

April 9, 2024

Derry Borough Council met in regular session Tuesday, April 9, 2024 at 7:00 P.M. at AV Germano Hall, 100 West Second Street, Derry, PA with the following members present: Barbara Phillips, Sara Cowan, Al Checca, Jim Ritenour, Rob White, Nathan Bundy, and Jasen Lentz.. Mayor Grant Nicely was present. Joe Wells was reporting for the Latrobe Bulletin.

MOTION by Nathan Bundy to approve the minutes for the special council meeting of March 5, 2024. Motion **SECONDED** by Rob White. All members present voiced “aye” in favor of the motion. Motion passed.

MOTION by Nathan Bundy to approve the minutes for the regular council meeting of March 12, 2024. Motion **SECONDED** by Jasen Lentz. All members present voiced “aye” in favor of the motion. Motion passed.

MOTION by Rob White to approve the treasurer’s report ending March 31, 2024 with the following balances:

\$532,067.39 -General Fund Balance Sheet

\$388,829.87 -Liquid Fuels Balance Sheet

\$25,480.42 – Street Lighting Fund

Motion **SECONDED** by Sara Cowan. All members present voiced “aye” in favor of the motion. Motion passed.

RECOGNITION OF VISITORS

Brian Lawrence – RAWC – Derry Business Park – (Worksession4-3-2024) Samples and testing are taking place near the previously known Smith Property at the Derry Business Park for achieving Act 2 Clearance. Ongoing contingency agreement with Harvest Real Estate to market for new business for the park. Mr. Lawrence asked if any council members know of any local business interest for expansion or a new location to please network with Bob Lasser for positive team communication efforts.

1. Noah Wilsen- 521 N. Chestnut St. – Observing
2. Nancy Findish- DASD Board Member - Observing

SOLICITOR’S REPORT

None

MAYOR’S REPORT

The Mayor report for March 2024 was presented with total receipts of \$626.66, which included traffic receipts of \$243.57, non-traffic receipts of \$15.93, and \$347.16 clerk of court and \$20.00 parking receipts. There were 47 complaint calls, 6 traffic citations, 1 non-traffic citations, and 4 parking tickets.

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ZONING /CODE/UCC OFFICER’S REPORT

BIU report for March 2024 – No Zoning Permits, no UCC permits, and two code enforcement violations reported in the summary and Court appearance.

COMMITTEE REPORTS

Public Works – Equipment and Vehicle Maintenance Preparation for Parks, Pool License Class up- coming April 10th, 2024 Day to Day duties, Garage Office updates. Pool cover is scheduled to be removed on 4/23/224 or rain date 4/24/24. Street sweeper to be scheduled with City of Latrobe for spring street cleaning. Water is on at the parks.

Discussion of a possible grant outreach for a regional street sweeper for shared services for our regional municipalities.

Buildings and Grounds – Mossback Park – Mr Reintgen will be providing a quote for the maintenance of the gazebo by next months meeting.

Police - State Reimbursement Program for Police Academy Students – Request Doug to forward paperwork summary of program for council review.

Finance/Budget – Treasurer report submitted, Pool Maintenance Grant budget reviewed with Steve Schmitt for upcoming maintenance and new pavilion.

Parks and Recreation – No report

Pool Committee – Event planning is on track for the 2024 summer season, can be viewed on Derry Community Pool Facebook page. Pool committee will be outreaching for possible business advertisements along the fence line of the outdoor community pool as a fundraiser.

Grants – Rep. Leslie Rossi reported a \$650,000 Multimodal Transportation Fund Program grant to construct internal roads for the Derry Business Park development was secured for the project.

Discussion of a possible municipal share grant application for a street sweeper may be the way to approach the equipment, or through the COG.

Public Safety Committee- No report.

Media/Technology- Jasen is working on the updates for the equipment to support the body cameras for the police department.

Neighborhood Watch- No report

DASD/School- No report

ANNOUNCEMENTS

PLANNING COMMISSION

Planning commission meeting scheduled for April 16, 2024.

