

May 13 2025

Derry Borough Council met in regular session Tuesday, May 13, 2025 at 7:00pm at AV Germano Hall, 100 W. Second Street, Derry, PA with the following members present: Barbara Phillips, Rob White, Nathan Bundy, Jasen Lentz, and Rich Eikenburg. Sara Cowan and Jim Ritenour was absent. Lee Demosky, Solicitor was present. Grant Nicely, Mayor was present.

MOTION by Jasen Lentz to approve the minutes for the regular council meeting of April 8, 2025. 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 for April 30, 2025.

\$434,738.89 -General Fund Balance Sheet

\$246,218.77 -Liquid Fuels Balance Sheet

\$17,140.54 – Street Lighting Fund

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

RECOGNITION OF VISITORS

1. Doug Siler and Tammy Baacke (Worksession) -Gibson Thomas Reviewed with council the tentative plan for our pollutant reduction plan requiring a reduction of 10%. The plan of the inlet filters would require excessive maintenance and costly at \$400/filter. A map of some stormwater detention ponds and stream restoration projects were provided for an updated 5-year plan to council. There is a Growing Greener meeting upcoming that Doug Siler will be attending for the pre-application process for May 21st 2025 to apply for funding one or possibly more of the projects.
2. Jessica Yacobucci (Worksession)– 311 Ridge Avenue – Supports chickens in the Borough.
3. Joan Reynolds (Worksession) – Requesting a letter of support for the GEM theater from council.
4. Kim Daniels (Worksession) – 418 Broad St. -Supports chickens in the Borough.
5. Mia Turney (Worksession) –429 W 3rd St. - Supports chickens in the Borough.
6. Ronald Seich (Worksession) – Derry Borough Municipal Authority discussed the water Authority’s part in an upcoming paving project. Proposed a meeting with the Authority’s and the Borough’s engineers.
7. Joan Reynolds – The Gem Theater – Requesting a letter of support for the GEM theater.
8. Chad Fabian – 159 E. Third St. – Against chickens, enforcement will become an issue and will become problematic.
9. Doug Foster – 507 W. Third Avenue - Observing
10. Ralph Zoerner – Waste Management – Refuse and Recycling Bid

SOLICITOR’S REPORT

No report

MAYOR'S REPORT

The Mayor reported for April 2025 with total receipts of \$455.48, which included traffic receipts of \$117.42, non-traffic receipts of \$26.64, and \$211.42 in clerk of court and \$25.00 miscellaneous receipts and \$40.00 parking. There were 67 complaint calls, 11 traffic citations, 5 non-traffic citations, and 2 parking tickets. Taser training has been completed and tasers will be utilized as soon as Axon activates the database to support the devices. Mayor Nicely reports that there have been 80 accidents near State Rt. 217 intersecting with N. Chestnut St., Leo St., and Owens Avenue.. These are only reported crashes by Derry Borough Police. Reminder: All calls for the police are to go through 911 for dispatch.

ZONING /UCC/ CODE OFFICER'S REPORT

BIU report for April 2025 - There were no Zoning Permits, two UCC, no Occupancy, and four Code Enforcement Violations issued in the month of April 2025 by BIU.

COMMITTEE REPORTS

Public Works/Buildings Grounds/Zoning/Code/Flood- The Public Work's department desire to move forward with interviewing the applicants for the part-time seasonal position, interviews to begin Weds, May 14th, 2025. Water issues were brought up at the 2nd ward park which have been more noticeable since the large sycamore trees were cut down – the stumps will ideally be cut down this year with the hope to plant trees in their place to deal with future water issues. Pool preparation included staining new pavilion, pool sidewalk, pool cover removal, pressure washed the pool, and property preparation. They addressed a sinkhole in Thorn way, cleared storm damage from wind storm. Playground mulch ordered and railroad banners will be installed.

Finance/ Budget/ Grants – People Parks Community Foundation -Application April 21st- May 30th, 2025. Nathan Bundy will apply for the Capacity and Community Development Program upon approval to fund a polymer train playset at the 2nd ward playground. GTRP grant has been applied for. [The Capacity and Community Development Program](#) offers grants up to \$25,000 to support projects that enhance and improve public parks and recreational spaces, creating safe, accessible, and enjoyable environments for community members. This includes projects that focus on playground renovations, green space improvements, sports facility upgrades, and the development of new recreational amenities. No match is required.

