

July 18, 2023

Derry Borough Council met in regular session Tuesday, July 18, 2023 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, Adam Cowan and Chad Fabian. Mayor Grant Nicely was present. Lee Demosky, Solicitor was present. Joe Wells reporting for the Latrobe Bulletin.

MOTION by Al Checca to approve the minutes for the regular council meeting of June 13, 2023. Motion **SECONDED** by Rob White. All members present voiced “aye” in favor of the motion. Motion passed.

MOTION by Jim Ritenour to approve the treasurer’s report ending June 30, 2023 with the following balances:

\$740,701.90 -General Fund Balance Sheet

\$335,625.31 -Liquid Fuels Balance Sheet

\$40,335.25 – Street Lighting Fund

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

RECOGNITION OF VISITORS

Worksession

1. Brian Lawrence - Westmoreland County Redevelopment Authority – Updated council with information regarding Derry Business Park. He reviewed the current scope of project and budget requirements. He requested Derry Borough Council to reach out to Derry Borough’s representative and senators offices requesting support of the project in hopes to obtain more funding for the industrial site.

2. John Ankney and Velvet Majorsky – N. Chestnut Street and 650 Ramsey Way requesting repairs to the extension of Ramsey Way.

Regular Meeting

None

SOLICITOR’S REPORT

No report for the public

MAYOR’S REPORT

The Mayor reported for June 2023 with total receipts of \$740.87 which included traffic receipts of \$103.82, non-traffic receipts of \$ 227.54, and \$409.51 in clerk of court and miscellaneous receipts. There were 71 complaint calls, 15 traffic citations, 1 non-traffic citation, and 1 parking ticket.

Mayor Nicely reported a transportation officer from London is interested in joining one of our officers for an international ride along during one of the days he is in town tentatively the last week of July. Bulletin reported on the international ride along.

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K-9 REPORT

The K-9 balance is \$ 3,341.64 at the end of June 2023.

There was one invoice for Squibs Lawn Care – Mulch = \$420

ZONING OFFICER’S REPORT

BIU report for June 2023 - There were (3) three Zoning Permits, (2) two UCC permits, and (7) seven code enforcement violations reported in the summary.

CODE ENFORCEMENT REPORT

COMMITTEE REPORTS

Public Works – Playgrounds mulched, curb painting is in process, street name signs are ordered, Hose hydrant installed in the dog park, parking spots were painted. Flood Control inspection to be held on Wednesday, July12, 2023. The two new seasonal employees have been an asset to department and working out very well. 3rd Ward Curbs were initialized for painting.

Buildings and Grounds – Still waiting for Gregory and Martin to schedule steam leak repair on second floor of the municipal building. They want to go through the ceiling at the borough office for access and it will take at least a week for the project.

Police – International ride along with a London National Transportation Officer

Finance/Budget – As of 7/11/23 the General Fund revenues are at 62.31% and expenses at 48.82%

Parks and Recreation – No report

Fire Protection – No report

Pool Committee – All pumps installed at pool and working well

Grants – The borough office has submitted all the paperwork for the Community Pool DCED assistance grant. T Mobile is offering community grants up to \$50,000 to 100 small towns and rural communities across the nation. The pool committee agrees we should apply for a new slide for the outdoor community pool.

ANNOUNCEMENTS

Derry Borough Council went into executive session at the Derry Council Worksession held on July 11, 2023 for legal discussion regarding streets within the Borough at 8:57pm.

Executive session ended at 9:10pm.

PLANNING COMMISSION

Occupancy Permit Ordinance Review – President of Council will be referring to the Planning Commission for updated summary regarding occupancy permits and having a discussion regarding vacant properties.

REPRESENTATIVES

- DARCEE meeting 4th Weds 7pm monthly
- 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. (derryareahistory)

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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

- ❖ Friends of Latrobe Ligonier and Derry are having a fundraising Golf Outing for our local communities scheduled for August 19, 2023 at Glengarry Golf Links. \$125/per golfer RSVP by August 5, 2023 Registration forms available online/Latrobe Dairy Queen
- ❖ PA Environmental Council letter regarding de-carbonization in the Commonwealth and trail commitments. Donation requested.
- ❖ Live Casino Local Share Account Celebration Monday July 17, 2023 at 11AM Networking Luncheon
- ❖ Managing Stormwater Workshop – Free Workshop on how to solve stormwater problems by using BMP’s and stream stabilization techniques. Thursday, September 7, 2023 at AV Germano Hall from 6pm-8pm. Presentation provided by the Westmoreland Conservation District. Residents are welcome!
- ❖ Westmoreland County Time Capsule – Derry Borough’s item of participation needed by October 1, 2023
- ❖ Derry Community Pool Outdoor Dog Swim will be held on Saturday, August 26th, 2023 at a fee of \$7.00 /per dog.
- ❖ DARCEE Car Show scheduled at the Derry Community Park August 6, 2023 12pm-4pm. DARCEE is requesting donations for the basket auction and volunteers for the event.

