

BOROUGH OF VANDERGRIFT
MINUTES OF THE VANDERGRIFT COUNCIL
DECEMBER 7, 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 Sciallo
Brian Carricato	Frank Moliterno
James Rametta	
Christine Wilson	

OTHER OFFICIALS:

Louis Purificato, Mayor	Stephen DelleDonne, Secretary
Larry Loperfito, Solicitor	Theresa Gelts, Asst. Secretary
Lucien & Michael Bove, Engineers	Joseph Caporali, Police Chief

MINUTES:

The minutes of the November 2, 2015 meeting were approved by motion of Mr. Rametta, second by Mr. Sciallo. Motion carried

VISITORS:

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

James Held, 211 Holmes Street, questioned whether Council can adopt an ordinance regulating the removal of asbestos from residential buildings.

Solicitor Loperfido stated that the Borough follows the regulations regarding this matter by the DEP, and that the Borough cannot be restrictive than the DEP.

Mr. Held commended the good work of Officer Rigatti regarding his interaction with the kids in town.

Wayne Hamilton, 207 Lowell Street, addressed Council in regards to a section of sidewalk removed and not restored at 209 Lowell Street. He stated that he understands the plumber who performed work at this property was not paid, and therefore, will not complete the restoration to the sidewalk.

Solicitor Loperfido requested Chief Caporali to cite the owner at this time.

Don Detar, 213 Lowell Street, also addressed the sidewalk problem at 209 Lowell Street. He also stated that something needs to be done about the illegal parking in town, especially on the corner of Lowell and Hancock.

Kevin Chilko, 421 High Street, East Vandergrift, stated that there is a dead tree in front of his house and should be removed before any damage is done to house. He stated that he was informed by a council person in East Vandergrift who indicated that the tree falls within the Borough of Vandergrift.

President Carricato directed the Borough Engineer to determine the jurisdiction in which the tree lies and/or the owner of the property.

Ashley Hanagan, 216 Holmes Street, questioned whether the Borough has adopted an ordinance as to requiring residents to fix the house address on their mailbox.

Solicitor Loperfido stated that he was not aware of any Borough ordinance on this matter.

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

MAYOR'S REPORT:

No Report

SECRETARY'S REPORT:

The Secretary presented and reviewed an agreement between the Borough of Vandergrift and Hoffman Boarding Kennels for Dog Control Services for the year 2016. He stated that the monthly rate go from \$155/ month to \$165/per month.

A motion was made by Mr. Sciallo, second by Mrs. Chvala, to approve the execution of said agreement with Hoffman Boarding Kennels for the year 2016. Motion carried.

A motion was made by Mr. Sciallo, second by Mrs. Chvala, to advertise the established regular meetings of the Vandergrift Planning Commission for the year 2016. Motion carried. (See page 3-A)

Solicitor Loperfito presented for adoption Ordinance No. 8-2016, which fixes the tax rate at 28 mills for the year 2016. (See page 3-B)

A motion was made by Mr. Sciallo, second by Mrs. Chvala, to adopt Ordinance No. 8-2016. Motion carried.

Solicitor Loperfito presented for adoption Resolution No. 10-2016, whereby the annual refuse fees will increase from \$276.00/year to \$288.00/year; and increase of \$1.00 per month. (See page 3-C)

A motion was made by Mrs. Chvala, second by Mr. Rametta, to adopt Resolution No. 10-2016. Motion carried.

The Secretary presented for adoption Resolution No. 12-2015, which sets the Police Contribution to the Police Pension Plan for 2016 at 7.23% of compensation. (See page 3-D)

A motion was made by Mr. Sciallo, second by Mr. Rametta, to adopt Resolution No. 12-2015. Motion carried.

The Secretary informed Council that the proposed budget of the Vandergrift Borough for the fiscal year has been duly advertised for public inspection and is ready for final adoption.

A motion was made by Mrs. Chvala, second by Mr. Moliterno, to adopt the proposed budget of the Vandergrift Borough for the fiscal year 2016. Motion carried.

A motion was made by Mr. Rametta, second by Mr. Sciallo, to advertise the reorganizational meeting of the Vandergrift Council to be held on January 4, 2016, beginning at 7:00 p.m. Motion carried.

