

BOROUGH OF VANDERGRIFT

MINUTES OF THE VANDERGRIFT COUNCIL MEETING

JUNE 1, 2020

The Council of the Borough met in the Council Chambers of the Municipal Building at 7:00 pm, with President Chvala presiding. The Pledge of Allegiance to the Flag was recited. Due to the Governor's directive to stay at home, the regular public meeting will take place in a virtual setting utilizing "Zoom" format for online meetings.

MEMBERS PRESENT:

Lenny Collini	Christine Wilson
Thomas Holmes	Karen McClarnon
John Uskuriatis	Casimer Masgay
Kathy Chvala	

OTHER OFFICIALS:

Barbara Turiak, Mayor	Stephen DelleDonne, Secretary
Alain Generelli, Solicitor	Theresa Geltz, Asst. Secretary
Lucian Bove, Engineer	Joseph Caporali, Police Chief

MINUTES:

The minutes of the May 4, 2020 meeting were approved by motion of by Mr. Uskurastis, second by Mr. Holmes. Motion carried.

VISITORS:

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

Jody Sarno, 227 Whittier Street, stated that Council should work together and that public insults are no good in a public forum. He also stated that we have become a circus in the paper. He also stated that the gavel should be used to control all outbursts.

Susan Hockenbery, the Alle-Kisk Planning District, presented a brief presentation of the Reimagining Our Westmoreland Alle-Kiski Planning District. She stated that the Alle-Kiski project will focus on landuse, mobility, transportation and intergovernmental cooperation. Also to attract investments in our region. (See page 2-A)

Paul Levy, 420 Longfellow Street, recommended that Council extend the current Declaration of Emergency Disaster.

Vanessa Groholski, Director of the Vandergrift Public Library, stated that the library will reopen on June 15<sup>th</sup>, and will maintain CDC guidelines.

A motion was made by Mrs. Wilson, second by Mr. Uskuraritis, 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

REGULAR & STATED BILLS:

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

SPECIAL BILLS:

None

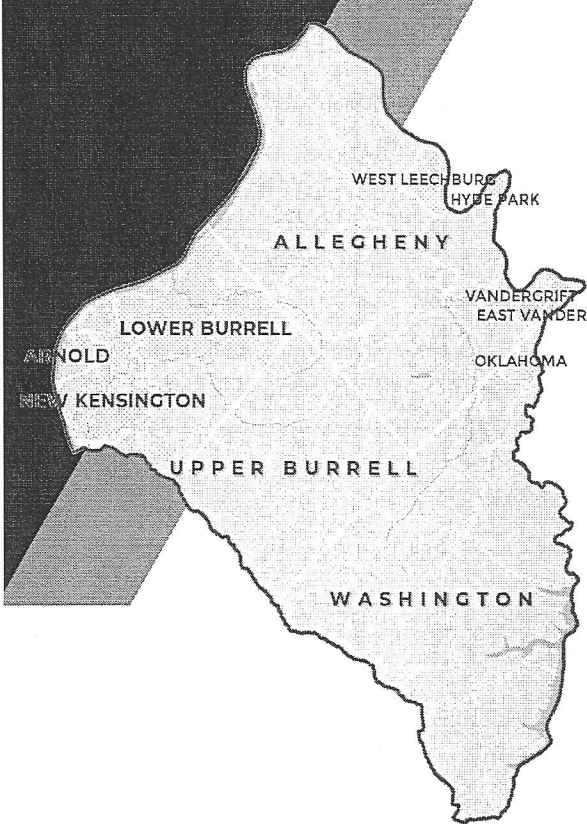
COMMUNICATIONS & CORRESPONDENCE:

None

STREET & SANITATION REPORT:

Chairperson Wilson presented the following list of part-time employees working within the Street & Sanitation Department: Tyler Anderson, Richard Butera, Michael Nunamker, Daniel Shaffer and William Cochran.

# ALLE-KISKI PLANNING DISTRICT



## WHY THE PLANNING DISTRICTS APPROACH?

Together, through the Planning Districts approach, we can increase efficiency, eliminate duplicated services, and improve our ability to work together in ways that make sense for the Alle-Kiski region. Together, we can do anything!

## WHERE ARE WE NOW?

Over the last year, we've developed as a team and identified issues of shared concern and are rallying around key strategies that include:

- Providing development-ready sites
- Utilizing planning best practices
- Eliminating blight
- Investing in beautification

We've articulated our commitment to intergovernmental collaboration by creating a set of by-laws and dues structure, which lay out how we can continue to work together on projects and programming in the coming months. And most importantly, we've secured Westmoreland County in an administrative support role to help kick things off.

## WHAT'S NEXT?

As the Westmoreland Planning Department and the consulting team complete the mobility plan and prepare the final report, now is the time for the local governing bodies of the Alle-Kiski region to review the progress to date, by-laws, and proposed resolution and dues structure.

In the coming weeks, Westmoreland Planning and the consulting team will schedule check-in's with each individual municipality to ensure all voices are heard.