[The Recreational & Educational Development Program](#) offers grants up to \$25,000 to support projects that enhance recreational and educational facilities, fostering community engagement, lifelong learning, and healthy lifestyles. The grants aim to fund initiatives that create or improve spaces for recreational activities and educational programs, ensuring accessible and enriching environments for individuals of all ages and backgrounds.

People, Parks, & Community Foundation
814-234-8803

info@peopleparks.org

https://peopleparks.org/programs/capacity_and_community_development

GreenWays and Trails Grant Application - Grant application submitted for Big Foot Park.

[COPS Hiring Program \(CHP\)](#) - a competitive award program designed to provide funding directly to law enforcement agencies to hire and/or rehire additional career law enforcement officers in an effort to increase their community policing capacity and crime prevention efforts.

Anticipated outcomes of the CHP program awards include engagement in planned community partnerships, implementation of projects to analyze and assess problems, implementation of changes to personnel and agency management in support of community policing, and increased capacity of agency to engage in community policing activities. 25% match is required unless a waiver is approved. Grant applications are included in a two-step process with deadlines of June 25, 2025 and July 1, 2025, respectively. Meeting to be schedule for planning for this grant application.

Finance Committee – Treasurer report provided for Street Light Funding – We have incurred a major increase this year in electricity from West Penn and separately our energy contract. Council was forwarded an email from Keytex explaining the increase on the energy side. Please see the report Angela prepared to show you the upcoming increases. We are suggesting a 1.25% mill increase to cover the cost of the increase and rebuild enough reserve to carry the expenses for the first 4 months of the next year.

Business Development/ Community Relations/School Services/ Rebranding Derry – Derry will participate in Latrobe’s July 4th parade. Big Foot threw out the first pitch at DAYAA’s opening day. Discovery Channel has reached out with interest in the Derry area’s history with cryptids and featuring us on their program, Expedition X. They are hoping to do some filming in the area beginning in June. Several pharmacies and grocery pharmacy/chains have been contacted to garner interest in the Derry Rite Aid property.

Community Pool – The pool committee would like to research food service for outside the pool this year as another option if possible. Banners for advertisement have begun to be sold. There will be pool passes and party bookings will be available for sale on May 17th from 10am-1pm.

Refuse/Recycling – Waste Management responded to the RFP, to be voted on.

TCC Representative – no update.

Personnel Onboarding – meeting May 14, 2025.

COG Representative – There is potential for the COG to utilize Act 90 to share a general list of bad actors in hopes to combat some blight issues.

Public Safety/Fire/Police – General discussion had regarding the nuisance ordinance and the desire to use that for properties that have continuous code violation issues. Chief Sam reported if the police are involved with the calls that the magistrate can consider a nuisance, if necessary. Nathan Bundy mentioned in doing some research he found that other municipalities have created an Ordinance which classify items such as high grass garbage ect. as a public health nuisance may be helpful for our community, as many different concerns can fall under a blanket ordinance.

ANNOUNCEMENTS

Derry Borough Council held an executive session at the Derry Borough Council Worksession held on May 6, 2025 at 8:29pm for personnel of professional services. Executive session ended at 8:37pm.

PLANNING COMMISSION

Summary report submitted by Nathan Bundy for proposed changes for the Borough’s Zoning Ordinance upon receiving the Derry Business Park project updated plans and requesting legal review. Upcoming dedication date to be announced for the new plans.

Zoning amendment prepared for legal review based on recommendations of PennTex – do include various property types such as breweries, eateries, gasoline stations, retail sales and

services, and commercial retail as explicit use. As special exception uses, it would provide use for sports facilities, and gymnasiums, medical marijuana organizations, or other non-residential uses which are not classified as permitted uses in any other district provided that they do not constitute a criminal offence and are not hazardous to public health and safety. Will need advertised as ordinance.

Planning Commission is also providing ideas for the review of allowing chickens in the Borough.

