

BOROUGH OF VANDERGRIFT
MINUTES OF THE VANDERGRIFT COUNCIL

JUNE 3, 2013

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

MEMBERS PRESENT:

Lenny Collini	Vernon Sciullo
Christine Wilson	James Rametta
Brian Carricato	Kathleen Chvala

OTHER OFFICIALS:

Louis Purificato, Mayor	Stephen DelleDonne, Secretary
Larry Loperfito, Solicitor	Jackie Vigna, Assistant Secretary
Lucien Bove, Engineers	Joseph Caporali, Police Chief

MINUTES:

The Minutes of the May 13, 2013 and the reconvened meeting of May 22, 2013 were approved by motion of Mr. Rametta, second by Mr. Sciullo Motion carried.

VISITORS:

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

Marty Fennel, 118 Grant Ave., addressed Council on the following matters: 1). High grass problem in the rear of Read, Inc. on McKinley Avenue. 2). Pot hole problem on McKinley Avenue near Dave's Barber Shop.

Jim Williams, 126 Oregon Ave., questioned whether Council has any information regarding an opened street that he brought before Council at the May meeting.

The Secretary stated that the Solicitor has obtained certain information regarding this

matter, but unfortunately is not at the meeting tonight.

Mr. Williams recommended that Council enforce the Borough ordinance regarding residents putting their trash in metal containers. He also requested that something be done about the barking dog problems in his area.

Chief Caporali requested Mr. Williams to contact the police when this incident occurs.

Frank Souchock, 190 Washington Ave., addressed Council on the following issues: 1). Deplorable condition of the former Anchor Building at the corner of Columbia & Washington; 2). High grass problem at the property located at the corner of West Adams and Jackson Avenue; 3). Speeding problem throughout town.

In regards to the speeding issue, Mrs. Chvala stated that Council is looking to purchase a speed monitoring device to track speed problems at various locations. She also stated that permission is being requested from PennDot to paint "Slow" markings on Lincoln Avenue near the High Rise.

Brandon & Amy Hale, 114 Lafayette Ave., addressed Council about the sale of the property located at 117 8th Street by the Westmoreland County Tax Claim Bureau. Mr. Hale stated that they are interested in acquiring this problem.

The Secretary stated that this matter will be discussed later in the meeting. He also stated that the Borough Solicitor is recommending that Council oppose the sale of this property at this time.

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

MAYOR'S REPORT:

No Report

SECRETARY'S REPORT:

No Report

CODE OFFICER'S REPORT:

No Report

COMMUNICATIONS & CORRESPONDENCE:

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

Exhibit 1-A: Yvonne Hayes, Westmoreland Co. Tax Claim Bureau.

Subject: Notice of sale of property located at 117 8th Street for \$600 through the Unsold Property Repository.

The Secretary stated that Solicitor Loperfito is requesting Council to oppose this sale bases on reasonable evaluation of this matter. He presented the attached letter prepared by Solicitor Loperfito to be sent to Ms. Hayes. (Page 3-A)

A motion was made by Mr. Sciullo, second by Mr. Collini, to approve the submission of the aforementioned letter to Ms. Hayes, Motion carried.

Exhibit 2-A: Debbie Tansimer, Kiski Area Instrumental Music Boosters.

Subject: Request to Kennedy Park and surrounding parking lots for there 28th Annual Kiski Marching Band Competition on Saturday, September 7th, from 8:00 a.m to 11:00 p.m.

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

Exhibit 3-A: August Ruggiero, 320 Jackson Avenue.

Subject: Request for a curb cut for off-street parking.

President Carricato stated that work has already begun to provide off-street parking at this location. He recommending that the Chief and the Engineer look into this matter.

Exhibit 4-A: Patrice Majeran, Principal of Cardinal Maida Academy.

Subject: Request permission to use the parking lot at the Vandergrift No. 1 Fire Department for a Car Cruise on July 14th, starting at 11:30 a.m.

A motion was made by Mr. Sciullo, second by Mr. Collini, to approve the aforementioned request, with the school working with the Borough's Building & Grounds Committee. Motion carried.

Exhibit 5-A: Julie Martin, Vandergrift Improvement Program.

Subject: Pa Hero Walk of Friday evening, June 21st.

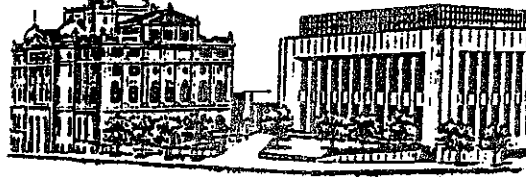
A motion was made by Mr. Sciullo, second by Mr. Collini, to approve the aforementioned matter. Motion carried.

