

**August 9, 2022**

Derry Borough Council met in regular session Tuesday, August 9, 2022 at 7:00 P.M. at AV Germano Hall, 100 West Second Street, Derry, PA with the following members present: Sara Cowan, Barbara Phillips, Daniel Chaney Sr., Al Checca, James Ritenour, Chad Fabian, and Rob White. Mayor Grant Nicely was present. Lee Demosky, Solicitor was present. Joe Wells was reporting for the Latrobe Bulletin.

**MOTION** by Chad Fabian to approve the minutes for the regular council meeting of July 12, 2022. Motion **SECONDED** by Al Checca. All members present voiced “aye” in favor of the motion. Motion passed.

**MOTION** by Rob White to approve the treasurer’s report ending July 31, 2022 with the following balances:

\$713,108.87 -General Fund Balance Sheet

\$377,639.15 -Liquid Fuels Balance Sheet

\$6,667.74 balance in account awaiting CFA Payments -Garland Mills Project Fund

\$110,863.47 – Paving Project Fund

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

**RECOGNITION OF VISITORS**

1. Leonard Shean – Commented he disagrees that Derry Borough needs a second K-9 since we are such a small community.
2. Sharon Ritenour – 729 E. 2<sup>nd</sup> Avenue – Concerned about all the left over chips from tar and chip work done on E. 2<sup>nd</sup> Avenue Ext. wants to know who has the responsibility to clean up, many have been washed into her yard. She also stated she doesn’t feel that Derry Borough needs a second K-9.
3. Sharon Smith – Observing
4. Pat Showalter – RR Days Vendor Map/Parade Route presented.
5. Robyn John – 423 E. 2<sup>nd</sup> Street – Lives near the pool area and there seems to be some issues including theft in that area. Ms. John doesn’t feel that Derry Borough needs a second K-9, instead she would like to see more attention dedicated to the police department coverage especially in the evenings and on the weekends. She is seeing alot of young teenagers running the streets 12am-3am and wants to see more police coverage. Derry Borough has a curfew Ordinance and it isn’t being enforced. She would also like to see a crime watch possibly for her area of the Borough.
6. Noah Alter – Planning Commission – Observing
7. Matt Wilson – Planning Commission – Observing and Thanked Doug Sam for his help with a recent incident that recently happened in his neighborhood and the positive response of the police department.

**SOLICITOR’S REPORT** No report for the public.

**MAYOR’S REPORT**

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The Mayor reported for July 2022 with total receipts of \$ 459.14, which included traffic receipts of \$239.00, non-traffic receipts of \$31.77, and \$188.37 in clerk of court and miscellaneous receipts. There were 60 complaint calls, 12 traffic citations, 0 non-traffic citation, and no parking ticket.

**K-9 REPORT**

The K-9 balance is \$ 2,876.10 at the end of July 2022. There was one invoice paid to Elite K-9 - \$29.95 in month of July 2022.

**ZONING OFFICER’S REPORT**

There was one Zoning Permit, three UCC Permits issued in the month of July 2022 by BIU, and they issued eight code enforcement violation notices.

**COMMITTEE REPORTS**

**Public Works** –Council agreed that our public works department will take care of the line painting on the streets with the new line painting machine purchased including 2<sup>nd</sup> Ward on new pavement.

**Buildings and Grounds** – Pea Gravel is to be placed at Community Park walking trail/sprayed.

**Police** – The new police car is scheduled for delivery to the dealership on August 7, 2022 and then will be outfitted for patrol.

**Finance/Budget** –

**Zoning/UCC/Code** – Mark Cypher

**Parks and Recreation** –Al Checca would like to see the pool parking lot paved and new overlay on the basketball court near the pool.

**Fire Protection** – Final inspection on the new fire engine will be completed soon.

**Pool Committee** – Pool admission prices will have to increase next year with the loss of reserves this year with the pool due to payroll increases and maintenance expenses.

**Grants** –CDBG Grant Application September 2022, Local Share Account Category 4 Facilities Program – W. 3<sup>rd</sup> Ave Bridge

ANNOUNCEMENTS

DARCEE CAR Show was held on Sunday, August 7, 2022 Noon – 4pm Total of 147 vehicles were registered and even though the weather was calling for rain and we had some rain, the event turned out to be very successful.

Derry’s Great Garage Sale was held August 5<sup>th</sup> , and August 6<sup>th</sup>, 2022

**Derry Borough Council went into executive session at 8:08pm at the Derry Borough Council Worksession held on Tuesday, August 2, 2022 for legal discussion and police and public works personnel discussion. Executive session ended at 8:28pm.**

PLANNING COMMISSION

Occupancy Permit Ordinance Review

Paper Alleys

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REPRESENTATIVES

- DARCee Meeting 4<sup>th</sup> Weds monthly

COMMUNICATIONS

- ❖ Westmoreland Community Action Golf Outing Friday August 5<sup>th</sup>, 2022 Shotgun Start 9am \$150/golfer Sponsorships Available
- ❖ Westmoreland Cleanways Water Service Upgrades to improve flow capacity for a fire suppression system – Request for donations from local municipalities
- ❖ PRINT - A draft map was received for second phase of review for the map and the streets. Public works can review initially and council will have final review prior to approval.

