

November 13, 2017

Derry Borough Council met in regular session Monday, November 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, Daniel Chaney, David Jones, Mary Landis, Grant Nicely, and Jim Ritenour. Mayor Kevin Gross was present and Dan Scifo, Latrobe Bulletin was reporting.

MOTION by Grant Nicely to approve the minutes for the regular council meeting of October 16, 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 \$222,843.76 for October 31, 2017. Motion **SECONDED** by Jim Ritenour. All members present voiced “aye” in favor of the motion. Motion passed.

RECOGNITION OF VISITORS

1. Don Ritenour – Owens Avenue – Observing – Mr. Ritenour requested an update for the Owens Avenue Extension Project. Derry Borough Council will approve the formal agreement and will be submitting to Penn Dot this week.
2. Kirk Shaffer – Observer – Porcelain Park

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 but appeared at the October work session.

MAYOR’S REPORT

Mayor Kevin Gross submitted the Mayor’s report for October 2017 with receipts of \$643.10 which included traffic receipts of \$372.61 and non-traffic receipts of \$ 6.95. There were 89 complaint calls, 12 traffic citations, 0 non-traffic citations, and no parking tickets.

BUILDING INSPECTIONS UNDERWRITERS, INC. MONTHLY REPORT

BIU reported on (1) court appearance and (2) two code violations for the month of October 2017.

COMMITTEE REPORTS

***Municipal Authority Review Committee** – Chad Fabian and Al Checca Stormwater Agreement
Jim Ritenour – Public Works – No report*

***Al Checca-Police** – Mr. Checca voiced concern on the Mayor’s report and is concerned about the amount of citations in a month’s time summarized on the report.. The Mayor responded that the Chief is creating a log for the officers tracking their mileage and violations.*

Mr. Checca mentioned that he noticed a street sweeper and was wondering if we could give notice to the residents to move their vehicles to assist with the task in the future and schedule a little later after most of the leaves have dropped off the trees.

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Chad Fabian – No report

Lori Latta – Boiler Maintenance, Front of Municipal Building Maintenance, Women's Bathroom Sinks (Plumbing) Jim Ritenour will talk with the Fire Department about the Boiler Maintenance and sharing the cost.

REPRESENTATIVE REPORTS

- DARCee – The vendor show held on Sunday, November 5, 2017 from 12 noon – 3pm at AV Germano Hall was a success. We wish there was more attendance, but there were a few other shows going on in the area on the same day. DARCee would like to make this an annual event.
- RR Days Committee is meeting on the 21st of November at Derry Station Community Room at 6:30pm.

PLANNING COMMISSION

No report

COMMUNICATIONS

- Patrick Byers Retirement letter
- Derry First United Methodist Church request for donation for their Community Thanksgiving Meal
- Thank you from Patrick Byers
- Resignation letter from Alex Barber
- Letter from DEP – Inspection of the Derry Flood Protection 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 – We received formal agreement from Penn Dot, waiting for response from Kevin Bittner on potential budget changes for the agreement. Agreement forwarded to council and Lee Demosky for review.
3. Community Park Project – Received by Friday, November 10, 2017 at 10am.

Dan Schmitt, Engineer addressed council. Based on our grant of \$225,000 and the match of \$43,750 totaling \$268,750 the bids came in over the project funds available. Options are available to reduce the overage such as possibly applying for a CDBG grant application for the ADA accessibility improvements to the bathroom facility.

One issue to discuss is all the contractors added a \$500 budget for building inspection fees, if the budget is exceeded for inspection they will have to adjust the numbers accordingly.

2nd issue is the water tap in fee off the main line with a hot box installation including a meter. The authority would tap the main line and bring the ¾ line to the property and install the meter as part of the tap in fee of approximately \$3,000. Mr. Schmitt in conversation with Amy Forsha asked if the fees could

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be waived since this was a Borough project. Ms. Forsha stated she would have to take it to the board to request a waiver.

Mr. Schmitt mentioned that there are some other items that council could review eliminating such as the cornhole area (\$2,500) and one of the bocce courts. Some of the demolition work could be perhaps done by the borough public works team that may assist with the reduction of costs as well. The demolition of the pylons and removal of them could also be separated as an individual contract at less than \$10,000, which could save some project funds as well.

Al Checca agreed that removing the cornhole court and one of the bocce courts. Chad Fabian asked if the basketball court poles that are currently there could be utilized saving some additional funds. Dan Schmitt explained that would be affecting another bid separately. It would be best to alter one contract solely, and also if you are upgrading the basketball court it is best to upgrade the entire court at one time due to paving.

Bids Received

Infrastructure Improvements – Contract 1/2017

- Ligonier Construction – \$145,000
- Terra Works – \$154,451
- Murin & Murin – \$175,065
- Golon, Inc - \$232,490

Fence Installation – Contract 2/2017

- Allegheny Fence - \$34,640
- Redrock Fence - \$37,288
- Able Fence - \$60,893

Pavilion/Bathroom Renovations

- JT Masonry Construction - \$94,000
- Vince Building Company - \$165,846
- Raffle Construction – \$168,960

Dan Schmitt recommended in summary council review the bids as the total of all three have come in over the estimated projected costs and hold off acting on the bids until a later meeting. Council will need to review options to reduce costs in order to move forward with the bid approvals. A discussion to apply for CDBG funds for the ADA accessible bathrooms was an option. Council will address the motion later in the meeting.