R. Tyler Courtney
Commissioner

Charles W. Anderson
Chairman

Exhibit 1-A
Ted Kopas
Commissioner

Westmoreland County Pennsylvania



REAL ESTATE
TAX OFFICE
Yvonne M. Hayes
Director

Telephone: 724-830-3420
Fax: 724-853-4628

Date: May 14, 2013

To: WESTMORELAND COUNTY COMMISSIONERS
Borough of Vandergrift

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: 37-01-06-0-632

Property Address: 117 8th Street

Property Owner: Jennette Kristine Hauzer

Amount of Bid: \$600.00

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. If the Tax Claim Bureau has not received your consent within forty (40) days from the date the bid was taken, May 14, 2013, your consent shall have been presumed.

PROSPECTIVE BUYERS:
JLH Development LLC
PO Box 662, Mt. Pleasant PA 15666
724.757.8994

Very truly yours,

A handwritten signature in dark ink that reads "Yvonne M. Hayes". The signature is fluid and cursive, with the first name being the most prominent.

Yvonne M. Hayes
Director, Tax Office

CONSENTING: _____

3-11

GEARY & LOPERFITO, LLC

ATTORNEYS AT LAW

158 GRANT AVENUE

VANDERGRIFF, PA 15690

TIMOTHY J. GEARY
LARRY D. LOPERFITO
ANTHONY G. URTI

(724) 568-3694
FAX: (724) 568-2500

E-mail address
ldl@gllawyers.com

June 4, 2013

Yvonne M. Hayes, Tax Office Director
County of Westmoreland
2 North Main Street, Suite 406
Greensburg, PA 15601

COPY

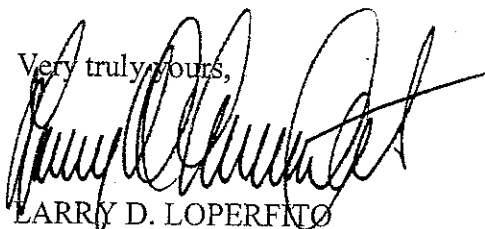
IN RE: **Tax Map No:** 37-01-06-0-632
Property Address: 117 8th Street
Property Owner: Jeannette Kristine Hauzer
Prospective Buyer: JLH Development, LLC

Dear Ms. Hayes:

Please be advised that I am Solicitor for the Borough of Vandergriff. I have been directed by my Borough Council to issue this letter opposing the sale of the above-listed property to JLH Development, LLC. The property is in a state of substantial disrepair. The Council of the Borough of Vandergriff requests that you terminate the possible sale to JLH Development, LLC, as the Borough Council has conducted a reasonable assessment of the situation and is withholding consent based upon said reasonable evaluation.

On behalf of the Council of the Borough of Vandergriff, I thank you for your attention to this matter.

Very truly yours,



LARRY D. LOPERFITO

LDL/slk

c: Stephen J. DelleDonne, Borough Secretary



KISKI AREA INSTRUMENTAL BOOSTERS, INC.
P.O. BOX 124
VANDERGRIFT, PA 15690

Mayor Louis Purificato
Vandergrift Borough
109 Grant Ave
Vandergrift, PA 15690

May 9, 2013

Dear Mayor Purificato,

On behalf of the Kiski Area Instrumental Music Boosters, I am writing to request permission to use Kennedy Park and the surrounding parking lots for our 28th Annual Kiski Marching Band Competition. The date of this year's festival is Saturday, September 7, 2013. We will need access to Kennedy Park from 8:00 AM to 11:00 PM as we set up for the competition, and provide space for the participating bands to warm up.

Please also let us know who we should contact if we have any questions. In the past we have worked with Lenny Collini at (412) 780-3366.

This competition is our biggest fundraiser of the year. The proceeds are used to offset the cost of our band program. Without the support of our community, our talented students would not be able to make their mark in the music world. We are fortunate to have a school district that supports the arts and a community that supports the students.

Already, six bands have registered to participate in the competition. You are cordially invited to come and enjoy the spectacular talents of all the students in these bands.

We appreciate your generosity and thank you again for your continued support. Please feel free to contact me for any further information at (724) 594-8465.

