

August 13, 2007

Derry Borough Council met in regular session Monday, August 13, 2007 at 7:00 P.M. in the Derry Station Community Room, 200 West Second Avenue, Derry, PA with the following members present: Todd Krehlik presiding, Eric Tepper, Curtis Robbins, Kristine Snyder, Stephen Kozar, Charles Adams, and Allen Skopp. Solicitor Rachel Riedel and Mayor Susan Bortz were present. Tom Delany reporter of the Latrobe Bulletin was present.

Charles Adams was sworn in by Mayor Susan Bortz as an appointed new member of council, term expiring 12/31/07.

MOTION by Curt Robbins to approve the minutes for regular meeting of July 9, 2007. Motion **SECONDED** by Kristine Snyder. All members present voiced “aye” in favor of the motion. Motion passed.

MOTION by Steve Kozar to approve the Treasurer’s report for July 31, 2007. Motion **SECONDED** by Curt Robbins. All members present voiced “aye” in favor of the motion. Motion passed.

RECOGNITION OF VISITORS

1. Edward Schmitt – Gibson-Thomas Engineering – Reports that Progress is taking place on 3rd Street Project. No complaints to report. Gas and water companies have been working well with project. There are some main water lines that need to be relocated. GTE are waiting to receive a change order from the contractor for the trash rack in the culvert under the bridge.

4th Ward is postponed for the Water Authority project so that they can work in conjunction together for efficiency.

President Krehlik asked if the main lines could be worked on off-peak hours to minimize outages. Ed Schmitt stated they would consider that for convenience of the residents.

2. Brenda Dwire – 402 & 408 West Fifth Avenue, Derry – The zoning officer sent them a letter regarding two car ports and sheds that are already established on their property, and they are considered to be in the flood plain area. They thought that as long as these items were not permanent fixtures they were allowed. She is asking council to keep on of the car ports. Bob sent them a letter explaining that they are not in compliance of our Zoning requirements. A DEP permit is required by the Borough Law to then be reviewed by our Zoning officer and meet all requirements of Ordinance 643. They can appeal the Zoning Officer’s decision for a fee of \$350 and have a public hearing.

3. Ron Dell – 206 Walters St., Derry – Is upset that an address change from 911 Westmoreland County was not approved by Derry Borough Council and he doesn’t understand how this could take place. President Krehlik felt that there was a liability issue if the Borough did not support 911 changes. Ron Dell asked Steve Kozar if this change was authorized. Steve agreed that his name was not circled for approval.

August 13, 2007

Ron Dell explained that the County has changed addresses not authorized and not changed addresses that were authorized for change. By aerial view map, he pointed out that his front door is on Walters Street, it is not located on North Ligonier Street. Sol. Rachel Riedel stated that the Borough would work with the County 911 office to reach a compromise.

4. Chuck Denunzio, 701 East Fourth Ave., Derry, PA – Railroad Days Committee. Asking for people to join the membership for the Railroad Days Committee and help with planning the event. Railroad days will be held on Saturday, September 29, 2007.

An East Third Avenue (Alley) resident has placed a water run-off line onto the street which during a cold storm may cause freezing on the road.

5. Rich Rupert, 412 High Street, Derry, PA – Supporting neighbor concerns.

6. Don & Cheryl Reinard – 100 Reed Street, Derry - Item #10 under new business on agenda.

7. Eileen Kramer 414 East 4th Avenue and Jan Ersick, 415 East 4th Avenue, Derry, PA – They had a lot of water damage from the storm that took place on Thursday. The stream above Jack Gonzales was clogged and caused the water flood over the storm pipe and run through their yards. The water was very strong in flow destroyed their basement, back porch, washed out the ground beneath their shed. The water then flowed into her daughter's home into their basement where her grandchildren play with such a force it broke the door. She is asking council to please look at the situation and help with preventing this from happening again. She stated they can hear the water flow under ground. President Krehlik stated that the Township and the Borough is reviewing that stream. They have noticed a change in waterflow. Apparently, there has been new construction above that area which may have changed the waterflow path.

Rich Rupert mentions that there are natural springs all over that hillside. That specific creek had been covered in some time ago. That 24 inch line can handle normal flow, however, if the water flow is excessive it will not handle the flow. The channel underneath the ground has deteriorated. It could be re dug and a larger pipe could be put in place, but then you have the concern of endangering children who are playing.

President Krehlik suggested having Pat call Rich Rupert to discuss this issue further, and see if a solution can be derived.

Mrs. Kramer asks to be informed of any progress and or instruction of prevention. Council agreed.

Ms. Ersick mentioned that her patio and yard was washed out, she had no internal home damage.

ZONING OFFICER'S REPORT

Presented report for July 2007 including \$50.36 in receipts for a fence and porch. A revised copy of June 2007 was submitted adding the temporary amusement permit for fireworks.

August 13, 2007

MAYOR'S REPORT

Mayor Susan Bortz presented the Mayors Report with receipts of \$2,163.16 for the month of July 2007, which included traffic receipts of \$1578.32 and non-traffic receipts of \$57.84. There were 91 complaint calls, 64 traffic citations, and 8 non-traffic citations.

SOLICITOR REPORT

Sol. Rachel Riedel reports she has been in touch with Sarah Hinton, Esquire representing Marlboro Holdings and they claim ownership of Porcelain Park. They plan on helping with cleaning up the property.