UNFINISHED BUSINESS

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1. Board and Commission terms available 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, 2026 and (1) alternate board member.
 - b) Vacancy Board Chairman 2023
 2. Porcelain Park – Secretary to provide a letter of support on behalf of council.
 3. Sewer Lateral Testing Ordinance Amendments – Approved by MABD

MOTION by Chad Fabian to approve the solicitor to draft an updated sewer lateral testing ordinance and advertise the ordinance for approval. Motion **SECONDED** by Al Checca. All members present voiced “aye” in favor of the motion. Motion passed.

4. American Rescue Plan Budget
2023 Operating Expenses – Balance \$199,323.56

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MOTION by Al Checca to approve a donation in the amount of \$40,000 for the Derry Volunteer Fire Department to assist with the new truck purchase. Motion **SECONDED** by Chad Fabian. A roll call vote was taken. Al Checca – “aye”, Chad Fabian – “aye”, Rob White – “aye”, Adam Cowan – “aye”, Jim Ritenour – abstained, Sara Cowan – “nay”, and Barbara Phillips – “nay”. Summary: Four (4) – yes, two (2) – no, and one (1) abstained. Motion passed.

5. Police Pension Plan Amendments – Draft Ordinance provided by Solicitor

MOTION by Rob White to approve Ord 804 Amending the Derry Borough Police Pension Plan. Motion **SECONDED** by Jim Ritenour. A roll call vote was taken. All members present voiced “aye” in favor of the motion. Motion passed.

6. Appoint Deputy Tax Collector

7. Appoint Administrative Assistant for the Borough Office

8. Update Comprehensive Plan

NEW BUSINESS

1. Braden Avenue – Include with upcoming paving project review of one way loop

2. Mossback Park Gazebo Maintenance – Quotes for Maintenance Project

3. **MOTION** by Al Checca to approve and accept the CDBG Funding for \$275,779.00 for street reconstruction of 3rd Ward including portions of East 2nd and 3rd Streets. Motion **SECONDED** by Jim Ritenour. All members present voiced “aye” in favor of the motion. Motion passed.

MOTION by Chad Fabian to approve-Gibson Thomas to prepare the plans and bid packet for the project. Motion **SECONDED** by Rob White. All members present voiced “aye” in favor of the motion. Motion passed.

4. Approve Joanne Baum’s request for removal of a portion of her sidewalk on Utopia

MOTION by Al Checca to waive requirements contained in Chapter 358 regarding the repair of sidewalks at 415 Utopia Street and pursuant to the recommendations of the public works committee. Permitting Mr and Mrs. Baum located at 415 Utopia Street to omit a portion on the right and left of the front of their property with replacement sidewalks and replace with grass per public works direction. Motion **SECONDED** by Jim Ritenour. All members present voiced “aye” in favor of the motion. Motion passed.

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5. **MOTION** by Jim Ritenour to approve the allotment for the Winter Maintenance Agreement for 2023-2024 for \$6,526.16. Motion SECONDED by Al Checca. All members present voiced “aye” in favor of the motion. Motion passed.
6. **MOTION** by Chad Fabian to advertise Derry’s Great Garage Sale August 4th and 5th, 2023 – Approve in the Latrobe Bulletin. Motion SECONDED by Rob White. All members present voiced “aye” in favor of the motion. Motion passed.
7. Police Contract – Discussion for executive session
8. **MOTION** by Chad Fabian to approve draft amendment for the Nuisance Ordinance to support Code Enforcement and Zoning issues. Motion SECONDED by Al Checca. All members present voiced “aye” in favor of the motion. Motion passed.
9. **MOTION** by Rob White to approve draft of PRINT Community Map. Motion SECONDED by Chad Fabian. All members present voiced “aye” in favor of the motion. Motion passed.
10. **MOTION** by Chad Fabian to approve Organized Chaos Basketball tournament to be held at Community Park Saturday, July 29, 2023 8th-9th Graders 10am-6pm waiving fee. Motion SECONDED by Al Checca. All members present voiced “aye” in favor of the motion. Motion passed
11. **MOTION** by Jim Ritenour to approve resignation of Anthony Jellison for the Derry Borough Municipal Authority and approve advertising for the vacancy term expiring 2024. Motion SECONDED by Adam Cowan. All members present voiced “aye” in favor of the motion. Motion passed
12. Approve resignation of Benjamin Bush for the Municipal Authority Board and approve advertising for the vacancy term expiring 2026. - Tabled
13. New Municipal Building – Committee Al Checca and Adam Cowan

Derry Borough Council went into executive session for discussion of personnel matters of police department at 7:24pm. Executive session ended at 7:45pm.

PAYMENT OF BILLS

MOTION by Chad Fabian to pay the bills totaling \$51,646.48 and all outstanding legitimate bills through the end of the month. Motion SECONDED by Rob White. All members present voiced “aye” in favor of the motion. Motion passed.

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ADJOURNMENT

MOTION by Al Checca to adjourn meeting at 7:46pm. Motion **SECONDED** by Rob White. All members present voiced “aye” in favor of the motion. Motion passed.

Respectfully Submitted,

Lori L. Latta, Secretary