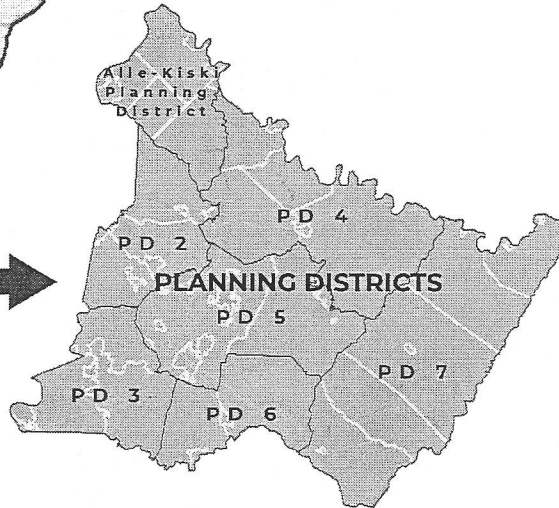
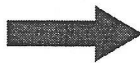
## WHAT'S THE URGENCY?

In light of recent events, the call to step beyond our individual municipal boundaries is louder than ever before.

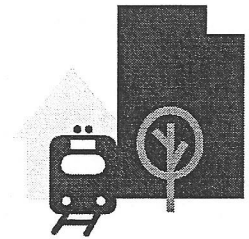
With strong connections already in place, the Alle-Kiski region will be well positioned to respond to circumstances within the region as a result of the latest downturn.

2-4

## COMPREHENSIVE PLAN ADOPTION



## FUTURE DEVELOPMENT



Accomplish identified projects/programming through participating Alle-Kiski Intergovernmental Council members

## STEPS TO THE ALLE-KISKI INTERGOVERNMENTAL COUNCIL

WE ARE HERE

Complete land use planning and commemorate progress through by-laws (framework for working together)

Complete mobility planning, Alle-Kiski Planning District report, and commit to working together through resolutions

Launch the Alle-Kiski Intergovernmental Council

Team development and identifying key issues

A motion was made by Mr. Holmes, second by Mr. Maszgay, to approve the employment of the aforementioned employees. Motion carried.

Mrs. Wilson informed Council that the Street & Sanitation Committee interviewed individuals to fill the vacant full-time labor position, with a CDL license. She stated that the Committee is recommending the hiring of Jeffrey Howard for this position on the condition of him successfully passing a background check.

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

Mr. Holmes reported that the new refuse truck should be delivered by July 1<sup>st</sup> or July 2<sup>nd</sup>

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

ENGINEER'S REPORT:

Engineer Bove presented and reviewed his report. (See pages 3-A & 3-B)

Mr. Bove stated that if Council wishes to apply for a Multi-Modal Grant for the purpose of reconstructing of streets, an application must be filed by July 31, 2020. He provided estimated costs for the reconstruction of the following streets:

1. Grant Avenue, from Columbia to Washington Avenue.	-\$61,000.00
2. McKinley Avenue, from Grant to Washington.	- 10,500.00
3. Sherman Avenue, from 8 <sup>th</sup> Street to Hamilton	- 30,000.00
4. Fifth Street, from Sherman to 11 <sup>th</sup> Street	- 22,000.00
5. Portion of Pennsylvania Avenue-	<u>20,000.00</u>
6. Total	\$143,500.00

A motion was made by Mr. Holmes, second by Mr. Uskuaritis, to authorize the Engineer to submit a Multi-Modal Application for the reconstruction of the aforementioned streets in an amount of \$143,500. Motion carried with Mrs. Wilson abstaining.

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

BUDGET & FINANCE REPORT:

No Report



## Engineer Report

To karenmcclarnon@vandergriftborough.com • lennycollini@vandergriftborough.com • kathychvala@vandergriftborough.com • casimermaszgay@vandergriftborough.com • tomholmes@vandergriftborough.com • johnuskuraitis@gmail.com • christinewilson@vandergriftborough.com • vgborosec@comcast.net • stevedelledonne@vandergriftborough.com • Kathy Chvala <kchvala222@comcast.net> Copy dboveengineering@comcast.net • Larry Loperfita <ldl@gllawyers.com> • Alaine Generelli <agg@gllawyers.com>

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Vandergrift Borough Council and Staff,

The following is a summary and status of the items worked on over the month of May or requiring action at the June meeting. As you know, things have been a bit out of sorts lately and I apologize for not getting this to you sooner. I will be available for questions, however, I will be joining the meeting a little late as I have another council meeting to attend.

### 127 Grant Avenue Demolition

The Demolition work is soon to be let out to bid by the County. We need to confirm that all utilities are disconnected.

### 404 Whittier Street Sanitary Sewer Backup - Follow-up

The property owner has disconnected their sewer from the house sewer at 406 Whittier and has connected to their own separate lateral. Therefore, we believe that this issue has been resolved and that the magistrate court filing may be withdrawn.

### 215 Bryant Street Proposed Driveway Concerns - Follow-up

The application has been revised however, it is insufficient. Information is needed regarding the width, dimensions and surfacing. This will be communicated to the applicant. The application fee has been paid and an inspection fee will be required prior to final approval.

