

**June 11, 2024**

Derry Borough Council met in regular session Tuesday, June 11, 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 (by phone), Jim Ritenour, Rob White, Nathan Bundy, and Jasen Lentz. Mayor Grant Nicely was present. Joe Wells was reporting for the Latrobe Bulletin.

**MOTION** by Rob White to approve the minutes for the regular council meeting of May 14, 2024. Motion **SECONDED** by Nathan Bundy. All members present voiced “aye” in favor of the motion. Motion passed.

**MOTION** by Nathan Bundy to approve the treasurer’s report ending May 31, 2024 with the following balances:

\$699,207.93 -General Fund Balance Sheet

\$390,654.97 -Liquid Fuels Balance Sheet

\$34,409.03 – Street Lighting Fund

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

**RECOGNITION OF VISITORS**

1. Tony Aubrey – Operation Vet Now - Memorial Walk and Service – August 3<sup>rd</sup>, 2024  
9am-12 noon (Worksession, June 4, 2024)
2. Deputy Mayor Ralph Chenko, City of Latrobe – Foothills COG (Regular Council Meeting, June 11, 2024)
3. Daaynah Ishman – 141 N. Bank Street – Dog Attack on W. 4<sup>th</sup> Avenue (Rt. 217)
4. Rich Eikenburg- 431 Cemetery Way – Council Vacancy
5. Cindy Gerthoffer – 316 W. 4<sup>th</sup> Avenue – Dog Attack
6. Carol Alexander – 428 Hays St. – Dog Attack
7. Gerson Medina- 322 W. 5<sup>th</sup> Avenue – Dog Attack
8. Samantha Manly – 529 W. Keeling Avenue – Dog Attack
9. Mary Landis – 153 E. 3<sup>rd</sup> Street – Dog Attack
10. Dave Ishman- 141 N. Bank Street- Dog Attack Support
11. Chuck Gerthofer – 316 W. Fourth Ave – Dog Attack
12. Jessica Isshy- 401 Hays St. – Dog Attack
13. Seth Schrecogyst – 401 Hays St. – Dog Attack
14. Joanne Fritt- 307 W. 5<sup>th</sup> Ave – Dog Attack
15. Joelle Parkinson – 133 E. 2<sup>nd</sup> St. - Observe

**Derry Borough Council went into executive session to discuss eminent litigation regarding pedestrian safety at 7:30pm. Executive session ended at 7:43pm.**

Mayor Nicely explained to the visitors the dog attack incident is in active investigation and they are unable to comment on the incident at this time, but to be assured the incident is being reviewed.

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#### COUNCIL VACANCY

Letters of interest for the council vacancy submitted were as follows: Adam Cowan, Joelle Parkinson, Carlo Parkinson, Rich Eikenberg.

Jasen Lentz nominated Rich Eikenberg. Motion SECONDED by Nathan Bundy.

Jim Ritenour to nominated Adam Cowan. Motion SECONDED by Barbara Phillips.

A Roll call vote was taken for first nomination Rich Eikenberg to be appointed to the council vacancy. Nathan Bundy – “aye”, Jasen Lentz “aye”, Rob White “aye”, Jim Ritenour “nay”, Barbara Phillips “aye”. Motion passed. Rich Eikenberg was appointed to vacancy term ending December 31, 2025. (Res. 684-24)

#### Oath of Office for New Council Member

**MOTION** by Nathan Bundy to appoint Barb Phillips to serve as President of Borough Council. Motion SECONDED by Rob White. All members present voiced “aye” in favor of the motion. Motion passed.

**MOTION** by Jasen Lentz to appoint Nathan Bundy to serve as Vice President of Borough Council. Motion SECONDED by Rob White. Five members voted “aye”, Jim Ritenour voted “nay”. Motion passed.

**MOTION** by Nathan Bundy to appoint Jasen Lentz to serve as Pro-Tem for Council. Motion SECONDED by Rob White. All members voted “aye” in favor of the motion. Motion passed.

#### SOLICITOR’S REPORT

No report

#### MAYOR’S REPORT

The Mayor’s report for May 2024 was presented with total receipts of \$660.35, which included traffic receipts of \$199.28, non-traffic receipts of \$300.00, and \$66.07 clerk of court, \$75.00 Reports, and \$20.00 parking receipts. There were 100 complaint calls, 7 traffic citations, 3 non-traffic citations, and one parking ticket.