REPRESENTATIVES

• DARCee meeting 4th Weds 7pm Quarterly 4th Weds January, April (New Alexandria Borough), July, and October 2024.

• Derry Area Historical Society – Board Meeting are held at the Fulton House on the 3rd Monday monthly at 6:30pm. Their website is derryhistory.org Please check out their facebook page for updated information searching derry area history.

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• Derry Railroad Days Committee meets the 3rd Tuesday monthly at 6:30pm at AV Germano Hall (Alternative meeting place is the Fulton House in New Derry) Always looking for new members from Derry Borough!

COMMUNICATIONS

• Westmoreland County Boroughs Association Annual Banquet to be held on Friday, April 26, 2024 at Ferrante's Lakeview in Greensburg at 5:30pm. RSVP needed by April 18, 2024 with food choice.

• Bowling for DARCEE will be held at Lincoln Lanes on April 20, 2024 from 1-3pm. Team of 4 is \$120.00 or \$35/per person. If you can't make it and you want to participate, DARCEE is looking for baskets/auction items for the raffle.

• Revitalize or Die - 6pm Prior to Worksession June 4, 2024 - Planning meeting on Zoom

• PSAB 112th Annual Conference June 2-5, 2024 at Hershey Lodge – Check out PSAB website for more information.

• Latrobe-Derry Community Golf Outing August 3, 2024 8:00am Shotgun Sign-ups Available - Sponsorships Available Donations of Baskets – follow on facebook “Friends of Latrobe, Ligonier, and Derry”

• Westmoreland County America 250th Municipal Initiative – Requesting all 65 municipalities in the county to pass a resolution of support for “America's 250” GO Laurel Highlands Initiative. The county commissioners have passed a resolution supporting the PA Commission for the United States Semi-quincentennial-America250PA

UNFINISHED BUSINESS

1. Board and Commission terms available in the Borough:

a) Vacancy Board Chairman 2024

b) One planning commission vacancy term ending 12-31-2026

Two letters of interest were submitted however they were not Borough residents.

2. Porcelain Park – Brian Lawrence attended April 2024 worksession meeting to provide an update summary to council.

3. Sewer Lateral Testing Ordinance Amendments – Revision request submitted to Lee Demosky

MOTION by Jasen Lentz to approve advertisement of Ordinance 811 Updating Sanitary Sewer Rules and Regulations holding a public hearing once final draft is provided from Lee Demosky's office. Motion **SECONDED** by Sara Cowan. All members present voiced “aye” in favor of the motion. Motion passed.

4. 2024 Paving Project – Advertisement March 26, 2024 and March 29, 2024 placed in the Latrobe Bulletin. Bids will be accepted until April 8, 2024 at 10:00am. open to the public.
(Bid Sheet Attached)

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MOTION by Nathan Bundy to approve lowest qualified bidder – Derry Construction – Bids Section A- \$236,212 and Section B- \$90,370. Motion **SECONDED** by Rob White. All members present voiced “aye” in favor of the motion. Motion passed unanimously.

Copy of Bid Sheet attached to minutes as Appendix A

The committee can review roads for additional roads to added to the project as we have some extra funding available.

5. Comprehensive Plan – Meeting scheduled with Revitalize or Die scheduled for June 4, 2024 at 6pm prior to worksession.
6. Mossback Park Gazebo Maintenance – Mr. Rankin will be providing information from the contractors he currently works with for the maintenance project..
7. Appoint a Deputy Tax Collector – No letters received

Public Hearing for Ordinance 808 – Occupancy Ordinance, Ordinance 809 – Amending Obscene Materials Definition, and Ordinance 810 Providing for a Vacant Property Monitoring Fee

Summary of Ordinances – Provided by Council President

Ordinance 808 - Occupancy Permits

Public Comments - None

Ordinance 809 – Amending Obscene Materials Definition

Public Comments - None

Ordinance 810 – Providing for a Vacant Property

Public Comments - None

8. **MOTION** by Nathan Bundy to approve Ordinance 808 Providing for Occupancy License. Motion **SECONDED** by Sara Cowan. All members present voiced “aye” in favor of the motion. Motion passed unanimously.

