

## MARCH 9, 2009

Derry Borough Council met in regular session Monday, March 9, 2009 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, Curtis Robbins, Todd Krehlik, Kristine Snyder, and Chris Holnaider. Barry Smith was absent. Mayor Susan Bortz and Solicitor Rachel Riedel were present. Marie McCandless of the Latrobe Bulletin was reporting.

**MOTION** by Chris Holnaider to approve the minutes for regular council meeting of February 9, 2009 amending Kristine Melville opposed Burn Ordinance. Motion SECONDED by Eric Tepper. All members present voiced "aye" in favor of the motion. Motion passed.

**MOTION** by Curt Robbins to approve the treasurer's report for February 28, 2009. Motion SECONDED by Chris Holnaider. All members present voiced "aye" in favor of the motion. Motion passed.

### VISITORS

1. Rick Urban, DVFD – Observing
2. Brian McDowell, DVFD – Observing
3. Vince Mastrococco, 1<sup>st</sup> Avenue, Derry – Observing.

Susan Bortz reported on Revitalization. She reported Jack Brown discussed with her that Derry Borough's interest in a housing development plan has been communicated to the county commissioner's office.

The art grant for the mural has been applied for and Susan asked if council would be willing to donate money towards the project in the amount of \$200. Susan will be donating \$200 from her mayor's salary. Curt Robbins had some concerns regarding the status of the Revitalization Organization. Sol. Riedel recommended council establishing a donation policy. Curt Robbins suggested making the donation contingent on approval of the grant and the Revitalization Corporation acquiring non-profit status. Kristine had brought documentation to council in the past stating that Revitalization should be kept separate from council. President Skopp suggested to Kristine and Susan to review what they may need for next year so council can include it in the 2010 budget.

Smart Growth is offering some upcoming training on Zoning and a conference in May which she forwarded information to everyone. Smart Growth provided a program for students at both Latrobe and Derry High Schools regarding local economics. On April 8, 2009 at 1:00p.m.at Latrobe Area High School there will be an additional student program and Smart Growth would like to see some local officials attend the event to support student's efforts setting a positive example.

There is Brownfield Conference up-coming in September, which the Mayor will forward information to the Borough office.

**March 9, 2009**

Vince Mastorocco is willing to send two people to the Smart Growth Zoning Program if anyone is willing to attend costing \$95 per person March 16<sup>th</sup>, 23<sup>rd</sup>, and 30<sup>th</sup>.

Chad Ruffner presented a project implementation plan for housing development by Homes Build Hope (rental program) which works closely with Westmoreland Community Action (ownership program) which Jack Brown presented last month.

Ed Schmitt opened and presented bids to council for the West Second Avenue Culvert Project.

**WEST SECOND AVENUE CULVERT PROJECT**

Accepting Bids until 4pm, Monday March 9, 2009

Bids Received

Gary Metzinger Cement Contractor Inc (Rec'd 3/9/09 1:04p.m.) - \$217,850

Sangro, Inc (Rec'd 3/9/09 1:45p.m.) - \$ 154,960

S&E Utility Contracting Inc. (Rec'd 3/9/09 2:46p.m.) - \$191,197.85

Rhino Construction, Inc. (Rec'd 3/9/09 2:52p.m.) - \$241,740

Ligonier Construction (Rec'd 3/9/09 3:24p.m.) - \$243,000

Five R Excavating, Inc. (Rec'd 3/9/09 3:25p.m.) - \$293,896.70

Donegal Construction (Rec'd 3/9/09 3:38p.m.) - \$216,498

Pugliano Construction (Rec'd 3/9/2009 3:38p.m.) - \$268,050

Mr. Schmitt will take the Bids back to Gibson Thomas Office to review thoroughly. Council can approve on the bids at the next council meeting.

Ed Schmitt reports that Borbonus will be continuing work shortly on 5<sup>th</sup> Avenue and binder will be put down as soon as weather permits. They sealed 3<sup>rd</sup> Street areas of paving that had cracked. They will be monitoring the area.

**President Allen Skopp stated Council went into executive session for Legal & Personnel Issues at 8:20p.m.on Monday, March 2, 2009 at the Council Worksession. Executive session ended at 8:40p.m.**

**MAYOR'S REPORT**

Mayor's Report for February 2009 with receipts of \$1,615.51 which included traffic receipts of \$1,335.49 and non-traffic receipts of \$134.26. There were 92 complaint calls, 38 traffic citations, and 3 non-traffic citations

The Mayor and Randy looked and chose a dog on Friday named Blade which is now with Randy. Susan requests that council and the public please let Randy introduce the dog to them and not to introduce themselves to Blade, respecting that he is a police dog.

Curt Robbins inquired if the training hours for the Chief were covered by the grant. The Mayor wasn't sure and will look into it. Allen requested Susan follow up, so that budget can be reviewed if needed. The dog will be trained as a narcotics and patrol dog.