### No. 1 Fire Dept. Pillar Trail Repair

We are still awaiting a follow up from Jedco regarding the pillar.

### 326 Longfellow Street Unsafe Structure

Report submitted. It is believed the property owners are deceased.

### Other Structures Inspected for Unsafe Conditions (Reports pending)

111 Washington - Roof collapsing among other issues

Garage on 27<sup>th</sup> Street - Wall Cracks (rear of 325 Longfellow)

509 Linden – Side Porch Collapsing

206 1/2 Lowell Street

The property owner is in the process of applying for a driveway permit and a permit for a small retaining wall.

Vandergrift Pool

Payment Request #2 being processed.

ITEMS REQUIRING ACTION OR DISCUSSION

23rd Street Curb Replacement and Brick pavement restoration

Work complete today. We are requesting approval to pay the invoice when it is received in the amount of \$9,273.50 as approved by Council in May.

Project 70 Timber Harvest

This project was commenced last fall. If Council wishes to proceed with the process using the forester (David O'Barto), Council will need to take action to approve the agreement with Mr. O'Barto contingent upon the Solicitor's review and recommendations. See attached Forest Assessment.

Driveway Permit Ordinance

Due to the increase in need for parking since many residents have several vehicles per household, we are getting more and more driveway permit applications. In order to effectively deal with private driveways, regulations that protect the Borough and the public are needed. We are working with the Solicitor's office on the driveway standards and requirements. We highly recommend that the proposed ordinance be approved as soon as possible. See attached draft.

Please let me know If anyone has any questions. Thank you.

Sincerely,

**Lucien Bove, PE**

**Bove Engineering Company**

**8201 Route 819**

**Greensburg, PA 15601**

**(724) 925-9269**

POLICE & PUBLIC SAFETY REPORT:

No Report

BUILDING & GROUNDS:

Chairperson Collini expressed appreciation to Laurel Awnings for repairing the Borough's American flags at no cost.

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

TREE & LIGHT REPORT:

Chairperson McClarnon reported that a Sycamore tree on Washington Avenue, near the PNC Bank, was removed because due to the existence of a dangerous situation. She stated that the cost to remove the tree was \$1200.00.

A motion was made by Mr. Maszgay, second by Mr. Uskuaritis, to accept the Tree & Light Report. Motion carried.

GENERAL GOVERNMENT REPORT:

President Chvala recommended that the Borough have its own Facebook Page to use strictly for posting Borough business. She stated that the Assistant Secretary, Theresa, will run it.

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

Mrs. McClarnon questioned why nothing has been about a web page for the Borough.

President Chvala stated that Mr. Bill Klems was contacted but he never got back to her, and he was not insured. She stated that Levy Market wanted \$5,000 just to build a web page. She also contacted a Paul Black three time, of whom, never responded.

A motion was made by Mr. Uskuaritis, second by Mr. Collini, to return to having Jackie Vigna running the Borough's website.

Mrs. McClarnon stated that she was opposed; and therefore, requested a roll call on the motion.

Mr. Uskuraitis rescinded this motion, and Mr. Collini rescinded his second.

Mr. Holmes recommended that this matter be postponed until the next Council meeting.

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

RECREATION REPORT:

Chairperson Uskairitis reported that the liner installation has been completed and the pool is holding water. He stated that chemicals will be added and the new heater will be installed on June 2<sup>nd</sup>.

A motion was made by Mr. Uskairitis, second by Mrs. Wilson, to hire Daisha Clayton as the pool manager to be paid \$7800 for the 2020 summer season. Motion carried.

Mrs. McClarnon stated that Council is putting a lot responsibility on her.

A motion was made by Mr. Uskairitis, second by Mrs. Wilson, to hire Melanie Loughlin as the assistant manager to be paid \$3200 for the 2020 summer season. Motion carried with Mrs. McClarnon opposing.

Mr. Uskairitis presented a list of lifeguards to be employed for the 2020 summer season. (See page 5-A)

A motion was made by Mr. Uskairitis, second by Mr. Collin, to open the pool on June 12<sup>th</sup>.

Mr. Maszgay called for a roll call vote on the motion to open the pool.

The Secretary stated a Yes vote was in favor of the motion, and a No vote was opposing.

Mr. Collini- Yes

Mr. McClarnon- No

Mrs. Wilson –Yes

Mrs. Chvala –Yes

Mr. Maszgay- No

Mr. Holmes – Yes

Mr. Uskairitis – Yes

The Secretary stated that the motion on the floor passed with <sup>5</sup>6 members voting in favor and <sup>2</sup>1 member opposing.

A motion was made by Mr. Uskairitis, second by Mr. Collini, to open the parks, playgrounds, the skateboard area, and the basketball courts on condition that all CDC guidelines are put in place. Motion carried with Mrs. McClarnon opposing.

Mr. Holmes stated that if a hot spot arises with the corona virus, these areas will shut down.

