

**BOROUGH OF SCOTTDALE  
REGULAR MEETING  
JULY 10, 2023**

The regular meeting of Scottsdale Borough Council convened at 6:40 pm with President Donald Stansak presiding.

**ROLL CALL** Mr. Siwula, Mrs. Colebank, Mr. Bell, President Stansak, Mr. Pinskey, Mrs. Robson, Mr. Chronowski, Solicitor Falatovich, Engineer Eby, Borough Manager Pallone, Mayor King, and Secretary/Treasurer Washington were in attendance.

Mr. Hovis was absent.

**CORRECTIONS OR ADDITIONS TO MINUTES**

Moved by Mr. Siwula, second by Mr. Chronowski to approve the June 12, 2023 minutes as written. Motion passed.

**PUBLIC COMMENT PERIOD**

Larry Keslar and Stephanie Schropp – Mr. Keslar and Mrs. Schropp reported issues at the old Mennonite Publishing House. There are rats and vandalism has occurred. The building is not safe. There is power on the third floor. There are 55 gallon drums of lye, WD-40, and antifreeze. There are drums leaking alcohol. Bricks are still falling from the building.

Verizon and AT&T have antennas on the roof of the building. They say the building is unsafe.

Solicitor Falatovich stated that he is looking into getting a conservatorship for the building. He is also talking to the Westmoreland County Land Bank about taking over the property.

Dora Packowski – Ms. Packowski stated that she sat on her porch and counted in an hour's time, 22 vehicles passed her house on South Chestnut Street. When the vehicles saw the new radar sign, they slowed down.

She also asked why the new cat ordinance is not on the website. Mrs. Washington said that ordinances would be updated in the next month.

Tom Zwierzelwski – Mr. Zwierzelwski spoke about the 150<sup>th</sup> anniversary of Scottsdale. The committee would like to put a banner up on Broadway. They would also like to have a parking meter decorating contest for the Christmas season.

He will write a letter to Council requesting approval for the banner and the decorating contest for next month's meeting.

**APPROVAL OF PAYROLLS** – Moved by Mr. Pinskey, second by Mrs. Colebank to approve the payrolls. Motion passed.

**APPROVAL OF BILLS AND LATE BILLS** – Moved by Mr. Chronowski, second by Mr. Siwula to approve the bills and late bills. Motion passed.

**ACTION ITEMS**  
**OLD BUSINESS**

Pool Building Update – To be discussed in Executive Session.

**GENERAL GOVERNMENT**

Approve Final Invoice for Borough Building Renovations – Moved by Mr. Chronowski, second by Mr. Siwula to approve the final invoice including Change Order No. 5 in the amount of \$6,310.79 to Nevaeh Pipe Bursting. Motion passed.

Open Bids for Borough Building Ramp Project – Engineer Eby opened the following bids:

<u>Contractor</u>	<u>Bid Amount</u>
El Grande Industries	\$169,465.00
Grahamboys LLC	\$169,000.00
Nevaeh Pipe Bursting LLC	\$ 79,582.00

Moved by Mr. Chronowski, second by Mr. Siwula to award Nevaeh Pipe Bursting as the low bidder contingent on the 2022 CDBG funding. A roll call vote was taken. Motion passed unanimously.

Borough Building Telephone System – Borough Manager Pallone reported that the Borough office phone system is not working correctly since the renovation. Armstrong Communications has quoted a new phone system for \$321.81/month.

Moved by Mr. Siwula, second by Mr. Chronowski to proceed with the new phone system as long as the cost does not go over \$355.00/month. Motion passed.

Tablets – President Stansak asked for an update on the tablets. Mr. Chronowski did not know how far along Mr. Hovis is with the project.

**PUBLIC SERVICES**

Approve Invoice for Handicapped Curb Ramps – Moved by Mrs. Colebank, second by Mr. Siwula to approve the invoice for the handicapped curb ramps in the amount of \$31,000.00 payable to KGD Contracting to be paid from liquid fuels. A roll call vote was taken. Motion passed unanimously.

