

### October 14, 2013

Derry Borough Council met in regular session Monday, October 14, 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 Ritenour, Jim Struble, Chad Fabian, and Joseph Morton. Allen Skopp was absent. Mayor Dave Bolen was present. Greg Reinbold from Tribune Review and Nick Cammuso from the Latrobe Bulletin were reporting.

A presentation was given by the Mayor David Bolen for the first<sup>1</sup> Humanitarian Award to honor Alan Checca and his daughter Jessica Checca who donated a kidney to save his life. They are residents of Derry Borough. Westmoreland County Commissioners Ted Kopas and Tyler Courtney were present, as well as Representative Joseph Petrarca to present awards on behalf of the county and a Citation from the state representative's office.

A **MOTION** was made by Jim Ritenour to approve the minutes for the regular council meeting of September 16, 2013. Motion **SECONDED** by Joseph Morton. All members present voiced "aye" in favor of the motion. Motion passed.

A **MOTION** was made by Chad Fabian to approve the treasurer's report for September 30, 2013 with a General Fund Balance Sheet totaling \$216,226.01. Motion **SECONDED** by Nelie Smith. All members present voiced "aye" in favor of the motion. Motion passed.

**Derry Borough Council went into executive session at 7:24pm at the work session meeting held on Monday, October 7, 2013 for discussion of personnel and legal reasons. The executive session ended at 8:13p.m.**

#### RECOGNITION OF VISITORS

1. Roy Love – 420 W. 3<sup>rd</sup> Avenue – Mr. Love is still concerned about Ordinance enforcement for grass, weeds, and car ports on alleys with his neighboring property. It has been one year that he has been requesting a neighboring property be reviewed and brought to compliance. It was explained to him by councilmember Joseph Morton that the Zoning and Code Enforcement officer has addressed the issue with a notice of violation. They will have thirty days to comply with their notice served. Council hopes this will remedy his situation.
2. Rose Churley- 618 W. 2<sup>nd</sup> Avenue – Observing.
3. Susan Bortz – 500 W. Third Avenue – Observing
4. Molly Wynn – 249 W. Owens Avenue, Derry – SRU Group Observation Project
5. Alex Skopp – 125 West 3<sup>rd</sup> Avenue – Came to the meeting to offer the Boy Scouts Troop 352 to assist with any projects in Parks and Recreations upcoming. Alex Skopp will provide contact information to Lori for future projects. Micah Ritenour suggested that his Troop 340 could work together in the future to help with projects in the Borough.
6. Ted Kopas – Westmoreland County Commissioner – Mr. Kopas wanted to Thank council for their leadership with the Porcelain Park, the Rt. 217 State Bridge, and the Watershed Projects and working in coordination with Westmoreland County making these a priority for Derry Borough and Westmoreland County to assist with making Derry Borough a more viable community.

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**SOLICITOR'S REPORT**

Solicitor submitted a written report and supplement to Borough Council and all issues contained in the report relate to personnel and litigation matters.

**MAYOR'S REPORT**

Mayor Dave Bolen submitted the Mayor's report for September 2013 with receipts of \$1,705.37 which included traffic receipts of \$347.21 and non-traffic receipts of \$376.22.

There were 96 complaint calls, 52 traffic citations, and 6 non-traffic citations with no parking tickets.

K-9 Officer Blade has been recertified in narcotics, patrol, tracking, and apprehension.

There have 1220 total police calls for 2013.

Mayor Bolen presented a summary of possible contracted services for the Pit Stop BP. Kristine Melville asked if council could have time to review the summary and bring back to the agenda at November's meeting.

**ZONING OFFICER'S REPORT**

Joseph Morton reviewed George Lender's verbal report to the meeting. BIU will charge for Mr. Lender to attend the Borough meetings. In effort to cut costs we are not asking George Lender to attend the meetings. Joe Morton reported two zoning permit applications, two magisterial level violations, and five code enforcement issues for this month.

**COMMITTEE REPORTS**

Chad Fabian – Public Works

There are some topics of discussion for executive session.

Nelie Smith – Finance/Budget Committee

Jim Ritenour – Public Safety

All is going well. Foot patrol is currently taking place to save on gas.

**REPRESENTATIVE REPORTS**

None

**PLANNING COMMISSION**

None

**COMMUNICATIONS**

None

UNFINISHED BUSINESS

1. Sidewalk Maintenance Agreement, Lighting, and Drainage Agreement– Reconstructed Rt. 217 Bridge Project –Tabled Council discussed having a meeting regarding the drainage agreement with the Municipal Authority. Council feels that this should fall under the Municipal Authority.
2. Board and Commission terms expiring in the Borough:
  - a. One (1) alternate vacancy for the Zoning Hearing Board
  - b. Two (2) Civil Service Commission Vacancies one expiring December 31, 2016 and one (6) year term expiring December 31, 2018.
  - c. One (1) vacancy for the Planning Commission  
No letters were received.
3. Recreation Board and Community Pool – Tabled  
Public works is working on some painting prior to close up of the community pool.
4. **MOTION** by Chad Fabian to approve Lee to draft an Ordinance for an agreement provided by the Indiana/Westmoreland COG to utilize their UCC appeals board. Motion **SECONDED** by Jim Struble. All members present voiced “aye” in favor of the motion. Motion passed.
5. CDBG Grant – Council further discussed the Sidewalks Project Estimate prepared by Gibson Thomas and would like to proceed with the grant application eventhough there is a large cost for engineering fees. They don’t want to miss the opportunity to obtain these grant funds. Nelie Smith voiced her concerns with proceeding with the grant without allocated funds to pay for the engineering fees. The need is there for these sidewalk improvements and it will benefit the community to move forward with this project in coordination with Porcelain Park, the Rt. 217 Bridge, and creating a more viable community. **MOTION** by Chad Fabian to proceed with the CDBG grant application provided by Gibson Thomas. Motion **SECONDED** by Joe Morton. Kristine Melville asked for a roll call vote to proceed with the application of CDBG funds for the project. Joseph Morton – Aye, Jim Struble – Aye, Nelie Smith – Nay, Chad Fabian – Aye, Jim Ritenour – Aye, and Kristine Melville –Aye. Motion passed with five members in agreement.
6. Storm Water Management Ordinance – Tabled
7. 2014 General Fund Budget – Tabled. Nelie Smith reported the committee will be having another finance committee meeting prior to next work session. The police department is requesting a meeting with the budget committee to review some ideas to help with the upcoming budget. Nelie Smith and Mayor Dave Bolen agree to coordinate a meeting.
8. Police Chief Contract (Wage Increase 2013) - Tabled

