

## October 15, 2018

Derry Borough Council met in regular session Monday, October 15, 2018 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, Grant Nicely, Daniel Chaney, Mary Landis, David Jones, and Jim Ritenour. Mayor Kevin Gross was present and Nick Cammuso, Latrobe Bulletin was reporting.

**MOTION** by Al Checca to approve regular meeting minutes of September 17, 2018. Motion **SECONDED** by Grant Nicely. All members present voiced “aye” in favor of the motion. Motion passed.

**MOTION** by Al Checca to approve special meeting minutes of October 1, 2018. Motion **SECONDED** by Mary Landis. All members present voiced “aye” in favor of the motion. Motion passed.

**MOTION** by Mary Landis to approve regular meeting minutes of October 9, 2018. Motion **SECONDED** by Grant Nicely. 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 \$306,146.18 for September 30, 2018. Motion **SECONDED** by Daniel Chaney. All members present voiced “aye” in favor of the motion. Motion passed.

### RECOGNITION OF VISITORS

1. Don Ritenour – Owens Avenue – Mr. Ritenour wanted to review Owens Avenue Extension project progress. Wanted to know when Comcast and Verizon will be transferring lines to new poles.
2. Jeremy Stein – Corner of Leo Street and Owens Avenue – Mr. Stein is following up to see what the results are of the flooding issues on Owens Avenue. Council explained that the water authority is still investigating all the concerns. The municipal authority meeting is upcoming and hopefully they will have more information on the problem.
3. Steve Kozar – DVFD President – Thanked council for taking on the Boiler issues at hand in an emergency situation.
4. Kirk Shaffer – Owens Avenue – Mr. Shaffer stated he has a master’s degree in heating and air conditioning and he left a message with the Mayor as a volunteer he would take a look at the boiler. He felt that McClain Boilers are junk and we would have problems with such. Councilmembers explained to him that council had three public meetings regarding the boiler and approval has already been given to proceed and replacement of the boiler is in process. Also, Mr. Shaffer wanted to know if council was going to approve repairing the alleys that he feels are impacting the excess stormwater which is contributing to the Owens Avenue stormwater overflow and causing issues for the residents. He also wanted to know if there were any other resolutions decided upon regarding Owens Avenue from MABD. He had a list of five (5) things that could be done to help with the situation, and he was to forward the list to council. Council explained that the water authority is still investigating the problem on Owens Avenue and he is welcome to attend their next meeting on Wednesday, October 17, 2018.

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5. Barbara Phillips – 241 W. Owens Avenue – Stormwater runoff coming from Charles Street to Wineman Way to Owens Avenue seems to be excessive and is causing her flooding issues and water retention in her yard. Basement has been flooded three times this year. She will send video to council to show them what she recorded of the last concern.

#### 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 and the Solicitor was directed to not appear at the public meeting.

#### MAYOR’S REPORT

Mayor Kevin Gross submitted the Mayor’s report for September 2018 with receipts of \$901.05 which included traffic receipts of \$561.81 and non-traffic receipts of \$339.24. There were 58 complaint calls, 17 traffic citations, one non-traffic citations, and no parking tickets.

The old Street Sweeper has been transferred to the recycling center. It is going to be more work for them to tear it down to salvage any materials, at this point they aren’t feeling much worth on the equipment. Mayor Gross will let council know.

317 E. Second Avenue which was deemed a safety concern has been boarded up by our public works department.

#### ZONING OFFICER’S REPORT

BIU reported 2 code violation notices upon inspection for the monthly statement of September 2018.

#### COMMITTEE REPORTS

*Municipal Authority Review Committee – Al Checca and Dan Chaney*

*Jim Ritenour – Public Works - Salt Shed, Municipal Building entrance, New Lift Truck Budget*

*Al Checca-Police*

*Chad Fabian – No report*

*Lori Latta – Floodplain Management- Boy Scouts*

*Mary Landis – Grants – DOJ Grant for Vests at 50%*

#### ANNOUNCEMENTS

**Derry Borough Council went into executive session at the Derry Borough Worksession held on Monday, October 1, 2018 at 7:45pm for personnel issues and potential litigation. Executive session ended at 8:15pm.**

#### PLANNING COMMISSION

No report

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**REPRESENTATIVES**

DARCEE Meeting October 24, 2018 scheduled for 7pm at New Alexandria Borough Building.

