

March 13, 2017

Derry Borough Council met in regular session Monday, March 13, 2017 at 7:00 P.M. in the Derry Station Community Room, 200 West Second Avenue, Derry, PA with the following members present: Chad Fabian, Presiding, Al Checca, Barry Holden, Dave Fletcher, David Jones and Jim Ritenour. One council vacancy. Mayor Kevin Gross was present. Nick Cammuso was reporting.

MOTION by Dave Fletcher to approve the minutes for the regular council meeting of February 13, 2017. Motion **SECONDED** by Al Checca. All members present voiced “aye” in favor of the motion. Motion passed.

MOTION by Al Checca to approve the treasurer’s report with a General Fund Balance Sheet totaling \$197,958.61 for February 28, 2017. Motion **SECONDED** by Barry Holden. All members present voiced “aye” in favor of the motion. Motion passed.

Derry Borough Council went into executive session at the Derry Borough Council Worksession held on March 6, 2017 at 7:25pm with the Derry Borough Solicitor for discussion of the following labor and personnel of the public works department, potential litigation regarding zoning and zoning violations, and UCC violations with proper process. Executive session ended at 8:18pm.

RECOGNITION OF VISITORS

1. Don Ritenour – Owens Avenue – Observing for any information on Owens Avenue Extension Project.
2. Micah Ritenour – S. Chestnut Street - Observing and submitted a letter for the council vacancy.
3. Jim and Marty Bucci, Karla Terney, and Barry Terney – Methodist Church – Electronic Sign Application
4. Melodie Rogowski – High Street – Wondered if the trailers and commercial trucks issue has been reviewed. Review of the sign concerns regarding Zoning. Concerned about the lights on the bridge, they haven’t been lit and it creates a problem with the crosswalks visually.
5. Karen and Daniel Chaney – 311 S. Chestnut Street – Methodist Church members are frustrated. They have received a second denial which was written and prepared by BIU on their sign application including two of three items that weren’t mentioned originally with a verbal denial. They received a letter from the zoning officer which expressed issues with zip change letters and the square footage of the sign. Currently, there is no language regarding zip lines within a sign in the Zoning Ordinance.

Originally, they only received a verbal from the Zoning Officer that explained there was a height issue and electronics were not permitted. They don’t understand why these new cited issues weren’t addressed originally.

Council explained they were not aware of the zip change letters being a concern or part of the original application, and unfortunately that is part of the process of the Zoning application process. Derry Council is not involved with the zoning application process. Council addressed the issues brought to the council meeting regarding electronic and LED signage as discussed in previous meetings by the Methodist Church. Mr. Fabian suggested that the planning commission review zip change letters for our zoning ordinance and make a recommendation for

March 13, 2017

definition. Council understood their frustration, but hoped that the Methodist Church would still move forward with their objective.

6. Grant & Brenda Nicely – 205 Park Street - Observing

SOLICITOR'S REPORT

The Solicitor provided a written report to Borough Council relating to public and attorney client privileged issues. Due to the moratorium Borough Counsel enacted to reduce expenses, the Solicitor was directed to not appear at the public meeting.

MAYOR'S REPORT

Mayor Kevin Gross submitted the Mayor's report for February 2017 with receipts of \$459.84 which included traffic receipts of \$316.04 and non-traffic receipts of \$11.05. There were 99 complaint calls, 15 traffic citations, 2 non-traffic citations, and 9 parking tickets.

BUILDING INSPECTIONS UNDERWRITERS, INC. MONTHLY REPORT

BIU reported for the month of February 2016 thirteen (13) Code Violations.

COMMITTEE REPORTS

Municipal Authority Review Committee – Barry Holden and Al Checca

Jim Ritenour – Public Works.

Allen Skopp – Grants

Al Checca- Police Department

Lori Latta – Appeals Board Property Maintenance – Derry Borough will need to maintain Central Westmoreland COG membership for 195/year to utilize the appeals board for code violations when necessary. Derry Borough also will need to maintain Indiana/Westmoreland COG membership for our UCC appeals agreement with our membership which has an annual fee of \$100.

Chad Fabian – Spoke with Jesse Patterson regarding struggles of keeping pool open until Labor Day. There was no staff available due to school and college attendance schedules. Council agreed that they would close the pool this year on August 20, 2017 with no price increases for the season.

REPRESENTATIVE REPORTS

- DARCee Meeting will be held on March 22, 2017 at 7pm Derry Township Building
- RR Days Committee meets 2nd Thursday, monthly at Derry Station Community Room at 6:30pm
- Bowling for DARCee to be held on March 25th at Lincoln Lanes from 1pm-3:30pm
Donation \$35 per person includes two games, food, beverages, and prizes.

PLANNING COMMISSION

No formal report submitted.

