

July 8, 2013

Derry Borough Council met in regular session Monday, July 8, 2013 at 7:00 P.M. in the Derry Station Community Room, 200 West Second Avenue, Derry, PA with the following members present: Joseph Morton, presiding, Nelie Smith, Jim Struble, Allen Skopp, Chad Fabian, and Kristine Melville on speaker phone. Mayor Dave Bolen was present. Jim Ritenour was absent. Solicitor Lee Demosky was present. Greg Reinbold from Tribune Review was reporting.

MOTION by Allen Skopp to approve the minutes for the regular council meeting of June 10, 2013. Motion **SECONDED** by Chad Fabian. All members present voiced “aye” in favor of the motion. Motion passed.

MOTION by Allen Skopp to approve the treasurer’s report for June 30, 2013 with a General Fund Balance Sheet totaling \$238,427.98. Motion **SECONDED** by Chad Fabian. All members present voiced “aye” in favor of the motion. Motion passed.

Council went into executive session at 7:58pm on Monday, July 1, 2013 work session for personnel reasons. The executive session ended at 8:20p.m.

RECOGNITION OF VISITORS

1. Roy Love – 420 W. 3rd Avenue - 305 High Street – He is concerned about the alley way between his and his neighbor’s home. He is inquiring as to why our current Ordinance officer is not assisting with the problem. He is frustrated with not receiving assistance with his issues after coming to council several times over a two year period. His neighbor’s fence is falling down, with high weeds and grass. Mr. Love is continuing to cut half of the alley to keep the property nice and the neighbor won’t assist with the maintenance. Chad Fabian explained they are waiting on the survey for the alley from Gibson Thomas.
2. Elizabeth Crocker – 203 W. Sixth Avenue – Inquiring with council regarding the house at 201 Sixth St. The property is vacant and dilapidated. There are animals all through the property including possums, snakes, and cats. Children are entering the property and she is concerned it is a dangerous situation. The house has been in terrible conditions for over two years and she is requesting council please take care of the property.
3. Erin McClelland – Congress Candidate for the 12th Congressional District - She summarized her medical background. She wishes to make changes to our current drug policy and healthcare policy. She feels our current policy is ineffective and extremely expensive, which she wishes to see changes made to make our policies more effective. Our current national debt is another major concern in her platform which she would like to address as a new congress woman and would like to help create better economic policies for our future generations.
4. Vince Mastrorocco – 133 1st Avenue, Derry – Observing.

Council went into executive session at 7:20pm for possible litigation regarding the YMCA and the Prew property case with Judge Bilik’s office. The executive session ended at 7:52p.m.

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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 June 2013 with receipts of \$1,168.37 which included traffic receipts of \$ 642.86 and non-traffic receipts of \$315.89. There were 130 complaint calls, 41 traffic citations, and 4 non-traffic citations with \$10 in parking tickets.

The Mayor with the Chief is currently working on the DASD contract for police contracted services for the next school year. The police department is in need of hiring two part-time police officers. He has one candidate that he would like to hire and is requesting council approval to hire him pending his physical evaluation.

MOTION by Jim Struble to approve hiring a part-time police officer named Michael Murphy. Motion **SECONDED** by Nelie Smith. All members present voiced “aye” in favor of the motion. Motion passed

ZONING OFFICER’S REPORT

BIU reported two (2) permits provided for a shed and a fence. The report reflected 12 violation notices. There was one UCC permit issued for a demolition.

COMMITTEE REPORTS

Chad Fabian – Public Works

- Alley way between Utopia and Mentor intersecting W. 2nd Ave and W. Third Ave. – Scheduled for Survey
- Alley way between S. Ligonier and S. Chestnut intersecting E. 2nd Ave. – Will be reviewed by Public Works
- Millings from Paving Project- He will be discussing with Derry Township about our current milling storage at their location and possibilities for the use of those millings in the future.
- Rich Grabiak -JV Probation Program- Community Service Program

Jim Ritenour – Police Department

Joe Morton – Zoning Ordinance

REPRESENTATIVE REPORTS

PLANNING COMMISSION

Council requested a letter or email to the planning commission to review the current Zoning Ordinance regarding sections concerning setbacks.

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COMMUNICATIONS

- Household Hazardous Waste Collection, October 5, 2013 from 9am-2pm WCCC.
- Approve office copier lease for 24 months at \$93.00 per month with Copier Corporation (reduced \$40) **MOTION** by Allen Skopp to approve copier lease for borough office. Motion **SECONDED** by Chad Fabian. All members present voiced “aye” in favor of the motion. Motion passed.
- **MOTION** by Allen Skopp for Lori Latta to attend the PA Association of Municipal Administrators Conference held on August 14-16, 2013 Attendance cost is \$210 plus mileage and room. Motion **SECONDED** by Nelie Smith. All members present voiced “aye” in favor of the motion. Motion passed.
- Approve Single Stream Recycling Brochures created by Ellen Keefe from Westmoreland Cleanways.
- 201 W. Sixth Avenue – Neighbors are calling wanting something done regarding this abandoned property. There are snakes all through the property with high grass and weeds and the property is a nuisance and considered unsafe to many of the neighbors.

