

September 17, 2018

Derry Borough Council met in regular session Monday, September 17, 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, and Jim Ritenour. Mary Landis and Dave Jones were absent. Mayor Kevin Gross was present and Nick Cammuso, Latrobe Bulletin was reporting.

MOTION by Grant Nicely to approve regular meeting minutes of August 13, 2018. Motion **SECONDED** by Daniel Chaney. All members present voiced “aye” in favor of the motion. Motion passed.

MOTION by Daniel Chaney to approve the treasurer’s report with a General Fund Balance Sheet totaling \$314,884.61 for August 31, 2018. Motion **SECONDED** by Grant Nicely. All members present voiced “aye” in favor of the motion. Motion passed.

RECOGNITION OF VISITORS

1. Don Ritenour – Owens Avenue – Owens Avenue Extension Progress
2. Lance Baker – 117 Presby Way – Mr. Baker feels the Rt. 217 Bridge Project killed his tree in his yard and he does not have the funds to remove the tree. He wanted to know if the Borough or Penn Dot could assist him with the concern.
3. Barbara Phillips and Jerry Weller – 241 W. Owens Avenue – Mr. and Mrs. Weller are having Storm Water Back-Up in their sewer lines into their home during last week’s storm and they are requesting help with the matter. Council directed them to contact the Municipal Authority for further review and investigation. Council explained they are very aware of their issues happening along Owens Avenue and there is a current review of the lines ongoing to see if the issue (s) can be pinpointed.

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. The solicitor attended the September 10, 2018 work session to discuss legal issues.

MAYOR’S REPORT

Mayor Kevin Gross submitted the Mayor’s report for August 2018 with receipts of \$1,043.85 which included traffic receipts of \$364.37 and non-traffic receipts of \$463.42. There were 80 complaint calls, 20 traffic citations, one non-traffic citations, and one parking tickets.

ZONING OFFICER’S REPORT

BIU reported 7 code violation notices upon inspection for the monthly statement of August 2018.

COMMITTEE REPORTS

Municipal Authority Review Committee – Al Checca - Stormwater Agreement

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Jim Ritenour – Public Works - Salt Shed, Municipal Building, New Lift Truck for PW, 2A for Alleys

Al Checca-Police, Municipal Authority, Dog Park Ribbon Cutting Sept 7, 2018 went very well.

Chad Fabian – Pool will be closed for season on Wednesday, September 20, 2018.

Lori Latta – CDBG Funds representative stated that Funds can be applied for stormwater management.

Mary Landis – Grants – No report at this time. Most grants are expired for this year's rounds.

ANNOUNCEMENTS

Derry Railroad Days was held on Saturday, September 15, 2018 11:00am - 7:00pm and Sunday 16, 2018 12 pm – 5 pm. Thank you to the Railroad Days Committee for planning a great event. The public feedback was very positive.

Derry Borough Council went into executive session at the Derry Council Worksession on Monday, September 10, 2018 at 7:28pm for discussion concerning potential litigation concerning MS-4 Regulations with Lee Demosky. Executive session ended at 7:38pm. Derry Borough Council went into an additional executive session at 8:14pm for personnel matters and ended at 8:35pm.

PLANNING COMMISSION

No report

REPRESENTATIVES

DARCEE Meeting September 26, 2018 at New Alexandria Borough Building.

COMMUNICATIONS

- Penn Prime Risk Management Conference – Sept 20 and 21st, 2018 Nittany Lion Inn State College
- PSAB Fall Leadership Conference – Oct 12-14th, 2019 Must Register by Sept 20, 2018
- Westmoreland County Boroughs Association Meeting September 27, 2018 7pm at the Westmoreland Conservation Donohoe Center Education Building RSVP by September 24, 2018 – New Legislation PA One Call

