANT to the requirements of the Pennsylvania Borough Code, Act of February 1, 1966 (1965 P.L. 1656 No. 581) as amended, the following dates and times are established for the regular meetings of the Planning Commission of the Borough of Vandergrift for calendar year 2019. Meetings shall commence at 7:00 P.M. in the Council Chambers of the Vandergrift Borough Municipal Building located at 109 Grant Avenue, Vandergrift, Pennsylvania on the following dates:

January 14, 2019
February 11, 2019
March 11, 2019
April 8, 2019
May 13, 2019
June 10, 2019
July 8, 2019
August 12, 2019
September 9, 2019
October 14, 2019
November 11, 2019
December 9, 2019

Stephen J. DelleDonne,
Borough Secretary

NEW BUSINESS:

Mr. Collini stated the meetings are being held regarding the planning of 2020 Vandergrift celebration. He stated that the meetings are being held on the last Thursday of the month at the Vandergrift Museum, beginning 6:30 pm.

ADJOURNMENT:

A motion was made by Mr. Scullo, second by Mr. Maszgay, to adjourn the meeting. Motion carried.

The meeting was adjourned at 8:00 pm.