UNFINISHED BUSINESS

1. Sidewalk Maintenance Agreement, Lighting, and Drainage Agreement– Reconstructed Rt. 217 Bridge – A meeting with Sean Sepe was held at the July work session. The information is being reviewed by council and the municipal authority. Council tabled the item for more discussion and review.
2. Police Chief Contract – Solicitor is waiting to receive documentation from the police bargaining unit.
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. **MOTION** by Allen Skopp to approve the Mutual Aid Agreement with City of Latrobe. Motion **SECONDED** by Chad Fabian. All members present voted “aye” in favor of the motion. Motion passed.
5. Recreation Board (Ordinance) - Council is requesting a draft be prepared for the next council work session to be held in August. Lee Demosky suggested the secretary create a draft for his review with council’s requested changes.

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6. Community Pool – There was some discussion regarding the pool policy and procedures. Council needs further review. The item was tabled.
7. Appeals board for UCC and Occupancy – Item was tabled as council is waiting for a draft agreement prepared by the COG for Derry Borough.
8. Rental Occupancy Permit Ordinance and Occupancy Fees – Lee Demosky, Derry Borough Solicitor recommended that at the next work session he attend by phone to discuss further regarding specifics of such ordinance and determine a fee schedule. There are many items to review for such Ordinance.
9. CDBG Grant - Chad Fabian needs to review with the public works department and Gibson Thomas to prepare for planning of a sidewalk maintenance project and plans to be prepared. The grant submission is required for September 2013.

NEW BUSINESS

1. **MOTION** by Allen Skopp for Lee Demosky to review the Storm Water Management Ordinance and prepare a draft. Motion **SECONDED** by Nelie Smith. All members present voiced “aye” in favor of the motion. Motion passed.
2. **MOTION** by Allen Skopp to approve the 2013-2014 Winter Maintenance Agreement with Penn Dot for Rt. 217 maintenance in the amount of \$5,350.16. Motion **SECONDED** by Chad Fabian. All members present voiced “aye” in favor of the motion. Motion passed.
3. **MOTION** by Allen Skopp to approve the Pay Estimate #1 in the amount of \$217,920.93 for Tresco Paving Corporation for the 2013 Paving Project. Motion **SECONDED** by Jim Struble. All members present voiced “aye” in favor of the motion. Motion passed.
4. **MOTION** by Allen Skopp to approve authorization to exceed a posted Road or Street Weight Restriction with a Road Bond for Peoples Natural Gas Company LLC for 4th Avenue, Y-Street, and Rod and Gun Club Road dated June 13, 2103 through June 13, 2104. Motion **SECONDED** by Chad Fabian. All members present voiced “aye” in favor of the motion. Motion passed.
5. **MOTION** by Allen Skopp to approve a draft to amend the current traffic Ordinance to include a stop sign at Edith, Braden, and Third Street. Motion **SECONDED** by Nelie Smith. All members present voiced “aye” in favor of the motion. Motion passed.
6. Council approved hiring a part-time police officer earlier in the meeting after the Mayors report.

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7. **MOTION** by Allen Skopp to table approving a salary for Kristine Melville as Pool Manager. Motion **SECONDED** by Nelie Smith. All members present voiced “aye” in favor of the motion. Motion passed.
8. **MOTION** by Chad Fabian to approve Central Westmoreland COG membership for 2013-2014 for \$195.00. Motion **SECONDED** by Allen Skopp. All members present voiced “aye” in favor of the motion. Motion passed.

The request from Chuck DeRito regarding Derry Borough purchasing a ladder from him for our public works department was discussed. Allen Skopp made a **MOTION** not to purchase the ladder that Chuck DeRito had purchased for the public works department. Motion **SECONDED** by Chad Fabian. All members present voiced “aye” in favor of the motion. Motion passed.

PAYMENT OF BILLS

MOTION made by Chad Fabian to pay the bills totaling \$47,667.07, and all outstanding legitimate bills through the end of the month of July. Motion **SECONDED** by Allen Skopp. All members present voiced “aye” in favor of the motion. Motion passed.

ADJOURNMENT

MOTION by Jim Struble to adjourn the meeting at 8:21pm. Motion **SECONDED** by Allen Skopp. All members present voiced “aye” in favor of the motion. Motion passed.

Respectfully submitted,

Lori L. Latta
Secretary