Approve Ordinance No. 2117 for Garbage – Moved by Mr. Siwula, second by Mr. Pinskey to approve Ordinance No. 2117 Garbage. Motion passed.

AN ORDINANCE OF THE BOROUGH OF SCOTTDALE, COUNTY OF WESTMORELAND, COMMONWEALTH OF PENNSYLVANIA AMENDING CHAPTER 20 OF THE CODE OF SCOTTDALE BOROUGH REQUIRING THE OWNERS AND/OR OCCUPANTS OF ALL RESIDENTIAL AND COMMERCIAL PROPERTIES WITHIN THE BOROUGH TO MAINTAIN CURRENT ACCOUNTS WITH THE BOROUGH'S CONTRACTED GARBAGE HAULER, REQUIRING THE OWNERS AND/OR OCCUPANTS OF PROPERTIES WHOSE COLLECTION SERVICES TAKE PLACE IN ALLEYWAYS TO PROVIDE PROPERTY ADDRESSES IN THEIR REAR ALLEYWAYS, AND MODIFYING THOSE PENALTIES FOR VIOLATIONS OF THIS CHAPTER

WHEREAS, the Council of the Borough of Scottsdale has enacted Chapter 20 of the Code of Scottsdale Borough to provide for the collection and removal of solid waste from the Borough; and

WHEREAS, in order to facilitate collection services, the Borough require collections of solid waste to occur, where possible, in rear alleys; and

WHEREAS, the Council of Scottsdale Borough has been advised by its past and current hauler that delinquent accounts have compromised the ability of the hauler to provide collection services; and

WHEREAS, the Council of Scottsdale Borough believes it will experience excessive accumulations of garbage and other solid waste if the collection services provided by the Borough's licensed hauler are terminated for failure to pay account balances; and

WHEREAS, the Council of Scottsdale Borough desires to amend portions of Chapter 20 of the Code of Scottsdale Borough to address the aforesaid concerns as set forth in the attached Exhibit "A", with language in the existing Code to be deleted identified by being "struck through" and language added to the existing Code "underlined" therein; and

WHEREAS, such amendments require properties whose solid waste is collected from alleyways to identify their property by providing their address at the rear of their property as well as the front, make it a violation of the Chapter 20 of the Code of Scottsdale Borough to terminate, or cause the termination of, solid waste collection services with the Borough's licensed hauler and provide a penalty of not less than \$100 nor more than \$300 for violations and enable the Borough to recover all counsel fees, costs and expenses incurred in the enforcement of the Ordinance.

NOW, THEREFORE, WITH THE FOREGOING RECITALS BEING INCORPORATED HEREIN BY REFERENCE THERETO, THE COUNCIL OF THE BOROUGH OF SCOTTTDALE, COUNTY OF WESTMORELAND, COMMONWEALTH OF PENNSYLVANIA, HEREBY ORDAINS AND ENACTS AS FOLLOWS:

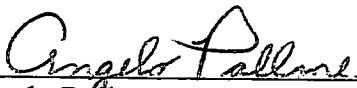
1. THAT, those amendments to Chapter 20 of the Code of Scottdale Borough set forth in the attached Exhibit "A", with language in the existing Code to be deleted being "struck through" and language added to the existing Code "underlined" therein, be and are hereby approved.

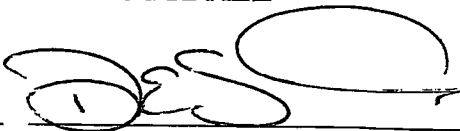
2. THAT, all other portions of Chapter 20 of the Code of Scottdale Borough not otherwise affected by these amendments shall continue in full force and effect.

