BOROUGH OF VANDERGRIFT

MINUTES OF THE VANDERGRIFT COUNCIL

NOVEMBER 2, 2015

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

MEMBERS PRESENT:

Kathleen Chvala

Vernon Sciullo

Brian Carricato

Frank Moliterno

James Rametta

Lenny Collini

Christine Wilson

OTHER OFFICIALS:

Louis Purificato, Mayor

Stephen DelleDonne, Secretary

Larry Loperfito, Solicitor

Lucien & Michael Bove, Engineers

Joseph Caporali, Police Chief

MINUTES;

The minutes of the October 5, 2015 meeting were approved by motion of Mrs. Chvala, second by Mr. Rametta, as corrected. Motion carried

VISITORS:

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

Taylor Troiano, 328 Harrison Ave., addressed Council in regards to the property located at 105 Madison Ave. He stated that there is a new tenant on the first floor and questioned if it was inspected. He also stated that the downspouts are still connected to the sewer system.

Gary Foelks, 501 Lowell Street, requested that the handicap sign for his son be placed in the right place. He also questioned when the handicap area will be painted blue.

Todd Fasano, 312 Abby Road, Stroudsburg, Pa., requested that Council take some action to resolve the discharge of water runoff that is going on to his property on Alabama Avenue in the West Vandergrift area. He requested that the discharge pipe be extended approximately 150 feet to allow the water to flow into the creek. He stated this is causing his property to constantly wet and creating erosion problems. He stated that he would assist with resolving this problem by backfilling the extension of the drainage pipe.

President Carricato directed the Engineer to prepare a report on this matter and to arrive at cost figure.

James Held, 211 Holmes Street, stated that the people demoing the house at 212 Holmes Street is using a chain saw to cut the asbestos siding. He also stated that he was concerned about the asbestos in the air.

The Borough Secretary stated that he received a call from DEP on this matter, of whom, stated that there are no Federal or State regulations on the removal of asbestos from a single residential structure.

Mr. Held stated that his neighbor removed his retaining wall and is now creating an erosion problem on his property.

Solicitor Loperfito stated that this is a private issue between Mr. Held and his neighbor.

Mr. Held questioned if the borough has a dog-leach law.

Police Chief Caporali stated that the Borough has a dog leach law.

Donald Detar, 213 Lowell St., stated that there is a large pothole that needs patch on Harrison Avenue, near the entrance to the school parking lot.

Mr. Detar question who is in charge of the flag on Cooper Street.

Mr. Rametta stated that he is in charge and that he replaces the flag every two years.

Ashley Hannegan, 216 Holmes Street, expressed her appreciation for Council allowing her to sponsor the Trunk or Treat event at Kennedy Park.

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

MAYOR'S REPORT:

No Report

SECRETARY'S REPORT:

The Secretary requested that Council take action at this time on adopting a "Back To Work Policy".

Following a review of the aforementioned police by Solicitor Loperfito, a motion was made by Mrs. Chvala, second by Mrs. Wilson, to adopt the "Back To Work Policy. Motion carried.

The Secretary presented an irrevocable letter of resignation and retirement from Casimer Maszgay effective April 21, 2015. (See page 3-A)

A motion was made by Mr. Sciullo, second by Mr. Rametta, to accept Casimer Maszgay's letter of resignation. Motion carried.

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

COMMUNICATIONS & CORRESPONDENCE:

The Secretary presented and read the following communications received:

Exhibit 1-A: Julia Martin, V.I.P.

Subject: "The Vandergrift Christmas Parade & Party Festivities" will be held On Friday, November 27, 2015.

A motion was made by Mr. Collini, second by Mr. Rametta, to approve the requests regarding the aforementioned Christmas Parade & Party Festivities. Motion Carried.

Exhibit 2-A: William & Mary Domiano, 410 Lowell Street.

Subject: Appreciation for installing curbing in front of her residence.

