

December 11, 2006

Derry Borough Council met in regular session Monday, December 11, 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, Kristine Snyder, and Stephen Kozar. Mayor Susan Bortz was present Absent: Lois Lazarchik. Also present: Solicitor Matthew L. Kovacik. Reporters present: Marie McCandless, Latrobe Bulletin.

MOTION by Curt Robbins to approve the minutes of the regular meeting of November 13, 2006. Motion **SECONDED** by Eric Tepper. All members present voiced “aye” in favor of the motion. Motion passed.

MOTION by Stephen Kozar to approve the Treasurer’s report for November 30, 2006. Motion **SECONDED** by Kristine Snyder. All members present voiced “aye” in favor of the motion. Motion passed.

MOTION by Eric Tepper to approve the minutes of the special meeting of November 27, 2006. Motion **SECONDED** by Curt Robbins. All members present voiced “aye” in favor of the motion. Motion passed.

RECOGNITION OF VISITORS

1. Merle Musick – Porcelain Park owners have been submitted letters from Merle and he is waiting for a response. Sol. Kovacik requests violation lists from both Merle Musick, UCC and Bob Sieminkewicz, Zoning Officer, so that he may show violations exist to the County which may revoke their tax benefits for the year.

2. Jeff Delorenzo – Would like to put a dumpster in front of 95 South Chestnut Street for clean up for a two week time frame. **MOTION** by Curt Robbins for a dumpster to be placed on the sidewalk in front of 95 South Chestnut St. for two weeks. Motion **SECONDED** by Kristine Snyder. All members present voiced “aye” in favor of the motion.

3. Fred Goodman, 121 West Third Avenue, Derry- Brought scouts to review the meeting and receive Merit Badges.

4. Noah Alter, 619 West 2nd Avenue, Derry – Scout receiving merit badge for citizenship.

5. Ryan Rick, 184 Atlantic Road, Derry – Scout receiving merit badge for citizenship.

6. Alan Gray, 168 E. Third St. Derry – Scout receiving merit badge for citizenship.

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ZONING OFFICER'S REPORT

Novembers report collected fees of \$31.86 from S&T bank for commercial signs. They have submitted a partial application for appeal for another sign to be placed on their property.

In review of a communication tower placement, Bob Sieminkewicz stated potentially a tower could be placed on the Municipal Authority property which Bob mentioned is on the tax roles as being owned by Derry Borough (needing 40' x 60' or 50' x 50'') or there is a lot near the pool and the tennis courts. The tower needs to be in a half mile radius of Crown Communication's selected target area which is East Third St. and North Chestnut St. Council will need to review their options and make a decision. Bob forwarded council the contact information. Crown Communications would prefer to purchase the property vs. leasing the property; however, Bob Sieminkewicz explained that the Borough would more likely lease the property. Sol. Kovacik stated we could lease a section of property without a subdivision.

President Krehlik asked about the tower if it would become obsolete or not used in the future. Bob stated council could write the lease to have the tower removed by the company when it is no longer in use. Todd requested Sol. Kovacik to follow up with Crown Communications and to move forward with plans. Zoning is currently silent to cell towers.

MAYOR'S REPORT

Mayor Susan Bortz presented the Mayors Report with receipts of \$1,909.09 for the month of November 2006, which included traffic receipts of \$1337.55 and non-traffic receipts of \$345.19. There were 66 reported incidents, 97 traffic citations, and 5 non-traffic citations.

SOLICITOR'S REPORT

Nothing for the public.

COMMITTEE REPORTS

Eric Tepper gives a brief summary of the zoning planning committee and they will be meeting again in January 6th or 13th. They will need a council replacement and a resident replacement for January's meeting.

REPRESENTATIVES'S REPORTS

None.

COMMUNICATIONS

There was a MMO reminder sent out to all boroughs, cities, and townships from PSAB communicating that we must submit all of our state aid to our pension plans by December 29, 2006.

George H. Love submitted a letter of resignation for his position of Solicitor for the Zoning Hearing Board.

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Eric Tepper mentions that Richard Sutter mentioned that there is grant money available for revitalization and we should really pursue our community interests.

Lois Lazarchik brought to the Borough office booklets on Community Revitalization for Small Downtown areas for Council to review.

She also submitted her resignation letter effective December 11, 2006. **MOTION** by Eric Tepper was made accept Lois Lazarchik's resignation effective December 11, 2006 and advertise the position. Motion **SECONDED** by Kristine Snyder. All members present voiced "aye" in favor of the motion. Motion passed.

Chief Randy Glick addressed council regarding our current contract with Hoffmans Kennels. Our current contract does include cats. We can trap cats in the Borough, however we need to remember that if temperatures are at high levels we could have a problem, or how does the Borough determine if the cat is a stray or a resident's cat. Curt raised the question of licensing cats. Chief Glick mentions that there are other animal rights groups that will take cats in and neuter them, give them their shots and release them in another location. Solicitor Kovacik mentions that there is an Ordinance in Blairsville for cats, and he will see that council receives a copy for their review.

UNFINISHED BUSINESS

1. Approve **Ordinance #713** adopting the 2006 edition of the International Occupancy Permits Property Rental Maintenance Code. (Advertised) Solicitor Kovacik mentioned that he amended this ordinance and hasn't received proof of publication as of yet. Tabled until next meeting.