5-17

Daisha Clayton <daisha.clayton@kiskiarea.com>

6/1/2020 7:50 PM

## employee list

To Theresa Geltz <vgborosec@comcast.net>

Ka Clayton  
Anyah Booker  
Jack Blumer  
Mason Bennett  
Chris Dongiovanni  
Gianna Clayton  
Lexy Pollick  
Sidney Palla  
Christa Palla  
Joey George  
Alex Orange  
Abby King  
Valerie McMullen  
Jocelin Spencer  
Nick Delp  
Gabby ?  
Bella Uskuraitis  
Hailey Bollinger  
Jameson Sells  
Paige Faulk  
Alayna Mintz

These are the current lifeguards/staff. I do not know for sure that all of these kids are returning. I have not reached out to any of them because I was not sure if we were opening.

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**Daisha Clayton**  
**East Primary-Grade 4**  
**724.567.6706**

Andie Zielinski  
Connor Flemm

Due to the Covid 19, there will be no season passes sold this year. He stated that only gate fees will apply.

A motion was made Mr. Uskuaritis, second by Mr. Collini, to set the gate fee at \$6.00. Motion carried.

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

#### SOLICITOR'S REPORT:

Solicitor Generelli presented copies proposed Ordinance No. 2-2020, which authorization the creation of Shade Commission.

Following a discussing of members of Council concerns about possible increased costs to the budget and possible liability claims, it was agreed to allow members to review this ordinance and return to Council with a list of their concerns.

Solicitor Generelli presented a draft ordinance regarding the establishment of a driveway ordinance. (See pages Pages 6-A thru 6-H)

Mr. Holmes recommended that Council review the proposed ordinance for the purpose of making any changes or additions.

Solicitor Generelli will also consult with the Borough Engineer regarding any changes.

Engineer Bove recommended that \$125.00 permit fee be included in the ordinance.

Solicitor Generelli presented Resolution No. 7-2020 for adoption, which authorizes the administration of a police traffic service grant for the fiscal year 2021. (See pages 6-I & 6-J)

A motion was made by Mr. Holmes, second by Mr. Collini, to adopt Resolution No. 7-2020. Motion carried.

Mrs. McClarnon requested that a key police be established. She state that no one knows who has what keys.

Solicitor Generelli requested that she will attempt to prepare a key policy once she determines what keys to what buildings and who should have a key.

Mrs. McClarnon questioned why cameras where placed at Kennedy Park and who access to them.

BOROUGH OF VANDERGRIFT  
ORDINANCE NO. \_\_\_ OF 2020

AN ORDINANCE OF THE BOROUGH OF VANDERGRIFT, COUNTY OF WESTMORELAND AND COMMONWEALTH OF PENNSYLVANIA AMENDING ORDINANCE \_\_\_, AS ENACTED ON \_\_\_\_\_, AND AS CODIFIED IN THE VANDERGRIFT CODE OF BOROUGH ORDINANCES CHAPTER \_\_\_ STREETS AND SIDEWALKS, PART \_\_\_ SECTION \_\_\_, ESTABLISHING RULES AND GUIDELINES FOR THE CREATION AND INSTALLATION OF DRIVEWAYS.

WHEREAS, the Borough of Vandergrift has received requests for curb cutting for private property owner residents of the Borough of Vandergrift to modify their property to include private driveways with the intent of connecting to public roadways;

WHEREAS, the Borough of Vandergrift believes that there are certain requirements which should be met by any such property owners before permitting private driveways to connect to public roadways in effort to protect the public's health, safety and welfare;

WHEREAS, the Borough of Vandergrift believes that such requirements should be uniform, meet standards set by the Borough of Vandergrift and applied to all residents of the Borough of Vandergrift who apply for such driveway permit;

WHEREAS, the Borough enacts this Ordinance under the powers granted to a Borough under the Pennsylvania Borough Code, Title 8, Pa.C.S. Section 101, et. seq.

NOW THEREFORE, the Borough of Vandergrift does hereby ordain and enact as follows:

SECTION I

DEFINITIONS.

As used in this chapter, the following terms shall have the meanings indicated:

BOROUGH: The Borough of Vandergrift, Westmoreland County, Commonwealth of Pennsylvania.

COUNCIL: The Council of the Borough of Vandergrift, Westmoreland County, Commonwealth of Pennsylvania.



**CONTRACTOR:** The party, person, firm, partnership or corporation who or which installs a driveway, including all agents, officers or employees of said party, person, firm, partnership or corporation.

**DRIVEWAY:** Any area of land designated or used as a means of ingress and/or egress for either vehicles or pedestrian traffic from a public road to a piece, parcel or tract of land.

**OWNER:** The record owner of the land upon which the driveway is or is intended to be located.

**PERMIT:** A permit issued by the Council to signify the approval of the driveway connection to the public roadway.

**PERSON:** Any individual, partnership, company, association, society, corporation or other group or entity.

**PUBLIC ROAD:** Any road, street, alley or public thoroughfare whether actually maintained by Vandergrift Borough as part of its road system, or whether shown on a subdivision or land development plan and intended to be offered or dedicated to the Borough of Vandergrift in the future as part of the Borough of Vandergrift road system.