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

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2. **MOTION** by Al Checca to rebid the Owens Avenue Extension Project in order to receive more competitive bids. There was only one bid received from Ligonier Construction in the amount of \$340,000 which was \$70,000 over in the original estimated construction costs provided by Gibson Thomas. Motion SECONDED by Jim Ritenour. All members present voiced “aye” in favor of the motion. Motion passed.
3. Derry Community Park Project – Phase One of project has been completed. Chad Fabian reported that the public works department is working on the area by the gate and their goal is to insert a drain pipe for the water run off so the gravel won’t wash away.
4. **MOTION** by Al Checca to permanently close bridge on Utts Way between W. 2nd Ave and W. 3rd Ave which runs over Garland Mills due to deterioration. Motion SECONDED by Grant Nicely. All members present voiced “aye” in favor of the motion. Motion passed.
5. **MOTION** by Al Checca to advertise the Stormwater Management Ordinance provided by Doug Siler at Gibson Thomas. Motion SECONDED by Daniel Chaney. All members present voiced “aye” in favor of the motion. Motion passed.
6. **MOTION** by Al Checca to approve the MS-4 Reduction Plan (Res 619-17 Has been submitted by Doug Siler, GTE) Motion SECONDED by Daniel Chaney. All members present voiced “aye” in favor of the motion. Motion passed.
7. Sinkholes on 3rd Street have been filled in by the public works and patched.
8. Garland Mills - Project Planning is being prepared by Doug Siler, Gibson Thomas. – Lori Latta contacted the county and it was suggested the Borough can apply for CDBG funding for a potential project. one the plans are in place.
9. CDBG Grant – ADA Accessible Bathrooms – Derry Community Park – Tabled - Funding has not been finalized at the county level at this time.
10. Part time Code/Zoning Officer – Tabled and remove from agenda.

NEW BUSINESS

1. **MOTION** by Al Checca Advertise Ordinance 780-18 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. (Provided by Amy Forsha) Motion SECONDED by Daniel Chaney. All members present voiced “aye” in favor of the motion. Motion passed.
2. **MOTION** by Grant Nicely to apply for the permit to utilize the West Penn utility poles for our banner program. The fees are a onetime fee and each pole must be designated as a banner pole. Poles can’t be interchanged. Motion SECONDED by Al Checca. All members present voiced “aye” in favor of the motion. Motion passed.

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3. **MOTION** by Al Checca to approve Pay Estimate #8 JT Masonry Construction of \$16,045.00 final pay estimate and submit to DCED from Greenways Trails Recreation Program the amount of \$8,549.72. Motion SECONDED by Daniel Chaney. All members present voiced “aye” in favor of the motion. Motion passed.

4. **MOTION** by Al Checca to approve parade route and temporary road closing for DAHS Homecoming to be held on October 5, 2018 at 5:30pm and submit to Penn Dot. Motion SECONDED by Jim Ritenour. All members present voiced “aye” in favor of the motion. Motion passed.

5. **MOTION** by Al Checca to approve parade route and temporary road closing for Railroad Days Parade to be held on September 15, 2018 at 10:30am and submit to Penn Dot. Motion SECONDED by Jim Ritenour. All members present voiced “aye” in favor of the motion. Motion passed.

6. **MOTION** by Jim Ritenour to approve 2019 Minimum Municipal Obligations for Uniform \$0 and Non-Uniformed Pension Plan \$16,598. Motion SECONDED by Al Checca. All members present voiced “aye” in favor of the motion. Motion passed.

7. **MOTION** by Grant Nicely to approve Community Park Pavilion Rental Rate at \$100 for daily rental. Motion SECONDED by Daniel Chaney. All members present voiced “aye” in favor of the motion. Motion passed.

8. **MOTION** by Jim Ritneour to approve 911 address adding 205 Ramsey Way (Rear apartment of 210 N. Chestnut). Motion SECONDED by Grant Nicely. All members present voiced “aye” in favor of the motion. Motion passed.

9. **MOTION** by Daniel Chaney to approve Resolution 627-18 Community Park Rentals. 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 7:35pm for personnel reasons.
Executive session ended at 7:51pm.**

PAYMENT OF BILLS

MOTION by Grant Nicely to approve payment of bills totaling \$ 28,987.62 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.

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ADJOURNMENT

MOTION by Jim Ritenour to adjourn at 7:58 p.m. Motion **SECONDED** by Grant Nicely. All members present voiced “aye” in favor of the motion. Motion passed.

Respectfully submitted,

Lori L. Latta
Secretary