REPRESENTATIVES

Meeting schedule as listed:

- DARCEE meeting 4th Weds 7pm Semi-Monthly alternating between Derry Borough, Derry Township, and New Alexandria. May 28th 7pm.
- Derry Area Historical Society – Board Meetings are on the 3rd Monday monthly at 6:30pm with the location to be announced on their Facebook page as they await repairs to their floor. Their website is derryhistory.org. Please check out their facebook page for updated information searching Derry Area History.
- 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!
- The Derry VFW and American Legion would like to invite everyone to take part in a solemn flag raising and lowering ceremony monthly on the 10th and 11th at the Veterans Memorial Bridge at 6pm. If you would like a family member's flag to be flown for a certain month, feel free to contact us. It is a great honor to provide this service and to show the community we are very much active. Derry VFW would very much like to see our ranks grow, for the VFW and the American Legion. If interested in either the flag raising or joining the VFW or Legion contact Russ McKlveen.
- Friends of Derry meeting– May 27, 2025 Tuesday 6:30pm 2nd Floor of the brough building.

COMMUNICATIONS

- DVFD, Friends of Derry, and the American Red Cross installed smoke detectors free of charge on May 10, 2025.
- Memorial Day Parade - May 26th @ 10:30am and a Memorial Service in front of the borough building starting at 11:00am. Line up 9:45am location of 5th near Y Street Area toward community park.
- Latrobe Derry Community Golf Outing – August 2, 2025, 7:00am Registration 8am Shotgun Registration Forms available at the Borough Office
- 2025-250PA's Spring Reception Tuesday, May 6, 2025 5:45pm-8:00pm Planning Meeting for Commemoration of the 250th anniversary of the founding of the United States, Pennsylvania's integral role, and the impact of its people on the nation's past, present, and future. Meeting held at CNX in Canonsburg, PA 15317
- Hearts and Hands Helping Seniors Faith in Action Fund Drive Letter to Council
- PEC – Protect and Restore PA Environment – Fundraising Letter

UNFINISHED BUSINESS

1. Board and Commission terms available in the Borough:
 - a) One alternate board member for the zoning hearing board expiring December 31, 2029.
 - b) One (1) four-year term for the planning commission expiring December 31, 2026.
 - c) One (1) five-year term for the Derry Borough Municipal Authority expiring December 31, 2029
 - d) Vacancy Board Chairman 2025
2. Derry Business Park – Zoning Ordinance being reviewed to support upcoming plans
3. Mossback Park Gazebo Maintenance – Grant Application was submitted
4. Appoint a Deputy Tax Collector
5. Regional Police Coverage – Discussion with Derry Township ongoing (Plan of Action Feasibility study/MOU). Sol. Lee Demosky reported no communication from the Derry Township Supervisors.
Committee - Sara Cowan, Rich Eikenburg, and Jasen Lentz
6. Big Foot Commemorative Project- Friends of Derry. Grant submitted
7. Approve Ordinance 818 for Scale for Fines for Speeding

Public Hearing for comments

There were no comments from the public.

MOTION by Nathan Bundy to approve Ordinance 818 for Scale for Fines for Speeding. Motion **SECONDED** by Rich Eikenburg. All members present voiced “aye” in favor of the motion. Motion passed.

8. Seasonal Lawn employee – Advertised and one interview scheduled.
9. Police Pension Plan – Chief Sam has reached out to a firm that takes care of a nearby municipality’s police pension plan and will ask them to come to the next worksession to discuss.

NEW BUSINESS

1. Engineering Proposals (Committee – Jasen Lentz, Nathan Bundy, Barb Phillips). **MOTION** by Rich Eikenburg to approve Gibson-Thomas Engineering for Derry Borough’s engineering for 2025. Motion **SECONDED** by Nathan Bundy. All members present voiced “aye” in favor of them motion. Motion passed.
2. Cell Phones for Public Works, Mayor, and Police Chief – Mr. Eikenburg provided a quote from his T-mobile representative, additional information requested from the borough office.

- Refuse and recycling contract- **MOTION** by Nathan Bundy to accept the bid received from Waste Management including the automated bin collection. Motion **SECONDED** by Jasen Lentz. All members present voiced “aye” in favor of the motion. Motion passed.