THIS ORDINANCE IS DULY ORDAINED AND ENACED BY THE COUNCIL OF SCOTTTDALE BOROUGH AT A DULY ADVERTISED PUBLIC MEETING HELD THE 10th DAY OF July, 2023 AND SHALL BE EFFECTIVE IMMEDIATELY.

ATTEST:

THE COUNCIL OF THE BOROUGH  
OF SCOTTTDALE

  
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Angelo Pallone, Secretary

  
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Donald Stansak, President of Council

CHAPTER 20

SOLID WASTES

| zPart 1 Garbage Collection

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Part 1

Garbage Collection

[35 P.S. §6108.101: 53 P.S. §46202(10)]

§101. Short Title. This Part shall be known as the "Garbage Disposal Ordinance." (Ord. 931, 12/10/1983)

§102. Definitions. The following words and terms as used in this Part shall have the meaning ascribed thereto, unless the content clearly indicates a different meaning:

GARBAGE - shall include kitchen and table refuse, general combustible waste, paper and rags, paste-board boxes and containers, every accumulation of both animal and vegetable matter, that attend the preparation, decay or dealing in or storage of meats, fish, fowl, birds or vegetables, also all household waste or rubbish, including ashes.

BOROUGH - The Borough of Scottdale of Westmoreland County, Pennsylvania.

BOROUGH COUNCIL - is the governing body of the Borough of Scottdale, Westmoreland County, Pennsylvania.

CONTRACTOR - any person, firm, co-partnership, association or corporation who has been awarded a contract by the Borough to collect, transport and dispose of refuse for a fee as therein prescribed.

PERSON - includes individual natural persons, firms, partnerships, joint ventures, societies, organizations, clubs, associations, trustees, trusts, corporations, companies or organizations of any kind; or any officers, agents, employees, factors, or any kind of personal representative of the above, in any capacity, acting either for himself, or for any other person, under either personal appointment or pursuant to law.

RUBBISH - all miscellaneous waste materials not otherwise included herein<sup>a</sup> such as tin cans, pottery, and junk of all kinds resulting from the ordinary conduct of business or housekeeping.

(Ord. 931, 12/10/1983)

§103. Unlawful Disposal Defined. It shall be unlawful for any person to throw or deposit, or cause to be thrown or deposited or permit to be thrown or deposited, any garbage or rubbish or any other matter whatsoever upon any street, alley, highway, gutter, public or private grounds in said Borough or into any stream or streams flowing through or adjacent to the said Borough. No garbage or rubbish or any other matter as herein defined, shall be burned on any street, alley, highway, common or public grounds, or upon any premises in the open air, within the limits of said Borough, or deposited or left exposed on private property. (Ord. 931, 12/10/1983) Any person who causes the conditions referenced in the Section shall be deemed to have caused or created a nuisance and be in violation of this Chapter.

§104. Containers for Garbage Collection. Every person in the Borough having garbage or rubbish or any other matter as herein defined, shall place such garbage or rubbish or any other matter in suitable garbage cans, or receptacles, not to exceed thirty-five (35~~40~~) gallons capacity and which must

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have tight fitting, water-tight lids. All garbage should be thoroughly drained of liquid substance and wrapped in paper before placing in the storage containers. In winter, all containers must be free from ice and snow and all furnace ashes must be stored in metal containers not to exceed two (2) bushels of capacity. The use of any heavy garage oil drums for storage containers is strictly prohibited. Containers must be placed in any easy accessible location determined by the Contractor retained by the Borough for the disposal of the materials contained therein, to the rear of the property. Where there is no rear entrance to the property, containers must be near the front of the property or placed at the curb on pick-up days. (Ord. 931, 12/10/1983)

§105. It Shall be Unlawful to Share Containers. It shall be unlawful for any person to share the storage containers, or storage areas with any other person. (Ord. 931, 12/10/1983)

§106. Collection Practices. The Borough shall advertise for bids for a contract for the collection of garbage and rubbish and the contract shall be awarded consistent with the terms of the Borough Code to the highest bidder. Said contract shall specify the number of collections. Only that person who enters into said contract with the Borough shall be the "Borough Contractor" and be exclusively permitted to collect in the Borough. (Ord. 931, 12/10/1983).

