

April 13, 2021

Pursuant to Governor Wolfes Covid-19 proclamation of Disaster Emergency public meetings were conducted remotely via Zoom. Derry Borough Council met in regular session Tuesday, April 13, 2021 at 7:00 P.M remotely with the Zoom App inviting the public to attend electronically with the following members present: Al Checca, Sara Cowan, Matthew Clever, Jeremy Stein, Barbara Phillips, and Jim Ritenour. Lee Demosky, Solicitor was present. Grant Nicely as Interim Mayor present. Reporter from Latrobe Bulletin present.

MOTION by Sara Cowan to approve the minutes for the regular council meeting of March 9, 2021. Motion **SECONDED** by Matthew Clever. All members present voiced “aye” in favor of the motion. Motion passed.

MOTION by Matthew Clever to approve the minutes for the special meeting of March 24, 2021. Motion **SECONDED** by Barbara Phillips. All members present voiced “aye” in favor of the motion. Motion passed.

MOTION by Barbara Phillips to approve the treasurer’s report ending March 31, 2021 with the balance of \$371,771.67. Motion **SECONDED** by Sara Cowan. All members present voiced “aye” in favor of the motion. Motion passed.

RECOGNITION OF VISITORS

1. Steve Kozar – Observing
2. Jasen Lentz – Observing – Voiced his opinion to council regarding appointing Grant as Mayor for the remaining portion of the year – Mossback Park Concerns
3. Alanna Gaudiello – Observing
4. Mary Landis – Observing – Supporting Chad Fabian for Mayor’s vacancy.
5. Chad Fabian – Mayor Vacancy
6. Jarred Stephenson – Observing
7. Kenneth Bowser – Observing
8. Rob White – Observing

MAYOR’S REPORT

The Mayor reported for March 2021 with receipts of \$665.76 which included traffic receipts of \$537.91, non-traffic receipts of \$0, and \$97.86 in miscellaneous receipts. There were 41 complaint calls, 31 traffic citations, 4 non-traffic citations, and no parking tickets.

K-9 Report

Mr. Nicely reported the balance for the K-9 report for March 2021 of \$1,327.10. No invoices were paid for the month of March 2021. The K-9 unit worked throughout the month of March and did assist the Sheriffs Department, Latrobe Police Department, and Derry Borough Police with the PSP serving warrants in our area. K-9 Smoke continues with maintenance training on Tuesdays. T-shirts and Sweatshirts are still available.

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CODE OFFICIALS REPORT

BIU reported for March 2021 three (3) Code Violations, one (1) Zoning Permit, and one (1) UCC Permit.

COMMITTEE REPORTS

Public Works – Refinished and painted four more benches at Mossback park. Street sweeping by City of Latrobe completed. Repaired 2nd Avenue Sinkhole, Repaired Potholes throughout town, 3-Year Recertification Pool Pesticides and Chemical Certification was completed. Pool grounds inspection was completed and issues were found and reported under parks and recreation.

Buildings and Grounds - The Community Park Pavilion will need demolition according to Public Works Director after their inspection. Utilizing a third-party for the work would be most effective as the public works team will be focused on opening the pool in May, as well as lawn maintenance.

Police

Finance/Budget

Zoning/UCC/Code

Parks and Recreation – Pump-house door needs replaced at outdoor community pool, painting is needed in many areas, and slides need removed at community outdoor pool due to safety issues. A Birch tree will be removed from Mossback Park due to Fungus. Locks at the Community Park Bathrooms are being replaced by Oak Security at an estimated cost of \$560. Pool cover had a couple of tears in the strap areas which will need repaired. The chlorine tank will also need an added enclosure for safety purposes.

MOTION was made by Sara Cowan to remove slides. Motion **SECONDED** by Jeremy Stein. All members present voiced “aye” in favor of the motion. Motion passed.

MOTION was made by Sara Cowan to remove birch tree at Mossback Park. Motion **SECONDED** by Barbara Phillips. All members present voiced “aye” in favor of the motion. Motion Passed.

Fire Protection

Grants

ANNOUNCEMENTS

Derry Borough Council went into executive session on Tuesday, April 6, 2021 at 7:42pm for personnel reasons discussing the public works 2021-2025 contract. Executive session ended at 7:46pm.

PLANNING COMMISSION - No Report

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REPRESENTATIVES

DARCEE Meeting April 28, 2021 at 7pm. Location of meeting was announced at New Alexandria Borough Building.

