

## November 10, 2008

Derry Borough Council met in regular session Monday, November 10, 2008 at 7:00 P.M. in the Derry Station Community Room, 200 West Second Avenue, Derry, PA with the following members present: Allen Skopp presiding, Eric Tepper, Barry Smith, Curt Robbins, Kristine Snyder, and Chris Holnaider. Todd Krehlik was absent. Solicitor Rachel Riedel and Mayor Susan Bortz were present. Marie McCandless reporter of the Latrobe Bulletin was present.

**MOTION** by Curt Robbins to approve the minutes for regular meeting of October 13, 2008. Motion **SECONDED** by Eric Tepper. All council members present voiced “aye” in favor of the motion. Motion passed.

**MOTION** by Kristine Snyder to approve the treasurer’s report for October 31, 2008. Motion **SECONDED** by Barry Smith. All council members present voiced “aye” in favor of the motion. Motion passed

### VISITORS

1. Roger Weiss – 617 W. 1<sup>st</sup> Avenue – Requesting an alley way to be repaired. The temporary fix by the public works department didn’t work by filling in with millings and gravel. He dumped his bike and hurt his hamstring.

2. Chuck Derito – 604 W. 2<sup>nd</sup> Avenue – Requesting an alley way to be repaired. The temporary fix by the public works department didn’t work by filling in with millings and gravel. He has fallen due to the problem. His trailer has become unhooked and dislodged because of the unevenness. He confirmed with the township that this was a Borough issue. He has submitted a formal letter to council in the past. He is requesting council please revisit the issue and create a permanent solution.

Allen Skopp, president requested Barry Smith, Chair of Public Works Committee to discuss with Pat Byers. Barry had a concern with drainage into other resident’s yards.

Ed Schmitt offered to review the alley way.

3. Vince Mastrococco- Mastrococco’s Supermarket – Inquiring about the progress with Porcelain Park.

Solicitor Riedel explained that DEP met with the owner of the property and they are to be coming up with an environmental clean up plan for the property in the near future.

Mr. Derito asked if the Borough would receive any permit fees and mentioned that Westinghouse may have a role to play in the clean up. He hopes to see something happen soon for the children and residents of the Borough.

Mayor Bortz received a call from Rick Wadjic and he stated that there will be support from Congressman Murtha possibly in the amount of \$151,000 with Paul Kaye contributing \$50,000 to help with the clean up. Congressman Murtha would help with donation if the property qualifies as a Brownfield property.

4. Ed Schmitt – Gibson Thomas – reviewed projects. They are still working on the trash rack for 3<sup>rd</sup> Street Culvert. There is a ditchline at the end of the bridge on Rt. 217 that needs to be repaired. Penn Dot has requested concrete which would require closing down that area during the work. Gibson- Thomas will be submitting a plan for such repair requiring Penn Dot’s approval.

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This repair should take place in the spring. Borbonus will be working on West Fifth Avenue and finishing up on paving for 4<sup>th</sup> Ward within next couple of weeks.

### **ZONING OFFICER'S REPORT**

No report was presented. Zoning Officer was absent.

### **MAYOR'S REPORT**

Mayor's Report for October 2008 was presented by Mayor Susan Bortz with receipts of \$1,805.23 which included traffic receipts of \$1,381.49 and non-traffic receipts of \$381.49. There were 93 complaint calls, 22 traffic citations, and no non-traffic citations.

The police are addressing the number signs on resident locations when time is permitting.

Council discussed the present burning ordinance. There are concerns about what products are being burned, fumes, and impacts on the borough residents. The secretary will forward the current Ordinance to the Solicitor for review. Mr. Derito, a visitor mentioned issuing the possibility of burn permits for a fee.

Kristine Melville brought up the issue of a data base in preparation for the upcoming code enforcement officer. Curt Robbins explained that once she completes the information part, it can be downloaded into access and can be retrieved as an informational source.

Council went into executive session at 7:41p.m. Executive session ended at 8:05p.m.

### **COMMITTEE REPORTS**

Barry Smith reported that Pat Byers was called out for a police issue. A detainee broke the commode in the cell, and the main water line needed shut off. Restitution will be applied to the individual's fines.

Water line issues at the Municipal Building were discussed. The Municipal Authority and Gregory Martin have looked at the lines. It was suggested that this may turn into a capital project once installing a new main line.

