

February 10, 2014

Derry Borough Council met in regular session Monday, February 10, 2014 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, Allen Skopp, and Chad Fabian. Kristine Melville was absent. Two council vacancies. Mayor Dave Bolen was present. Nick Cammuso from the Latrobe Bulletin and Greg Reinbold from the Tribune Review were reporting.

MOTION by Allen Skopp to approve the minutes for the re-organization and regular council meeting of January 6, 2014. Motion **SECONDED** by Chad Fabian. All members present voiced “aye” in favor of the motion. Motion passed.

MOTION by Chad Fabian to approve the treasurer’s report for January 31, 2014 with possible revisions and a General Fund Balance Sheet totaling \$216,310.91. Motion **SECONDED** by Nelie Smith. All members present voiced “aye” in favor of the motion. Motion passed.

Derry Borough Council went into executive session for personnel reasons at 8:58pm at the Derry Borough Council work session held on Monday, February 3, 2014. Executive session ended at 9:24p.m.

RECOGNITION OF VISITORS

1. Deion Ortz – 612 S. Ruby St. – Class Project
2. Roy Love – 420 W. Third Avenue – Questioned why the public works department can block the alley with snow when plowing? Mr. Love explained he was in violation when he blocked the alley with stones, why is it ok for the Borough to block the alley with snow. Mr. Love wants to understand why the alley isn’t plowed, since the alley was officially opened this past summer spending tax payer’s money. Police are stopping people on the railroad tracks and doing unauthorized searches. He asked the Mayor what are the proper police procedures?
3. JD Nace – 740 E. 1st Avenue – Police concerns. Questioned why the Derry Police are working outside the Borough’s jurisdiction? Is there a current agreement in which other police departments are allowed to come into our community? He asked if he could review a budget for the police department.
Concerned about police policy, he knew of an incident that took place on the railroad tracks, that included a search without a warrant and asked how can that happen. He mentioned that there was a personal incident that a Latrobe police officer used unnecessary force with him in the past. He would like to donate a camera for the police department to avoid situations like this in the future.
4. Stephanie Nace – 740 E. 1st Avenue – Procedures
5. Al Checca- 524 N. Chestnut Street – Observing
6. Susan Truxal – 174 Flowers Rd. New Alexandria – Upset with Police Chief Glick’s actions at Grandview school for morning drop off. She felt mistreated. The signs told her she can park where she wanted to and she has a handicap license plate. He would not allow her to go left to a closer handicap spot at the drop off area for her granddaughter. She is handicapped and she videoed herself walking from the parking lot on the far right.

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The Mayor stated he would look at the video after the meeting and address the matter accordingly.

7. Jim Stahl – 614 W. 4th Avenue – Observing
8. Jim Ritenour – 314 S. Chestnut St. – Observing
9. Micah Ritenour – 314 S. Chestnut St. – Observing
10. Jim Struble – 4th Avenue – Observing

SOLICITOR’S REPORT

Solicitor received confirmation that the DCED received the Tax Anticipation Loan Documents.

Per the request of Borough Council, he drafted a proposed letter to the Pennsylvania Infrastructure Investment Authority requesting the transfer of municipal loans to the Municipal Authority of the Borough of Derry, seeking approval of the communication.

The Solicitor provided a written report to Borough Council relating to public and attorney client privileged issues. In an effort to minimize legal expenses, the Solicitor was available via telephone if needed.

MAYOR’S REPORT

Mayor Dave Bolen submitted the Mayor’s report for January 2014 with receipts of \$1,001.30 which included traffic receipts of \$368.46 and non-traffic receipts of \$469.16. There were 99 complaint calls, 7 traffic citations, and one (2) non-traffic citation with no parking tickets.

The Mayor commended the Public Works department for keeping our roads clear with the limited resources of salt recently.

ZONING OFFICER’S REPORT

Mr. Morton will continue to work closely with George Lender our Zoning Officer with code and zoning violations. A report will be sent out once invoice is received by the Borough office.

COMMITTEE REPORTS

Chad Fabian – Public Works

Two of the trucks have needed some maintenance work and new tires will be needed for the back hoe.

Joe Morton – Zoning

Nelie Smith – Budget Committee

There are a few items showing to be over budget, which need to be reviewed closely in the public works department and the police department.

Ms. Smith is planning on attending a grant seminar at the end of the month with DCNR, for potential projects in the future.

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REPRESENTATIVE REPORTS

DARCEE will be having a meeting the fourth Wednesday, February 26, 2014 at First Commonwealth Bank at 7pm.

Kelly Tatone's position on the Zoning Hearing Board has expired. She has forwarded a letter to remain on the board. MOTION by Allen Skopp was made to appoint Kelly Tatone to the Zoning Hearing Board. Motion SECONDED by Chad Fabian. All members present voiced "aye" in favor of the motion. Motion passed.

PLANNING COMMISSION

There are still two vacancies on the planning commission.