COMMITTEE REPORTS

Eric Tepper reports August 7, 2007 he met with the Wage Tax Board, no business was transacted. Next Wage Tax Board Meeting will be Tuesday November 5, 2007 at 4 P.M. In addition, Eric mentions that the Zoning Planning Committee is very close to completing the new Zoning Ordinance. They are scheduled to have a final meeting with Sutter and Associates to finalize the Ordinance to present to council.

REPRESENTATIVE REPORTS

None.

COMMUNICATIONS

- The scheduled council meetings for September will be move forward one week due to Labor Day.
- Letter received and signed as a concerned citizen regarding McGee Run Flood Project, questioning why our Flood Project hasn't been maintained. The secretary read a letter from DEP congratulating us on our annual inspection and maintenance records as we continue to meet requirements of DEP regarding our Flood Protection Projects.
President Krehlik mentions that the public works department is looking at tree overhang and debris build up currently from the storm that we received.
- Robert Ament wrote the Borough a letter requesting the Borough to relieve him of the cost of a second grass cutting in the amount of \$300.00. He was willing to pay for the first cutting at \$125.00.
- D.A.B.P.A. will hold their next meeting on Monday September 10, 2007 at 12:00p.m. at the United Methodist Church. (In preparation of the Halloween Parade)

UNFINISHED BUSINESS

1. Porcelain Park Clean-Up– There will be a meeting scheduled with DEP, Derry Borough Solicitor, and Porcelain Park Solicitor to discuss this issue. (Meeting scheduled for September 5, 2007)
2. Abandoned Properties – No updates. The item was tabled.
3. Enforcement Officer - Mayor Bortz mentions that Doug Sam is interested in the position. Kristine Snyder mentioned that she hasn't been available and that Doug Sam can reach her by cell phone.

August 13, 2007

4. Recodification – Tabled.

5. **MOTION** by Curt Robbins to approve draft of Emergency Action Plan for McGee Run Flood Protection Project and send to DEP. **SECONDED** by Kristine Snyder. All members present voiced “aye” in favor of the motion. Motion passed.

NEW BUSINESS

1. **Bids for Paving Project 2007**

	Company	Amount
8-13-07 3:28PM	Derry Construction	\$188,159.70
8-13-07 11:15PM	A Folino Construction	\$167,330.99
8-13-07 1:30PM	IA Construction	\$196,273.35
8-13-07 1:15PM	El Grande	\$174,271.75

The lowest bidder is A Folino Construction at \$167,330.00. **MOTION** by Curt Robbins to award Paving Project Contract to A Folino Construction in the amount of \$167,330.00. Motion **SECONDED** by Kristine Snyder. All members present voiced “aye” in favor of the motion. Motion passed.

2. **MOTION** by Steve Kozar to approve Resolution #470-07 Derry Borough Council authorizing Derry Borough to enter into a loan agreement with the Pennsylvania Infrastructure Bank. Motion **SECONDED** by Kristine Snyder. All members present voiced “aye” in favor of the motion. Motion passed.

3. Police Contract for 2008 – Mayor provided Todd with information from Police for upcoming contract.

4. **MOTION** by Kristine Snyder to advertise an Ordinance increasing Sewage Rates of \$10 per household per month. Motion **SECONDED** by Curt Robbins. All members present voiced “aye” in favor of the motion. Motion passed.

5. Committee List will be reviewed by Council President.

6. **MOTION** by Stever Kozar to approve Derry Railroad Days Parade Route/ State Road Closing - Starting on 2nd Street to North Chestnut to Owens Avenue to Leo Street across Rt. 217 Bridge following Y Street then ending on Third Avenue. Motion seconded by Kristine Snyder. All members present voiced “aye” in favor of the motion. Motion passed.

7. **MOTION** by Kristine Snyder to approve Derry Area High School Homecoming Parade – Staring at Community Center on North Chestnut to Derry Area High School. Motion **SECONDED** by Curt Robbins. All members present voiced “aye” in favor of the motion. Motion passed.

August 13, 2007

8. **MOTION** by Curt Robbins to approve Requisition #6 for Third Street Culvert Project in the amount of \$73,215.65. Motion SECONDED by Kristine Snyder. All members present voiced “aye” in favor of the motion. Motion passed.

9. **MOTION** by Steve Kozar to authorize Gibson & Thomas Engineering to reapply for CDBG Grant for West 2nd Avenue Bridge Repair. Motion SECONDED by Curt Robbins. All members present voiced “aye” in favor of the motion. Motion passed.

10. Petition to vacate Alley Way by Reed Street affecting James & Stephanie Nace, Donald & Cheryl Reinard, and Frank Martin. President Krehlik turned issue over to planning commission for review.

11. **MOTION** by Kristine Snyder for a new hydrant with plumbing in 4th Ward Project. Approximate cost will be \$2,000.00. Motion SECONDED by Eric Tepper. All members present voiced “aye” in favor of the motion. Motion passed.

MOTION by Curt Robbins to purchase an auger or electric eel for the Sewer Plant cost of \$1,800.00 (approximate). Motion SECONDED by Kristine Snyder. All members present voiced “aye” in favor of the motion. Motion passed.

PAYMENT OF BILLS

MOTION by Steve Kozar to pay bills for August 2007. Motion SECONDED by Kristine Snyder. All members present voiced “aye” in favor of motion. Motion passed.

ADJOURNMENT

MOTION by Curt Robbins to adjourn meeting at 8:33p.m. Motion SECONDED by Kristine Snyder. All members present voiced “aye” in favor of the motion. Motion passed.

Respectfully submitted,

Lori L. Latta
Secretary