

## January 10, 2011

Derry Borough Council met in regular session Monday, January 10, 2011 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, Todd Krehlik, Barry Smith, Chris Holnaider, John McCreary, Curt Robbins, and Kristine Melville. Mayor Susan Bortz was absent. Marie McCandless, Latrobe Bulletin and Jeff Himler, Tribune Review were reporting.

**MOTION** by Barry Smith to approve the minutes for the regular council meeting of December 13, 2011. Motion **SECONDED** by Curt Robbins. All members present voiced “aye” in favor of the motion. Motion passed.

**MOTION** by Chris Holnaider to approve the treasurer’s report for December 31, 2010. Motion **SECONDED** by Curt Robbins. All members present voiced “aye” in favor of the motion. Motion passed.

### VISITORS

1. Lynn Ewing, Tax Collector - 411 West Second Avenue – Discussed Senate Resolution 250 which will prepare a study to support Real Estate Tax Collections at the county level vs. individual municipal government tax collections. The study is to be completed by June of 2011. Council suggested writing a letter to our Senator Kim Ward and Rep. Joseph Petrarca against Senate Resolution 250 which supports county collections of real estate taxes. **MOTION** by Curt Robbins to submit letters to our State Senator and State Representative stating council was against consolidation of local government to the county level and moving forward with plans of Senate Resolution 250. Motion **SECONDED** by Chris Holnaider. All members present voiced “aye” in favor of the motion. Motion passed.
2. Shawn Melville - S. Chestnut Street – Observing with interest of planning commission.
3. Alex Schmucker, Carson Hazlett, Zach Casini, Zane Klimchock, Bobby Forsche, Alyssa Reed, Erica Reed, Chris Forsha, Robby Helsman – Derry Area School Students for Civics Class – Observing
4. Chuck DeRito – W. 2<sup>nd</sup> Avenue - Observing

### SOLICITOR’S REPORT

Nothing for the public.

### MAYOR’S REPORT

**Mayor’s** Report for December 2010 was submitted to Borough office with receipts of \$1186.86 which included traffic receipts of \$864.09 and non-traffic receipts of \$43.93. There were 73 complaint calls, 1 traffic citations, and 2 non-traffic citations with 4 parking tickets

## January 10, 2011

### ZONING OFFICER'S REPORT

Bob Sieminkewicz reported one permit for the month of November 2010 for a patio and car port in the amount of \$138.60. There were no permits issued in December.

### COMMITTEE REPORTS

Barry Smith – Chairman of the Street Department.

- Reported the snow policy has been working out well.
- The public works department is in need of a new 550-Dump truck which we received an estimate for in the amount of \$72,290 Barry requested council consider the purchase soon to avoid more maintenance costs on the current older dump truck.
- Stop signs installed at 3<sup>rd</sup> Ave and S. Chestnut intersection.

### REPRESENTATIVE REPORTS

DARCEE next meeting will be held Wednesday, January 20, 2011 at 7pm at the New Alexandria Community Center. There will also be a meeting on February 5, 2011 with the school district to discuss Safe Routes to School Grants and planning for Derry.

### COMMUNICATIONS

- Letter of interest from Chuck DeNunzio for Vacancy Board Chairman for 2011
- Letter of interest from Shawn Melville for the planning commission.
- Letters of proposal were received from Regis Tomsey, Gibson Thomas, and Witheral and Associates for 2011.
- Westmoreland PA Cleanways Newsletter

### UNFINISHED BUSINESS

1. Recodification – Tabled
2. Occupancy Permits – Bob Sieminkewicz discussed with Allen rental inspections and developing a program at last council work session. They will discuss further in executive session.
3. **MOTION** by Curt Robbins to approve Ordinance #736 Requiring All Persons, Partnerships, Businesses, and Corporations to Obtain a Permit for any Construction or Development within the Areas of the Borough of Derry which are subject to Flooding and Establishing Penalties for any Persons who Fail, or Refuse to comply with the requirements of the Flood Plain Ordinance for Derry Borough. Motion **SECONDED** by Chris Holnailer. All members present voiced “aye” in favor of the motion. Motion passed.