Yours Truly,

Debbie Tansimore
Competition Chairperson

May 22, 2013

Borough of Vandergrift
IPMC Code Enforcement Officer
Zoning Officer
Melissa A. Holmes
109 Grant Ave
Vandergrift, PA 15690

To whom it may concern;

I, August Ruggiero, owner of 320 Jackson Ave, Vandergrift, would like to request permission to create an off street parking area. I would like to request permission to have the curb cut and will follow all guidelines provided by the borough's engineer in creating such area.

Parking on the street is very limited and there is simply not enough on street parking available for the residents. Also whenever there is any type of event at Davis field it becomes impossible to find anywhere to park for several blocks.

Thank you for your consideration.

Sincerely,



August Ruggiero

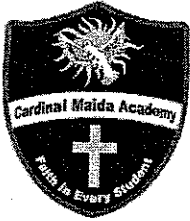


Exhibit 4-A

The Cardinal Maida Academy

"Faith in Every Student"

Mrs. Patrice Majeran
Principal

315 Franklin Ave.
Vandergrift, PA 15690
Phone: (724) 568-3304

May 31, 2013

Vandergrift Borough Council
Municipal Building
Vandergrift, PA 15690

Dear Councilmen:

Cardinal Maida Academy is requesting permission to use the parking lot beside Fire Hall No. 1 for a Car Cruise. The Car Cruise will be held on Sunday, July 14, starting at 11:30 am.

If you have any questions, please contact me at the above number.

Thank you for your consideration.

Sincerely,

Patrice Majeran, Principal
Cardinal Maida Academy

June 3, 2013

TO: Vandergrift Borough Council

FROM: Julia Martin and Chris Zelonka, Vandergrift Improvement Program

RE: PA Hero Walk

The PA Hero Walk that supports the Wounded Warrior Project is scheduled to arrive in Vandergrift on the evening of Friday, June 21st. The plan is for walkers to follow the River Road from Apollo to North Vandergrift, cross the Vandergrift Bridge, go up Columbia Ave. and down Grant Ave. to the Casino Theatre. With your permission we would like to turn the Grant Ave. section into a short parade. The approximate arrival time for the walkers is 7:00pm.

The Vandergrift Veterans Honor Guard has been contacted to greet the walkers and the Vandergrift Fire Departments have been asked to display the large American flag over Grant Ave. Plans for a short ceremony at the Casino are being worked on.

Your permission, help and suggestions for welcoming the PA Hero Walk to Vandergrift would be appreciated.

Thank you
Julie and Chris

REGULAR AND STATED BILLS:

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

SPECIAL BILLS:

The Secretary presented a request from Bove Engineering Company to approve the submission of a PennVest Request Payment No. 14 in the amount \$313,541.53. He stated that this amount reflects the engineering fees of \$17,100.00 and the construction costs of \$296,441.53.

A motion was made by Mr. Sciullo, second by Mrs. Chvala, to approve the aforementioned matter. Motion carried with Mrs. Wilson abstaining.

STREET & SANITATION REPORT:

No Report

ENGINEER'S REPORT:

No Report

BUDGET & FINANCE REPORT:

No Report

POLICE & PUBLIC SAFETY REPORT:

Mrs. Chvala stated that the Committee is recommending the purchase of radar recorder that will be used to monitor speeding in town at a cost of \$4,676.00. She stated that this is a portable device that can be mounted on any pole in town for the purpose of obtaining statistics regarding speeding in an area of town. She stated that the purchase of this device can be made from the Local Service Tax Fund.

A motion was made by Mrs. Chvala, second by Mr. Collini, to purchase the aforementioned device from the Local Service Tax Fund at a cost of \$4,676.00. Motion carried.

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

BUILDING & GROUNDS REPORT:

Chairperson Rametta made a motion to place the building that houses the Senior

Citizen Center, located at 306 Spruce Street, up for an auction sale. He stated that the cost of renovating the upper section of this building could range between \$25,000 to \$30,000.

Mr. Collini recommended that Council not take any action on this matter for at least six (6) months.

Mr. Sciullo suggested having the Borough Engineer look into the condition and possible repairs to this building.

Following a discussion of this matter, Mr. Rametta rescinded his motion.

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

TREE & LIGHT REPORT:

No Report

GENERAL GOVERNMENT REPORT:

With the lace of a Code Officer, President Carricato stated that the Committee is recommending the hiring of Nathaniel Rigatti as the Borough's Code Officer. He stated that Mr. Rigatti is currently working as a part-time patrolman and would be very capable in performing these duties. He stated that Mr. Rigatti would dedicate nine (9) hours per week and would be compensated at \$11.75 per hour.

