

NOVEMBER 13, 2006

Derry Borough Council met in regular session Monday, November 13, 2006 at 7:00 P.M. in the Derry Station Community Room, 200 West Second Avenue, Derry, with the following members present: Todd Krehlik presiding, Eric Tepper, Curtis Robbins, and Stephen Kozar. Absent: Lois Lazarchik, and Mayor Richard McGinnis. Also present: Solicitor Matthew L. Kovacik. Reporters present: Marie McCandless, Latrobe Bulletin.

President Krehlik mentioned that an executive session was held at the work session on November 6, 2006 for personnel reasons.

MOTION by Eric Tepper to approve the minutes of the special meeting October 4, 2006, regular meeting of October 9, 2006, and special meeting October 18, 2006. Motion **SECONDED** by Curtis Robbins. All members present voiced “aye” in favor of the motion. Motion passed.

MOTION by Stephen Kozar to approve the Treasurer’s report for October 31, 2006. Motion **SECONDED** by Curtis Robbins. All members present voiced “aye” in favor of the motion. Motion passed.

RECOGNITION OF VISITORS

1. Evelyn Ruffing, Derry Area Historical Society presented a plaque to Alice Owens whos family owns a historical Voting House on Short Street in the Borough of Derry. The original owner was Benjamin Franklin McMillan. Joseph Ziegler is presently the only resident of our community who voted at this voting house when he was 21 years old in 1932. Evelyn presented Alice with a bronze plaque donated from the historical society honoring the voting house.

Evelyn requested a sign be put up for Yealy Way in 1916 (intersection of Short Street and Yealy Way)

2. Deb Goodman – 121 West 3rd Avenue, Derry – She is currently trying to set up a pet sitting business in her home. She spoke with zoning officer and he suggested that she needed an occupancy permit. She spoke with Merle Musick and he reviewed her home stating it satisfied regulations for the service. She requested a letter stating she could operate the business out of her home. She has not received anything from him and has tried contact him several times. President Krehlik stated he would speak with Merle and request a letter from him.

3. Charles Denunzio announced that a Christmas concert will be held at the Gazebo at Mossback Park on Wednesday, December 6, 2006 at 6:00p.m. Santa will be there and refreshments will be served.

4. Stephanie Nace – 740 East First Avenue - Requesting a Watch Children sign to be put up on end of First Avenue near the curve.

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(She felt many drunk drivers travel this road) There have been several close incidents that children have almost been hit by drivers traveling this road. She wanted to discuss an 8ft right away on her property that includes a stream which is flooding the back of her yard.

Also, there is a grate that is clogged which has created a new path for the water flow. There is a large opening at the end of her property to view the stream and she wants to know if it is her responsibility to cover this area or the boroughs. President Krehlik will have the public works department contact her and review these issues.

- 5. Marjorie Ziegler – 73 Bedford, Whitesboro, NY – observing historical presentation.
- 6. Joseph Ziegler – 415 S. Chestnut St., Derry – participating in historical presentation.
- 7. Karl and Alice Owens – 322 East 1st Ave., Derry – participating in historical presentation.

MAYOR’S REPORT

Secretary presented on behalf of Mayor McGinnis receipts of \$1,683.46 for the month of October 2006, which included traffic receipts of \$1251.73 and non-traffic receipts of \$313.84. There were 79 reported incidents.

ZONING OFFICER’S REPORT

September’s report collected fees totaling \$509.42. October’s report collected fees totaling \$55.70.

Mr. Sieminkewicz has received an inquiry regarding a property on 513 East 1st Avenue. There is an organization that wants to renovate the property.

S&T has been issued a permit for bank signs. They are seeking a variance hearing to place a large sign on the back of their property that is not available to them with the present zoning.

The Methodist Church is relocating their shed.

The zoning officer had a couple complaints to review: one is a fence near Owens Ave, and a shed without a permit on Oak St.

He has been communicating with a communication company regarding a cell tower in the Borough, which our ordinance is silent. This issue needs to be discussed further with the zoning planning committee and the possibilities of this situation.

Sol. Kovacik mentions that if an Ordinance is created for cell tower use, to include disassembling of the tower if the tower is moved and/or no longer in use.

Fence on Keeling Ave. has been moved, it was initially put up on Borough property.

Subdivision request for property sale from one neighbor to another by Kromel Surveying.

SOLICITOR’S REPORT

Nothing for the public.

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COMMITTEE REPORTS

Eric Tepper gives a brief summary of the zoning planning committee.

Also, he explains the NIMS training will resume after the first of the year due to the new councilmembers and holidays, after talking with Susan Bortz. Some members will need to take the beginning courses 100 & 700, then everyone who needs the 200 & 800 courses will take as a group.

REPRESENTATIVES'S REPORTS

The next meeting for the Westmoreland County Borough's Association will be held on November 16, 2006 at the American Legion, Derry at 7P.M.