March 13, 2017

COMMUNICATIONS

- Letter of interest from Fred Goodman for the Municipal Authority Board vacancy
- Letter of interest from Mike Reffo for councilmember vacancy
- Letter of interest from Micah Ritenour for councilmember vacancy
- Letter of interest from Daniel Chaney for councilmember vacancy
- Be a part of the county plan – visit www.co.westmoreland.pa.us and go to Reimagining Our Westmoreland – Meeting Weds, March 8, 2017 at Yellow Bridge Brewing from 5-7pm in Delmont
- Meeting on Wednesday, February 22, 2017 5pm will be held for Owens Avenue
- Westmoreland County Borough’s Banquet will be held on Friday April 28, 2017– Cost \$25 Please RSVP with Borough Office by April 14, 2017, if you plan on attending. Al Checca and Dave Fletcher plan on attending.
- Railroad Days Committee Donation Request Letter for 2017 – add to agenda for April meeting.
- Westmoreland County Boroughs Association Meeting March 23, 2017 at WCD office – The Barn at 7pm. Please RSVP by 3-20-17 – Speaker from PA One Call
- WCD Dirt and Gravel Roads Tuesday, March 21, 2017 – Saltsburg Location
- Unity Township Supervisors letter for Westmoreland County Food Bank request for donations.
- Petition received to have Broad Street paved. – Council suggested a call back to Mr. Terri Gaudi as the circulator of the petition and let him know the next paving project council will review Broad Street as part of the project.

UNFINISHED BUSINESS

1. Board and Commission terms expiring in the Borough:
 - a. Two (2) vacancies and (1) alternate vacancy for the Zoning Hearing Board
 - b. Three (3) Civil Service Commission Vacancies three (6) year-terms expiring every two years
 - c. Vacancy Board Chairman
2. N. Ligonier Street Bridge and Owens Avenue Extension Project
3. Vacancy for the Solicitor of the Zoning Hearing Board – No letters were submitted.
4. Community Park Project – 1st Meeting was held with Ken Ori prior to last work session. Waiting to hear from Ed Schmitt for our first planning meeting.
5. **MOTION** by Jim Ritenour to appoint Daniel Chaney Sr. for the council vacancy term expiring 12-31-2017. Motion **SECONDED** by Dave Fletcher. A roll call vote was taken. All members present voiced “aye” in favor of the motion. Motion passed. (**Res 612-17**)

March 13, 2017

6. **MOTION** by Dave Fletcher to appoint Fred Goodman to the vacancy for the Municipal Authority of the Borough of Derry for the remaining time of a five-year term expiring 2019. Motion **SECONDED** by Dave Jones. A roll call vote was taken. All members present voiced “aye” in favor of the motion. Motion passed.

NEW BUSINESS

1. **MOTION** by Dave Fletcher to approve **Res. 613-17** the Westmoreland Conservation District updated Agreement. Motion **SECONDED** by Al Checca. All members present voiced “aye” in favor of the motion. Motion passed.
2. **MOTION** by Dave Jones to advertise the Intersection Lights Bids accepting no less than \$300. Motion **SECONDED** by Dave Fletcher. All members present voiced “aye” in favor of the motion. Motion passed.
3. **MOTION** by Al Checca to advertise the Public Works Crew Leader Position. Motion **SECONDED** by Jim Ritenour. All members present voiced “aye” in favor of the motion. Motion passed.
4. **MOTION** by Dave Jones to shorten the Community Pool season for 2017 to end on August 20, 2017. Motion **SECONDED** by Dave Fletcher. All members present voiced “aye” in favor of the motion. Motion passed.
5. **MOTION** by Jim Ritenour to advertise Ordinance 775-17 for Real Estate Tax Exemptions for the Construction of New Dwelling Units. Motion **SECONDED** by Al Checca. All members present voiced “aye” in favor of the motion. Motion passed.
6. **MOTION** by Dave Fletcher to advertise Ordinance 776-17 Authorizing Tax Exemptions from Property Tax for Certain Deteriorated Industrial, Commercial, and other Business Property, and for providing a procedure for implementation of such exemption. Motion **SECONDED** by Al Checca. All members present voiced “aye” in favor of the motion. Motion passed.

Al Checca mentioned he had communications with a Duncan Donuts administrator to see if they might be interested in putting in a store location within the Borough limits. They would need personal interest with a franchise purchase.

MOTION by Al Checca to join the Central Westmoreland COG with annual membership of \$195 mainly for the use of the UCC/IPM appeals board when necessary. Motion **SECONDED** by Dave Jones. All members present voiced “aye” in favor of the motion. Motion passed.

March 13, 2017

PAYMENT OF BILLS

MOTION by Jim Ritenour to approve payment of bills totaling \$ 30,083.90 and all outstanding legitimate bills through the end of the month. Motion **SECONDED** by Al Checca. All members present voiced “aye” in favor of the motion. Motion passed.

ADJOURNMENT

MOTION by Dave Jones to adjourn at 7:54p.m. Motion **SECONDED** by Jim Ritenour. All members present voiced “aye” in favor of the motion. Motion passed.

Respectfully submitted,

Lori L. Latta
Secretary