4. Approve Resolution 619-17 Pollutant Reduction Plan for MS-4 Permit

5. Public Works Union Contract - Tabled

6. Police Contract - Tabled

7. Al Checca visited both facilities to review the option before making a decision. Both kennels were in good condition. Sabel Kennels had noticeably more dogs than Hoffman's. There were many more dogs at Sable Kennels than Hoffman's, so many that they were using crates vs. kennels. They both have to put down dogs at times. Delmont location is much closer for our borough residents. Grant Nicely mentioned that there are many complaints listed on Hoffman's dog kennels listed on electronic media. There was a question raised regarding the positive communications of Hoffman's with dogs that are licensed and/or chipped.

Hoffman's Dog Service Contract - \$95 per month for retrieval service (Emergency calls after 4pm and weekends are an additional \$80 per incident.) January 1, 2018 – December 31, 2018.

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Sable Kennel Proposal – \$85 per month Remove animals on road Lg \$75.00 per animal Sm \$25.00 (Emergency calls after normal working hours an additional \$50/call January 1, 2018 – December 31, 2017.

Jim Ritenour requested more time before making a decision. After plenty of time for council review and visiting both Kennels, Al Checca recommended staying with Hoffman’s due to location and condition of the kennels. There were pros and cons to both kennels, which some councilmembers reviewed.

MOTION by Al Checca was made to approve Hoffman’s contract for 2018 with a \$5 per month increase. Motion **SECONDED** by Dave Jones. A roll call vote was taken. Mary Landis – Aye, Grant Nicely – Nay, Jim Ritenour – Nay, David Jones – Aye, Daniel Chaney – Nay, Al Checca – Aye, and Chad Fabian – Aye. 4 ayes – 3 nays Motion passed.

8. 2018 General Fund Budget – The Finance/Budget Committee will be meeting on Friday November 17, 2017 at 7pm at the Derry Borough Municipal Building.

NEW BUSINESS

1. **MOTION** by David Jones to approve Res 621-17 Designating officials to execute all documents and agreements between the Borough of Derry and the Pennsylvania Department of Transportation to facilitate the Multimodal Fund Grant Reimbursement Agreement for Highway and Bridge Projects. Motion **SECONDED** by Daniel Chaney Sr. All members present voiced “aye” in favor of the motion. Motion passed.
2. **MOTION** by David Jones to approve Res 622-17 Approving agreement with Penn Dot for the Multi Modal Funding Grant for Owens Avenue Extension and N. Ligonier St. Bridge removal project. 70% Grant funded with 30% match from the Municipality. Motion **SECONDED** by Grant Nicely. All members present voiced “aye” in favor of the motion. Motion passed.
3. **MOTION** by Al Checca to advertise for the Tax Anticipation Note for 2018. Motion **SECONDED** by David Jones. All members present voiced “aye” in favor of the motion. Motion passed.
4. Ordinance 778 – Establishing Tax Rates for Fiscal Year 2018 - Tabled
5. Municipal Liens – Grass/Weed Maintenance Residential Properties **MOTION** by Daniel Chaney Sr. to request our Solicitor to file liens on all properties over \$4,000 for municipal liens at the Westmoreland County Courthouse. Motion **SECONDED** by Jim Ritenour. All members present voiced “aye” in favor of the motion. Motion passed.
6. **MOTION** by Al Checca to approve Pat Byers retirement effective November 1, 2017. Motion **SECONDED** by Jim Ritenour. All members present voiced “aye” in favor of the motion. Motion passed.
7. **MOTION** by Al Checca to approve Alex Barber’s resignation. Motion **SECONDED** by Daniel Chaney Sr. All members present voiced “aye” in favor of the motion. Motion passed.

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8. **MOTION** by Jim Ritenour to approve Zach Lukon as a part-time police officer. Motion SECONDED by Grant Nicely. All members present voiced “aye” in favor of the motion. Motion passed.
9. **MOTION** by Al Checca to approve 2018 Council meeting schedule. Motion SECONDED by David Jones. All members present voiced “aye” in favor of the motion. Motion passed.
10. **MOTION** by Daniel Chaney Sr. to approve Pay Estimate #3 in the amount of \$10,476.50 for the Derry Community Park Project. Motion SECONDED by Al Checca. All members present voiced “aye” in favor of the motion. Motion passed.
11. **MOTION** by Al Checca to approve applying for a CDBG grant for the Derry Community Park project for ADA bathroom renovations or any other ADA accessible portions of the project which may qualify under the county program. Motion SECONDED by Grant Nicely. All members present voiced “aye” in favor of the motion. Motion passed.

Derry Borough Council went into executive session for personnel reasons for administration and police departments at 8:00pm. Executive session ended at 8:28pm.

MOTION by Mary Landis to approve hiring another part-time police officer. Motion SECONDED by Jim Ritenour. Six members present voiced “aye” in favor of the motion. Al Checca voted “nay” Motion passed.

PAYMENT OF BILLS

MOTION by David Jones to approve payment of bills totaling \$ 21,191.80 and all outstanding legitimate bills through the end of the month. Motion SECONDED by Daniel Chaney Sr. All members present voiced “aye” in favor of the motion. Motion passed.

ADJOURNMENT

MOTION by David Jones to adjourn at 8:32p.m. Motion SECONDED by Jim Ritenour. All members present voiced “aye” in favor of the motion. Motion passed.

Respectfully submitted,

Lori L. Latta
Secretary