**COMMUNICATIONS**

- Amber Kerr – Resume for internship for the Borough office
  - Letter from Penn Dot regarding Rt. 217 Bridge Project and Stormwater Lines
  - Westmoreland Conservation District
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**UNFINISHED BUSINESS**

1. Board and Commission terms expiring in the Borough:
  - a) Three (3) 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
2. Owens Avenue Extension Project - Response to Nick Puzak regarding public works
3. Approved advertising Ordinance 782-18 updating current Stormwater Management Ordinance - Still Under review by Doug Siler **Tabled**
4. Garland Mills - Project Planning – Doug Siler Apply for CDBG funding for a potential project.is an option.
5. CDBG Grant – ADA Accessible Bathrooms – Derry Community Park

**NEW BUSINESS**

1. Approved to advertise Ordinance 781-18 Requiring Inspection and Testing of Private Sewer Laterals Prior to the Sale of Transfer of Real Property and establishing Procedural Requirements, fees, penalties, and exemptions. (Amy Forsha requested council hold off, they have some amendments to make before advertising) - **Tabled**
2. **MOTION** by Al Checca to approve Trick or Treating for Halloween for Saturday, October 27, 2018 from 5pm-8pm. Trunk or Treat will be held at Derry Area School District starting at Grandview Elementary. Motion **SECONDED** by Grant Nicely. All members present voiced “aye” in favor of the motion. Motion passed.
3. **MOTION** by Daniel Chaney to advertise Ordinance 780-18 Amending Bylaws for the Municipal Authority authorizing and assigning the Derry Borough Municipal Authority to oversee the Operations Maintenance, and enforcement of Stormwater within the Borough of Derry. (Draft provided by Lee Demosky) Motion **SECONDED** by Mary Landis. All members present voiced “aye” in favor of the motion. Motion passed.
4. Hoffman’s Dog Service Contract - \$100 per month and \$85 per call – Table until November meeting.
5. General Fund Budget – Preliminary

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6. **MOTION** by Jim Ritenour to approve the Westmoreland County Transit Authority Local Share Assessment Agreement for FY 2018-2019 in the amount of \$925 with no increase from last year. Motion SECONDED Daniel Chaney. All members present voiced “aye” in favor of the motion. Motion passed.

7. **MOTION** by Grant Nicely to approve Amber Kerr as an intern for 8 hours a week at \$9.00 per hour for the Derry Borough office. Motion SECONDED Jim Ritenour. All members present voiced “aye” in favor of the motion. Motion passed.

8. **MOTION** by Jim Ritenour to approve Resolution No. 628-18 Payment of 2018 MMO to PMRS with additional excess state aid of \$13,794.36. There is no minimum obligation for the Derry Police Pension for 2018. Motion SECONDED by Dave Jones. All members present voiced “aye” in favor of the motion. Motion passed.

9. **MOTION** by Al Checca to approve Lee Demosky to negotiate the lien amount that council will accept for the vacant lot located on the corner 4<sup>th</sup> Street and Mentor Tax Map # 06-01-14-0-186 for municipal Grass Liens. Motion SECONDED by David Jones. All members present voiced “aye” in favor of the motion. Motion passed.

**Derry Borough Council went into executive session at 7:34pm for personnel reasons.  
Executive session ended at 8:06pm.**

#### PAYMENT OF BILLS

**MOTION** by David Jones to approve payment of bills totaling \$28,840.51 and all outstanding legitimate bills through the end of the month. Motion SECONDED by Grant Nicely. All members present voiced “aye” in favor of the motion. Motion passed.

#### ADJOURNMENT

**MOTION** by David Jones to adjourn at 8:09pm. Motion SECONDED by Jim Ritenour. All members present voiced “aye” in favor of the motion. Motion passed.

Respectfully submitted,

Lori L. Latta  
Secretary