§107. Specifications and Contract. The Borough shall prepare specifications for bidding of the contract covering the collection, removal, and disposal of garbage and rubbish and shall advertise for bids, giving such notice as it may deem adequate for the purpose, and reserving to the Borough the right to reject any or all bids. A time and place shall be appointed by the Borough for the submission of such bids and the same shall be opened and tabulated by Council. If a satisfactory bid be submitted by one deemed by Council to be a responsible bidder, Council shall award to such bidder the contract for the collection, removal and transporting to a designated dumping area or station for ultimate disposal by the sanitary land fill method. (Ord. 931, 12/10/1983)

§108. Exclusive Use of Borough Contractor. All persons, corporations, entities and firms are required to dispose of garbage and rubbish from their properties through the Contractor retained by the Borough. The failure to dispose of garbage and rubbish through the Contractor retained by the Borough, or to cause, authorize or permit or knowingly allow the suspension or termination of service by such contractor to a property, shall be a violation of this Chapter and subject the violator to those penalties set forth hereafter.

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For purposes of this Chapter, an owner of property who has received notice that property they own is subject to a suspension or termination of service, and who has failed to take the steps necessary to prevent such suspension or termination, shall be

deemed to have caused, authorized or permitted the suspension as set forth above, shall be in violation of this Chapter and subject to those penalties set forth herein.

**\$109. Rear Street addressing.** All owners and/or occupants of property whose solid waste collection services take place in the rear alley behind their property shall place, or cause to be placed, the address for the property at the rear of the property in the area in which the collection occurs. Such address shall be the same as the address for the property in the front of the house and be conspicuously located in the area in which collections for the property takes place.

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~~\$110. 108.~~ **Penalties.** Any person, firm, ~~or~~ corporation or other business entity who shall violate any provision of this Part 1 shall, upon conviction thereof, be sentenced to pay a fine of not less than one hundred dollars (\$100.00) nor more than three hundred dollars (\$300.00); and/or to imprisonment for a term not to exceed ninety (90) days. Every day that a violation of this Part 1 continues shall constitute a separate offense. In addition to those fines set forth herein, the Borough shall be entitled to recover all counsel fees, costs and expenses the Borough incurs in the prosecution of the violation. The penalties referenced herein are not exclusive. Nothing in this penalty section shall preclude the Borough from prosecuting, where warranted, violations of the Borough's property maintenance code or pursuing any other action at law or in equity that may be available to the Borough to enforce this Chapter or any other ordinance or code of the Borough. (Ord. 931, 12/10/1983; as amended by Ord. 957, 10/13/1986)

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Likewise, nothing in this section shall be deemed or construed to prevent the Borough from initiating an action at law or in equity against any violator to (a) abate any nuisance arising from the violation; (b) recover all costs and expenses incurred by the Borough in the abatement of such nuisance; and (c) recover all counsel fees, costs and expenses the Borough incurred in the prosecution of any such action.

In the event the Borough receives judgment in its favor, any amounts awarded may be collected by the Borough through any collection method available to the Borough.

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Park Avenue Paving – Moved by Mrs. Colebank, second by Mr. Siwula to pave Park Avenue from JS Drive to West Park Drive using 2021 CDBG funding. Motion passed.

Garbage – To be discussed in Executive Session.

## **PROTECTION**

Police Hiring and Civil Service Testing – Mr. Pinsky stated that the Borough needs to find different avenues to advertise for new officers.

Petition on Status of Publishing House – Mr. Pinsky stated that Council heard Mr. Keslar and Mrs. Schropp's comments on the Publishing House. The petition requested that the Borough hire pest control. The Borough would be liable if we were to hire someone.