#### ZONING /CODE/UCC OFFICER’S REPORT

BIU report for May 2024: 0 - Zoning Permits, 0 – UCC Permits, 7- Code Enforcement Violations reported in the summary.

#### COMMITTEE REPORTS

**Public Works** – Nathan Bundy addressed council regarding speed limit sign on N. Ligonier and Cemetery Way. Pool Preparation, RR Banners, Memorial for K-9 Smoke, Street Sweeping, Replaced Street Signs needed.

**Buildings and Grounds** – Mens room maintenance was provided by Gregory and Martin

**Police** – Nathan Bundy presented the idea of a Police Service Plaque for lost officers with at least 5 years of service.

Regional Police Coverage

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- Written or verbal confirmation from PSP to Council that they are on board with expansion
- Communication with Senator Pittman and Representative Rossi to gain their support
- Written business plan including budgeting and mapping of proposed area
- Schedule meeting with all parties

Jasen Lentz reported he will create email addresses for the police and council once he is vetted with the assistance of Sgt. Doug Sam.

**Finance/Budget** – ARPA Fund Summary provided to council.

**Parks and Recreation** –

**Pool Committee** – Pool Events listed on Pool Facebook Page, and committee would like to see some amusement items and Jukebox brought in at no cost to the pool for additional supporting entertainment provided by Kreiger Amusement. Internet is up and running.

**Grants**- Lori Latta sent email for follow up to T-Mobile and email to GTE for the grant application for the LSA funds for the W. Third Ave Culvert Project. DCED Grant for Multi-Municipal or Regional Planning Assistance to assist with shared services among municipalities. Mr. Bundy would like to have a meeting with Derry Township and New Alexandria regarding this grant opportunity.

**Public Safety Committee**- No report

**Media/Technology**- No report

**Neighborhood Watch**- No report

**DASD/School**- No report

**Business Development/Community Relations** – Newsletter has been posted on website and facebook.

### ANNOUNCEMENTS

**Derry Borough Council went into executive session at the Derry Borough Council Worksession held on Tuesday, June 4, 2024 at 8:16pm for personnel reasons. Executive session ended at 8:26pm.**

### PLANNING COMMISSION

- Letter to residents regarding occupancy ordinance
- Occupancy Application

### REPRESENTATIVES

- DARCEE meeting 4<sup>th</sup> Weds 7pm Quarterly 4<sup>th</sup> Weds January, April (New Alexandria Borough), July (Derry Borough Building), and October 2024.
- Derry Area Historical Society – Board Meeting are held at the Fulton House on the 3<sup>rd</sup> Monday monthly at 6:30pm. Their website is [derryhistory.org](http://derryhistory.org) Please check out their facebook page for updated information searching Derry rea History.
- Derry Railroad Days Committee meets the 3<sup>rd</sup> 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

- Letter from Adam Cowan for the council vacancy.
  - Sympathy Card from Magisterial District Court 10-3-08.
  - Westmoreland Cleanways By the Way Newsletter
  - Letter from Joelle Parkinson for the council vacancy.
  - Letter from Carlo Parkinson for the council vacancy
  - Westmoreland County Dept of Public Safety – Local Elected Officials Symposium – Wednesday August 21, 2024 at the Event Center WCCC, RSVP needed to Borough Office by 8/16/2024. Jasen Lentz will attend.
  - Letter from Rich Eikenberg for the council vacancy
  - Great Garage Sale Days Friday August 2, 2024 and Saturday, August 3, 2024
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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
  - c) One vacancy on the Borough of Derry Municipal Authority Board term expiring 12-31-2024.
  - d) One Alternate seat vacancy for Zoning Hearing Board
2. Porcelain Park -Harvest Commercial inquired with Barb Phillips
3. Sewer Lateral Testing Ordinance Amendments

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Public Hearing – Public Comment Accepted

No public comment was received.