A motion was made by Mr. Collini, second by Mr. Sciullo, to hire Nathaniel Rigatti as the Borough's Code Offier to be used as needed at an hourly rate of \$11.75. Motion carried.

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

RECREATION REPORT:

Chairperson Collini informed Council that the first "Movie in the Park" will be held on June 13th, at 8:00 p.m., and will be showing "I Am Number Four". He also stated that this event is sponsored by the Vandergrift Public Library.

Mr. Collini stated that the pool will be officially opened for the season on Wednesday, June 5th.

Mr. Rametta stated that he wished to thank David Frickanisce for the repairing the diving board and the door to the pool kitchen. He stated that Mr. Frickanisce only charge the Borough for materials and donated his labor.

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

SOLICITOR'S REPORT:

With the absence of the Solicitor Loperfito, the Secretary presented the following items for Council's approval:

1). To tentatively adopt Resolution No. 4-2013, which authorizes the borrowing of \$800,000 of advanced financing funds from Apollo Trust Company for the Phase II Sewer Separation Project and an interest rate of 2.15%, pending the Apollo Trust Company approving the interim loan agreement. (See pages 6-A & 6-B)

A motion was made by Mr. Rametta, second by Mr. Sciullo, to adopt tentatively adopt Resolution No. 4-2013. Motion carried.

2). Action to approve the submission of a letter to Lawrence Gasparato regarding Phase I Sewer Separation Project. (See page 6-C)

A motion was made by Mrs. Chvala, second by Mr. Sciullo, to approve the sending the aforementioned letter to Mr. Gasparato. Motion carried.

3). Notice that the Vandergrift Borough will hold a special public meeting on Monday, June 24th, at 7:00 p.m., at the Casino Theater for the purpose of discussing Phase II Sewer Separation Project. (See page 6-D)

4). Approve the advertising of Ordinance No. 5-2013, which increases the monthly sewer recovery rates from \$10.00 to \$18.00 per month, effective October 1, 2013. Said ordinance to be adopted at the July 8, 2013 meeting of Council.

A motion was made by Mr. Sciullo, second by Mrs. Chvala, to advertise for adoption Ordinance No. 5-2013. Motion carried.

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

UNFINISHED BUSINESS:

Mr. Rametta questioned if any action will be taken on a proposed ordinance prohibiting the use and storage of gas grills on front porches.

The Secretary stated that Solicitor Loperfito recommended that no action be taken on this matter at this time.

6-11

RESOLUTION 4 of 2013

A RESOLUTION OF THE BOROUGH OF VANDERGIFT, COUNTY OF WESTMORELAND AND COMMONWEALTH OF PENNSYLVANIA AUTHORIZING THE BORROWING OF \$800,000.00 OF ADVANCED FINANCING FUNDS FROM PURPOSES OF THE VANDERGIFT SEWER SEPARATION PROJECT PHASE II FROM APOLLO TRUST COMPANY AND APPROVING THE EXECUTION OF ALL DOCUMENTATION ASSOCIATED WITH THE LOAN BY THE COUNCIL PRESIDENT AND BOROUGH SECRETARY ON BEHALF OF THE COUNCIL OF THE BOROUGH OF VANDERGIFT.

WHEREAS, the Borough of has deemed that advanced financing is necessary to pay costs and expenses associated with Phase II of the Vandergrift Sewer Separation Project, which is to be funded by a Pennsylvania Infrastructure Investment Authority (PennVest) loan/grant combination in the amount of \$10,880,300.00; and,

WHEREAS, the Council of the Borough of Vandergrift deems that the loan in the original principal amount of \$800,000.00 should be obtained through Apollo Trust Company subject to their offer of credit which provides for twenty-four (24) months of interest only payments at a fixed rate of 2.15%; and,

WHEREAS, the Council must nominate, constitute and appoint officers of the Borough of execute all documentation presented by Apollo Trust Company which is necessary and required for financing, as well as all documentation required by PennVest in order to approve the intra-creditor agreement and any other agreements necessary to allow PennVest to approve funding,

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

BE IT RESOLVED, as of the first date written below, that the Borough of Vandergrift does hereby approve the borrowing of up to \$800,000.00 from Apollo Trust Company at a rate of 2.15% for a period of up to twenty-four (24) months with interest only payments on a monthly

6-8

basis and with a final payment of principal and interest on the 24th month following the closing of the loan with Apollo Trust Company;