REGULAR & STATED BILLS:

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

VANDERGRIFT POLICE DEPARTMENT

BUREAU OF POLICE

JOSEPH M. CAPORALI Chief of Police

LOUIS E. PURIFICATO Mayor

109 Grant Avenue Vandergrift, PA 15690 Business Calls: 724-568-5507 Emergency Calls: 911 Email: vandpd@comcast.net 10/7/15

From: Lt. Casimer H. Maszgay, Jr.

To: Vandergrift Mayor and

Vandergrift Council

Re: Irrevocable Notice of Resignation Effective April 21st 2016

Dear Mayor and Members of Vandergrift Council:

Please accept this letter as my notice of resignation and retirement effective the close of the business day, April 21st,2016. About 39 years of policing in Vandergrift can only be described as interesting. The decision to retire is, as of the date of this letter, irrevocable. It is also my understanding that with this submission of this letter, the Borough has accepted my resignation and retirement effective April 21st,2016.

Sincerely,

Lt. Casimer H. Maszgay, Jr.
Lt. Casimer H. Maszgay, Jr.

Exh.b.t 1-4

Vandergrift Improvement Program, Inc.

P.O. Box 77, Vandergrift, PA 15690

Phone: 724-567-5286 / Fax; 724-567-7295 Email: vip15690@comcast.net

A 501@3 non-profit organization

October 22, 2015

Vandergrift Borough 109 Grant Ave. Vandergrift, PA 15690

Re: Vandergrift Christmas Parade & Party Event

Dear Council.

The Vandergrift Improvement Program is beginning the preparations for the annual Christmas celebration and parade. The 'Vandergrift Christmas Parade & Party' festivities will be on Friday, November 27th. We would like your permission to use the regular parade route (Walnut, Longfellow, Franklin and Grant) and to close the Walnut and Longfellow streets staging area before the parade starts to form at 5:00pm. Parade participants will gather on Walnut and the area near Ferrante Motors. Participating emergency vehicles will line up along Longfellow.

Vendors will begin to set up on the sidewalks on Grant Avenue at 3:00pm, at which time we will need to close Grant to through traffic. Entertainment will start on Grant Avenue at 5:00pm, and the parade will begin at 6:00pm from Walnut Street and end at the Casino Theater.

We would like to put the community Christmas tree up on the corner of Farragut near Carino's the same as in the past and also would like to have the Vandergrift Police lead the parade.

Any and all help from Council will be appreciated and any council members wishing to participate in the parade please let me know by Friday, November 13th.

Should you have any questions, please contact me at 724-567-6762 (work) or by email julie@byerstaxiandbusing.com

Thank you,

Julia Martin Chairwoman

Cxh.54 2-H

October 22,2015

Borough of Vandergrift Council Board 109 Grant Avenue Vandergrift, PA 15690

Dear Council,

We have lived in our house (410 Lowell Street) since 1981 and never had a curb. The town has placed cold patch the last 3 years that I complained. The walls in front of our houses had fallen down and had to be replaced. I was getting water inside my house for years. We want to replace our sidewalks and remaining walls in the spring but knew if the curbs weren't put in place we would be throwing our money away. I understood that money is tight but over time the curbs had deteriorated to nothing. I contacted the borough office and complained again, and the secretary gave me the name and phone number of Christine Wilson. I called her and left her a detailed message and she came up the next day and looked at our properties. She called me and said she could bring it up at the next council meeting for me or I could attend the meeting and bring the situation to the council's attention.

I attended the October council meeting and asked council to consider replacing the curb in front of my house (410 Lowell Street) and the house beside me (408 Lowell Street). Council instructed Christine to get a measurement and a price and bring it to the November meeting. When I left the meeting I didn't hold much hope that the curbs would be replaced after the November meeting. Within the week, Christine contacted me and said that the curbs were going to be replaced. She came up to my house and showed me where the curbs would be replaced. The original plan started partially in front of 406 Lowell Street, continued pass 408 Lowell Street, and covered the first half of our curb. When I questioned her about the other half she agreed to go back to council and see if the rest of our curb could be replaced. She got permission to do all but the last 8 feet of my property.