Radarsign Results - Mr. Pinsky asked why the radar sign is not on Homestead Avenue? Mrs. Colebank stated that the owner said no to putting it in their yard. It was placed on South Chestnut Street instead.

National Night Out – Moved by Mrs. Robson, second by Mr. Siwula to close Spring Street from Pittsburgh Street to Mulberry Street from 4:00 pm to 9:00 pm for the National Night Out event. Motion passed.

Police Matter – To be discussed in Executive Session.

Police Vehicle – Mrs. Colebank and Engineer Eby wrote an LSA grant for a police vehicle and the Borough was awarded the grant in the amount of \$51,883.00.

Mrs. Colebank got a quote from Jim Shorkey Dodge for a V-6 Dodge Durango for \$52,458.00 fully equipped. This will include the trade in of one of the Dodge Chargers.

Mrs. Robson got a quote for a Ford Explorer for \$52,776.00 with the outfitting done by Speclin.

Blight Update – Solicitor Falatovich reported the following:

- 104 Newman Street – There is an agreement.
- 102 Mount Pleasant Road – He needs the sister of the owner's information.
- Central Grade School – Take off the list.

## **PARKS AND RECREATION**

Election – Mrs. Colebank was reelected as the chair and Amanda Stone-Henderson was elected the secretary.

Moved by Mrs. Colebank, second by Mr. Chronowski to approve the elections. Motion passed.

Picnic in the Park Participation – Moved by Mrs. Colebank, second by Mr. Pinsky to participate in the Picnic in the Park on August 20, 2023. Motion passed.

Motorcycle Trophies – Moved by Mrs. Colebank, second by Mr. Pinskey to approve invoices for the trophies in the amount of \$31.00. Motion passed.

Halloween Parade – Moved by Mrs. Colebank, second by Mr. Siwula to hold the Halloween parade on October 31, 2023 at 6:00 pm with trick or treat following until 8:00 p.m. Motion passed.

Winter Light Celebration Parade and Horse & Carriage – Moved by Mrs. Colebank, second by Mr. Pinskey to have the parade December 2, 2023 at 5:00 pm and have a horse and carriage in the parade and give rides to the public. Motion passed.

**JACOBS CREEK FLOOD CONTROL PROJECT** – Nothing to report.

**JACOBS CREEK WATERSHED ASSOCIATION** – Nothing to report.

**WESTMORELAND-FAYETTE MUNICIPAL SEWAGE AUTHORITY**

Approve Sewage Tap Permit – 242 Hunter Drive – Moved by Mrs. Colebank, second by Mr. Chronowski to approve a sewage tap permit for 242 Hunter Drive. Motion passed.

Accept Resignation of Thomas Seaman – Moved by Mrs. Colebank, second by Mr. Chronowski to accept the resignation of Thomas Seaman. Motion passed.

Letter of Interest from Tracie Brown to be on the Sewage Authority Board - Moved by Mrs. Colebank, second by Mr. Siwula to approve Tracie Brown to the Sewage Authority Board with a term to expire December 31, 2023. Motion passed.

Approve Resolution No. 2023-08 to Approve and Ratify Asset Distribution Agreement – Moved by Mrs. Colebank, second by Mr. Siwula to approve Resolution No. 2023-08 to approve and ratify asset distribution agreement. Motion passed.

A RESOLUTION OF THE BOROUGH OF SCOTTDALE, COUNTY OF WESTMORELAND, COMMONWEALTH OF PENNSYLVANIA APPROVING, REAPPROVING AND RATIFYING AN ASSET DISTRIBUTION AGREEMENT FOR THE DISTRIBUTION OF THE SALE OF THE ASSETS OF THE WESTMORELAND FAYETTE MUNICIPAL SEWAGE AUTHORITY

WHEREAS, the Borough of Scottdale (hereafter "Scottdale"), the Borough of Everson (hereafter "Everson"), East Huntingdon Township (hereafter "EHT") and Upper Tyrone Township (hereafter "UT"), collectively the "Municipalities", previously entered a series of Agreements with the Westmoreland Fayette Municipal Sewage Authority (hereafter "WFMSA") for the treatment of sanitary sewage generated by the Municipalities; and

