

## March 12, 2018

Derry Borough Council met in regular session Monday, March 12, 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, David Jones, Mary Landis, Grant Nicely, and Daniel Chaney. Jim Ritenour was absent. Mayor Kevin Gross was present and Nick Cammuso, Latrobe Bulletin was reporting.

**MOTION** by Al Checca to approve regular meeting minutes of February 12, 2018. Motion **SECONDED** by Grant Nicely. All members present voiced “aye” in favor of the motion. Motion passed.

**MOTION** by Daniel Chaney Sr. to approve the treasurer’s report with a General Fund Balance Sheet totaling \$229,904.95 for February 28, 2018. Motion **SECONDED** by Al Checca. All members present voiced “aye” in favor of the motion. Motion passed.

### RECOGNITION OF VISITORS

1. Don Ritneour – Owens Avenue – Requesting progress of Owens Avenue Extension Project. A notice to proceed has been issued to Gibson-Thomas to move forward with the project.
2. Norma Moore – 401 N. Ligonier – Parking on one side of street, No parking sign. She wanted to know why the sign was erected. Council explained there is an Ordinance in place that would support one sided parking on that street. It’s difficult for her to have visitors because there is not enough parking. Chad Fabian, Council President and Al Checca stated they would research it and get back with her.
3. Melanie Smail – 209 W. Owens Avenue- Has had a lot of flooding in her basement with all the rain we have received recently. It seems that since the State Route Bridge project on Rt. 217 has been completed there has been several issues with other homes on her street as well. She wanted to know if council could review to see if there a problem has been created due to the project. Council stated they would need to review with the water authority. Ms. Smail also mentioned there has been a lot of speeding on Rt. 217 and on Owens Avenue at the curve south bound onto the bridge. They had a vehicle hit their truck mirror in one of the instances.
4. Sharon Shearer – 210 N. Chestnut St. - Has concerns with a neighboring property with garbage and junk. She also stated they are converting a garage into an apartment without permission. She stated that they should be applying for a permit, which would probably be denied by our Zoning Ordinance. She asked council to look at enforcement now prior to them having someone move in, because it will be more difficult to enforce after someone moves in to the apartment. She stated there is a history of police calls at that location and it has been a problem property. Council stated they would have the code official look into the matter further. Also, she mentioned it was very difficult to reach the BIU code official. The most recent time she called the voice mail at the BIU office indicated that he needed to be reached at a different number. She was wondering if council could address that issue as well. She has requested him to review her situation with the neighbor and doesn’t feel that she has received any resolution.
5. Jake and Jacki Schall – 425 W. Third Avenue – They have a problem with being double billed by Waste Management beginning this January of 2018. They asked council to please look

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into the matter for them and they are concerned that there are other seniors that this may happen to and they don't even realize and just pay the bills. (Worksession attendance 3-5-18)

#### 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 February 2018 with receipts of \$604.38 which included traffic receipts of \$401.68 and non-traffic receipts of \$8.58. There were 90 complaint calls, 20 traffic citations, 5 non-traffic citations, and no parking tickets.

Mayor Gross brought to council some issues with the new bridge project. One issue is there is a sidewalk sinking near two storm drains and there is a steel cover that has exposed an expansion joint on the sidewalk side of the bridge. Chris Bardi, project manager has been notified of the issues.

#### **Derry Borough Council went into executive session at the Derry Borough Council Worksession held on March 5, 2018 at 7:16pm for the following discussion:**

- 1. Real Estate Contract matter involving Derry Borough owned parcel.**
  - 2. Personnel - Collective Bargaining Agreement with Department of Public Works.**
  - 3. Potential Litigation Matter (Attorney-Client Privileged Communication with Solicitor)- MS-4 Regulations**
- Executive session ended at 8:33pm.**

#### ZONING OFFICER'S REPORT

##### COMMITTEE REPORTS

*Municipal Authority Review Committee – Al Checca - Stormwater Agreement*

*Jim Ritenour – Public Works – Snow Removal*

*Al Checca - Police – Google Calendar*

*Chad Fabian* – Electric at Pool (Contact Ric-Mar) to look at the pump house electric. Next meeting for G-16 will be held on April 10, 2018, he would like council attendance to this meeting.