COMMUNICATIONS

- NPDES MS4 Permit Program – Provided by Doug Siler Gibson Thomas – Proposing Inlet Filters and a Rain Garden by Ethel Springs
- 28th Infantry would like to do a concert possibly at the Derry Community Park on Weds June 30th at 6:30pm – Patriotic Music Requesting support from the local VFW Submitted request to Chris Johnson President of VFW and Russ McKlveen
- VFW proposal for Memorial at Flagpole by State Rt 217 Veterans Memorial Bridge
- Friends of Caldwell request for donation letter to support Derry’s Library
- Letter – Grant Nicely for Mayor Vacancy
- Email – Chad Fabian for Mayor Vacancy
- Email – Sharon Wilkins – Dye Test Request for Waiver (2 years ago) Conditional approval it was done within the past two years. Mr. Checca would like the issue to be discussed with an MABD representative to confirm when the last time the test was completed on that property, prior to making any decisions. MOTION was initiated by Sara Cowan with contingency a dye test was completed in the two year window to possibly waive; however, after more council discussion the motion was withdrawn.

OLD BUSINESS

1. Board and Commission terms expiring in the Borough:
 - a) One (1) vacancy and (1) alternate vacancy for the Zoning Hearing Board
2. Porcelain Park – KU Resources Planning
3. **MOTION** by Sara Cowan to approve Resolution 655-21 Infrastructure Bank Loan Agreement with PIB for a 2021 Paving Project Loan from PIB for \$200,000. Motion **SECONDED** by Matthew Clever. All members present voiced “aye” in favor of the motion. Motion Passed.
4. **MOTION** by Matthew Clever to approve Ordinance 791 an Ordinance increasing the Indebtedness of the Borough of Derry, Westmoreland County, PA by the issue of a General Obligation Note in the amount of \$200,000 for purposes of Street Resurfacing in the Borough of Derry. Motion **SECONDED** by Barbara Phillips. All members present voiced “aye” in favor of the motion. Motion Passed.
5. 5th Avenue Culvert – DEP Application submission by GTE (FOLLOW UP)
6. Sewer Lateral Testing Ordinance Amendments – Committee summary and review. **TABLED**

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7. Stormwater Ordinance- Doug Siler, GTE – Presented draft ordinance. (Forwarded to Amy Forsha, Lee Demosky, and Council for review)

8. American Rescue Plan Budget Review and Planning

9. **MOTION** by Sara Cowan to approve Public Works contractual agreement with Local Union 1451 January 2021 through December 2025. Motion **SECONDED** by Barbara Phillips. All members present voiced “aye” in favor of the motion. Motion Passed.

NEW BUSINESS

1. Mayor Vacancy- Sara Cowan requested to read a letter to council and all attendees of the meeting addressing the mayor vacancy. The letter was in support of Grant Nicely as the appointed mayor for the remaining portion of the year.

MOTION by Sara Cowan was made to appoint Grant Nicely to the Mayor vacancy. Motion was **SECONDED** by Jeremy Stein. A roll call vote was taken. Al Checca – Nay, Sara Cowan – Aye, Matt Clever- Aye, Jeremy Stein – Aye, Barbara Phillips – Aye Motion was passed.

2. Approve Payroll Direct Deposit – AmeriServ – Tabled (requesting quotes from ADP, Paychecks Quote) for Third Party Payroll Services.

3. **MOTION** by Matthew Clever to approve VFW President Chris Johnston request for permission to create a masonry memorial with some brick and stone surrounding the flag pole located on the side of the Veterans Memorial Bridge. (Non-Permanent) The VFW will be receiving approval from Penn Dot as well. Motion **SECONDED** by Jim Ritenour. All members present voiced “aye” in favor of the motion. Motion Passed.

4. **MOTION** by Barbara Phillips to approve changing the deadline for the per capita/opt tax be changed to December 31 instead of February 28 as it will ensure that at the end of a tax collector's term all duplicates with the tax collector's name will be closed. Derry Township and New Alexandria Borough are changing their deadline to December 31, so this would provide continuity across the board from all entities. Motion **SECONDED** by Sara Cowan. All members present voiced “aye” in favor of the motion. Motion passed.

MOTION by Sara Cowan was made to advertise the council vacancy. Motion **SECONDED** by Jeremy Stein. All members present voiced “aye” in favor of the motion. Motion passed. Grant Nicely read a letter of resignation for his council seat accepting the interim Mayor position.

PAYMENT OF BILLS

MOTION by Jim Ritenour to pay the bills totaling \$36,936.22 and all outstanding legitimate bills through the end of the month. Motion **SECONDED** by Sara Cowan. All members present voiced “aye” in favor of the motion. Motion passed.

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ADJOURNMENT

MOTION by Jeremy Stein to adjourn at 8:12pm. Motion **SECONDED** by Jim Ritenour. All members present voiced “aye” in favor of the motion. Motion passed.

Respectfully submitted,

Lori L. Latta Secretary