WHEREAS, WFMSA was commissioned by the aforesaid Boroughs and Townships under appropriate resolutions, as required by the Municipality Authorities Act, to provide public sanitary sewer services within the Boroughs, Townships and/or adjacent municipalities (hereinafter referred to as the "Service Area") and pursuant to the discharge of those duties, has acquired, held, constructed, financed, improved, operated, maintained, owned sewers, sewer systems, sewage collection systems, sewage transportation and treatment works including works for treatment and disposal of industrial waste (hereinafter referred to as "Waste Water System") and has entered into agreements with adjacent municipalities and Municipal Authorities to provide for collection, transportation and treatment of sewage (collectively hereinafter called the "Service Agreements") under terms set forth in those agreements; and

WHEREAS, MAWC now owns and operates a waste water system, water works, water supply works and water distribution system (hereinafter referred to as "Westmoreland Water System") located in Westmoreland, Allegheny, Indiana, Fayette, and Armstrong Counties; and

WHEREAS, the Municipal Authority of Westmoreland County (hereafter "MAWC") previously proposed to purchase the assets and assume the debt of the WFMSA and the Municipalities through an Asset Purchase Agreement; and

WHEREAS, based on proposals received from the MAWC, the Municipalities, including the Borough of Scottdale, previously approved an Asset Distribution Agreement through which the proceeds of the sale of the assets of the WFMSA would be distributed between them in the event the terms of an Asset Purchase Agreement/Asset Transfer Agreement was reached, a copy of such Asset Distribution Agreement being attached hereto, made a part hereof and marked Exhibit "A"; and

WHEREAS, the Municipal Authority of Westmoreland County (hereafter "MAWC") has now proposed to purchase the assets and assume the debt of the WFMSA consistent with the terms of a certain Assets Purchase Agreement in the form attached hereto, made a part hereof and marked Exhibit "B"; and

WHEREAS, the Council of Scottdale Borough has approved the entry of the Assets Purchase Agreement attached hereto as Exhibit "B" by Resolution at a duly advertised meeting of the Council of Scottdale Borough held the 10th day of July, 2023; and

WHEREAS, the Council of Scottdale Borough desires to adopt this Resolution to approve, reapprove and/or ratify the Asset Distribution Agreement attached hereto as Exhibit "A".

NOW, THEREFORE, WITH THE FOREGOING RECITALS BEING INCORPORATED HEREIN BY REFERENCE THERETO, THE COUNCIL OF THE BOROUGH OF SCOTTDALE, COUNTY OF WESTMORELAND, COMMONWEALTH OF PENNSYLVANIA HEREBY RESOLVES AS FOLLOWS:

1. THAT, the Asset Distribution Agreement in the form attached hereto as Exhibit "A", and as previously approved by Motion of Council at a public meeting held on July 10th, 2023, be and is hereby APPROVED and/or REAPPROVED.

2. THAT, the President of Scottdale Borough Council and Secretary of Scottdale Borough be and are hereby authorized to execute or re-execute such Asset Distribution Agreement, and any other documents necessary to carry out its terms, on behalf of the Borough;

3. THAT, all actions previously taken by the President of Scottdale Borough Council, the Secretary of Scottdale Borough or the Council of Scottdale Borough with respect to the approval or execution of the aforesaid Asset Distribution Agreement to and through the date of this Resolution's adoption shall be and are hereby ratified and addirmed.


4. THAT, the Borough Secretary shall be and is hereby authorized to deliver a copy of this Resolution, and the signature page of the Agreement bearing the signatures of the representatives of Scottdale Borough referenced above, to Everson, EHT, UT, WFMSA and MAWC upon their execution.