9. **MOTION** by Nathan Bundy to approve Ordinance 809 Amending Obscene Materials Derry Borough Code 291-2. Motion **SECONDED** by Rob White. All members present voiced “aye” in favor of the motion. Motion passed unanimously.

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10. **MOTION** by Nathan Bundy to approve Ordinance 810 Providing for a Vacant Property Monitoring Fee. Motion **SECONDED** by Sara Cowan. All members present voiced “aye” in favor of the motion. Motion passed unanimously.
11. Pool Maintenance DCED Grant - Pool Pavilion - 12 X 24 pavilion – Westmoreland Renovation Brothers Inc. at \$22,280.00 or Booher Construction, LLC \$20,860.00 Gibson-Thomas will assist with approval of UCC plans.
12. Review 424-45 Central Business Commercial Zone - Review of Theatre “Cultural Facilities” Council to request Planning Commission to Review.
Cultural Facilities - A public or nonprofit institution within the Borough, which engages in the cultural, intellectual, scientific, environmental, educational or artistic enrichment of the people of the Borough. “Cultural facilities” does not mean any school or any institution primarily engaged in religious or sectarian activities. "Cultural facility" shall mean any structure, improvement, furnishing, equipment or other real or personal property that is or is to be used, owned, or occupied in whole or in part by a participating cultural institution, including but not limited to museums, performing arts centers, public television and radio stations, theaters, auditoriums, libraries, exhibition, performance and rehearsal space, galleries, artists' and dancers' studios, recording studios, and any and all recreational, educational, cultural, office, living, rehearsal, parking, restaurant, retail, storage and other facilities necessary or desirable in connection with the activities of the participating cultural institution.

NEW BUSINESS

1. Approve hiring a Full-time and Part-time Public Works – Interviews will be scheduled for next week.
2. Code Enforcement – Searching for a local candidate. **MOTION** by Jasen Lentz to approve advertising for the part-time position. Motion **SECONDED** by Nathan Bundy. All members present voiced “aye” in favor of the motion. Motion passed unanimously.
3. **MOTION** by Nathan Bundy to approve Waste Management extension year 10/1/2024 to 9/30/2025 at the contracted rates provided and executed September 8, 2020. Motion **SECONDED** by Sara Cowan. All members present voiced “aye” in favor of the motion. Motion passed unanimously.
4. Increase earned income tax from 1% to 1.25%. – **MOTION** by Barbara Phillips to approve Solicitor to draft an Ordinance to increase our earned income tax to 1.25% effective January 1, 2025. Motion **SECONDED** by Sara Cowan. All members present voiced “aye” in favor of the motion. Motion passed unanimously.
5. **MOTION** by Barbara Phillips to approve Unifirst Contract for public works uniforms, wipers and mats at a cost of \$150.82 monthly. Motion **SECONDED** by Nathan Bundy. All members present voiced “aye” in favor of the motion. Motion passed unanimously.

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6. **MOTION** by Jim Ritenour to approve Resolution 683-24 Resolution in Support of America 250 PA and America’s Semi-quincentennial Celebration. Motion **SECONDED** by Rob White. All members present voiced “aye” in favor of the motion. Motion passed unanimously.
7. **MOTION** by Sara Cowan to approve Westmoreland Renovation Brothers Inc. Repair Work for the Pool Overhang in the concession area with new awning. \$7,600 at the Derry Outdoor Community Pool utilizing the DCED Grant Funds awarded. Motion **SECONDED** by Jim Ritenour. All members present voiced “aye” in favor of the motion. Motion passed unanimously.

PAYMENT OF BILLS

MOTION by Rob White to pay the bills totaling \$ 34,118.82 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.

ADJOURNMENT

MOTION by Jim Ritenour to adjourn meeting at 7:38pm. Motion **SECONDED** by Rob White. All members present voiced “aye” in favor of the motion. Motion passed.

Respectfully Submitted,

Lori L. Latta, Secretary