

April 8, 2013

Derry Borough Council met in regular session Monday, April 8, 2013 at 7:00 P.M. in the Derry Station Community Room, 200 West Second Avenue, Derry, PA with the following members present: Kristine Melville, presiding, Jim Ritenour, Nelie Smith, Jim Struble, Allen Skopp, Chad Fabian, and Joseph Morton. Mayor Dave Bolen was present. Solicitor Lee Demosky was present. Jeanette Wolfe, Latrobe Bulletin and Jeff Himler, Tribune Review was reporting.

MOTION by Allen Skopp to approve the minutes for the regular council meeting of March 11, 2013. Motion **SECONDED** by Joseph Morton. All members present voiced “aye” in favor of the motion. Motion passed.

MOTION by Joseph Morton to approve the minutes for the special council meeting of March 25, 2013. Motion **SECONDED** by Allen Skopp. All members present voiced “aye” in favor of the motion. Motion passed.

MOTION by Nelie Smith to approve the treasurer’s report for March 31, 2013 with a General Fund Balance Sheet totaling \$ 189,743.12. Motion **SECONDED** by Joseph Morton. All members present voiced “aye” in favor of the motion. Motion passed.

VISITORS

1. Fred Goodman – 502 S. Chestnut St. – He discussed his concerns regarding council salary’s and if the Borough is financially stable enough for a \$9,000.00 annual council salary. Has Derry Borough always utilized Tax Anticipation Notes? Kristine Melville replied that we utilize those short term loans until our Real Estate Tax is collected in the spring. Mr. Goodman inquired about our upcoming paving project, since our roads are such a mess from the gas line maintenance project.
Mr. Goodman would like to see some signs that may not be necessary within the Borough be removed which are not necessary, and is pleading with council not to erect a sign in Mossback Park which will create issues with cost, maintenance, destruction, and/or possible graffiti. Chad Fabian will have the public works department review the signage in the areas suggested, to see if some of them can be removed.
2. Roy Love – 420 W. 3rd Avenue – Neighboring concerns with house at 414 W. 3rd Avenue. He will not be maintaining that alley any longer and wants the public works department to take care of the alley.
3. Christopher O’Leath – Campaign for Westmoreland County Coroner
4. Pat and Jim Clark – 119 Park St. – Mrs. Clark is concerned about losing Dollar General and hopes that another store will be coming in to replace this business. Mr. Clark expressed concern about the road conditions downtown due to the gas line maintenance project.
5. Janet Deglau – 520 E. 4th Avenue - She has many concerns with Waste Management. She has been dealing with a billing nightmare for herself, her mother, and her aunt. They began billing their accounts as township residents, and she contacted them thinking she had it corrected, and then she received double billing on two of the accounts. Then recently receiving a collection letter regarding her Aunts account; She is very concerned that other senior citizens within our community may be overbilled, and they are just paying their bill because they don’t have an advocate who will take care of it on their behalf. She stated Waste Management needs to work on their

customer service skills, as it was very difficult to work and communicate with them. She would request to speak with management and they would deny her request, and when asking to speak to a billing specialist they would deny her request.

Ms. Deglau wanted to bring this to council's attention for all the seniors in the community in hopes that something can be done to support our seniors making sure they are not being overbilled.

6. Bob Sieminkewicz – Came to express interest in the Zoning position at his salary he was being paid last year. He expressed he has fifteen years experience in Zoning and would like to utilize that experience in the future for Derry Borough.

SOLICITOR'S REPORT

1. Our office continues to pursue finalizing the contract for the Chief of Police. (Pennsylvania Labor Relations Board has jurisdiction presently).
2. I have not received a contract proposal from the YMCA in regard to the operation of the Derry Community Swimming Pool.
3. I am in discussions with the Solicitor for the City of Latrobe in regard to the finalization of a Mutual Aid Agreement for Emergency Services.

MAYOR'S REPORT

Mayor Dave Bolen submitted the Mayor's report for March 2013 with receipts of \$2,285.72 which included traffic receipts of \$ 858.62 and non-traffic receipts of \$643.80. There were 168 complaint calls, 32 traffic citations, and six (6) non-traffic citations with no parking tickets.

The Mayor wanted to commend the police department with the robbery at the Rite Aid, the situation was handled very well and professional.

On March 27, 2013 a CPR class was given to employees who wished to participate from Derry Borough and the Municipal Authority of Derry by Mutual Aide with Mayor Bolen acting as an instructor.

Overtime is down in the police department since we hired the three new part-time officers.

ZONING OFFICER'S REPORT

BIU reported one (1) permit provided for a fence.

COMMITTEE REPORTS

Chad Fabian – Public Works

- Paving Project – We are waiting for our sample testing to come back so Peoples Gas can move forward with the repair work of the line maintenance project and then we can move forward with the 2013 Paving Project.

Jim Ritenour – Police Department reacted very well to the Rite Aid incident and was grateful to have a local police department for such incidents.

REPRESENTATIVE REPORTS

S & T Bank held an Easter Egg Hunt at the Derry Community Park approximately 84 children attended.

DARCEE is working on a clean-up project for our community area, any volunteers interested can contact the Borough office for an upcoming schedule to participate.