UNFINISHED BUSINESS

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1. Board and Commission terms expiring in the Borough:
  - a) One five-year-term for the Zoning Hearing Board expiring December 31, 2025 and one vacancy of an unexpired term ending December 31, 2024 and (1) alternate board member.
  - b) One (1) four-year term for the planning commission expiring December 31, 2025.
  - c) Vacancy Board Chairman 2022
2. Porcelain Park
3. Sewer Lateral Testing Ordinance Amendments
4. American Rescue Plan Budget - 2<sup>nd</sup> ARPA payment
5. 2022 Paving Project – Communication is needed with the Municipal Authority to see when their line maintenance work will be completed on Park Street so Derry Construction may come back to complete project work.
6. Garland Mills Project – **MOTION** by Chad Fabian to approve Pay Estimate #3 in the amount of \$70,962.36 for construction for culvert replacement and streambank Repair - BCS Construction. Motion **SECONDED** by Rob White. All members present voiced “aye” in favor of the motion. Motion passed.
7. Police Pension Plan Amendments – Lee Demosky reported progress is being made on the amendments and a meeting was held with Marchese and Associates as the Plan Administrator regarding the amendments.
8. Approve Police Contract – Lee Demosky, Solicitor stated the vote last month approved the contract subject to Solicitor approval. The Solicitor presented and approved contract to the police department’s collective bargaining unit for execution.

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9. Public Works Contract- Tabled Draft Amendment provided by Lee Demosky. The Solicitor is to have a meeting with representatives of the General Laborers Local Union 1451.
10. Appoint Deputy Tax Collector – No applications received
11. Appoint Administrative Assistant for the Borough Office – No applications received
12. Vacant Parcel - High Street Property –WCLB – Tabled for planning with Habitat for Humanity
13. W. 3<sup>rd</sup> Avenue Bridge Project – Matt Burns reviewed to develop a cost estimate for submission for the Local Share Account Category 4 Facilities Grant Program

#### NEW BUSINESS

1. Part-time Code Enforcement Officer – One applicant of interest Mark Cypher. Some councilmembers are concerned that he will not have enough time to dedicate to the Borough.
2. Public Works Policy/Safety Procedures and Job Description Updates – In process
3. FJ Bow & Gun Club Handicap Parking Space Request- Council discussed and they agreed the easiest situation for F&J Bow Club to proceed is to insert two handicapped parking spaces in their parking lot area, in which they would go through the Zoning process and start with application. Rob White will discuss with the Club officer council’s decision and recommendation.
4. Nuisance Ordinance – Lee Demosky to draft ordinance requested by police and Borough Council.
5. **MOTION** by Daniel Chaney Sr. to approve Railroad Days to be held on September 17 and 18, 2022 approving the parade route and the organized vendor areas. Motion **SECONDED** by Al Checca. All members present voiced “aye” in favor of the motion. Motion passed.
6. **MOTION** by Al Checca to approve offering/hiring Mark Cypher as our code enforcement officer for eight hours a week on a probationary period of 90 days at \$20/per hour. Motion **SECONDED** by Daniel Chaney Sr. All members present voiced “aye” in favor of the motion. Motion passed.
7. 2<sup>nd</sup> K-9 – Possible donation from DA’s office for a second K-9 for our police department. President Sara Cowan addressed council and visitors regarding a summary of her estimated costs to have the secondary K-9 at \$224/week = \$11,648 a year. Al Checca mentioned you have to include the wear and tear of the vehicle traveling back and forth from the handlers home which will consist of at least an additional 11,000 miles per year creating more maintenance costs as well. Chad Fabian requested a roll call vote. **MOTION** by Daniel Chaney Sr. to take a roll call vote to approve obtaining the dog as a secondary K-9.

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Motion SECONDED by Chad Fabian. A roll call vote was taken to approve the second K-9. Jim Ritenour – Yes, Chad Fabian – No, Rob White – No, Al Checca – No, Barbara Phillips- No, Daniel Chaney Sr.- No, and Sara Cowan – Yes. Motion did not pass to accept the donation of a second K-9.

**Derry Borough Council went into executive session at 7:53pm for public works policy and personnel discussion. Executive session ended at 8:34pm.**

#### PAYMENT OF BILLS

**MOTION** by Chad Fabian to pay the bills totaling \$ 18,954.94 and all outstanding legitimate bills through the end of the month. Motion SECONDED by Al Checca. All members present voiced “aye” in favor of the motion. Motion passed

#### ADJOURNMENT

Council adjourned at 8:34pm.

Respectfully Submitted,

Lori L. Latta  
Secretary