- 9. Penn Dot Land Acquisition for Rt. 217 Bridge
- 10. Rental Occupancy Permits – Tabled Funds will need to be budgeted for in order to move forward with such Ordinance and enforcement of the Ordinance.

NEW BUSINESS

- 1. **MOTION** by Jim Ritenour to approve Resolution No. 560-13 Authorizing distribution of 2013 State Aid for Pensions (\$34,959.22): General Fund Reimbursement Police Pension Plan - \$26,508 and Non-Uniform Pension Plan \$8,451.22. Paying the remaining balance for the 2013 Non-uniform Pension Plan (PMRS) MMO requirement of \$3,630.78 out of the General Fund. Motion **SECONDED** by Nelie Smith. All members present voiced “aye” in favor of the motion. Motion passed.
- 2. **MOTION** by Joe Morton to approve the resignation of Patrice Kebler from Planning Commission and advertise the vacancy. Motion **SECONDED** by Chad Fabian. All members present voiced “aye” in favor of the motion. Motion passed. There is currently no quorum for the Planning Commission, so another member needs to be appointed prior to any business being forwarded to the planning commission.
- 3. A review of the quotes for the small shed and small public works garage were reviewed and as follows:

	<u>Brick Sm. Garage</u>	<u>Wooden Shed</u>
Gulas Contracting	\$2,030.00	\$1,990.00
Jim Bowman	Garage # 2 & Shed #3	Both for \$4,260.00
Nicks Specialty Roofing	\$3,000.00	\$2,600.00
KSL Roofing	Garage #2 and Shed #3	Both for \$4,040.00
Sandy’s Window Co.	Garage # 2 & Shed #3	Both for \$5,560.00
TMR Roofing	\$5,250.00	\$7,500.00

**MOTION** by Chad Fabian to approve lowest quote and hire Gulas Contracting for the repairs of the small shed and small garage at the public works location. Motion **SECONDED** by Jim Ritenour. All members present voiced “aye” in favor of the motion. Motion passed.

- 4. Hoffman’s Contract for 2014- Tabled requesting more information from Mayor Dave Bolen.
- 5. **MOTION** by Joe Morton to approve Resolution No. 561-13 Approving transferring AmeriServe McGee Run Statement Savings with signature cards. Motion **SECONDED** by Jim Struble. All members present voiced “aye” in favor of the motion. Motion passed.

6. Tabled until after the executive session to be held at a later time at the meeting.
7. **MOTION** by Chad Fabian to approve addendum to Derry Borough's contract with BIU for services for one year correcting language for percentages of payment for zoning permits. Motion **SECONDED** by Joe Morton. All members present voiced "aye" in favor of the motion. Motion passed.
8. Municipal Authority – Council discussed having a town hall meeting regarding the possibility of selling the Municipal Authority to gain citizen input. Council would like to review the financials from the Municipal Authority for the past two years and are requesting they forward quarterly treasurer reports for the last two years. Jim Ritenour suggesting getting facts to review prior to moving forward with any research with Westmoreland Municipal Authority.

**MOTION** by Chad Fabian to request Treasurer Reports with minutes for the past two years from the Municipal Authority. Motion **SECONDED** by Jim Struble. All members present voiced "aye" in favor of the motion. Motion passed.

**MOTION** by Chad Fabian to request a letter to be sent to Westmoreland Municipal Authority to begin informal discussions regarding possibilities of the sale of Derry Borough's Municipal Authority. Motion **SECONDED** by Jim Ritenour. All members present voiced "aye" in favor of the motion. Motion passed.

**Council went into executive session at 8:10pm for legal purposes and discussion. Executive session ended at 9:17pm.** A motion was made regarding Final Payment of Paving Project.

**MOTION** by Chad Fabian to pay the Final Pay Estimate for the 2013 Paving Project in the amount of \$11,469.52 under protest. Motion **SECONDED** by Jim Struble. Kristine Melville requested a roll call vote. Joe Morton – Aye, Jim Ritenour – Aye, Chad Fabian-Aye, Nelia Smith- Aye, Jim Struble- Aye, and Kristine Melville – Aye. Motion passed.

#### PAYMENT OF BILLS

**MOTION** by Chad Fabian to pay the bills. Bill list totaled \$56,522.61 and all outstanding legitimate bills through the end of the month. Motion **SECONDED** by Nelia Smith. All members present voted "aye" in favor of the motion. Motion passed.

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ADJOURNMENT

**MOTION** by Joe Morton to adjourn the meeting at 9:26 p.m. Motion **SECONDED** by Jim Ritenour. All members present voiced “aye” in favor of the motion. Motion passed.

Respectfully submitted,

Lori L. Latta  
Secretary