IT IS FURTHER RESOLVED, that the Borough shall nominate, constitute and appoint Brian J. Carricato, Council President, and in his absence, Vernon E. Sciullo, Vice-President, to execute all documents on behalf of the Borough of Vandergrift, including but not limited to, any and all loan documents as well as any and all documents required by PennVest and Apollo Trust Company and shall further nominate, constitute and appoint the Borough Secretary, Stephen J. DelleDonne, to attest as required, to any documents on behalf of the Borough of Vandergrift without further action of the Council of the Borough of Vandergrift;

IT IS FURTHER RESOLVED, that the Borough of Vandergrift does hereby approve the loan to be secured by the general and sewer revenues as collected by the Borough of Vandergrift and by the grant monies as provided to the Borough of Vandergrift and subject to reimbursement to the Borough of Vandergrift by PennVest and does further authorize the signators, as resolved and named herein, to execute any and all document in support thereof for Apollo Trust Company, PennVest or any other interested and necessary entity.

RESOLVED this 4th day June, 2013 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

APPROVED:

Louis E. Purificato
LOUIS E. PURIFICATO
Mayor

6-9

GEARY & LOPERFITO, LLC
ATTORNEYS AT LAW
158 GRANT AVENUE
VANDERGRIFT, PA 15690

TIMOTHY J. GEARY
LARRY D. LOPERFITO
ANTHONY G. URTI

(724) 568-3694
FAX: (724) 568-2500

Email Address:
ldl@gllawyers.com

June 4, 2013

Lawrence Gasparato
Project Specialist Region II
22 South Third Street
Harrisburg, PA 17101

COPY

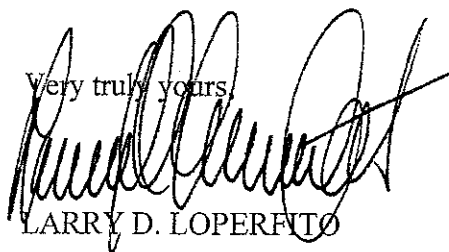
IN RE: Borough of Vandergrift Phase I Sewer Separation Project

Dear Mr. Gasparato:

Please be advised that I am the Solicitor for the Borough of Vandergrift. I have been advised by our Borough Engineer that additional inspection hours will be required on the Phase I Sewer Separation Project. The Engineer has advised me that the additional inspection work is the financial responsibility of the Borough of Vandergrift and not the contractor due to the additional construction time. As you have been advised by the engineer, the Phase I construction process has taken longer than the allotted time, as the original contract allotted twelve (12) months for construction, which expired at the end of April 2013. The Borough has approved a three (3) month extension to the end of July 2013 for all work and restoration to be completed. Please keep in mind that this is still within the time frame set forth in the project management plan as submitted by our Borough Engineer.

I thank you for your consideration of this matter and for your anticipated approval of the release of grant funds to cover the additional inspection necessary on this project.

Very truly yours,



LARRY D. LOPERFITO

LDL/slk

c: Stephen J. DelleDonne, Borough Secretary
Lucien Bove, Borough Engineer

6-0

**NOTICE OF SPECIAL PUBLIC MEETING OF THE COUNCIL OF
THE BOROUGH OF VANDERGRIFF REGARDING
VANDERGRIFF SEWER SEPARATION PROJECT – PHASE II**

NOTICE is hereby given that the Council of the Borough of Vandergrift, County of Westmoreland and Commonwealth of Pennsylvania will hold a special public meeting on Monday, June 24, 2013 at 7:00 P.M. at the Casino Theatre, 128 Washington Avenue, Vandergrift, Pennsylvania 15690, for the purpose of discussing, with the public, Phase II of the sewer separation project proposed for the Borough of Vandergrift.

If you are a person with a disability and wish to attend the scheduled meeting for the 24th day of June, 2013, at 7:00 P.M., at the Casino Theatre, and require an auxiliary aid, service or other accommodation to participate in the proceedings, please contact Stephen J. DelleDonne, Borough Secretary at 724-567-7818 to discuss how the Borough of Vandergrift can best accommodate your needs.

Stephen J. DelleDonne, Secretary
Borough of Vandergrift
Vandergrift, PA 15690

NEW BUSINESS:

Mrs. Wilson informed Council that R.A. Monzo Construction Company has donated \$1,000 to the Borough for the purpose of purchase new trees.. She stated that the planted of trees will be done in the fall of this year. She recommended that a thank you letter be sent to Monzo Construction Co.

President Carricato informed Council that he will be attending a ceremony this Saturday at Davis Field for the Western Pennsylvania Families of Fallen Heroes.

ADJOURNMENT:

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

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