

## January 9, 2017

Derry Borough Council met in regular session Monday, January 9 at 7:00 P.M. in the Derry Station Community Room, 200 West Second Avenue, Derry, PA with the following members present: Chad Fabian, Presiding, Al Checca, Barry Holden, Dave Fletcher and Allen Skopp were present. Jim Ritenour was absent. Mayor Kevin Gross was present. Nick Cammuso was reporting.

**MOTION** by Dave Fletcher to approve the minutes for the regular council meeting of December 12, 2016. Motion **SECONDED** by Allen Skopp. All members present voiced “aye” in favor of the motion. Motion passed.

**MOTION** by Allen Skopp to approve the minutes for the special council meeting of December 27, 2016. Motion **SECONDED** by Barry Holden. All members present voiced “aye” in favor of the motion. Motion passed.

**MOTION** by Allen Skopp to approve the treasurer’s report with a General Fund Balance Sheet totaling \$165,346.85 for December 31, 2016. Motion **SECONDED** by Dave Fletcher. All members present voiced “aye” in favor of the motion. Motion passed.

### RECOGNITION OF VISITORS

1. Don Ritenour – Owens Avenue – Observing for any information on Owens Avenue Extension Project. There will be a meeting scheduled for January to review the grant and agreement and plan for the project with Penn Dot, Gibson-Thomas, and council.
2. Marty Bucci and Kara & Barry Terney – Methodist Church Sign Revision – Observing to see if any action is taking on updating Zoning Ordinance to allow digital signage.
3. Richard and Amy Supko- Children of resident who lives across from 402 S. Chestnut Street which is full of junk and garbage.. He talked with Lee Miller from BIU and is concerned about the response he received that the banks have transferred to another subsidiary bank and it is difficult to proceed with enforcement. Mr. Supko is very frustrated as it has been over six months for the condition of this property. He asked council to please address the issue however council can proceed, Council president Fabian explained if they receive no assistance from the bank they will have to have our public works department remove the junk and garbage from the property and assign a lien. This is a last resort process as it then becomes a tax payers expense if the lien is not collected.
4. David Jones, Derry Borough Planning Commission – Mr. Jones was happy that council added the language to the sign ordinance that the planning commission recommended in their review.

### SOLICITOR’S REPORT

The Solicitor provided a written report to Borough Council relating to public and attorney client privileged issues. Due to the moratorium Borough Counsel enacted to reduce expenses, the Solicitor was directed to not appear at the public meeting.

### MAYOR’S REPORT

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Mayor Kevin Gross submitted the Mayor’s report for December 2016 with receipts of \$905.70 which included traffic receipts of \$654.11 and non-traffic receipts of \$82.09. There were 90 complaint calls, 16 traffic citations, 0 non-traffic citations, and 2 parking tickets.

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**BUILDING INSPECTIONS UNDERWRITERS, INC. MONTHLY REPORT**

BIU reported for the month of December 2016 one (1) Code Violations.

**COMMITTEE REPORTS**

***Municipal Authority Review Committee – Barry Holden and Al Checca***

Al Checca mentioned that there are other companies looking at our Municipal Authority with possible interest of acquiring the property. Mr. Checca stated there were no details to report with Allen Skopps inquiry.

***Jim Ritenour – Public Works.***

***Allen Skopp – Grants***

***Al Checca- Police Department***

***Lori Latta – Safety Committee***

**REPRESENTATIVE REPORTS**

***Railroad Days- Lori Latta – Meetings are held the second Thursday monthly at 6:30pm at Derry Station Community Room.***

***DARCEE –Lori Latta- Meeting January 25, 2017 at Derry Township Building at 7pm.***

**PLANNING COMMISSION**

No report on review received for digital signs.

**COMMUNICATIONS**

- Letter of Interest for Zoning Hearing Board - Don Reinard **MOTION** by Al Checca to approve re-appointing Don Reinard to the Zoning Hearing Board. Motion **SECONDED** by Dave Fletcher. Roll call vote was taken. All members present voiced “aye” in favor of the motion. Motion passed.
- Letter of term expiration of Municipal Authority Board – Vincent DeCario – No reappointment requested.
- Resignation received from Thomas Lipinski, Councilmember – effective 12-30-16 **MOTION** by Allen Skopp to approve Thomas Lipinski’s resignation. Motion **SECONDED** by Dave Fletcher. All members present voiced “aye” in favor of the motion. Motion passed.

**UNFINISHED BUSINESS**

1. Board and Commission Vacancies

- One (1) vacancy and one (1) alternate vacancy for the Zoning Hearing Board
- Civil Service Commission Vacancies
- Vacancy Board Chairman
- One (1) vacancy for the Planning Commission
- One (1) vacancy for the Municipal Authority of the Borough of Derry for a five-year term expiring 2021.
- One (1) council vacancy term expiring December 31, 2017.

