

## May 10, 2010

Derry Borough Council met in regular session Monday, May 10, 2010 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, Chris Holnaider, Barry Smith Todd Krehlik, John R. McCreary, and Kristine Melville. Mayor Susan Bortz and Solicitor Rachel Riedel were present. Marie McCandless, Latrobe Bulletin was reporting.

**MOTION** by Barry Smith to approve the minutes for the regular council meeting of April 12, 2010. Motion **SECONDED** by Chris Holnaider. All members present voiced “aye” in favor of the motion. Motion passed.

**MOTION** by Kristine Melville to approve the minutes for the special council meeting of April 22, 2010. 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 April 30, 2010. Motion **SECONDED** by Eric Tepper. All members present voiced “aye” in favor of the motion. Motion passed.

### VISITORS

1. William Ehman – 6<sup>th</sup> Avenue, Derry – Concerned about a Laundromat to be allowed at the corner of Mentor and Rt. 217, and is opposed due to the negative impact it may have on neighboring residential properties. He doesn’t understand why council is supporting the interested party who doesn’t live in the borough and is not supporting residents who actually live in the borough. The planning commission did not support council’s decision.  
Allen Skopp explained that council approved the use of a Laundromat in the Mixed Use Village Commerical Zone, which they needed to add Laundromats to a specific zone. This decision was not spot zoning as suggested.  
Rachel Riedel explained that there will be a public hearing to discuss placing Laundromats in the Mixed Use Village Commercial Zone.
2. Sharon Shearer – Chestnut Street, Derry – Concerned about the Gamble House which recently caught fire and has been destroyed. The frame of the structure is still standing but is unsafe. She wanted to know how the borough is going to proceed with the owner’s son and hopes that demolition will take place soon. The secretary explained that a letter was forwarded to his son Robert Gamble regarding the Ordinance which requires the insured to put a percentage of any insurance proceeds in an escrow account until the property is demolished and cleared. She hopes that council is proactive and works with the owners to demolish the property in a timely manner.  
There was a discussion how the city of Latrobe handles this issue.
3. Todd Simiond, President, Cathy Graham, Program Director and Don Belt, Vice-President – Ligonier Valley YMCA. They are working on two agreements one which will be a lease agreement and the secondary will be a management agreement.

### May 10, 2010

They stated they would have the agreements hopefully completed in a few days. They have raised \$5,000 so far to help with the start up funds for the pool season and hope to receive an additional \$10,000 to help fill the gap of the Revenue Expense report from the 2009 season.

The Mayor mentioned that the third grade class of Grandview is working on a fundraiser to help with the Derry Area Outdoor Community Pool and they are going to present the funds to Derry Borough and Ligonier Valley YMCA prior to the pool opening.

The YMCA representatives mentioned that they hope to bring more YMCA programs to the Derry Area and hope that Derry Residents utilize their services as their local YMCA.

President Allen Skopp mentioned that there may be more funds available from the General Fund that could be used to help the start up funding of the pool. If these funds are forwarded from the Borough and the pool shows a net profit, the Borough would like to see the funds returned back to the Derry Borough General Fund.

Allen Skopp also stated that the Borough will cover the water/sewage, refuse, and the electric for the 2010 pool season.

The parking lot will be addressed, and the public works are going to block off the parking lot in the center so that there will be parking for both baseball and pool users, but will not allow through traffic.

A special meeting will need to be held prior to Memorial Day opening for council to vote on the contracted agreements.

Cathy Graham mentioned creating a letter to forward to certain businesses for donations to support the pool from the YMCA. Sending letters to Comcast, Waste Management, and other local businesses were discussed.

### SOLICITOR'S REPORT

Dennis Rafferty will be filing a response on the Ritenour case pertaining to Zoning, in hopes that the property owner will move forward with cleaning up the property.

The Solicitor requested council to make a motion to advertise an amendment to the Zoning Ordinance to support their motion of intention at the special meeting of April 22, 2010 to add Laundromat as a permitted use in the Mixed Use Village Commercial Zoning District. **MOTION** by Chris Holnaider to advertise an Ordinance adding Laundromats as a permitted use in the Mixed Use Village Commercial Zoning District. Motion **SECONDED** by Barry Smith. All members present voiced "aye" in favor of the motion. Motion passed.

Bob Sieminkewicz asked if two other things could be added to the amendment to the Zoning Ordinance regarding contradicting language of signs and sidewalks. In addition, he would like to see a change regarding Section 303 in Non Conforming Building and Structures with Permitted Uses due to a recent inquiry. He would like to see language added for enlargements permitted as long as there is no further deviation from the Zoning Ordinance for such non-conforming buildings and structures. **MOTION** by Barry Smith to advertise to make the changes suggested by the Zoning Officer and hold a public hearing next month regarding the changes. Motion **SECONDED** by Chris Holnaider.

