

## June 8, 2009

Derry Borough Council met in regular session Monday, June 8, 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 Melville, 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 Curt Robbins to approve the minutes for regular council meeting of May 11, 2009. Motion **SECONDED** by Eric Tepper. All members present voiced “aye” in favor of the motion. Motion passed.

**MOTION** by Chris Holnaider to approve the treasurer’s report for May 31.2009. Motion **SECONDED** by Kristine Melville. All members present voiced “aye” in favor of the motion. Motion passed.

### VISITORS

1. Vic Mowry – 506 South Chestnut Street – Presently a Board Member of the Derry Senior Housing located on 5<sup>th</sup> Avenue. There is no longer enough money to maintain under present ownership. The present board voted to make this decision in January to sell to Westmoreland County Housing Authority. In June they are to be signing paperwork to make it official. The current tenants will remain in place. There are 18 units and will remain senior housing (62 and older).
2. Kerry Campbell – 654 Y. Street – Came to request vacating an alley located between his and his fathers property. They would like to add a garage on one side of their house. The alley is not presently opened. Art Crommel will prepare the survey, the planning commission will review the request.  
**MOTION** by Todd Krehlik (pending the planning commission’s approval) to approve vacating the paper alley requested by Mr. Kerry Campbell. Motion **SECONDED** by Eric Tepper. All members present voiced “aye” in favor of the motion. Motion passed.
3. Chuck DeRito – 604 West 2<sup>nd</sup> Avenue – Observing.
4. Vince Mastrococco – Observing.

### SOLICITOR’S REPORT

The owners of the property located on the corner of 4<sup>th</sup> Ave and Mentor Street have spoken with Rachel regarding the possible sale of the property to the borough for the price of \$40,000, per request of president, Allen Skopp.

Jim Meade sent a letter to Rachel and they have completed the review of the clean up plan and will forward comments to Borough Council within one week. DEP has intention that Marlboro Holdings Inc. should commence removal of construction demolition waste by August 1<sup>st</sup> of 2009.

Sol. Riedel explained to council that DEP has current jurisdiction so it would not be feasible currently to cite Marlboro Holdings with daily fines, until a clean up plan is approved with orders to begin by a certain date.

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After that has been determined, if they fail to follow a scheduled timeline, then Derry Borough may have jurisdiction again with the ability to create citations and daily fines once again.

Sol Riedel also mentioned that a bill has been submitted to Marlboro Holdings for taxes owed from 2007, and Westmoreland County had changed their status from KOZ to industrial in 2008.

Kristine Melville reported that Kim Ward wants to set up a meeting with council in support of the clean up of Porcelain Park. Council decided the best time for this meeting would be at the August work session. Kristine Melville will call her office and schedule.

### MAYOR'S REPORT

Mayor's Report for May 2009 with receipts of \$1443.83 which included traffic receipts of \$883.74 and non-traffic receipts of \$365.80. There were 132 complaint calls, 79 traffic citations, and 13 non-traffic citations.

The Mayor reported the Ordinance officer addressed 2 junk vehicle violations, 12 high grass violations, and 1 junk material violation.

Eco Alternative Solutions has communicated with the mayor's office regarding a program for LED street lighting programs. Allen stated he would review the application and discuss with Curt, then review with council. The mayor said she would email everyone a copy.

### REPRESENTATIVE'S REPORT

Eric Tepper reports a committee meeting for Lake Ethel. The committee has suggested spending some of the maintenance fund for improvements of the path including some new flags for the poles. The committee would like routine patrols from Derry Borough police for safety purposes and to keep vandals off the property.

### COMMUNICATIONS

- North American Rock Salt has some additional criteria for the contract agreement including 80% of agreed tonnage must be purchased and must be purchased by April 30, 2010.
- Copier Corporation has submitted an additional quote requested for an attached fax feature. The additional cost was exceedingly high. The fax in the office is currently sufficient for the office demand and is fairly new. Council agreed not necessary to have the added feature since it would not be cost effective.

### UNFINISHED BUSINESS

1. Porcelain Park – Discussed earlier.
2. Recodification – Planning Commission still reviewing.
3. Occupancy Permits - Tabled
4. **MOTION** by Curt Robbins to approve bid received by Brian Heiple to purchase Derry Borough Parcel 06-01-10-0-194 corner of South Chestnut and 106 East 1<sup>st</sup> Avenue (property of old Council Chambers and Tax office) for \$6,000.00.

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Mr. Heiple will make payments of \$2,000.00 by July 1, 2009, \$2,000.00 by September 30, 2009, and final payment by December 15, 2009 to be paid in full, with the closing of the property to take place before December 31, 2009. Motion SECONDED by Eric Tepper. All members present voiced "aye" in favor of the motion. Motion passed.

5. **MOTION** by Curt Robbins to submit a letter to Jack Brown, Chad Ruffner, and Westmoreland County composed by Susan Bortz requesting new housing redevelopment through available programs. Secretary Lori Latta will research properties of compiled picture list for tax map numbers and names of current owners. Motion SECONDED by Eric Tepper. All members present voiced "aye" in favor of the motion. Motion passed.

**NEW BUSINESS**

1. **MOTION** by Eric Tepper to approve North American Salt bid for 2009-2010 as low bidder at \$63.45 per ton delivered through Indiana – Westmoreland COG. Motion SECONDED by Chris Holnaider. All members present voiced "aye" in favor of the motion. Motion passed.
2. **MOTION** by Chris Holnaider to approve Resolution 490-09 renewing 48 month lease for new copy machine at monthly lease price of \$139.78 with Copier Corporation for duration of 48 months effective August 1, 2009. Motion SECONDED by Curt Robbins. All members present voiced "aye" in favor of the motion. Motion passed.
3. **MOTION** by Curt Robbins to approve Resolution 491-09 the exoneration of past Derry Borough property taxes from 2006-2009 in the estimated amount of \$1,912.95 on property located at 140 South Chestnut Street, Derry Tax Parcel 06-01-14-0-020. All members present voiced "aye" in favor of the motion. Motion passed.
4. **MOTION** by Curt Robbins to approve Requisition No. 22 for Fourth Ward Project for the amount of \$61,783.62. Motion SECONDED by Kristine Melville. All members present voiced "aye" in favor of the motion. Motion passed.

**PAYMENT OF BILLS**

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

**ADJOURNMENT**

**MOTION** by Kristine Melville to adjourn at 8:50 p.m. Motion SECONDED by Todd Krehlik. All members present voiced "aye" in favor of the motion. Motion passed.

Respectfully submitted,

Lori L. Latta  
Secretary