**SECTION II**

**A. General Standards.**

- (1) All driveway applications must be submitted by the property owner, with proof of ownership submitted with the driveway application.
- (2) In order to provide a safe and convenient means of access, grades of all driveways shall be in accordance with 67 PA Code § 441.8. Driveways, in all districts other than residential districts, shall have a maximum grade of 10%.
- (3) All driveways shall be properly constructed in accordance with the state and/or Borough regulations. Driveways within the Borough shall be installed in accordance with 67 PA Code § 441.8.
- (4) Driveways shall not be constructed in such a way as to create a drainage problem on an adjacent lot. The size and type of drainage facilities shall be subject to the approval of the Borough Engineer.
- (5) Visibility entering onto or from public roads at driveways shall be maintained. Driveway pillars along local roadways shall be a minimum of three feet off the curb. Driveway pillars along collector or arterial streets shall be positioned outside the right-of-way.
- (6) Sight distance for driveways. All driveways intersecting with Borough roads must have a minimum sight distance as described herein, corresponding to PADOT Regulations, Title 67 Section 441.8(h).

- (7) Highway occupancy permits on state roads must be obtained.
- (8) All driveways shall be located, designed and constructed in such a manner as not to interfere or be inconsistent with the design, maintenance and drainage of the street upon which said driveway exits.
- (9) Access driveways should not be located at intersections that would interfere with the placement and proper functioning of street signs, signals, detectors, lighting or other devices that affect traffic control. The location of a driveway near a signalized intersection that has an actuated traffic signal may include a requirement, subject to the approval of PADOT, that the applicant provide (without expense to the Borough) additional detectors for the control of traffic movement.
- (10) Access driveways shall be located in such place so that they will not cause the following: interference with the traveling public; a hazard to the free movement of normal traffic. Driveways shall be located where the street alignment and profile are favorable, i.e., where there are no sharp curves or steep grades and where sight distance is adequate for safe traffic operation.
- (11) No part of any access driveway shall be constructed outside of the applicant's frontage or projection thereof.
- (12) Driveways designed and constructed to provide for two-way movement of vehicles shall form an angle of intersection of 90 degrees with the street line or as near thereto as conditions permit.
- (13) All driveways shall be paved. The quality of concrete or asphalt used for said paving, repaving and repairing shall be prescribed by the Street Committee or the Borough Engineer and shall be laid to the grade line of the street.
- (14) Number of driveways. The number and location of entrances which may be granted will be based on usage, interior and exterior traffic patterns and current design policy of the Borough.
  - a. Normally, only one driveway will be permitted for a residential property and not more than two driveways will be permitted for a nonresidential property.
  - b. If the property frontage exceeds 600 feet, the permit may authorize an additional driveway.
  - c. Regardless of frontage, a development may be restricted to a single entrance/exit driveway, served by an internal collector road separated from the traveled way.

**B. Driveways in Nonresidential Districts.**

- (1) Interior circulation and traffic control. Driveways in the nonresidential and industrial districts shall not exceed 25 feet in width, exclusive of the curb return radius of 25 feet. Safety considerations in the review process will include limits on the number of

driveways, one-way access requirements, possibilities for the sharing of curb cuts, and PADOT review where required.

- a. Driveways that provide parking spaces should be so designed as to discourage through traffic. If parking spaces are indicated by lines with angles other than 90 degrees, then traffic lanes may be restricted to one way, permitting head in or diagonal parking.
- b. Driveways for areas provided for loading and unloading of delivery trucks and other vehicles, and for the servicing of shops by refuse collection, fuel, deliveries and other service vehicles shall be separate from driveways used by the general public for access to parking areas if required by the Council of the Borough of Vandergrift.

(2) Design.

- a. Design of driveways shall include provisions for positive subsurface and subbase drainage under and at the outside edges of the paving. In major cut or potentially wet areas, underdrains are to be installed under edges of the driveway and connected to the storm drainage system.
- b. Curbs shall be installed on sides of driveways as requested by the Borough Engineer to contain vehicular traffic, protect pedestrians, control stormwater and reduce maintenance of adjacent seeded or planted areas.
- c. Where no curbs are to be installed, paved scupper ditches of sufficient depth to intercept surface water and maintain a dry subgrade for the driveway paving shall be installed.
- d. Traffic and control signs shall be provided and "no parking" and speed limit posted where required by the Borough.

**C. Permit Required.**

No person, owner or contractor shall hereafter install, initiate any work or allow the installation or initiation of any work toward the installation of a driveway without first obtaining a permit therefor from the Borough of Vandergrift.

All proposed driveways intended to connect to a state roadway will also require a state highway occupancy permit, issued by PennDOT, in addition to a permit issued by the Borough of Vandergrift, prior to the initiation of any work toward the installation.

**D. Application.**

Any person, owner or contractor shall, prior to obtaining a driveway permit, file an application, on an application form supplied by the Borough of Vandergrift, reflecting and showing the location

of the proposed driveway relative to the premises and designating the course, grade, structure, materials and drainage facilities, if any, involved in the construction of the driveway.