THIS RESOLUTION IS APPROVED AND ADOPTED AT A DULY ADVERTISED PUBLIC MEETING OF THE COUNCIL OF SCOTTDALE BOROUGH HELD THE 10th DAY OF July, 2023 AND SHALL BE EFFECTIVE IMMEDIATELY.

ATTEST:

THE BOROUGH OF SCOTTTDALE

  
\_\_\_\_\_  
Angelo Pallone, Secretary

BY:   
\_\_\_\_\_  
Donald Stansak, President of Council

Approve Resolution No. 2023-07 WFMSA Asset Purchase Agreement – Moved by Mr. Siwula, second by Mrs. Colebank to approve Resolution No. 2023-07 WFMSA asset purchase agreement. Motion passed.

RESOLUTION NO. 2023-07

A RESOLUTION OF THE BOROUGH OF SCOTSDALE, COUNTY OF WESTMORELAND, COMMONWEALTH OF PENNSYLVANIA APPROVING AN ASSETS PURCHASE AGREEMENT WITH THE MUNICIPAL AUTHORITY OF WESTMORELAND COUNTY FOR THE SALE OF THE ASSETS OF THE WESTMORELAND FAYETTE MUNICIPAL SEWAGE AUTHORITY

WHEREAS, the Borough of Scottdale (hereafter “Scottdale”), the Borough of Everson (hereafter “Everson”), East Huntingdon Township (hereafter “EHT”) and Upper Tyrone Township (hereafter “UT”), collectively the “Municipalities”, previously entered a series of Agreements with the Westmoreland Fayette Municipal Sewage Authority (hereafter “WFMSA”) for the treatment of sanitary sewage generated by the Municipalities; and

WHEREAS, WFMSA has been commissioned by the aforesaid Boroughs and Townships under appropriate resolutions, as required by the Municipality Authorities Act, to provide public sanitary sewer services within the Boroughs, Townships and/or adjacent municipalities (hereinafter referred to as the “Service Area”) and pursuant to the discharge of those duties, has acquired, held, constructed, financed, improved, operated, maintained, owned sewers, sewer systems, sewage collection systems, sewage transportation and treatment works including works for treatment and disposal of industrial waste (hereinafter referred to as “Waste Water System”) and has entered into agreements with adjacent municipalities and Municipal Authorities to provide for collection, transportation and treatment of sewage (collectively hereinafter called the “Service Agreements”) under terms set forth in those agreements; and

WHEREAS, MAWC now owns and operates a waste water system, water works, water supply works and water distribution system (hereinafter referred to as “Westmoreland Water System”) located in Westmoreland, Allegheny, Indiana, Fayette, and Armstrong Counties; and

WHEREAS, the Municipal Authority of Westmoreland County (hereafter “MAWC”) has proposed to purchase the assets and assume the debt of the WFMSA and the Municipalities consistent with the terms of a certain Assets Purchase Agreement (hereafter the “Agreement”) in the form attached hereto, made a part hereof and marked Exhibit “A”; and

WHEREAS, consistent with the laws of the Commonwealth of Pennsylvania relating to agreements between governmental entities, as a result of the relationships between the WFMSA and the Municipalities and for the consideration set forth in the Agreement, the Borough of Scottdale, desires to approve and execute the Agreement; and

WHEREAS, the Council of Scottdale Borough desires to approve and adopt this Resolution for that purpose.