**Approve Ordinance 811 Updating Sanitary Sewer Rules and Regulations post public hearing.**

**MOTION** by Nathan Bundy to approve Ordinance 811 Updating Sanitary Sewer Rules and Regulations. Motion **SECONDED** by Jasen Lentz. All members present voiced “aye” in favor of the motion. Motion passed unanimously.

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4. 5-Year Plan List – Internal Goals and Objective List. Council can review so we may update the internal list for Derry Borough.

5. Mossback Park Gazebo Maintenance – Mr. Reintgen provided a new contact for a contractor for the maintenance work at the Gazebo. John Beard, he is to provide us with a quote.
6. Appoint a Deputy Tax Collector
7. Pool Maintenance DCED Grant - Pool Pavilion - 12 X 24 pavilion – Steve Schmitt is waiting on BIU for review and approval of the permit. Next step will be to advertise for bids.
8. **3<sup>rd</sup> Ward Paving Project** – Approve Change Order for additional roads – **MOTION** by Nathan Bundy for Change Order #1 to include paving for Braden Avenue and the Outdoor Community Pool Parking Lot for the amount of \$35,747.50. Motion **SECONDED** by Rob White. All members present voiced “aye” in favor of the motion. Motion passed.

NEW BUSINESS

1. Approve hiring a Part-time Public Works employee – One application was received but needs reviewed further.
2. Approve Part-time Code Enforcement Officer – Received two applications for Code Enforcement which will be reviewed as well.

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Public Hearing – Public Comment Accepted  
No public comment was received.

3. **Approve Ordinance 812 Increasing earned income tax from 1% to 1.25%.**  
**MOTION** by Nathan Bundy to approve Ordinance 812 Increasing Earned Income Tax for Derry Borough effective January 1, 2025 from 1% to 1.25%. Motion **SECONDED** by Rob White. All members present voiced “aye” in favor of the motion. Motion passed unanimously.
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4. **MOTION** by Jim Ritenour to approve Railroad Days (Sat & Sun Sept 21-22, 2024), Hobo Picnic (Thursday, Sept 19, 2024) and the Railroad Days Parade for 10am on Saturday September 21, 2024. Motion **SECONDED** by Jasen Lentz. All members present voiced “aye” in favor of the motion. Motion passed.
  5. **MOTION** by Rob White to approve Homecoming Parade for DASD to be held on October 4, 2024 5:30-6:30PM. Motion **SECONDED** by Nathan Bundy. All members present voiced “aye” in favor of the motion. Motion passed.
  6. **MOTION** by Jasen Lentz to approve Ceremony and Mogadishu Mile Commemorative walk through town with the route provided by Nathan Bundy including Mentor St. and Utopia to be held on Saturday, August 3, 2024 from approximately 9am -12:30pm. Motion **SECONDED** by Rob White. All members present voiced “aye” in favor of the motion. Motion passed.

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7. **MOTION** by Nathan Bundy to approve Laurel Highlands Membership for \$295 annual fee. Motion **SECONDED** by Rich Eikenberg. All members present voiced “aye” in favor of the motion. Motion passed. Nathan Bundy is talking with the Laurel Highlands group regarding a Big Foot display or the paranormal investigators regarding ghost tours to see what we can do to bring more visitors to our area.
8. **MOTION** by Jasen Lentz to approve Greater Latrobe Laurel Valley Chamber of Commerce Membership \$257/annual fee for non-profits. Fee is based on full-time employees. Motion is **SECONDED** by Rich Eikenberg. All members present voiced “aye” in favor of the motion. Motion passed.
9. **MOTION** by Nathan Bundy to approve Memorial Banners for Al Checca and Alanna Gaudiello with Placards. Motion **SECONDED** by Rich Eikenberg. All members present voiced “aye” in favor of the motion. Motion passed.

#### **PAYMENT OF BILLS**

**MOTION** by Rob White to pay the bills totaling \$ 44,009.76 and all outstanding legitimate bills through the end of the month. Motion **SECONDED** by Jim Ritenour. All members present voiced “aye” in favor of the motion. Motion passed.

#### **ADJOURNMENT**

**MOTION** by Jim Ritenour to adjourn meeting at 8:21pm. Motion **SECONDED** by Jasen Lentz. All members present voiced “aye” in favor of the motion. Motion passed.

Respectfully Submitted,

Lori L. Latta, Secretary