**E. Application Processing Procedures.**

- (1) The application shall be reviewed by the Borough Engineer, with all costs of the same to be paid by the applicant.
- (2) The Borough Engineer shall determine if the proposed method of constructing or making said connection to the public road, as reflected on the application, is such that it will:
  - (a) Minimize the adverse effect of stormwater runoff resulting from said connection;
  - (b) Not cause damage to the road to which the driveway is to be connected;
  - (c) Not create or increase hazardous driving conditions for those persons using the road to which the driveway is proposed to be connected;
  - (d) Not obstruct the roadside ditches or cause stormwater to divert onto the improved portion of the roadway;
  - (e) Be of the same elevation as compared to the roadway surface;
  - (f) Demonstrate drainage facilities of adequate size to carry all stormwater under the driveway with the drainage pipe to be of a minimum diameter of 15 inches;
  - (g) Result in adequate sight distance for vehicles entering and leaving the public roadway.
- (3) If found satisfactory by the Borough Engineer, the Engineer shall advise the Council for the Borough of Vandergrift; the Council of the Borough of Vandergrift may cause a permit to be issued.
- (4) If the application is found to be deficient, or if in the opinion of the engineer the plan could be improved so as to more adequately address the items reviewed in Subsection B, the Engineer shall, by written communication to the applicant, notify the applicant of the required changes;
- (5) If the applicant desires to proceed, the applicant shall submit a modified application to the Borough of Vandergrift;

- (6) At such time as the application is deemed to be sufficient the Engineer shall communicate his approval to the Council of the Borough of Vandergrift and may cause a permit to be issued.

**F. Fees.**

The application shall be accompanied by an application processing fee, a postconstruction inspection fee and a security deposit; the security deposit shall be refunded to the applicant upon satisfactory completion of the postconstruction inspection and approval of the driveway connection. If the postconstruction inspection reflects deficiencies in the driveway connection, the Borough of Vandergrift may use the security deposit funds, up to the full amount, to make repairs or corrections. If there is any deficiency, the Borough of Vandergrift shall have authority to lien the property for any additional amounts expended for correction or repair.

The amounts of said application processing fee, postconstruction inspection fee and security deposit shall be set from time to time by resolution of the Council of the Borough of Vandergrift. The Council for the Borough of Vandergrift may set different fees and deposits for residential or nonresidential permits.

**G. Sight Distance.**

- (1) Sight distance shall be adequate to safely allow each permitted movement to made into or out of the driveway.
- (2) Minimal acceptable sight distance requirements shall be as follows:

Posted Speed (mph)	Safe Sight Distance – Left (feet)	Safe Sight Distance - Right (feet)
25	250	195
35	440	350
45	635	570
55	845	875

**H. Construction.**

All construction in any way incidental to the installation of the driveway shall be performed in strict conformance with the approved plans.

**I. Separate Permits.**

Each driveway, whether serving the same premises or not, shall require a separate permit.

**J. Inspection.**

- (1) Work authorized by a Borough driveway permit for construction of an access driveway shall be performed at such time and in such manner as to conform to all requirements and standards specified herein. The applicant must advise the Code Officer when the

work will commence and the approximate date of completion of the work. No trenches may be backfilled or culvert pipes covered or paved over until the Code Officer or Borough Engineer inspects such work. Such work may be inspected by a representative of the Borough at any time, but at a minimum, such work will be inspected during the work, prior to any backfilling and an additional final inspection upon completion of the work. Additional inspections may be required by recommendation of the Borough Engineer. If the Borough Engineer deems additional inspections to be necessary, it shall be the applicant's responsibility to notify the Code Officer or the Borough Engineer at applicable stages of construction to allow for the required inspections.

- (2) It shall be the obligation of the applicant to notify the Code Officer when any excavation will be backfilled and paved. Failure of the applicant to so notify the Code Officer so as to give the Code Officer the opportunity to inspect the work shall be cause for revocation of the permit.
- (3) Upon completion of the construction, the applicant shall give written notice thereof to the engineer.
- (4) The Borough Engineer shall inspect the construction and, when necessary, enforce compliance with the conditions, restrictions and regulations prescribed by the permit and by this chapter.
- (5) If an inspection of the work discloses that it is not being or has not been properly performed, the applicant will be notified, in writing, by the Borough to take immediate action, at his or her own expense, to remedy the deficits and to conform with Borough requirements and standards.
- (6) Where any defect or lack of compliance is discovered, the applicant shall rectify the discrepancy within 20 days after written notice from the Borough to do so. If the applicant fails to do so or fails to repair the deficits, the Borough may complete the approved construction and impose upon the applicant the cost thereof together with an additional 20% of such cost. The Borough can seek repayment of the same under any and all remedies available under the law.

#### **K. Maintenance**

All driveways, adjacent areas and areas between such driveways including channelization, paving, drainage, etc., installed by the applicant shall be maintained by the property owner in such a manner as not to interfere or be inconsistent with the design, maintenance and drainage of the street or the safe and convenient passage of traffic upon the street.