NOW, THEREFORE, WITH THE FOREGOING RECITALS BEING INCORPORATED HEREIN BY REFERENCE THERETO, THE COUNCIL OF THE BOROUGH OF SCOTTTDALE, COUNTY OF WESTMORELAND, COMMONWEALTH OF PENNSYLVANIA HEREBY RESOLVES AS FOLLOWS:


1. THAT, the Assets Purchase Agreement in the form attached hereto as Exhibit "A" be and is hereby APPROVED;
2. THAT, any non-substantive revisions to the Assets Purchase Agreement as may be suggested by the other parties hereto after the date of this Resolution to correct typographical errors or which do not materially affect the rights, duties and/or obligations of the Borough of Scottdale may be approved by the Borough Solicitor.
3. THAT, the President of Scottdale Borough Council and Secretary of Scottdale Borough be and are hereby authorized to execute the final version of such Agreement, and any other documents necessary to carry out its terms, on behalf of the Borough; and
4. THAT, the Borough Secretary shall be and is hereby authorized to deliver a copy of this Resolution, and the signature page of the Agreement bearing the signatures of the representatives of Scottdale Borough referenced above, to Everson, EHT, UT, WFMSA and MAWC upon their execution.

THIS RESOLUTION IS APPROVED AND ADOPTED AT A DULY ADVERTISED PUBLIC MEETING OF THE COUNCIL OF SCOTTTDALE BOROUGH HELD THE 10<sup>th</sup> DAY OF July, 2023 AND SHALL BE EFFECTIVE IMMEDIATELY.

ATTEST:

THE BOROUGH OF SCOTTTDALE

  
\_\_\_\_\_  
Angelo Pallone, Secretary

BY:   
\_\_\_\_\_  
Donald Stansak, President of Council

## **COMMUNITY DEVELOPMENT**

Approve 2023 CDBG Application Schedule – Moved by Mr. Pinskey, second by Mrs. Robson to approve the 2023 CDBG application schedule with the ability to amend said schedule. Motion passed.

## **NEW BUSINESS**

Donation for Fall Festival Electrical Repairs at the Gazebo – Moved by Mr. Siwula, second by Mrs. Colebank to approve donating up to \$4,500.00 from ARPA funds for the electrical repairs at the Gazebo. Motion passed.

## **CORRESPONDENCE**

Linda Turis – A request for a street light. Tabled until the next Council meeting.

Sue Rice-Lampo – A letter regarding a cat issue. No vote necessary.

Scottsdale Area Chamber of Commerce – A letter requesting approve to have the annual Winter Light Celebration on December 2, 2023.

Moved by Mrs. Colebank, second by Mr. Chronowski to approve the Winter Light Celebration on December 2, 2023. Motion passed.

## **SEMINARS**

PA Safety Days – Moved by Mrs. Colebank, second by Mr. Bell to send all four (4) Street Department employees to the PA Safety Days on August 10, 2023. Motion passed.

**ENGINEER'S REPORT** – Engineer Eby reported that there is a DCED intermodal grant open. He will apply for crosswalks and paving.

**SOLICITOR'S REPORT** – To be discussed in Executive Session.

**MAYOR'S REPORT** – Mayor King reported the following:

- He attended two (2) Protection Committee meetings
- Participated in the Memorial Day opening ceremony
- He and Mrs. Robson recorded an Armstrong spotlight segment
- He sent 18 letters asking for donations for National Night Out, electrical repairs at the Gazebo and the Police carport

Moved by Mrs. Colebank, second by Mr. Siwula to amend the agenda. Motion passed.

Moved by Mrs. Colebank, second by Mr. Siwula to apply for the intermodal grant with a 30% match of \$45,000.00. Approve with Resolution No. 2023-09. Motion passed.

## **DISCUSSION PERIOD**

Marty Adobato – He is taking care of a handicapped individual. He requested making Walnut Avenue a one way street and make parking on both sides. He also requested a dog park at Pittsburgh Street Park.



Council took a break at 9:03 pm.

**EXECUTIVE SESSION**

Council went into Executive Session at 9:13 pm.

Council reconvened the regular meeting at 10:27 pm.

Moved by Mr. Siwula, second by Mrs. Robson to have Sydney Hovis train Faith Tarr (Private Industry Council intern) on the website. Motion passed.

**ADJOURN** – Moved by Mr. Chronowski, second by Mr. Pinskey to adjourn the meeting at 10:28 pm. Motion passed.

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Borough Secretary