2. With councils review and hard work of reducing the budget increase in half, and adding more services to the community a **MOTION** by Curt Robbins is made to approve **Ordinance #712** establishing the Tax Rate for the fiscal year 2007 at 24 mills. Eric Tepper mentions that costs are continuously rising and it's unfortunate that taxes have to be raised. Motion **SECONDED** by Eric Tepper. All members present voiced "aye" in favor of the motion. Motion passed.

3. Porcelain Park Clean-Up was discussed earlier in the meeting.

4. **MOTION** by Eric Tepper to approve the General Fund Budget for the fiscal year 2007. Motion **SECONDED** by Kristine Snyder. President requests roll call vote for this motion. All five (5) members present voiced "aye" in favor of the motion. Motion passed.

5. **MOTION** by Curt Robbins to approve the 2007 Proposed Budget for the Sewer System Fund. Motion **SECONDED** by Steve Kozar. President requests roll call vote for this motion. All five (5) members present voiced "aye" in favor of the motion. Motion passed.

6. Abandoned properties within the Borough - Curt Robbins asked the tax collector to create a list of properties that have been abandoned and/or unpaid for councils review.

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7. Rick Watson was the only applicant for the council vacancy. He has lived in the Borough for 9 years with his family and has an interest as a member of the community. **MOTION** by Curt Robbins to approve **Resolution 458-06** appointing Rick Watson for the council vacancy. Motion **SECONDED** by Eric Tepper. All members present voiced “aye” in favor of the motion. Motion passed.

Rick Watson was sworn in by Mayor Susan E. Bortz.

8. Adopt a Hazard Mitigation Plan – requested by Randy McCreary – Tabled for January. Steve Kozar requested some information in written form to review for preparation for January’s meeting. Susan Bortz volunteered to contact 911 for more information regarding this matter and forward to the secretary of council.

9. **MOTION** by Curt Robbins to approve the Hoffman’s Kennel Contract for 2007. Motion **SECONDED** by Eric Tepper. All members present voiced “aye” in favor of the motion. Motion passed.

10. **MOTION** by Steve Kozar to approve Ordinance #714 amending Ordinance #695 Stormwater Management, required by DEP. Motion **SECONDED** by Kristine Snyder. All members present voiced “aye” in favor of the motion. Motion passed.

President Krehlik requests motion from council to approve borrowing no more than \$15,000 from the Sewer Fund for the General Fund until receiving the Tax Anticipation Loan for 2007. **MOTION** by Curt Robbins for Lori Latta to borrow no more than \$15,000 from the Sewer Fund for the General Fund until receiving the Tax Anticipation Loan for 2007. Motion **SECONDED** by Kristine Snyder. All members present voiced “aye” in favor of the motion. Motion passed.

NEW BUSINESS

1. **MOTION** by Steve Kozar to schedule council work session and regular meetings for 2007 – All worksessions will be held the first Monday of every month at 7PM and regular meetings will be held on second Monday of every month, with the exceptions of January having no worksession, and September worksession will be held on the second Monday and the regular meeting will be held on third Monday due to Labor Day. Motion **SECONDED** by Kristine Snyder. All members present voiced “aye” in favor of the motion. Motion passed.

2. **MOTION** by Steve Kozar to advertise the following Board and Commission Terms expiring in the Borough of Derry:

- a. Five-Year Term expiring December 31, 2006, on the Zoning Hearing Board.
- b. One (1) Vacancy (expiring 12-31-09) and one (1) alternate vacancy (one year term) available on Zoning Hearing Board.
- c. Vacancy Board Chairman for 2007.
- d. One (1) four-year term expiring December 31, 2006, on the Planning Commission.

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- e. Two vacancies available on the Planning Commission (expiring December 31, 2007 and December 31, 2009)
- f. Five Year Term expiring December 31, 2006, on the Municipal Authority Board of Directors

Motion SECONDED by Curt Robbins. All members present voiced “aye” in favor of the motion. Motion passed.

3. MOTION by Eric Tepper to accept the resignation of George E. Love Jr. as Solicitor of the Derry Borough Zoning Hearing Board and advertise the position. Motion SECONDED by Curt Robbins. All members present voiced “aye” in favor of the motion. Motion passed.

4. Junior Council Representatives - Tabled for discussion at next worksession.

5. MOTION by Steve Kozar to include an addendum to the Non-Uniform Laborer’s Union Local 1451 Contract expiring December 31.2009. Curt Robbins mentioned that this addendum was created to attract and obtain candidates for Borough employees. Sol. Kovacik states it accelerates the pay scale from two years to one year for full pay, including a six month and twelve month review. It does not include any pay increases. Motion SECONDED by Curt Robbins. All members present voiced “aye” in favor of the motion. Motion passed.

PAYMENT OF BILLS

MOTION by Curt Robbins to pay bills for December. Motion SECONDED by Kristine Snyder. All members present voiced “aye” in favor of motion. Motion passed.

President Krehlik mentions we have accomplished a lot this past year and we are excited to have new councilmembers on board for next year. He thanked everyone for their participation and wished everyone a Merry Christmas.

Steve Kozar mentions that on December 16, 2006 at 6PM Santa will be in Derry.

ADJOURNMENT

MOTION by Eric Tepper to adjourn meeting at 8:19p.m. Motion SECONDED by Kristine Snyder. All members present voiced “aye” in favor of the motion. Motion passed.

Respectfully submitted,

Lori L. Latta
Secretary