The work has been completed, I and just wanted to let council know how appreciative we are for the curb work that you did. I know you handle a lot of complaints and probably do not get many thank yous, but I wanted to make sure that I reached out to council again to say thank you. I also wanted to let you know how nice it was to work with Christine. Once again, from the bottom of our hearts – THANK YOU.

Sincerely,

William & Mary Domiano

SPECIAL BILLS:

The Secretary presented a request from Bove Engineering to approve the submission of a PennVest Payment No. 22 in the amount of \$612,722.08. (See page 4-A)

The Secretary stated that there is not sufficient funds from the interim loan from Apollo Trust Co. to pay the entire \$612,722.08. He stated that due to the Borough reaching 95% of funding, PennVest will hold the amounts until this the remaining costs are paid and until final approval from the Department of Environment Protection regarding the additional project costs. He stated that \$154,900.00 is needed to offset the aforementioned costs.

Following a discussion of this matter, a motion was made to approve the submission of the PennVest Payment No. 22 and to fund the \$154,900.00 from the Vandergrift Sewer Recovery Fund. Motion carried with Mrs. Wilson abstaining.

STREET & SANITATION REPORT:

Chairperson Sciullo informed Council that he and the Borough Secretary traveled to the DEP office in New Stanton for the purpose of filling out a hard copy for the Borough's waste hauler registration stickers. He stated that without these stickers the Borough would not be permitted to haul the Borough's refuse after December 31, 2015, of which have not been received to date. Mr. Sciullo stated that he will call the Harrisburg office tomorrow regarding this matter.

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

ENGINEER'S REPORT:

Engineer Lucien Bove requested the approval of payment to J. M. Paving, Inc. for the completion of the resurfacing of Delaware Avenue in the amount of \$45,040.67. (See page 4-B)

A motion was made by Mrs. Chvala, second by Mr. Rametta, to approve payment of the aforementioned invoice, with funding to be applied from the Act 13 of 2012 account and the balance from the Sewer Recovery Fund. Motion carried with Mrs. Wilson abstaining.

Lucien Bove requested the approval of payment to Tresco Paving Corp. in the amount of \$264,240.46 for work completed on the 2015 CDBG Street Reconstruction Project to date. (see page 4-C) He stated that payment will be made by the Westmoreland County Planning Dept.

A motion was made by Mr. Rametta, second by Mrs. Chvala, to approve the aforementioned invoice of \$264,240.46. Motion carried with Mrs. Wilson abstaining.

Lucien Bove reported that he had looked into the complaint regarding the apartment building located at 204 Linden Street. He stated that found no sewage malfunction. He stated

Theresa Geltz

From:

Lucien Bove, PE

+boveengineering@comcast.net>

Sent:

Monday, November 02, 2015 4:56 PM

To:

Stephen DelleDonne

Cc: Subject:

Mike Bove; Brian Carricato Phase 2 Sewer Separation

Hi Steve,

For Tonight's meeting, we will be submitting the following Payment Estimates for Council's approval (Note: the Payment Request forms cannot be generated and no funds can be requested until Change Orders No.s 2 and 3 are approved by DEP:

Phase 2 Payment Estimates

- Interest During Construction (Apollo Trust) Estimate No. 18 in the amount of \$1,023.04
- Engineering Estimate No. 22 in the amount of \$9,180.00
- Phase 2A Construction Estimate No. 19 in the amount of \$320,355.41 (includes retaininge)
- Phase 2B Construction Estimate No. 19 in the amount of \$282,163.63 (includes 3% of retainage w/ \$96,732.24 rem.)