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

COMMUNICATIONS & CORRESPONDENCE:

The Secretary presented the following correspondence receive and distributed to members of Council:

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 2016. 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 11, 2016
February 8, 2016
March 14, 2016
April 11, 2016
May 9, 2016
June 13, 2016
July 11, 2016
August 8, 2016
September 12, 2016
October 10, 2016
November 14, 2016
December 12, 2016

Stephen J. DelleDonne,
Borough Secretary

LEGAL NOTICE

Notice is hereby given that the Council of the Borough of Vandergrift will meet during a regularly scheduled meeting on December 7, 2015 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 8 of 2015, which said Ordinance is the Tax Ordinance of the Borough of Vandergrift setting and fixing the tax rate for fiscal year 2016.

TAX ORDINANCE 8 OF 2015

AN ORDINANCE OF THE BOROUGH OF VANDERGRIFT, COUNTY OF WESTMORELAND, AND COMMONWEALTH OF PENNSYLVANIA FIXING THE TAX RATE FOR FISCAL YEAR 2016.

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 2016 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 7th day of December, 2015.

BOROUGH OF VANDERGRIFT

BY: 
BRIAN J. CARRICATO,
Council President

ATTEST:

 (SEAL)
STEPHEN J. DELLEDONNE,
Borough Secretary

APPROVED:


LOUIS E. PURIFICATO, Mayor

RESOLUTION 10 OF 2015

A RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF VANDERGRIFT, COUNTY OF WESTMORELAND AND COMMONWEALTH OF PENNSYLVANIA ESTABLISHING GARBAGE COLLECTION RATES FOR 2016 PURSUANT TO ORDINANCE NO. 1-1968, AS AMENDED BY ORDINANCE NO. 2-1980.

WHEREAS, the Borough of Vandergrift, is charged with the obligation, for its residents, for the collection of refuse and subject to fees set by Ordinance No. 1-1968, as amended by Ordinance No. 2-1980; and,

WHEREAS, pursuant to the powers granted by the Borough Code Act of February 1, (1966) 1965 P.L. 1656, No. 581 C.L. 08 reenacted and amended, May 17, 2012, P.L. 262, No. 43, Section 1202(2); and,

WHEREAS, the Borough of Vandergrift has determined that increases in expenses and general collection fees necessitate the increase of rates commencing on January 1, 2016;

NOW THEREFORE, the Borough of Vandergrift Council does hereby resolve as follows:

BE IT RESOLVED, in accordance with Ordinance No. 2-1980, the basic charge for collection and disposal for the authorized types and categories of refuse as referred to in Section 1 of Ordinance No. 1-1968, as amended by Ordinance No. 2-1980 is fixed at the annual rate of \$288.00 per year, effective January 1, 2016.

RESOLVED, this 7th day of December, 2015 at Vandergrift, Pennsylvania.

BOROUGH OF VANDERGRIFT

By: Brian J. Carricato
BRIAN J. CARRICATO,
Council President

ATTEST:

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

BRIAN CARRICATO
PRESIDENT OF COUNCIL

LOUIS PURIFICATO
MAYOR

Borough of Vandergrift

Larry D. Loperfito
Solicitor

Office of the Secretary
Stephen J. DelleDonne
109 Grant Avenue
Vandergrift, PA 15690
724-567-7818
Fax-724-567-7818
vgborosec@comcast.net

Joseph M. Caporali
Chief of Police

RESOLUTION 11 2015

WHEREAS, the Borough of Vandergrift (the "Borough") on January 6, 1958 established a retirement for certain of its employees known as the **Borough of Vandergrift Police Pension Plan** (the "Plan"), which was adopted pursuant to Act 600; and,

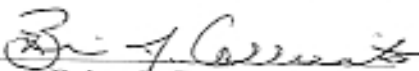
WHEREAS, the Borough received confirmation from the Plan's Actuary with respect to the Participant Contributions and the actuarial soundness of the Plan; and,

WHEREAS, the Borough is satisfied that the conditions have been met in order to set the contribution rate to 7.23% of compensation for the 2016 Plan year;

NOW THEREFORE, BE IT RESOLVED by the Borough Council that, effective January 1, 2016, and continuing through and including December 31, 2016, the amount of the Participant Contributions shall be 7.23% of compensation.

RESOLVED at Vandergrift, Pennsylvania this 7th day of December, 2015.

