

## August 10, 2009

Derry Borough Council met in regular session Monday, August 10, 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, Barry Smith, Kristine Snyder, and Chris Holnaider. Todd Krehlik was absent. Mayor Susan Bortz and Solicitor Rachel Riedel were present. Marie McCandless of the Latrobe Bulletin was reporting.

Mayor Susan Bortz presented a certificate of outstanding performance and commitment as a Derry Borough Police officer to Sgt. James Friscarella for his response to the train accident that took place on July 16, 2009. A letter of excellent performance will also be placed in his file.

Chase Stevenson and Nathan Dawson were presented medals of friendship and certificates of appreciation from the mayor's office for their support of DJ Albright Jr. in the tragic train accident that took place on July 16, 2009. Derry Borough was very proud of their efforts and support during this accident as well as DJ's family members.

### VISITORS

Residents observing Mayor's presentation included Joyce Albright, Karen Werner, Debbie Thornton, Brian McDowell, Kim Shaw, Bev McClelland, Joseph McClelland, Verletta McClelland, and Shawn Melville.

**MOTION** by Barry Smith to approve the minutes for regular council meeting of July 13, 2009. Motion **SECONDED** by Kristine Melville. All members present voiced "aye" in favor of the motion. Motion passed.

**MOTION** by Kristine Melville to approve the treasurer's report for July 31, 2009. Motion **SECONDED** by Barry Smith. All members present voiced "aye" in favor of the motion. Motion passed.

**An executive session was held at the council work session on August 3, 2009 for legal purposes from 8:15pm to 8:50p.m.**

### SOLICITOR'S REPORT

August 7, 2009 a letter was received by Sol. Riedel from DEP stating that Marlboro Holdings shall immediately commence the remedial activities removing the residual hazardous waste from the site and then the department will contact them before phase II removing asbestos and asbestos containing material.

1. Ed Schmitt -Gibson Thomas reports that Borbonus needs to repair the anchors on the aerial line and some items on the punch list. DEP came to do a finalize inspection and was pleased with the scope of the work on 4<sup>th</sup> Ward project. Ed will submit a certificate of completion after all work is complete. The Borough will need to pay the last 5% of the loan amount on 4<sup>th</sup> Ward project until project is closed. West 2<sup>nd</sup> Culvert should be starting on August 24, 2009.

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### ZONING OFFICER'S REPORT

Bob Sieminkewicz submitted report including \$352.40 in zoning fees for July 2009 including six permits for construction of a fence, pool, garage, roof addition, porch, and demolition.

### REPRESENTATIVE'S REPORT

Eric Tepper reported a meeting with the Derry Area Wage Tax Board and the next meeting will be in November 3, 2009. They are still discussing county tax collections.

### MAYOR'S REPORT

Mayor's Report for July 2009 with receipts of \$3,867.88 which included traffic receipts of \$2,534.80 and non-traffic receipts of \$1,015.72. There were 120 complaint calls, 43 traffic citations, and 8 non-traffic citations.

Public Works Barry Smith, chairman reports the weight limit signs were purchased and will be placed within the week.

A salt shed quote has been received by Log Cabin Fence Co. in the amount of \$26,450.00 for a salt shed. Pat is also requesting some paving quotes for shed flooring.

The non-uniform contract will be expiring in December 2009 and the committee needs to schedule meetings upcoming for negotiations.

A discussion about residential handicapped parking took place among council. There were too many issues with an ordinance in the past for permits for handicapped residents and creating parking spaces on residential streets. The ordinance was repealed two months after enactment. At this time council chooses not to discuss the issue further.

2. Melvin Plack is requesting to abate an alley between Hays and Mentor (West 2<sup>nd</sup> Avenue and West 3<sup>rd</sup> Avenue)

**MOTION** by Chris Holnaider for Melvin Plack to submit request to vacate alley along his property to planning commission for review. Motion **SECONDED** by Kristine Melville. All members present voiced "aye" in favor of the motion. Motion passed.

### COMMUNICATIONS

- PSAB is having their fall leadership conference in Erie on October 16 – 18, 2009.
- Secretary will not be attending the Shippensburg Conference due to repetitive classes and cost to the Borough.
- There will be two event fundraisers for DJ Albright up coming, including a band event hosting Saddle-Up in Bradenville on August 21, 2009 and a car wash near Mastrococco's parking lot Saturday 15, 2009 throughout the day.

Kristine Melville mentioned that veterans cab transports seniors at 85% - 95% reduction of rates, which is supported by the Pennsylvania Lottery, and bus transportation is another means of inexpensive transportation for seniors.

Penn Dot sent an email to Kristine that they are working on putting rails on our bridge Congressman Murtha's office said they would be installed by the end of August.

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Susan Bortz asked what type of rail is to be installed, because she was informed that Penn Dot is still in the pre-engineering stage of bridge development.

Council president questioned the validity of the email Kristine received since there was no heading on the email, and he reinforced that council is to make these decisions as a group.

**MOTION** by Curt Robbins to remove Kristine Melville from the planning commission and advertise the vacancy. Motion **SECONDED** by Chris Holnaider. All members present voice “aye” in favor of the motion. Motion passed.

### UNFINISHED BUSINESS

1. Porcelain Park – Wayne Kucich emailed Susan reporting there will be an upcoming meeting with DEP and the County including Larry LaReese. If any representatives from Derry Borough would like to attend, she should call requesting permission to attend. The meeting is to be held the morning of August 24<sup>th</sup>. Allen asked Susan to call to attend with Chris Holnaider.
2. Recodification – General Code is processing.
3. Occupancy Permits - Tabled
4. Ordinance Officer/Temporary Enforcement – Tabled
5. Approve Ordinance #729 Amending Grass, Weeds and Certain Other Vegetation Prohibited as Nuisances and Constituting a Fire Hazard Under Certain Conditions. – Tabled
6. Civil Service Vacancy’s – No letters received at this time.

### NEW BUSINESS

1. **MOTION** by Curt Robbins to approve a Resolution 492-09 Agreement to Authorize Electronic Access to Penn Dot Systems. Motion **SECONDED** by Barry Smith. All members present voiced “aye” in favor of the motion. Motion passed.
2. **MOTION** by Curt Robbins to lease a Copier/Fax/Scanner for Police Department from Copier Corporation for 36 months. Motion **SECONDED** by Eric Tepper. All members present voiced “aye” in favor of the motion. Motion passed.
3. Vacate paper alley between parcels 06-01-10-01-338 and 06-01-10-01-340 owned by Lee and Betty Handy. Planning commission is reviewing.
4. **MOTION** by Chris Holnaider to approve Homecoming Parade Route for Friday, October 2, 2009 at 6p.m. Motion **SECONDED** by Eric Tepper. All members present voiced “aye” in favor of the motion. Motion passed.
5. **MOTION** by Curt Robbins to approve Requisition #24 in the amount of \$150,038.62 for the 4<sup>th</sup> Ward Project. Motion **SECONDED** by Chris Holnaider. All members present voiced “aye” in favor of the motion. Motion passed.

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PAYMENT OF BILLS

**MOTION** by Curt Robbins to pay the bills. Motion **SECONDED** by Chris Holnaider. All members present voiced “aye” in favor of the motion. Motion passed.

A petition to request Vista Street to be reopened was received by Greg Menser, which will be forwarded to the planning commission.

ADJOURNMENT

**MOTION** by Eric Tepper to adjourn at 8:04 p.m. Motion **SECONDED** by Chris Holnaider. All members present voiced “aye” in favor of the motion. Motion passed.

Respectfully submitted,

Lori L. Latta  
Secretary