#### **L. Violations and Penalties**

Any owner, person or contractor who or which violates any of the provisions of this chapter shall, upon conviction in a summary proceeding brought before a District Justice under the Pennsylvania Rules of Criminal Procedure, be guilty of a summary offense and shall be punishable by a fine of not more than \$1,000, plus costs of prosecution along with restitution to the Borough. In



default of payment thereof, the defendant may be sentenced to imprisonment for a term not exceeding 90 days. Each day or portion thereof that such violation continues or is permitted to continue shall constitute a separate offense, and each section of this chapter that is violated shall also constitute a separate offense. All fines collected for the violation of this chapter shall be paid to the Borough of Vandergrift for the general use of the Borough.

**M. Repealer:**

All Ordinances or parts of Ordinances in conflicts herewith be and are hereby repealed, except any Ordinance or parts of Ordinances that authorize greater remedies than this Ordinance are hereby preserved.

**N. 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.

**O. Conflict With Other Laws:**

In the event of a conflict between the requirements of this Ordinance and any state or federal requirements associated with taxing, the regulations promulgated under state and federal law, shall prevail.

**P. Effective Date.**

This Ordinance shall be effective as of the date of enactment and execution below.

ENACTED at Vandergrift, Pennsylvania on the \_\_\_ day of \_\_\_\_\_, 2020.

**BOROUGH OF VANDERGRIFT**

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

ATTEST:

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



6-7

**BOROUGH OF VANDERGRIFT  
RESOLUTION NO. 7 OF 2020**

**A RESOLUTION OF THE BOROUGH OF VANDERGRIFT, COUNTY OF WESTMORELAND AND COMMONWEALTH OF PENNSYLVANIA AUTHORIZING THE ADMINISTRATION OF THE POLICE TRAFFIC SERVICES GRANT FOR FISCAL YEAR 2021.**

**WHEREAS**, the Borough of Vandergrift is a participant in the Police Traffic Services Grant, hereinafter referred to as the "Grant", that funds DUI enforcement for eighteen (18) local police departments;

**WHEREAS**, the City of Lower of Burrell has declined the request to continue administration of the grant beginning in fiscal year 2021;

**WHEREAS**, the Grant, identified as the Police Traffic Services Grant, now encompasses four (4) areas of enforcement; namely, impaired driving (DUI), aggressive driving, occupant protection (Buckle Up PA) and pedestrian safety;

**WHEREAS**, the Grant operates on a federal fiscal year schedule and is funded in two (2) year cycles, this process currently encompassing the fiscal year 2021 cycle covering October 1, 2020 through September 30, 2022;

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

**RESOLVED**, that the Borough of Vandergrift does hereby resolve to administer the Police Traffic Services Grant for fiscal 2021 commencing on October 1, 2020 and ending on September 30, 2022.

**IT IS FURTHER RESOLVED**, that the Vandergrift Police Department, by a designated agent, so designated by the Chief of Police, shall be responsible for all submissions to the Pennsylvania Department of Transportation, as well as for maintenance for submissions for all reimbursements.

6-J

**IT IS FURTHER RESOLVED**, that the Police Department of the Borough of Vandergrift, shall maintain spreadsheets and documentation for all funds received and all reimbursements and shall provide the same to the Borough of Vandergrift or any member community upon request.

**IT IS FURTHER RESOLVED**, that the Secretary of the Borough of Vandergrift shall be responsible for fund distribution to participating municipalities as directed by the Vandergrift Police Department or their designated agent.

**IT IS FURTHER RESOLVED**, that the President of the Vandergrift Borough Council or the Vice President of Vandergrift Borough Council shall be authorized and directed to execute any Traffic Services Grant applications on behalf of the Borough of Vandergrift in their capacity as administrator during the cycle identified in this Resolution.

**RESOLVED**, at Vandergrift, Pennsylvania this 1<sup>st</sup> day of June, 2020.

**BOROUGH OF VANDERGRIFT**

BY: Kathleen Chvala  
**KATHLEEN CHVALA,**  
Council President

ATTEST:

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

Mr. Collini stated that the camera were used to assist the police to investigate activity at the parks.

Solicitor Generelli presented the proposed Declaration of Disaster Emergency which will extend said declaration to expire July 6, 2021. (See pages 7-A thru 7-C)

A motion was made by Mr. Uskuaritis, second by Mrs. Wilson, to adopt the aforementioned declaration. Motion carried.

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

UNFINISHED BUSINESS:

None

NEW BUSINESS:

Mr. Collini stated that Anthony Ferrante he would like to move the Car Show from June 5<sup>th</sup> to July 3<sup>rd</sup>.

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

Mrs. Wilson stated Patti Fellow, 216 Holmes Street, is requesting that her iron pin is missing and is requesting to have the iron pin replaced.

A motion was Mr. Uskuaritis, second by Mr. Holmes, to have Emil Bove survey the property at 216 Holmes for the purpose of setting new iron pin. Motion carried with Mrs. Wilson abstaining and Mrs. McClarnon opposing.

Mr. Uskuaritis informed Council that Sandra Lynn's Dance Studio wishes to use the stage at Kennedy Park June 6<sup>th</sup>.

