

May 13, 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, Nelie Smith, Jim Struble, Allen Skopp, Chad Fabian, and Joseph Morton. Jim Ritenour will be attending at a later time. Mayor Dave Bolen was present. Solicitor Lee Demosky was present. Marie McCandless, Latrobe Bulletin and a reporter from Tribune Review was reporting.

MOTION by Allen Skopp to approve the minutes for the regular council meeting of April 8, 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 April 15, 2013. Motion **SECONDED** by Allen Skopp. All members present voiced “aye” in favor of the motion. Motion passed.

MOTION by Chad Fabian to approve the treasurer’s report for April 30, 2013 with a General Fund Balance Sheet totaling \$285,242.56. Motion **SECONDED** by Allen Skopp. All members present voiced “aye” in favor of the motion. Motion passed.

Council went into executive session at 9:08pm on Monday, May 6, 2013 work session for personnel reasons. The executive session ended at 9:15p.m.

RECOGNITION OF VISITORS

1. Melodie and Stan Rogowski– 305 High Street502 S. Chestnut St. – They are upset with Waste Management and their billing. They have contacted the company several times to get their bill correct with no resolution since November. The rate keeps fluctuating on their bill. They have received late fees and reinstatement fees for no reason. They ask to speak to a manager and none are available. They are asking for council to help correct this issue. They know of other individuals who are having the same problem and feel it is not fair for the senior citizens who are not receiving their discount and can’t speak with someone who can directly resolve the issue. They are not happy with the contracted service and feel they should have a choice as to the company they choose for their garbage service. Mr. Rogowski believes in free enterprise and feels that the contracted service is not in the best option for the residents.
Mr. Rogowski had mentioned that there is a tunnel under the railroad tracks behind Mastrococco’s which could be utilized as an underground pedestrian walkway vs. individuals having to cross the Rt. 217 bridge.
2. Alex Skopp 125 W. 3rd Avenue – Observing.

SOLICITOR’S REPORT

Lee Demosky had nothing to report for the public meeting.

MAYOR’S REPORT

Mayor Dave Bolen submitted the Mayor’s report for April 2013 with receipts of \$1,455.84 which included traffic receipts of \$ 407.72 and non-traffic receipts of \$329.67. There were 144 complaint calls, 33 traffic citations, and 10 non-traffic citations with no parking tickets.

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Some vehicles have recently been broken into throughout Latrobe and the Mayor reminded the residents of Derry to remove any items of value from their vehicles and lock their vehicles as a precautionary measure.

ZONING OFFICER'S REPORT

BIU reported three (3) permits provided for two fences and a pool. The report reflected two (2) condemnation notices were given in the Borough.

COMMITTEE REPORTS

Chad Fabian – The streets are being repaired by a new contractor for Peoples Gas, and we currently have smoother spots as hopefully the public has noticed. The goal is to start the paving project before Memorial Day if all goes well.

REPRESENTATIVE REPORTS

None

PLANNING COMMISSION

No report.

COMMUNICATIONS

- Downtown Destinations Meeting Friday, May 17th at 10a.m.
- Railroad Days Celebration Donation **MOTION** by Chad Fabian to approve \$1,000 donation towards the Railroad Days Celebration to be held September 21st and 22nd, 2013. Motion **SECONDED** by Allen Skopp. All members present voiced “aye” in favor of the motion. Motion passed.
- Railroad Days Committee requesting permission to utilize the corner property of S. Chestnut and E. 2nd Avenue for Railroad Days. **MOTION** by Chad Fabian to permit the Railroad Days Committee to utilize the corner property of S. Chestnut and E. 2nd Avenue for railroad days. Motion **SECONDED** by Allen Skopp. All members present voiced “aye” in favor of the motion. Motion passed.
- Westmoreland County Boroughs Association meeting to be held on May 23, 2013 at the Barn located at the Westmoreland Conservation District office located at Donohoe Center.
- Class for Police Civil Service to be held May 29, 2013 at the Courtyard by Marriott in Greensburg by PSAB.

Jim Ritenour entered the meeting.

Council went into executive session at 7:29pm for possible litigation. The executive session ended at 8:02p.m.