PLANNING COMMISSION

No report given

COMMUNICATIONS

- Westmoreland County Borough's Association is having their annual banquet at Lake View Lounge, Friday, April 19, 2013, if anyone is interested, please let the secretary know so she can RSVP for all attending.
- Caldwell Memorial Library sent a Thank you for the Borough's support for the annual donation in hopes to receive support this year celebrating their 20th year of operations.
- Mayor Bolen reported he received an invitation for Relay for Life on June 8, 2013, the Mayor will not be able to attend, and was wondering if a councilmember would like to attend in his place. Kristine Melville asked if he could forward the information to her as she may attend if possible.

Council went into executive session at 7:48p.m. for personnel reasons. Executive session ended at 8:06p.m.

UNFINISHED BUSINESS

1. **MOTION** by Jim Struble to advertise the Abandoned and Condemned Property drafted ordinance revised by Lee Demosky. Motion **SECONDED** by Allen Skopp. All members present voted "aye" in favor of the motion. Motion passed.
2. Sidewalk Maintenance Agreement and Lighting Agreement– Reconstructed Rt. 217 Bridge – There was discussion regarding the light maintenance on the bridge and the time frame required of the Borough to respond to maintenance items. Allen asked if LED lights will be provided? The secretary will contact Sean regarding the questions and ask him to come to another work session for further discussion, since we have several new council members.
3. **MOTION** by Allen Skopp to accept Tresco Paving as the lowest bidder for the 2013 Paving Project in the amount of \$247,665.20 with a road change due to a drainage issue. Motion **SECONDED** by Jim Struble. All members present voted "aye" in favor of the motion. Motion passed.
4. Appoint Board and Commission terms expiring in the Borough:
 - a. One (1) Vacancy fulfilling a Term expiring December 31, 2016 on the Zoning Hearing Board.
 - b. One (1) Alternate Vacancy for the Zoning Hearing Board

- c. Two (2) Civil Service Commission Vacancies one expiring December 31, 2016 and one (6) year
- d. Vacancy Board Chairman

There was only one letter received for the vacant positions. A letter was received by Susan E. Bortz.

MOTION was made by Allen Skopp to appoint Susan E. Bortz to the Vacancy Board Chairman position. Motion **SECONDED** by Jim Ritenour. All members present “voiced” aye in favor of the motion. Motion passed.

5. Stop signs at Edith, 3rd and Braden Avenue – Tabled. Chad Fabian will contact Ed Schmitt at Gibson Thomas again to seek a review.

6. Police Chief Contract – Lee Demosky reported that the Pennsylvania Labor Relations Board (PLRB) has issued written confirmation that PLRB is reviewing a matter relating to the contract.

7. Zoning, UCC, Code Enforcement, Occupancy Rental Permits Tabled – Council needs to review proposals in more detail. Kristine Melville listed the three interested parties: BIU, Merle Musick, and Bob Sieminkewicz for zoning specifically. Council requested more time to review the proposals submitted. Item was tabled until a special meeting can be held next Monday, April 15, 2013 after further review.

8. Mutual Aid Agreement with City of Latrobe /Unity Township – Lee Demosky Reviewing with James Kelly- Latrobe Solicitor

9. **MOTION** by Allen Skopp to approve Ordinance 755 Stagnant Water Pools in the Borough of Derry. Motion **SECONDED** by Chad Fabian. All members present voiced “aye” in favor of the motion. Motion passed.

10. **MOTION** by Allen Skopp to approve Ordinance 756 Amplified Noise from Motor Vehicles in the Borough of Derry. Motion **SECONDED** by Joe Morton. All members present voiced “aye” in favor of the motion. Motion passed.

NEW BUSINESS

- 1. Community Pool – Derry Borough is still waiting on agreement with the YMCA to be provided by their attorney.
- 2. Recreation Board – Kristine has interested parties for the recreation board.
- 3. **MOTION** by Chad Fabian to advertise an amendment to Junk Vehicle amend Derry Borough Code section 425-98 under definition of Junk Vehicle, on page 425:130 of the Borough of Derry Code, to include the word "Un-roadworthy". Motion **SECONDED** by Joseph Morton. All members present voiced “aye” in favor of the motion. Motion passed.

4. **MOTION** by Allen Skopp to approve Resolution 552-13 Support of Transportation Funding . Motion SECONDED by Nelie Smith. All members present voiced “aye” in favor of the motion. Motion passed.
5. **MOTION** by Jim Ritenour to approve Resolution 553-13 Amending Police Pension Plan removing requirement of Killed in Service Benefit to be provided by Derry Borough. Motion SECONDED by Joe Morton. All members present voiced “aye” in favor of the motion. Motion passed.
6. **MOTION** by Chad Fabian to advertise for bids for the Derry Borough Community Pool Heater. Motion SECONDED by Allen Skopp. All members present voiced “aye” in favor of the motion. Motion passed.

PAYMENT OF BILLS

MOTION by Jim Struble to pay the bills totaling \$29,617.28 and all outstanding legitimate bills through the end of the month. Motion was SECONDED by Chad Fabian. All members present voiced “aye” in favor of the motion. Motion passed.

ADJOURNMENT

MOTION by Allen Skopp to adjourn meeting at 8:30p.m. Motion was SECONDED by Chad Fabian. All members present voiced “aye” in favor of the motion. Motion passed.

Respectfully submitted,

Lori L. Latta
Secretary