### **May 10, 2010**

A discussion was held with council and Solicitor to include the previous motion to advertise all three amendments to the Zoning Ordinance and complete the motion. All members present voiced "aye" in favor of the motion. Motion passed.

Rachelle reviewed Blairsville Occupancy Ordinance that Randy McCreary had passed out at last months meeting. She thought a committee could sit together and review our Ordinance with Blairsville's Occupancy Ordinance to see if Derry Borough could come up with a suitable Ordinance for the Borough. She suggested meeting in the next few weeks to review.

### **MAYOR'S REPORT**

Mayor's Report for April 2010 with receipts of \$3,003.40 which included traffic receipts of \$ 2,599.98 and non-traffic receipts of \$ 265.62. There were 149 complaint calls, 42 traffic citations, and 2 non-traffic citations. There were 2 parking tickets.

The School Resource Officer report presented 2000 student contacts, 1 transport, 10 complaints, and 5 arrests. Rick Greece, Neighborhood Revitalization Coordinator will be meeting with her tomorrow.

There is a bus located on a property which is being used as a shed. Bob Sieminkewicz mentioned that the owner of the property has provided a letter allowing him that purpose. Sol. Rachel requested to see the letter to research if council determined by vote to allow at the residence and test the validity of such letter.

There was also a discussion of Ralph Smith's property and the area where trucks are parking overnight by the community center parking area. Bob Sieminkewicz will review Ralph Smith's property. Chris Holnaider will take care of contacting the County requesting them to post the property where the trucks are parking.

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

Bob Sieminkewicz reported \$155.60 in zoning fees were collected for April 2010 including 3 permits one for a shed, deck, and a commercial sign. Mr. Sieminkewicz mentioned residents erected a car port on Clifton which needs to be removed, and the Durika property has been cleaned up and blocked off so that no dumping will take place there in the future.

### **COMMITTEE REPORTS**

None

### **REPRESENTATIVE'S REPORT**

Eric Tepper attended the TCC meeting in April which they are moving forward, the process will take approximately one year to get everything in place. The next TCC meeting will be held on Tuesday, May 25<sup>th</sup>.

## May 10, 2010

### COMMUNICATIONS

- Wednesday, May 12<sup>th</sup> there will be a Children's Health Fair held by the Latrobe Hospital Aid Society.
- Fema forwarded a notice of a meeting to be held May 25<sup>th</sup> 10am – 12 noon or 6-8pm will be holding meetings regarding updated flood plain maps.
- Derry Borough is need of a new street map for new employees, residents, and delivery professionals.

### UNFINISHED BUSINESS

1. Porcelain Park – Chris Holnaider has been in contact with April Kopas and they are proceeding with accepting bids for the clean up of the property.
2. Recodification – The Secretary has forwarded the manuscript to the planning commission, Rachel, and council.
3. Housing Redevelopment – Tabled
4. Occupancy Permits for Residential Rental Units- Under Solicitor Review.

### NEW BUSINESS

1. Written Agreement with YMCA to Manage Derry Pool – Discussed earlier
2. **MOTION** by Chris Holnaider to approve Resoution#504-10 Police Officers in the Borough of Derry shall not be required to make contributions to the Police Pension Fund for the Borough of Derry for the calendar year 2010. Motion **SECONDED** by Eric Tepper. All members present voiced “aye” in favor of the motion. Motion passed.
3. **MOTION** by Barry Smith to approve Derry Borough as a worksite for the Summer Youth Employment Program for 2010 by Workforce Investment Board, utilizing one employee for public works and one employee for the Borough office. Motion **SECONDED** by Chris Holnaider. All members present voiced “aye” in favor of the motion. Motion passed.
4. **MOTION** by Todd Krehlik to hire part-time policeman. Motion **SECONDED** by Barry Smith. All members present voiced “aye” in favor of the motion. Motion passed.
5. Approve ARRA Funds to be used for Derry Trails Initiative. Susan has communicated to Westmoreland Community Action to utilize some of the predevelopment funds for a survey for the 9.5 acre park along West 1<sup>st</sup> Avenue, and utilize some funds to help with a conceptual plan for interlocking trails in our area. The state must approve the changes first and Susan will be submitting a letter requesting the changes for the funding.

**May 10, 2010**

**PAYMENT OF BILLS**

**MOTION** by Todd Krehlik 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 8:40 p.m. Motion **SECONDED** by Eric Tepper. All members present voiced “aye” in favor of the motion. Motion passed.

Respectfully submitted,

Lori L. Latta  
Secretary