*Lori Latta* – Front of Municipal Building

*Mary Landis* – Researched grant information for the police department for radios and body armor vests. She retained information from [policegrantshelp.com](http://policegrantshelp.com). Information was forwarded to Mayor Gross for follow-up.

##### REPRESENTATIVE REPORTS

- DARCEE – March 28, 2018 at 7pm at Derry Borough Municipal Building
- RR Days Committee – Tuesday, March 20, 2018 at 6:30pm

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PLANNING COMMISSION

COMMUNICATIONS

- Railroad Days Committee will be having an Easter Egg Hunt 1-3pm on March 31<sup>st</sup>, 2018 at Mossback Park.
  - Westmoreland County Boroughs Annual Banquet will be held at Lakeview in Greensburg on Friday, April 27, 2018 at 6:00pm. Please RSVP with Lori by April 15<sup>th</sup> so she can respond to the Association in a timely manner.
  - PEC Thank you letter for Membership of 2018
  - IDC 2017 Annual Report
  - PAMA 2018 Conference Malvern, PA
  - Westmoreland County Boroughs Association Meeting March 22, 2018 at 7pm at WCD office at the Education Building (Barn) Program - West Nile Virus RSVP by March 19, 2018
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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. **MOTION** by Al Checca to approve for Notice to Proceed for Gibson-Thomas to move forward with the Owens Avenue Extension Project. Motion **SECOND** Grant Nicely. All members present voiced “aye” in favor of the motion. Motion passed.
3. Derry Community Park Project
4. Stormwater Management Ordinance Updates (Model Ordinance sent by Doug Siler)
5. Inter-Municipal Stormwater Agreement (Res 618-17 Tabled)
5. MS-4 Reduction Plan (Res 619-17 Tabled) Submitted by Doug Siler, GTE

NEW BUSINESS

1. **MOTION** by Mary Landis to approve PAN membership for Lori Latta with a Notary packet renewal cost of \$244.28 and additional cost of \$65 for educational class required. (Notary expires 8-2018) Motion **SECONDED** by Grant Nicely. All members present voiced “aye” in favor of the motion. Motion passed.
2. Pay Estimate #4 Community Park Project – Tabled

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3. **MOTION** by Al Checca to approve payment of \$1,000 to Lake Ethel Fund for walking path maintenance. Motion **SECONDED** by Daniel Chaney Jr. All members present voiced “aye” in favor of the motion. Motion passed.
4. **MOTION** by Al Checca to approve an emergency 4 ton weight limit for N. Ligonier Street Bridge intersecting Rt. 217 and to include emergency signage due to the condition of the bridge. Motion **SECONDED** by David Jones. All members present voiced “aye” in favor of the motion. Motion passed.
5. Appoint a deputy tax collector – Tabled
6. **MOTION** by Grant Nicely to approve Memorandum of Understanding between Derry Borough Police and Derry Area School District effective March 1, 2018. Motion **SECONDED** by Al Checca. All members present voiced “aye” in favor of the motion. Motion passed.
7. **MOTION** by Al Checca to approve membership to the G Conference and networking sessions to support shared services with other municipalities. Motion **SECONDED** by Daniel Chaney Sr. All members present voiced “aye” in favor of the motion. Motion passed.
8. **MOTION** by Grant Nicely to approve special Event held by Derry School District for a 5K race to be held on Saturday, May 19, 2018 9:00am to 9:50am assisting application for special event permit from Penn Dot. Motion **SECONDED** by Al Checca. All members present voiced “aye” in favor of the motion. Motion passed.

**Derry Borough Council went into executive session at 8:09 pm to discuss legal matters with the Municipal Authority Agreement and the Public Works Contract. Executive session ended at 8:46pm.**

#### PAYMENT OF BILLS

**MOTION** by Mary Landis to approve payment of bills totaling \$ 17,144.17 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 Mary Landis to adjourn at 8:47p.m. Motion **SECONDED** by Al Checca. All members present voiced “aye” in favor of the motion. Motion passed.

Respectfully submitted,

Lori L. Latta  
Secretary