

September 17, 2007

Derry Borough Council met in regular session Monday, September 17, 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. Marie McCandless reporter of the Latrobe Bulletin was present.

MOTION by Curt Robbins to approve the minutes for regular meeting of August 13, 2007. Motion **SECONDED** by Kristine Snyder. All members present voiced “aye” in favor of the motion. Motion passed.

MOTION Kristine Snyder to approve the minutes for Special Meeting of August 16, 2007. Motion **SECONDED** by Eric Tepper. All members present voiced “aye” in favor of the motion. Motion passed.

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

RECOGNITION OF VISITORS

1. Edward Schmitt – Gibson-Thomas Engineering – Reports that 50% of the 3rd Street Project is complete. They had three complaints of water in basements in that area that they are reviewing. 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 still postponed for the Water Authority project so that they can work in conjunction together for efficiency. PennVest will work with us on time frame for the 4th Ward Project.

Steve Kozar asked if they would be out of 3rd St. and Chestnut St. for the homecoming parade. He didn’t think there would be a problem, but he would review their schedule.

2. Ron Dell -206 Walters St., Derry- Is concerned that his address change was not authorized by Derry Borough Council, and is waiting to hear what will be coming out of Steve’s meeting with 911. The meeting is scheduled for September 25, 2007. Is it a possibility that the wrong map of Derry Borough was used?

3. Bill Leone – Observing

4. Chuck Denunzio, 701 East Fourth Ave., Derry, PA – Railroad Days Flyer distributed. Hopes that council and the community attend and enjoy the festivities.

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ZONING OFFICER'S REPORT

Presented report for August 2007 including \$124.80 in receipts for sheds, a fence and an addition.

MAYOR'S REPORT

Mayor Susan Bortz presented the Mayors Report with receipts of \$1,885.77 for the month of August 2007, which included traffic receipts of \$1,365.90 and non-traffic receipts of \$89.78. There were 89 complaint calls, 68 traffic citations, and 3 non-traffic citations.

SOLICITOR REPORT

Sol. Rachel Riedel reports that we met with DEP regarding Porcelain Park. They gave us insight on how they could help us if the Borough would receive ownership of the property, which will be discussed in executive session.

Barry Dwire – 402 & 408 West Fifth Avenue, Derry – They have combined their two properties into one. The Zoning Officer mentions that the flood plain regulations have been developed by the Federal Government to protect the Borough in case of disaster. Derry Borough adopted their Ordinance in 1997. The areas with a cement runway along the creek the floodplain is narrower compared to the floodplain on their property which is located directly next to the creek without a cement wall. Mr. Sieminkewicz explains that he is following the Zoning Ordinance and the Flood Plain Ordinance. Mr. Dwire can appeal his decision to the Zoning Hearing Board.

COMMITTEE REPORTS

Eric Tepper reports there will be a meeting at 9AM on Saturday September 22, 2007 to wrap up the Zoning to prepare a new Ordinance for Council to approve.

REPRESENTATIVE REPORTS

2nd Ward Playground Committee will be having a Halloween Bash on Saturday, October 20, 2007 at the Community Center from 7PM-12AM.

COMMUNICATIONS

- Derry Borough received a trap neuter and return postcard from the Alley Cat Allies mentioning a more humane way to deal with the cat problem in Derry.
- A Thank You Letter was received by the Trojan Football Booster Program.

UNFINISHED BUSINESS

1. Porcelain Park Clean-Up– An executive session will be held
2. Abandoned Properties – Curt requested the Solicitor to please review our options. The Slaughterback House is supposed to be demolished by the owners.
3. Enforcement Officer - Due to the budget we can't hire anyone at this time.
4. Recodification – Sutter and Associates will address the questions of the manuscript once the Zoning Ordinance is complete states Eric Tepper.

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5. President Krehlik mentioned that himself with Curt Robbins and Eric Tepper will be on the Police Contract Negotiating Committee with Solicitor Rachel Riedel to be Chief Negotiator.

The meeting went to executive session at 7:45 for legal and real estate matters.
Executive session ended at 8:02.

NEW BUSINESS

1. **MOTION** by Curt Robbins to approve Subdivision of Paul Harvey and Diane Fortney at 989 West Third Avenue. Motion **SECONDED** by Kristine Snyder. All members present voiced “aye” in favor of the motion. Motion passed.

2. **MOTION** by Curt Robbins to approve Ordinance #718 increasing the Sewage Rates. Motion **SECONDED** by Eric P. Tepper. All members present voiced “aye” in favor of the motion. Motion passed.

3. Curt Robbins requests Solicitor Rachel Riedel to review a Loitering Ordinance provide by the Mayor and create an Ordinance for advertisement. There are too many gray areas in the sample provided by the Mayor Susan Bortz.

4. The Planning Commission will review the Petition to vacate alley of neighboring property owners Nace, Reinard, and Martin at their meeting on Wednesday, September 17, 2007. Committee List will be reviewed by Council President.

5. **MOTION** by Curt Robbins to approve 2008 Minimum Municipal Obligations for Uniformed (\$17,256) and Non-Uniformed (\$6,671) Pension Plans. Motion **SECONDED** by Kristine Snyder. All members present voiced “aye” in favor of the motion. Motion passed.

6. Curt Robbins requests a quote for flood insurance prior to signing the waiver to review at next worksession.

7. **MOTION** by Kristine Snyder to approve Third Street Culvert Project Requisition #7 in the amount of \$188,624.36. Motion **SECONDED** by Curt Robbins. All members present voiced “aye” in favor of the motion. Motion passed.

8. **MOTION** by Eric Tepper to approve the Weestmoreland County Local Share Assessment for Fiscal Year 2007-2008 of \$550.00. Motion **SECONDED** by Kristine Snyder. All members present voiced “aye” in favor of the motion. Motion passed.

9. General Fund Budget to be reviewed.

10. Sewer Fund Budget to be reviewed.

Curt Robbins requests our Solicitor to review our Hoffmans Contract for Dog/Cat service. Council is dissatisfied of their service.

PAYMENT OF BILLS

MOTION by Kristine Snyder to pay bills for September 2007. Motion **SECONDED** by Curt Robbins. All members present voiced “aye” in favor of motion. Motion passed.

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ADJOURNMENT

MOTION by Eric Tepper to adjourn meeting at 8:14p.m. Motion **SECONDED** by Kristine Snyder. All members present voiced “aye” in favor of the motion. Motion passed.

Respectfully submitted,

Lori L. Latta
Secretary