BOROUGH OF VANDERGRIFT

By 
Brian J. Carricato
Council President

Attest:

 (Seal)
Stephen J. DelleDonne
Borough Secretary

Exhibit 1-A: Sandra Toy, 110 Farragut Avenue.

Subject: Request to have a No Parking Sign installed in the rear of her property on Third Street.

Following a discussion of the matter, President turned this matter over to the Police & Public Safety Committee for review and recommendation.

REGULAR & STATED BILLS:

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

Mr. Rametta stated that an invoice from J. Bazalla Concret Construction in the amount of \$1500.00 for work at the pool be is to be included in the aforementioned motion.

SPECIAL BILLS:

The Secretary presented an invoice from J. M. Paving, Inc. in the amount of \$2,371.24 for completed work on Delaware Avenue.

A motion was made by Mr. Sciallo, second by Mr. Rametta, to pay the aforementioned invoice in the amount of \$2,371.24. Motion carried with Mrs. Wilson abstaining.

STREET & SANITATION REPORT:

Chairperson Sciallo stated that he is having a lot mechanical problems with the 2003 Mack Refuse Truck. He questioned if he could move forward with the purchase of a new refuse truck, as it has been approved in the 2016 Budget.

Mr. Sciallo informed Council that he has obtained two bid proposals: 1). Freightliner Truck and packer, with trade at \$160,797.00 and 2). Mack Truck and packer, with trade at \$180,099.00.

A motion was made by Mr. Rametta, second by Mrs. Chvala, to accept the bid proposal to purchase a Freightliner Truck and Packer at \$160,797.00; and to proceed with the purchase of said truck. Motion carried.

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

ENGINEER'S REPORT:

December 6, 2015

Sandra J. Toy
110 Farragut Avenue
Vandergrift, PA 15690
sandratoy10@gmail.com
724-207-0865 (mobile)

Vandergrift Borough Council
109 Grant Avenue
Vandergrift, PA 15690

Dear Borough Council Members,

At the July 6th 2015 Council Meeting, I requested that Council address a situation where a vehicle, specifically a Silverado truck (license number YYW2249) owned by Michael Baxter, primarily parks directly across from my parking space despite a garage that he parks in front of and a park space adjacent to the garage that is frequently vacant. I have spoken to Michael about moving his vehicle on at least 3 occasions explaining reasons for my request however to no avail. Michael claims there are no parking spaces in the front of 113 Sumner where he resides. And, he intends to install an automatic garage door opener to enable use of the garage.

Actually, it does not matter whose vehicle parks in front of the garage across from me because multiple vehicles occupy that space at different times.

There exists a "No Parking between 6 a.m. - 6 p.m." sign on 3rd Street alley however I have requested that a "NO PARKING" sign be posted there. Aside from the difficulty maneuvering around vehicles to park near to my sidewalk, larger trucks traveling through the alley avert these other vehicles by passing over my sidewalk and have caused damage.

I have been pursuing this issue since February 2015 with an initial email request sent to Chief Caporali because of damages incurred by snowplowing. On August 4th, Chief Caporali and Frank Moliterno happened to be assessing the area on 3rd Street as I arrived home. They both admitted that the alley was narrow and would be addressing the situation at an upcoming meeting. If this complaint has been addressed, the response is not yet available in the meeting minutes online.

If this complaint has not as yet been addressed, please raise the subject again at your Counsel Meeting scheduled December 7th, 2015.

Respectfully,

Sandra J. Toy

VANDERGRIFT BOROUGH
 2015
 STREET RECONSTRUCTION PROJECT
 (Delaware Avenue Resurfacing)
 USING
 BOROUGH FUNDS

Contractor: J. M. PAVING, INC.

November 30, 2015

PAYMENT ESTIMATE NO. 2 (Retainage only)
 PERIOD ENDING: October 27, 2015

CHANGE ORDER SUMMARY

Final Adjusted Change Order: [*]	Date	Addition	Deduction
Net Change:	10/30/15	\$ 6,267.03	\$0.00
		+\$6,267.03	

* Copy attached

COST SUMMARY

ORIGINAL CONTRACT AMOUNT	\$41,144.20
FINAL ADJUSTED CHANGE ORDER*	\$6,267.03
PRESENT VALUE OF CONTRACT	<u>\$47,411.23</u>
TOTAL WORK THIS ESTIMATE	\$0.00
PLUS TOTAL PREVIOUS ESTIMATES	\$47,411.23
EQUAL TOTAL WORK TO DATE	\$47,411.23
(LESS PREVIOUS PAYMENTS)	(\$45,039.99)
AMOUNT DUE THIS PAYMENT	<u><u>\$2,371.24</u></u>

Recommended:


 Lucien Bove, P.E.