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

ADJOURNMENT:

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

The meeting was adjourned at 9:15 pm.

DECLARATION OF DISASTER EMERGENCY

WHEREAS, on or about March 16, 2020, the Coronavirus (hereinafter referred to as "COVID-19") pandemic has caused or threatens to cause injury, damage and suffering to the persons and property of the Borough of Vandergrift; and,

WHEREAS, the World Health Organization and the Centers for Disease Control and Prevention (hereinafter referred to as the "CDC") have declared COVID-19 a "public health emergency of international concern," and the U.S. Department of Health and Human Services (hereinafter referred to as "HHS") Secretary has declared that COVID-19 creates a public health emergency; and

WHEREAS, it is critical to prepare for and respond to suspected or confirmed cases in the Borough of Vandergrift and to implement measures to mitigate the spread of COVID-19; and

WHEREAS, the COVID-19 pandemic threatens to endanger the health, safety and welfare of a substantial number of persons residing in the Borough of Vandergrift, and threatens to create problems greater in scope than the Borough of Vandergrift may be able to resolve; and,

WHEREAS, this threat of imminent disaster and emergency has the potential to cause significant adverse impacts upon the population throughout the Borough; and

WHEREAS, emergency management measures are required to reduce the severity of this disaster and to protect the health, safety and welfare of affected residents in the Borough of Vandergrift.

WHEREAS, the Council of the Borough of Vandergrift modified the Declaration based upon the movement of Westmoreland County from the RED PHASE to the YELLOW PHASE, effective April 28, 2020;

WHEREAS, the Declaration is set to expire June 1, 2020 at 7:00 p.m.;

WHEREAS, the Council of the Borough of Vandergrift desires to extend the Declaration due to ongoing need related to the COVID-19 pandemic;

NOW THEREFORE, we, the undersigned Mayor and Council of the Borough of Vandergrift, pursuant to the provisions of Section 7501 of the Pennsylvania Emergency Management Services Code (35 Pa.C.S. Section 7501), as amended, do hereby proclaim the existence of a disaster emergency in the Borough of Vandergrift.

FURTHER, we, the undersigned, direct the following:

1. The Borough of Vandergrift Emergency Management Coordinators shall coordinate the activities of the emergency response, to take all appropriate actions needed to alleviate the effects of this disaster, to aid in the restoration of essential public services, and to take any other emergency response actions deemed necessary to respond to this emergency.

2. Officials of the Borough of Vandergrift shall act as necessary to meet the current demands of this emergency; namely, by the employment of temporary workers, by the rental of equipment, by the purchase of supplies and materials, and by entering into such contract and agreements for the performance of public work as may be required to meet the emergency, all without regard to those time-consuming procedures and formalities normally prescribed by law, mandatory constitutional requirements excepted.

3. In order to mitigate the effects of the COVID-19 pandemic on public health, the following measures are hereby adopted originally declared by the Mayor of the Borough of Vandergrift effective 12:01 A.M. on April 28, 2020, amended, by act of the Borough of Vandergrift to expire June 1, 2020 at 7:00 P.M., and hereby extended until Monday, July 6, 2020 at 7:00 p.m. unless extended or terminated by the Council of the Borough of Vandergrift.

- A. The Borough of Vandergrift requires that utility customers and taxpayers mail in their payments. As always, a receipt will be mailed to you if you provide a self-addressed stamped envelope with your payment. The Borough Building front entrance will remain closed until further notice. Due dates however have not been changed at this time.
- B. Borough municipal offices will remain open during this time; however, walk-in visits are suspended until further notice. Borough employees are available to answer questions via telephone or email, during regular business hours. The department remains open for emergencies only.
- C. Meetings of Municipal Authorities, Board and Commissions will be limited to those with essential business to conduct.
- D. Borough buildings and properties are not available for limited use by outside groups at this time.
- E. Monthly in-person Borough Council meetings shall be attended by necessary personnel, while maintaining social distancing, with the public to attend and participate virtually. A live-stream meeting through Facebook Live, Skype, Zoom, GoToMeeting or another platform shall be scheduled, with an alternative method of public comment, to satisfy the requirements of the Sunshine Act. Council shall ensure that a reasonably accessible method of public participation is utilized and it is clearly explained to the public in advance of and during the meeting.
- F. In accord with the guidance as provided by the Centers for Disease Control and Prevention, social distancing is encouraged.

4. This declaration is hereby declared amended and extended upon approval of the Council of the Borough of Vandergrift this 1<sup>st</sup> day of June 2020.

\_\_\_\_\_  
KATHLEEN CHVALA,  
Council President

\_\_\_\_\_  
CHRISTINE A. WILSON

\_\_\_\_\_  
LENNY COLLINI

\_\_\_\_\_  
KAREN MCCLARNON

\_\_\_\_\_  
CASIMER H. MASZGAY

\_\_\_\_\_  
JOHN USKURAITIS

\_\_\_\_\_  
THOMAS HOLMES

ATTEST:

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

APPROVED:

\_\_\_\_\_  
(SEAL)  
BARBARA TURIK, Mayor