Barry Smith was concerned about kids riding their bikes in potentially dangerous areas of the borough. Mastrococco's parking lot, on sidewalks, and charcoal piles located on private property.

Allen asked Barry if we could add three new garbage cans for the playground to the public works order for the business district so that we may reduce costs.

Kristine Melville requested to have at least two committee meetings prior to voting to advertise the General Fund Budget. She questioned why the one scheduled was cancelled. After discussion, council decided to have a committee meeting following tonight's meeting and one advertised and scheduled for next week on November 18, 2008.

### **REPRESENTATIVE REPORTS**

None

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### COMMUNICATIONS

There was a dumping complaint received that was forwarded to council by email earlier today. Sol. Riedel suggested contacting DEP regarding the matter. There may be pollutants going into the stream. Mayor said she would discuss with the Chief.

### UNFINISHED BUSINESS

1. Porcelain Park – Discussed earlier in meeting.
2. **MOTION** by Curt Robbins to advertise the Occupancy Permit Ordinance #724. Motion **SECONDED** by Barry Smith. Five (5) members present voiced “aye” in favor of the motion. Kristine Melville was against. Motion passed.
3. **MOTION** by Chris Holnaider to repeal current Zoning Ordinance and advertise the New Zoning Ordinance #725. Motion **SECONDED** by Eric Tepper. All members present voiced “aye” in favor of the motion. Motion passed.
4. Recodification - Tabled

### NEW BUSINESS

1. General Fund Budget – Tabled.
2. **MOTION** by Curt Robbins to advertise Sewer Fund Budget. Motion **SECONDED** by Eric Tepper. All members present voiced “aye” in favor of the motion. Motion passed.
3. **MOTION** by Eric Tepper to advertise for 2009 Tax Anticipation Loan in the amount of \$115,000. Motion **SECONDED** by Barry Smith. All members present voiced “aye” in favor of the motion. Motion passed.
4. **MOTION** by Eric Tepper to appoint Lori Latta as the Open Records Officer for Derry Borough for compliance of Act 3, of 2008 Providing Access to public information for the Open Records Law. Motion **SECONDED** by Chris Holnaider. All members present voiced “aye” in favor of the motion. Motion passed.
5. **MOTION** by Curt Robbins to advertise Ordinance #723 Assuring Compliance of Act 3 of 2008, The Pennsylvania Right to Know Law. Motion **SECONDED** by Eric Tepper. All members present voiced “aye” in favor of the motion. Motion passed.
6. **MOTION** by Curt Robbins to approve Third Street Culvert requisition No. 20 in the amount of \$4,246.26. Motion **SECONDED** by Chris Holnaider. All members present voiced “aye” in favor of the motion. Motion passed.

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7. **MOTION** by Barry Smith to approve Fourth Ward Project requisition No. 15 in the amount of \$192,123.61. Motion **SECONDED** by Kristine Snyder. All members present voiced “aye” in favor of the motion. Motion passed.
8. Dumping area on Keeling Avenue near Coles Cemetery – discussed earlier in meeting.
9. **MOTION** by Chris Holnaider to advertise the following Board and Commission Terms expiring in Derry Borough:
  - a. One (1) Five-Year Term expiring December 31, 2008, on the Municipal Authority Board of Directors
  - b. One (1) Five-Year Term expiring December 31, 2008, on the Zoning Hearing Board.
  - c. One (1) vacancy Term on the Zoning Hearing Board which will expire December 31, 2009.
  - d. Vacancy Board Chairman for 2009.
  - e. One (1) Four Year Term on the Planning Commission expiring December 31, 2011.

Motion **SECONDED** by Kristine Melville. All members present voiced “aye” in favor of the motion. Motion passed.

A committee will be created by Allen Skopp, council president for planning for a new combination municipal building.

**PAYMENT OF BILLS**

**MOTION** by Krisitne Snyder to pay the bills. Motion **SECONDED** by Barry Smith. All members present voiced “aye” in favor of the motion. Motion passed.

**ADJOURNMENT**

**MOTION** by Kristine Snyder to adjourn meeting at 8:45p.m. Motion **SECONDED** by Eric Tepper. All members present voiced “aye” in favor of the motion. Motion passed.

Respectfully submitted,

Lori L. Latta  
Secretary