COMMUNICATIONS

- Municipal Roundtable February 14, 2014 7:30am – 12 noon Environmental Issues and Natural Resource Questions Westmoreland Conservation District
- Letter of interest Jim Ritenour
- Letter of interest Jim Struble
- Letter of interest Al Checca
- Newsletter – Planning Trends Westmoreland
- Letter – Sam and Lisa Johnston -540 W. Seventh Avenue
- Mt. Pleasant Rental Properties
- DASD Musical Ad Request ¼ Ad \$25
- Letter - Curt Robbins Resignation
- Andrew Ong – Letter of Resignation from Police Department

UNFINISHED BUSINESS

1. Council Vacancies – Letters were reviewed. **MOTION** was made by Chad Fabian to appoint Al Checca to one of the vacancies for council. (Res. 568-14) Motion SECONDED by Allen Skopp. A roll call vote was taken and all members voted "aye" in favor of the motion. Motion passed.

MOTION was made by Chad Fabian to appoint Jim Struble. Motion died due to lack of second.

MOTION was made by Nelie Smith to appoint Jim Ritenour. Motion SECONDED by Allen Skopp. A roll call vote was taken: Allen Skopp – Aye, Nelie Smith – Aye, Joseph Morton – Nay, Chad Fabian – Nay. Due to the tie, the Mayor was requested to break the tie. The Mayor asked Mr. Ritenour his availability to attend the meetings. The Mayor asked for an executive session for personnel reasons.

Derry Borough Council went into executive session for personnel reasons at 7:54pm. Executive session ended at 8:00p.m.

The Mayor voted "aye" in favor of appointing Jim Ritenour to the council vacancy. Motion passed. (Res. 569-14)

Al Checca and Jim Ritenour were sworn in by the Mayor.

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2. **MOTION** by Allen Skopp to approve Resolution 566-14 Appointment of Primary and Secondary Voting Delegate listing Jim Ritenour and Lori Latta for the Westmoreland County Tax Collection Committee effective January 6, 2014. 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 Municipal Authority Letter of Intent prepared by Lee Demosky. Motion **SECONDED** by Nelie Smith. All members present voiced “aye” in favor of the motion. Motion passed.

4. 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. Two (2) vacancy for the Planning Commission
- d. Vacancy (1) Municipal Authority Board expiring term December 31, 2018.

MOTION by Allen Skopp was made to appoint Kevin Quinlisk to the Municipal Authority Board term expiring December 31, 2018. Motion **SECONDED** by Chad Fabian. All members present voiced “aye” in favor of the motion. Motion passed.

5. No letters were received for the Vacancy Board Chairman position.

NEW BUSINESS

1. Megan’s Law – Mr. Morton requested council to review the Ordinance he forwarded to them for their review, and it was sent to Lee Demosky as well. The item was tabled until March meeting.
2. Dog Medical Care needs to be added to the budget. There are no funds allotted in the line item. This is a concern for the Chief.
3. **MOTION** by Chad Fabian to advertise for a Seasonal Community Pool Manager. Motion **SECONDED** by Allen Skopp. All members present voiced “aye” in favor of the motion. Motion passed.
4. **MOTION** by Allen Skopp to approve selling millings left from 2013 Paving Project by bid. Motion **SECONDED** by Nelie Smith. All members present voiced “aye” in favor of the motion. Motion passed.
5. **MOTION** by Allen Skopp to accept Curt Robbin’s resignation and advertise the vacancy for Municipal Authority Board. Motion **SECONDED** by Chad Fabian. All members present voiced “aye” in favor of the motion. Motion passed.

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6. **MOTION** by Chad Fabian to accept Andrew Ong's resignation as part-time police officer. Motion **SECONDED** by Allen Skopp. All members present voiced "aye" in favor of the motion. Motion passed.
7. **MOTION** by Allen Skopp to approve Resolution 567-14 Council Signature Cards for First Commonwealth Bank, S & T Bank, and Ameriserve Bank. Motion **SECONDED** by Nelie Smith. All members present voiced "aye" in favor of the motion. Motion passed.
8. **MOTION** by Allen Skopp to approve Salt Contract Bid Amount for 2014-2015 for 650 tons. Motion **SECONDED** by Chad Fabian. All members present voiced "aye" in favor of the motion. Motion passed.
9. Approve Matt Smith to acquire pesticide licensing. – Tabled

Derry Borough Council went into executive session for personnel reasons at 8:18pm. Executive session ended at 8:23p.m.

MOTION by Allen Skopp to approve Matt Smith's request for part-time status effective February 16, 2014. Motion **SECONDED** by Chad Fabian. All members present voiced "aye" in favor of the motion. Motion passed.

Mayor requested to attend with the Chief of Police a Canine Medical Class to be held at WCCC upcoming costing \$35 a piece. **MOTION** by Allen Skopp to approve Chief Glick and Mayor's attendance to the class. Motion **SECONDED** by Chad Fabian. All members present voiced "aye" in favor of the motion. Motion passed.

PAYMENT OF BILLS

MOTION by Allen Skopp to pay the bills totaling \$33,702.91 and all outstanding legitimate bills through the end of the month. Motion **SECONDED** by Nelie Smith. All members present voted "aye" in favor of the motion. Motion passed.

ADJOURNMENT

MOTION Chad Fabian to adjourn the meeting at 8:25pm. Motion **SECONDED** by Allen Skopp. All members present voiced "aye" in favor of the motion. Motion passed.

Respectfully submitted,

Lori L. Latta
Secretary