Allen Skopp inquired if the contract DASD will be reviewed and amended to include rates for the use of the dog. The mayor will review the contract and follow up with council.

## March 9, 2009

### SOLICITOR'S REPORT

Cathy Rhodes will conduct a title search for a maximum cost of \$200, with approval from council on the (Creative Dreams) property located on the corner of S. Chestnut Street and East Second Avenue.

**MOTION** by Chris Holnaider to approve the title search by Cathy Rhodes to proceed with acquiring the property. Motion **SECONDED** by Curt Robbins. All members present voiced "aye" in favor of the motion. Motion passed.

**MOTION** by Curt Robbins to approve the property owners deeding the property to Derry Borough to acquire the property. Motion **SECONDED** by Chris Holnaider. All members present voiced "aye" in favor of the motion. Motion passed.

Once the property is acquired the committee will need to sit down together and create a plan for the building.

### COMMITTEE REPORTS

None

### ZONING OFFICER'S REPORT

Zoning officer presents report for February 2009 with receipts of \$15 for an Occupancy Permit.

### REPRESENTATIVE REPORTS

#### UNFINISHED BUSINESS

1. Porcelain Park – Tabled. Marlboro Holdings has filed for an appeal.
2. Recodification – Cheryl sent an email to the Borough office, regarding General Code's manuscript. Lori will submit a letter to General Code reflecting on the errors that Cheryl was finding.
3. **MOTION** by Kristine Melville to approve acquiring K-9 for Derry Borough Police Department which was grant funded. Motion **SECONDED** by Todd Krehlik. Chris Holnaider abstained due to lack of information regarding care of the dog and liability issues. Discussion with council and mayor proceeded to explain details. Five members voiced "aye" in favor of the motion. Motion passed.

Eric Tepper changed to abstaining as well. Discussion between Curt, Chris, and Eric with the Mayor took place regarding this item not being discussed thoroughly in advance. Information needs to be brought forward at the work sessions so that council has better information on the items needed voted on for approval.

#### NEW BUSINESS

1. Corner property at E. 2<sup>nd</sup> Avenue and South Chestnut Street – Discussed earlier in the meeting.
2. **MOTION** by Chris Holnaider to approve purchasing the LED Bulbs for the intersection including installation at the approximate cost of \$2,674.00. Motion **SECONDED** by Curt Robbins. All members present voiced "aye" in favor of the motion. Motion passed.

**March 9, 2009**

3. **MOTION** by Curt Robbins to approve Requisition #19 for Fourth Ward Project including change orders 6, 7, and 8 in the amount of \$78,964.83. Motion SECONDED by Eric Tepper. All members present voiced "aye" in favor of the motion. Motion passed.
4. **MOTION** by Curt Robbins to approve Requisition #22 for the Third Street Project/Storm Sewer separation in the amount of \$3,539.25. Motion SECONDED by Todd Krehlik. All members present voiced "aye" in favor of the motion. Motion passed.

**MOTION** by Eric Tepper to send Collen Holnaider to the Westmoreland County Boroughs Association Banquet. Motion SECONDED by Curt Robbins. All members present voiced "aye" in favor of the motion. Motion passed.

Secretary requested clarification on votes for approval of K-9. All council members were voting yes after receiving their explanation.

**MOTION** by Curt Robbins to donate \$100 to the Derry Area Business and Professional Association for the Easter Egg Hunt. Motion SECONDED by Chris Holnaider. All members present voiced "aye" in favor of the motion. Motion passed.

**MOTION** by Curt Robbins to donate \$200 for the Revitalization Art Project with contingency that the grant is approved and the Revitalization Committee receives their non-profit status. Motion SECONDED by Chris Holnaider. Kristine Melville abstained from voting. Five members present voiced "aye" in favor of the motion. Motion passed.

**MOTION** by Todd Krehlik to send Chris Holnaider and Mayor Bortz to the Brownfield Conference. Motion SECONDED by Curt Robbins. All members present voiced "aye" in favor of the motion. Motion passed.

Council went into executive session on at 9:00p.m for personnel reasons. Executive session ended at 9:14p.m.

**MOTION** by Curt Robbins to advertise for Part-time police officers after Wednesday. Motion SECONDED by Kristine Melville. All members present voiced "aye" in favor of the motion. Motion passed.

**PAYMENT OF BILLS**

**MOTION** by Kristine Melville to pay the bills. Motion SECONDED by Chris Holnaider. All members present voiced "aye" in favor of the motion. Motion passed.

**March 9, 2009**

ADJOURNMENT

**MOTION** by Eric Tepper to adjourn at 9:20 p.m. Motion **SECONDED** by Kristine Melville. All members present voiced "aye" in favor of the motion. Motion passed.

Respectfully submitted,

Lori L. Latta  
Secretary