Phase 2 Payment Request

(once the above change orders are approved the system will allow us to generate the Payment Request form) - PennVest Payment Request No. 22 in the amount of \$612,722.08 corresponding to the above Estimates

We will bring the hard copies of the Estimates to the meeting. The Request will not be ready for your E-Signature until after you receive an email notice from PennVest to do so. The signed hard copies will be for our records and Borough

Thank you. Sincerely, Lucien Bove, PE Bove Engineering Company 8201 Route 819 Greensburg, PA 15601 Phone: 724-925-9269

VANDERGRIFT BOROUGH

STREET RECONSTRUCTION PROJECT (Delaware Avenue Resurfacing)

BOROUGH FUNDS

Contractor: J. M. PAVING, INC.

October 30, 2015

PAYMENT ESTIMATE NO. 1 (Final - except for Retainage) PERIOD ENDING: October 27, 2015

CHANGE ORDER SUMMARY

Final Adjusted Change Order:* Net Change: 10/30/15 \$ 6,267.03 Addition +\$6,267.03 Deduction

COST SUMMARY

AMOUNT DUE THIS PAYMENT SUBTOTAL EQUAL TOTAL WORK TO DATE PLUS TOTAL PREVIOUS ESTIMATES TOTAL WORK THIS ESTIMATE PRESENT VALUE OF CONTRACT FINAL ADJUSTED CHANGE ORDER* ORIGINAL CONTRACT AMOUNT (LESS PREVIOUS PAYMENTS) (LESS 5% RETAINAGE) \$45,040.67 \$45,040.67 \$47,411.23 \$47,411.23 \$47,411.23 \$41,144.20 (\$2,370.56) \$6,267.03 \$0.00 \$0.00

* Copy attached

Recommended:

Lucien Boye, P

10/30/15 Date

Accepted:

(see attached invoice) J. M. Paving, Inc.

10/16/15

Date

NOTE: Contractor must provide a two-year Maintenance Bond in the amount of

\$14,223.37 (30% of the Present Value of Contract) prior to final price.

Approved: 2

Vandergrift Borough

Date

REQUEST FOR PAYMENT COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM WESTMORELAND COUNTY

MUNICIPALITY / AGENCY	: Vandergrift Borough	
ACTIVITY:	Street Reconstruction	<u>un</u>
CONTRACT NO. / HUD AC	TIVITY NO.: 15-25(I)/	
ALLOCATION:	\$275,735.00 (+ \$25,73	35.00-Pending Approval of Amendment)
REQUEST NO .:	1	
AMOUNT OF REQUEST:	\$ 264,240.46	(ATTACH INVOICES)
PREVIOUS REQUEST(S):		
TOTAL TO DATE:	\$ 264,240.46 (THIS LINE CANNOT EXCEED ALLOCATION)
BALANCE:	\$ 37,229.54	
I HEREBY CERTIFY THAT THE PAYMENT REQUESTED IS CORRECT AND THAT THE WORK HAS BEEN ACCOMPLISHED IN ACCORDANCE WITH THE SUBRECIPIENT AGREEMENT.		
	AUTHORIZED'S	GNATURE - MUNICIPALITY / AGENCY
I HEREBY CERTIFY THAT THE ATTACHED INVOICE(S) CORRESPONDS WITH THE WORK COMPLETED TO DATE AND HAS BEEN PROPERLY COMPLETED ACCORDING TO THE APPROVED PLANS AND SPECIFICATIONS.		
LOCAL PROJECT ENGINEER, ARCHITECT, ETC.		
CHECK IF FINAL REQUEST FOR PAYMENT		
		FOR PAYMENT
I	Tresco Paving Corp. 415 Unity Center Road P.O. Box 14004 Pittsburgh, Pa. 15239	
APPROVED:		
LABOR COMPLIANCE		DATE:
LABOR COMPLIANCE	OFFICER	
PROGRAM ACCOUNTA	NT	DATE:

that someone is living there with no water, not paying any rent, and that the owner does not care.

Solicitor Loperfito stated that the property should be deemed uninhabitable.

President Carricato requested that the Engineer return the property and perform a dye test.

Mrs. Chvala questioned when the Engineer will perform the flow meter tests now that Phase 1 and Phase 2A & 2B have been completed.

Mrs. Wilson stated that the Kiski Valley Water Pollution Control Authority will perform these tests.