COMMUNICATIONS

The public Works department of Derry Borough will be picking up leaves curbside until December 8, 2006

A letter from Richard McGinnis resigning from the position of Mayor for the Borough of Derry.

MOTION by Curt Robbins to accept the resignation of Richard McGinnis as Mayor. Motion is **SECONDED** by Eric Tepper. All members present voiced "aye" in favor of the motion. Motion passed.

MOTION by Curt Robbins to advertise for the Mayor of Derry vacancy. Motion **SECONDED** by Eric Tepper. All members present voiced "aye" in favor of the motion. Motion passed.

UNFINISHED BUSINESS

1. **MOTION** by Curt Robbins to advertise Ordinance #711 adopting the 2006 edition of the International Occupancy Permits Property Rental Maintenance Code. Motion **SECONDED** by Eric Tepper. All members present voiced "aye" in favor of the motion. Motion passed.

2. Porcelain Park (ICI Property) Clean-up. - Tabled
Merle Musick is aware of the safety issues and is in the process of contacting the owners.

3. **MOTION** by Steve Kozar to advertise the proposed General Fund and the Sewer Fund Budget for 2007 with a 3.5 mill increase. Motion **SECONDED** by Curt Robbins. All members present voiced "aye" in favor of the motion. Motion passed.

Eric Tepper mentions that a lot of efforts are put forth into this budget, and council does not wish to raise taxes. However, we have been dealing with many increases in expenditures in the past few years and council has no choice but to increase taxes.

4. Abandoned Properties within the Borough – Tabled

5. Curt Robbins reports interviews are scheduled on Saturday November 18, 2006 for the Back-Up Wastewater Treatment Plant Operator/CDL/Public Works Position, and council will need to schedule a special meeting to hire for the position.

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NEW BUSINESS

1. **MOTION** by Eric Tepper to accept resignation of Ronald Bolen Councilmember effective 11/6/06. Motion **SECONDED** by Curt Robbins. All members present voiced “aye” in favor of the motion. Motion passed. Eric thanked Mr. Bolen for all of his work in the past years and his contributions to the community.

2. **MOTION** by Curt Robbins to advertise for council vacancy. Motion **SECONDED** by Steve Kozar. All members present voiced “aye” in favor of the motion. Motion passed. Solicitor Kovacik mentions that we have 30 days to appoint a mayor and councilmember, and recommends that council can utilize the special meeting for such business.

3. **MOTION** by Curt Robbins to approve Resolution #456-06 appointing Kristine M. Snyder as new councilmember. Motion **SECONDED** by Eric Tepper. All members present voiced “aye” in favor of the motion. Motion passed. Council president Krehlik welcomes Kristine and explains due to the mayor resigning she will have to be sworn in by a magistrate, but she is welcome to observe in a seat of council.

4. **MOTION** by Eric Tepper to authorizing Lori to make the necessary arrangements contacting the banks and requesting bids for the 2007 Tax Anticipation Loan in the amount of \$150,000.00. Motion **SECONDED** by Curt Robbins. All members present voiced “aye” in favor of the motion. Sol. Kovacik asks if we could select a bank by worksession for his office to have adequate time to prepare paperwork. Secretary responds that we can request them by our scheduled special meeting.

5. **MOTION** by Steve Kozar to approve a 2007 Surety Bond for the Secretary for a \$100,000.00 bond costing the Borough \$443.75. Motion **SECONDED** by Curt Robbins. All members present voiced “aye” in favor of the motion. Motion passed.

6. **MOTION** by Eric Tepper to approve Resolution #456-06 to increase fee for Municipal Lien Letters from \$5.00 to \$15.00. Motion **SECONDED** by Steve Kozar. All members present voiced “aye” in favor of the motion. Motion passed.

Solicitor Kovacik mentions the importance of a surety bond.

7. Adopt a Hazard Mitigation Plan- requested by Randy McCreary – Tabled. Council will request Mr. McCreary to come to December worksession to discuss this plan.

8. Hoffmans Kennel Contract for 2007 – Tabled Police Chief is looking into details of the contract.

9. **MOTION** by Curt Robbins to advertise Ordinance #710 to amend Ordinance #695 Stormwater Management, required by DEP. Motion **SECONDED** by Eric Tepper. All members present voiced “aye” in favor of the motion. Motion passed.

Council went into executive session at 8:11P.M. for legal reasons.
Executive session ended at 8:21P.M.

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PAYMENT OF BILLS

MOTION by Curt Robbins to pay the bills. Motion **SECONDED** by Eric Tepper. All members present voiced “aye” in favor of the motion. Motion passed.

ADJOURNMENT

MOTION by Steve Kozar to adjourn meeting at 8:22 P.M. Motion **SECONDED** by Curt Robbins. All members present voiced “aye” in favor of the motion. Motion passed.

Respectfully submitted,

Lori L. Latta
Secretary