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2. N. Ligonier Street Bridge- Meeting scheduled with Penn Dot
3. **MOTION** by Al Checca to approve updated Police Chief Contract expiring December 31, 2019. Motion **SECONDED** by Barry Holden. All members present voiced “aye” in favor of the motion. Motion passed.
4. **MOTION** to approve resignation of George Love, Solicitor for the Zoning Hearing Board and advertise for the position. Motion **SECONDED** by Dave Fletcher. All members present voiced “aye” in favor of the motion. Motion passed.
5. Approve resignation of Thomas Lipinski as councilmember – Council approved earlier in the meeting.
6. Code Enforcement and Zoning – A meeting was suggested with our local magistrate to discuss some of the issues that we have with non-compliance of code violations. We are hopeful to proceed with such meeting including a council member and/or the Mayor, BIU representatives, and Judge Bilik. Al Checca stated he would follow up with Lee Miller to set up that meeting.
7. **MOTION** by Allen Skopp to approve advertising Ordinance 773-17 – MODIFYING DERRY CODE, ARTICLE VII – SIGNS 425-73 THROUGH 425-87 TO ALLOW FOR ELECTRONIC ILLUMINATED SIGNS WITHIN THE BOROUGH OF DERRY. Motion **SECONDED** by Al Checca. All members present voiced “aye” in favor of the motion. Motion passed.
8. **MOTION** by Allen Skopp to approve advertising Ordinance 774-17 Vehicles and Traffic – Parking Prohibited and Violations and penalties. Motion **SECONDED** by Al Checca. All members present voiced “aye” in favor of the motion. Motion passed.

## **NEW BUSINESS**

1. **MOTION** by All Checca to approve Derry Borough Fire Chief Brock Dwire for 2017. Motion **SECONDED** by Dave Fletcher. All members present voiced “aye” in favor of the motion. Motion passed.
2. **MOTION** by Allen Skopp to approve Lee Demosky for Borough Solicitor for 2017. Motion **SECONDED** by Al Checca. All members present voiced “aye” in favor of the motion. Motion passed.
3. **MOTION** by Allen Skopp to approve Thomas J. Rennie, CPA to conduct the 2016 Borough and Real Estate Tax Audits. Motion **SECONDED** by Dave Fletcher. All members present voiced “aye” in favor of the motion. Motion passed.

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4. **MOTION** by Allen Skopp to approve Gibson-Thomas Engineering Co. Inc. as the Borough engineers for 2017. Motion SECONDED by Barry Holden. All members present voiced “aye” in favor of the motion. Motion passed.
5. **MOTION** by Barry Holden to approve 2017 Membership to the Indiana/Westmoreland COG. Motion SECONDED by Al Checca. All members present voiced “aye” in favor of the motion. Motion passed.
6. **MOTION** by Dave Fletcher to approve Resolution 609-17 Police officers in the Borough of Derry shall not be required to make contributions to the Police Pension Fund for 2017. Motion SECONDED Barry Holden. All members present voiced “aye” in favor of the motion. Motion passed.
7. **MOTION** by Allen Skopp to approve the Borough Secretary-Treasurer to pay bills between meetings to take advantage of discounts and prevent bills from becoming past due. Motion SECONDED by Dave Fletcher. All members present voiced “aye” in favor of the motion. Motion passed.
8. **MOTION** by Allen Skopp to approve Resolution 610-17 Appointment of Primary Voting Delegate for the Westmoreland County Tax Collection Committee effective January 2015. – Dave Fletcher and Secondary Lori Latta. Motion SECONDED by Barry Holden. All members present voiced “aye” in favor of the motion. Motion passed.
9. Referendum – Municipal Authority of the Borough of Derry – Chad Fabian forwarded to council the procedures for referendums in the state of Pennsylvania. Council reviewed page 30 of the summary.

Allen Skopp inquired about the trailers and a flatbed truck on the road that was discussed previously. The Mayor stated he thought they were addressed and fined.

**Derry Borough Council went into executive session at 7:36pm for personnel reasons and potential legal reasons. Executive session ended at 7:47pm.**

#### PAYMENT OF BILLS

**MOTION** by Al Checca to approve payment of bills totaling \$56,397.77 and all outstanding legitimate bills through the end of the month. Motion SECONDED by Dave Fletcher. All members present voiced “aye” in favor of the motion. Motion passed.

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ADJOURNMENT

**MOTION** by Allen Skopp to adjourn at 7:55p.m. Motion **SECONDED** by Jim Ritenour.  
All members present voiced “aye” in favor of the motion. Motion passed.

Respectfully submitted,

Lori L. Latta  
Secretary