Lucien Bove stated that the Authority will let him know when these tests are to be performed.

Mrs. Chvala recommended that the Mr. Bove be presented at the stated of the tests and at the conclusion.

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

BUDGET & FINANCE REPORT:

Chairperson Chvala directed the Borough Secretary to distribute the propose budget of the Vandergrift Borough for the fiscal year 2016. She requested that this meeting be recessed until Monday, November 9, 2015, beginning at 6:00 pm, for the purpose of presented the proposed 2016 budget.

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

POLICE & PUBLIC SAFETY REPORT:

A motion was made by Mr. Collini, second by Mr. Sciullo, to suspend ticketing within the Borough for the holiday season from November 27, 2015 thru December 31, 2015. Motion carried.

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

BUILDING & GROUNDS REPORT:

Chairperson Rametta questioned the Solicitor in regards to advertising the sale of the former Vandergrift Senior Citizens Building on Spruce Street.

Solicitor Loperfito presented for adoption Resolution No. 9-2015, whereby the Borough of Vandergrift intends to sell the former Vandergrift Senior Citizens Building with a minimum bid price of \$38,703.00. He stated that the public auction will be held on Monday, November 16, 2015 at the Municipal Building. (See 6-A & 6-B)

A motion was made by Mr. Rametta, second by Mr. Sciullo, to adopt Resolution No. 9-2015. Motion carried.

Mr. Rametta reported that he will be having three (3) lights installed in the Lower Parking Lot along Washington Avenue. He also stated that he is still working on the project of installing new LED lights at the Columbia Parking Lot.

Mr. Collini informed Council that all flags in the parks will be removed following Veteran's Day.

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

TREE & LIGHT REPORT:

Chairperson Wilson informed Council that she has discussed the possibility of obtaining grant for trimming and planting trees through Senator Brewster's office. She also stated that a grant may also be available for performing an inventory of all Borough trees in town.

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

GENERAL GOVERNMENT:

President Carricato informed Council that Steve Potoka has indicated the willingness to accept the appointment as the Borough's Emergency Management Coordinator.

A motion was made by Mr. Collini, second by Mrs. Wilson, to appoint Steve Potoka as the Emergency Management Coordinator for the Borough of Vandergrift. Motion carried.

President Carricato stated that Al Wells will remain as the Assistant Emergency Management Coordinator for the Borough.

RESOLUTION 9 OF 2015

A RESOLUTION OF THE BOROUGH OF VANDERGRIFT, COUNTY OF WESTMORELAND AND COMMONWEALTH OF PENNSYLVANIA TO SELL REAL PROPERTY VALUED IN EXCESS OF \$1,500.00 AT PUBLIC AUCTION.

WHEREAS, the Borough of Vandergrift is the owner of a lot, piece or parcel of real property situate in the Borough of Vandergrift and more specifically identified on the plan of subdivision known as the Plan of Vandergrift Park made and surveyed for the Vandergrift Land and Improvement Company by Wilkins and Davison, Engineers, which said plan is recorded the Recorder's Office of Westmoreland County in Plan Book Volume 4, Pages 122 and 123; namely, Lot No. 15 and part of Lot No. 14 in Block No. 11, as laid out in said plan identified in the Tax Map records of Westmoreland County at Tax Map No: 37-01-05-0-222 and in the deed recorded in the Office of the Recorder of Deeds of Westmoreland County at Deed Book Volume 2194, Page 738. A copy of said deed is attached hereto and made a part hereof this Resolution as Exhibit "A"; and,

WHEREAS, the Borough intends to sell said parcel by auction as authorized by Pennsylvania Borough Code; namely, 8 Pa.C.S. §1201.1 to the highest bidder, by auction;

NOW THEREFORE, intending to be legally bound, the Council hereby RESOLVES as follows:

- 1. That the lot, piece or parcel of real property identified at Tax Map No: 37-01-05-0-222 and as more specifically identified in Deed Book Volume 2194, Page 738 (Exhibit "A") shall be offered for auction, within a minimum bid price of \$38,703.00, said amount being determined by general appraisal of Frederick & Company to be the fair market value for the lot, piece or parcel of real property respectively and the improvements thereto, and added thereto are amounts incurred by the Borough for appraisal and legal.
- 2. That said shall be offered at a public auction to be held on the 16th day of November, 2015 at 10:00 A.M. in the Council Chambers, 109 Grant Avenue, Vandergrift, Westmoreland County, Pennsylvania following an advertisement of the public auction in one newspaper of general circulation in the Borough at least ten (10) days prior to the date fixed for the public auction in questions. Said successful bidder shall be identified only by public announcement at a regular or special meeting of the Council of the Borough of Vandergrift or at the public auction. All bids shall be accepted on the condition that payment of the purchase price in full shall be made within sixty (60) days of the acceptance of the bid. The Council of the Borough of Vandergrift shall have the authority to reject any bids at the public auction less than the minimum bid established by this resolution based upon the fair market value of the real property.
- 3. That said auction shall occur pursuant to the conditions that the successful bidder shall post, in cash, cashier's check or certified funds, an amount equal to 10% of the successful auction price with the balance due from the amounts set, as the successful bid, within sixty (60) days payable to the Borough of Vandergrift in certified funds or cashier's check.

- 4. That excepted and reserved from the sale of the above-described real property and improvements shall be all oil, gas, coal, and any other mining, mineral or element rights in and underlying the subject property and the right of entry for the purposes of oil, gas, coal or other mineral or element extraction.
- 5. That it shall be the duty and responsibility of the successful bidder to review the title to this property to their satisfaction. It shall also be the responsibility of the successful bidder to conduct a real estate closing in accordance with all state and federal law and to pay all costs associated therewith by and through the attorney or closing agent of their choice. It shall also the duty and responsibility of the successful bidder to insure that the uses for the property are in accordance with the Zoning Ordinance of the Borough of Vandergrift.
- 6. That should the Borough of Vandergrift be unable to tender a deed with clear title to the property for any reason, whatsoever, as determined by the Borough of Vandergrift, the Borough reserves the right to void the sale without any further responsibility or liability on the part of the Borough of Vandergrift as the Borough of Vandergrift makes no guarantee nor warranty as to the title or condition of the property and any successful bidder for such property shall take the property under and subject to any and all liens and encumbrances of record and the improvement contained thereon in an as-is/where-is condition.
- That a copy of the advertising for the notice of auction is attached hereto and made a part hereof as Exhibit "B" and shall be incorporated herein as though set forth herein at length.
- That the Borough shall, comply with all requirements of 8 Pa.C.S. §1201.1 in the completion of the auction process in question.

IN WITNESS WHEREOF, the undersigned has hereunto set her hand and affixed the seal of the local government unit this 2nd day of November, 2015.

(SEAL)

BOROUGH OF VANDERGRIFT

BRIAN J. CARRICATO

Council President

ATTEST:

TEPHEN J. DELLEDONNE

Borough Secretary

ALL KOVED

LOUIS PURIFICATO, Mayor

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

RECREATION REPORT:

Chairperson Collini informed Council that we begin winterizing the parks and the pool facilities. He also stated that the playgrounds are closed for the season.

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

SOLICITOR'S REPORT:

Solicitor Loperfito recommended that Council hold off on enacting a storm water ordinance. He stated that the Borough has up to 2017 to enact this matter.

Solicitor Loperfito passed out to members of Council a proposed ordinance which establishes and regulates vacant properties for their review.

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

UNFINISHED BUSINESS:

Mr. Collini stated that there are bad properties all over the town.

NEW BUSINESS:

None

RECESS:

A motion was made by Mr. Sciullo, second by Mrs. Chvala, to recess the meeting until Monday, November 9, 2015, beginning at 6:00 p.m., for the purpose of presenting the proposed budget for the fiscal year 2016. Motion carried.

The meeting was recessed at 8:31 p.m.