UNFINISHED BUSINESS

1. **MOTION** by Chad Fabian to table action on the Sidewalk Maintenance Agreement, Lighting, and Drainage Agreement for the Reconstruction Rt. 217 Bridge Project. Motion **SECONDED** by Joe Morton. All members present voiced “aye” in favor of the motion. Motion passed
2. Police Chief Contract - Tabled
3. 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 term expiring December 31, 2018.

No letters of interest were received.

4. Mutual Aid Agreement with City of Latrobe /Unity Township – Lee Demosky reported he has reviewed the agreement with Latrobe Solicitor James Kelly and he will have an agreement prepared for the next work session to be held in June. The Mayor asked what the purpose of the mutual aid agreement is for, as we currently respond to other municipalities for back up and are covered by our insurance during these events. The Solicitor explained the agreement would be for management purposes under a state of emergency. He will forward an agreement to council and the Mayor so they can discuss it further at the work session.
5. Recreation Board (Ordinance)- Tabled
6. **MOTION** by Chad Fabian to approve Community Pool YMCA Agreement. Motion **SECONDED** by Nelie Smith. Six members present voiced “aye” in favor of the motion. Allen Skopp voiced “nay” for the motion. Motion passed.

Nelie Smith had mentioned that the Methodist church would like to volunteer their time to help with landscaping in the front of the Derry Community Pool. She would like to use \$150-\$200 from the General Fund budget to purchase flowers and mulch. Chad Fabian made a **MOTION** to approve \$200 for Methodist Church to give back to the community. Motion **SECONDED** by Allen Skopp. A question was raised from the public as to why the church wasn't paying for part of the flowers as donation. It was explained that the church wanted to donate their time. Council reviewed the motion. **MOTION** by Joe Morton to withdraw the motion. Motion **SECONDED** by Nelie Smith. All members present voiced “aye” in favor of the motion. Motion passed. **MOTION** by Nelie Smith to provide \$200 for plants for the pool. Motion **SECONDED** by Jim Struble. All members present voiced “aye” in favor of the motion. Motion passed.

NEW BUSINESS

1. Bids for Pool Heater- No bids were received.
2. Appeals Boards for UCC and Code Enforcement – More discussion is needed.
3. Rental Occupancy Permit Ordinance and Occupancy Fees-Council wants to forward information to Lee Demosky for review.
4. CDBG Grant – Tabled Ed Schmitt was invited to come to next work session to discuss further.
5. **MOTION** by Chad Fabian to appoint Allen Skopp as primary delegate and Lori Latta as the secondary delegate for the TCC Representatives Resolution 554-13. Motion **SECONDED** by Joe Morton. All members present voiced “aye” in favor of the motion. Motion passed.
6. **MOTION** by Chad Fabian to apply for Demolition Funds from the County for Demolition of the Flowers House by the public works garage. Motion **SECONDED** by Jim Ritenour. All members present voiced “aye” in favor of the motion. Motion passed.
7. **MOTION** by Chad Fabian to approve Resolution 555-13 Council Recognition for Safety and Risk Management. Motion **SECONDED** by Jim Ritenour. All members present voiced “aye” in favor of the motion. Motion passed.
8. **MOTION** by Allen Skopp to approve Resolution 556-13 Policy for MVR Review. Motion **SECONDED** by Joe Morton. All members present voiced “aye” in favor of the motion. Motion passed.
9. **MOTION** by Chad Fabian to approve by Resolution to charge a \$600 flat fee for grass cutting on properties that are in violation of the grass Ordinance. Motion **SECONDED** by Allen Skopp. All members present voiced “aye” in favor of the motion. Motion passed.

PAYMENT OF BILLS

MOTION made by Joe Morton to pay the bills of \$109,083.93, and all outstanding legitimate bills through the end of the month of May. Motion **SECONDED** by Chad Fabian. All members present voiced “aye” in favor of the motion. Motion passed.

Mayor Bolen attended the Westmoreland County Boroughs Association banquet and recommends council members to attend next year, it is a great opportunity to network and learn new information.

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ADJOURNMENT

MOTION made by Joe Morton to adjourn the meeting at 8:25p.m. Motion **SECONDED** by Chad Fabain. All members present voiced “aye” in favor of the motion. Motion passed.

Respectfully submitted,

Lori L. Latta
Secretary