11/30/15
 Date

Accepted:

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

10/16/15
 Date

Approved:


 Vandergrift Borough

Date

NOTE: Contractor has provided a two-year Maintenance Bond in the amount of \$14,223.37 (30% of the Present Value of Contract)

Engineer Lucien Bove informed Council that PennVest, according to Larry Gasporato, the Borough will not be approved for additional funding regarding the Sewer Separation Project, because these expenses do reflect over \$500.00 in construction.

Following a discussion of how additional funds can be obtained, Solicitor Loperfito suggested that he contact the Apollo Trust Company to finance a \$300,000 loan.

Lucien Bove reviewed his report on the 204 Linden Street complaint. (See page 5-A)

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

BUDGET & FINANCE REPORT:

No Report

POLICE & PUBLIC SAFETY REPORT:

Chairperson Moliterno informed Council that the Police Department will be needing additional part-time police officers. He stated that Lt. Maszgay will be having a hip replacement operation in mid-January, 2016 and Mark Lieu will become full-time effective January 1, 2016.

A motion was made by Mr. Moliterno, second by Mrs. Chvala, to hire Raymond Luther as an extra police officer serving on a part-time basis for the Borough of Vandergrift from time to time on an hourly or daily basis as needed. Motion carried.

BUILDING & GROUNDS REPORT:

Chairperson Rametta reported that he had the second floor windows of the Vandergrift No. 1 Fire Department building painted.

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

TREE & LIGHT REPORT:

No Report

GENERAL GOVERNMENT REPORT:

President Carricato reported that the new seats funded by the Borough have been installed in the Casino Theater. He stated that Anthony Ferrante announced at the Home Town Christmas event that the new seats were purchased by funds received from the Vandergrift Council.

5-A

BOVE ENGINEERING COMPANY

ARMBRUST PROFESSIONAL CENTER

8201 ROUTE 819

GREENSBURG, PA 15601

724-925-9269

FAX: 724-925-1216

December 3, 2015

Vandergrift Borough Council
109 Grant Avenue
Vandergrift, Pennsylvania 15690

Attention: Stephen J. DelleDonne, Secretary

Ref: 204 Linden Street Sewer Complaint from
Alex and Josephine DiBiasio, 303 Elm Street

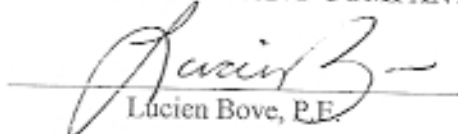
Ladies and Gentlemen:

On October 6, 2015, I conducted an internal inspection of the structure at 204 Linden Street accompanied by a resident of the building. I was informed that the water supply had been turned off to the building, possibly due to non-payment of the water bills. There are no sanitary or water supply facilities in the basement of the structure which is unoccupied with debris strewn about. The building sewer line servicing the floors above the basement was visible, which is piped through the basement wall facing Linden Street several feet above the basement floor level. The sewer pipe appeared to be in good condition and was not broken or leaking. There was evidence of floor drains below the elevation of the building sewer; however, the location and direction of piping from floor drains is unknown. From this observation, we are unable to identify any type of sanitary sewer malfunction emanating from 204 Linden Street that would be affecting the residence at 303 Elm Street. It was noted that this building has a flat roof which is in need of repair. The roof may be holding water for long periods of time which could become putrid from decayed mold, fungus or algae. A downspout from the roof is disconnected and roof water may be overflowing toward 303 Elm Street, which could be contributing to the groundwater being collected by the sump in the basement. The downspout is located approximately 15 feet away and uphill from the rear corner of the DiBiasio dwelling where the sump pit is located.