## January 10, 2011

4. Appoint Board and Commission Terms Expiring in Derry Borough on 12-31-2010.
  - a. **MOTION** by Kristine Melville to appoint Curt Robbins to the Five-Year Term on the Municipal Authority Board of Directors term ending December 31, 2015. Motion **SECONDED** by Todd Krehlik. Six members present voiced “aye” in favor of the motion. Curt abstained from vote. Motion passed.
  - b. **MOTION** by Kristine Melville to appoint Betty Handy to the Five-Year Term on the Zoning Hearing Board term ending December 31, 2015. Motion **SECONDED** by Barry Smith. All members present voiced “aye” in favor of the motion. Motion passed.
  - c. **MOTION** by Curt Robbins to appoint Chuck DeNunzio as Vacancy Board Chairman for 2011. Motion **SECONDED** by Kristine Melville. All members present voiced “aye” in favor of the motion. Motion passed.
  - d. **MOTION** by Randy McCreary to appoint Shawn Melville to the vacancy on the Planning Commission expiring on December 31, 2012. Motion **SECONDED** by Chris Holnaider. Kristine Melville abstained. Allen requested roll call vote. Todd-no, Curt –yes, Allen-yes, Chris –yes, Barry – yes, Randy – yes. Motion passed.
  - e. Four-Year Term on the Planning Commission term ending December 31, 2014. Need to re-advertise.

## NEW BUSINESS

1. **MOTION** to appoint Todd Krehlik as the President Pro-tem for 2011. Motion **SECONDED** by Barry Smith. All members present voiced “aye” in favor of the motion. Motion passed.
2. **MOTION** by Kristine Melville to approve Brock E. Dwire for Fire Chief for 2011. Motion **SECONDED** by Chris Holnaider. All members present voiced “aye” in favor of the motion. Motion passed.
3. **MOTION** by Chris Holnaider to approve Regis A. Tomsey, CPA for 2011. Motion **SECONDED** by Kristine Melville. All members present voiced “aye” in favor of the motion. Motion passed.
4. **MOTION** by Kristine Melville to approve Gibson Thomas Engineering for 2011 accepting their proposal for engineering services. Motion **SECONDED** by Barry Smith. All members present voiced “aye” in favor of the motion. Motion passed.
5. **MOTION** by Curt Robbins to approve Rachel Riedel as Borough Solicitor. Motion **SECONDED** by Kristine Melville. All members present voiced “aye” in favor of the motion. Motion passed.
6. **MOTION** by Chris Holnaider to approve Ordinance 737 Establishing Tax Rate for Fiscal Year 2011 at 27.75 mills (no change from 2010) Motion **SECONDED** by Kristine Melville. All members present voiced “aye” in favor of the motion. Motion passed.

**January 10, 2011**

7. **MOTION** by Kristine Melville to approve 2011 membership to the Blairsville/Indiana – Westmoreland Council of Governments. Motion SECONDED by Curt Robbins. All members present voiced “aye” in favor of the motion. Motion passed.

8. **MOTION** by Todd Krehlik to approve Fire Chief’s permission to change 911 call outs. Motion SECONDED by Curt Robbins. All members present voiced “aye” in favor of the motion. Motion passed

9. **MOTION** by Chris Holnaider to authorize the Borough Secretary-Treasurer to pay bills between meetings to take advantage of discounts and prevent certain bills from becoming overdue. Motion SECONDED by Kristine Melville. All members present voiced “aye” in favor of the motion. Motion passed.

10. **MOTION** by Curt Robbins to advertise for Civil Service Vacancy and 4-yr term on planning commission. Motion SECONDED by Kristine Melville. All members present voiced “aye” in favor of the motion. Motion passed.

11. **MOTION** by Barry Smith to approve Resolution 517-11 Police Officers in the Borough of Derry shall not be required to make contributions to the Police Pension Fund for the calendar year 2011. Motion SECONDED by Curt Robbins. All members present voiced “aye” in favor of the motion. Motion passed.

12. **MOTION** by Todd Krehlik to approve Resolution 518-11 appointing Curt Robbins to the Westmoreland County TCC as Derry Borough’s primary voting delegate. Motion SECONDED by Kristine Melville. Six members present voiced “aye” in favor of the motion. Curt Robbins abstained. Motion passed.

13. Committee vacancy appointments COG, Wage Tax Board, and Lake Ethel were tabled. Tabled until February by Allen Skopp.

14. **MOTION** by Kristine Melville to approve Resolution 519-11 Signature Cards for First Commonwealth Bank. Motion SECONDED by Curt Robbins. All members present voiced “aye” in favor of the motion. Motion passed.

15. **MOTION** by Barry Smith to deny transfer tax refund request from Marlboro U.S. Realty Holdings. Motion SECONDED by Chris Holnaider. All members present voiced “aye” in favor of the motion.

Council went into executive session from 7:31p.m to 7:49 p.m for personnel matters. **MOTION** by Curt Robbins to include the administration of the Occupancy Permit Ordinance as a duty of the Zoning Officer. Motion SECONDED by Kristine Melville. All member present voiced “aye” in favor of the motion.

**January 10, 2011**

PAYMENT OF BILLS

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

ADJOURNMENT

**MOTION** by Kristine Melville to adjourn at 7:53p.m. Motion **SECONDED** by Chris Holnaider. All members present voiced “aye” in favor of the motion. Motion passed.

Respectfully submitted,

Lori L. Latta  
Secretary