An internal inspection of the residence at 303 Elm Street was conducted on December 3, 2015. Mr. & Mrs. DiBiasio were very happy to report that since the completion of the Phase 2 Combined Sewer Separation Project and the installation of an outside trap and vent by the resident, the strong sewer odor has been eliminated. To help eliminate other possible sources of sewer odor, all toilets in the home were dye tested to see if any dye showed up in the sump pit. However, no dye was observed, nor was any flow into the pit observed. No sewer odor was detected in the home or the basement, or from the sump pit. However, a water sample was taken from the sump which was previously reported to be somehow collecting sewer contaminated water. The sample was immediately taken to a DEP approved Laboratory to be tested for fecal coliform, and the results will be provided to the Borough and the property owners.

If you have any questions, please feel free to contact me.

Respectfully yours,
BOVE ENGINEERING COMPANY



Lucien Bove, P.E.

LB:dlb

Attachments

copy: Larry Loperfido, Borough Solicitor
Alex and Josephine DiBiasio

2015-511:VANDERGRIFT 2015/204 Linden - 303 Elm St Ltr

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

RECREATION REPORT:

Mr. Rametta reported that approximately 37 feet of new skimmer line has been replaced at the pool. He stated that concrete will be poured in the Spring of 2016.

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

SOLICITOR'S REPORT:

Solicitor Loperfido stated the auction of the former Vandergrift Senior Citizen Building on Spruce Street was held and no one appeared to offer a bid. He stated that at this point, the Borough Council can entertain an offer for the purchase of said building. However, he stated that an appraised value of \$38,800.00 has be set as base for any offer.

Mr. Rametta questioned if the Borough can advertise for offer of bids.

Solicitor Loperfido stated no advertisement is required. He stated that Council will entertain interested parties willing to submit a bid.

Solicitor Loperfido presented for adoption Resolution No. 11-2016 regarding the deed line revision of the Carpentieri/Malvone Plan of Lots. (See page 6-A) He stated that the Vandergrift Planning Commission has approved this matter.

A motion was made by Mrs. Wilson, second by Mrs. Chvala, to adopt Resolution No. 11-2016. Motion carried.

Solicitor Loperfido stated that he did not have an opportunity to prepare a new lease agreement with the YMCA due family matters.

Solicitor Loperfido deferred any action on a storm water ordinance required by DEP until such time has the Borough Engineer obtains certain formal answers regarding this matter.

Solicitor Loperfido stated that Gregory Milhalko, owner of the formal Anchor Building on Washington Avenue, and J. T. Petrosky Building on Washington Avenue, has filed bankruptcy. He stated that he has written to Mr. Milhalko's attorney about have the J. T. Petrosky building donated to the Borough.

A motion was made by Mr. Rametta, second by Mr. Molitern, to advertise his proposed abandoned building ordinance for adoption.

RESOLUTION 11 OF 2015

A RESOLUTION OF THE BOROUGH OF VANDERGRIFT, COUNTY OF WESTMORELAND AND COMMONWEALTH OF PENNSYLVANIA, REGARDING THE DEED LINE REVISION OF THE CARPENTIERI/MALVONE PLAN OF LOTS.

WHEREAS, the Borough of Vandergrift Planning Commission met on November 9, 2015, for the purpose of viewing the final plan of the deed line revision request for Paula A. Carpentieri; and,

WHEREAS, as a result of said hearing, the Commission provided final approval of the subdivision/deed line revision and has directed the same to be provided to the Council of the Borough of Vandergrift for final approval;

NOW THEREFORE, does hereby resolve as follows: BE IT RESOLVED, that on the 7th day of December, 2015, the Council of the Borough of Vandergrift does accept the recommendation of the Planning Commission evidencing that the subdivision request of Paula A. Carpentieri of the Carpentieri/Malvone Plan of Lots being a deed line revisions, is now in full compliance of the terms of the Planning Commission of the Borough of Vandergrift and does hereby resolve that the final plan is accepted by the Borough of Vandergrift. IT IS FURTHER RESOLVED that all uses of the properties in question must comply with all other ordinances and codes of the Borough of Vandergrift.

BOROUGH OF VANDERGRIFT

BY: Brian J. Carricato
BRIAN J. CARRICATO,
Council President

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

APPROVED:
Louis Purificato
LOUIS PURIFICATO, Mayor

President Carricato recommended that this matter be postponed until next month. He stated that he had not had an opportunity to fully read the proposed ordinance.

At this time Mr. Rametta rescinded his motion to advertise.

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

UNFINISHED BUSINESS:

None

NEW BUSINESS:

None

ADJOURNMENT:

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

The meeting was adjourned at 8:05 p.m.