Standard Residential Accounts

Weekly Garbage & Bi-Weekly Recycling – Contractor Provided Carts 90 gallons garbage

Standard Accounts	10/1/25-9/30/26	10/1/26 -9/30/27	10/1/27-9/30/28	Opt Ext. 10/1/28-9/30/29	Opt Ext. 10/1/29-9/30/30
Fixed Price per unit per month	\$25.96	\$27.26	\$28.62	\$30.05	\$31.55

Standard Accounts WITHOUT Recycling – Contractor Provided Carts 90 gallons garbage

Standard Accounts	10/1/25-9/30/26	10/1/26-9/30/27	10/1/27-9/30/28	Opt Ext. 10/1/28-9/30/29	Opt Ext. 10/1/29-9/30/30
Fixed Price per unit per month	\$20.56	\$21.59	\$22.67	\$23.80	\$24.99

Senior Citizen Accounts (65 or older) 65 gallons garbage

Senior Weekly Garbage & Bi-Weekly Recycling – Contractor Provided Carts - 65 gallons

Senior Citizen Regular Service	10/1/25-9/30/26	10/1/26-9/30/27	10/1/27-9/30/28	Opt Ext. 10/1/28-9/30/29	Opt Ext. 10/1/29-9/30/30
Fixed Price per unit per month	\$20.77	\$21.81	\$22.90	\$24.05	\$25.25

Senior Weekly Garbage WITHOUT Recycling – Contractor Provided Carts - 65 gallons

Senior Citizen Regular Service	10/1/25-9/30/26	10/1/26-9/30/27	10/1/27-9/30/28	Opt Ext. 10/1/28-9/30/29	Opt Ext. 10/1/29-9/30/29
Fixed Price per unit per month	\$16.45	\$17.27	\$18.13	\$19.04	\$19.99

One free scheduled bulk item per month, extra bulk items \$50/per item.

No individual bag sticker service available.

- The 2005 Ford F550 XL Dump truck has been listed on Municibid for sale. Bids will be accepted until 5/23/2025 at 10am
- Chicken Ordinance – Planning commission is continuing to review a draft Ordinance.

6. 2025-2026 Paving Project – Development meeting – MABD held May 8th, 2025 for their portion of the paving. Discussion of council regarding an estimated budget of \$285,000 and they discussed removing two streets from the plans including a portion of Y Street and Hannastown Road. If moving forward, solicitors for the Borough and for the Municipal Authority will work together for an intermunicipal agreement.
7. **MOTION** by Rob White to approve a basket for the auction for the Friends of Latrobe Ligonier, & Derry Community Golf Outing in August for the amount of \$50. Motion **SECONDED** by Rich Eikenburg. All members present voiced “aye” in favor of the motion. Motion passed.
8. **MOTION** by Nathan Bundy to approve annual membership for Latrobe-Laurel Valley Chamber of Commerce - \$257 annual fee. Motion **SECONDED** by Rob White. All members present voiced “aye” in favor of the motion. Motion passed.
9. **MOTION** by Nathan Bundy to approve tentative 5-year plan for the MS-4 pollutant reduction plan provided by Gibson-Thomas Engineering. Motion **SECONDED** by Rich Eikenburg. All members present voiced “aye” in favor of the motion. Motion passed.
10. **MOTION** by Jasen Lentz to approve a letter of support for the Gem Theater upon transferred ownership of the Gem theater property to the Friends of the Gem Theater and receipt of a contingency plan for continuity of operation. Motion **SECONDED** by Rich Eikenburg. All members present voiced “aye” in favor of the motion. Motion passed. Joan Reynolds inquired about the definition of Theater as it is listed as a definition but not listed specifically as a permitted use in the code. However, cultural facilities is listed as a permitted use which includes performing arts.
11. **MOTION** by Rich Eikenburg to approve applying for Capacity and Community Development Program Grant for a polymer train play set for the 2nd ward park by St. Joseph’s church. Motion **SECONDED** by Rob White. All members present voiced “aye” in favor of the motion. Motion passed.
12. **MOTION** by Jasen Lentz to approve Arnold to become a member of the Foothills COG with usage of the UCC Appeals Board for the shared services program. Motion **SECONDED** by Nathan Bundy. All members present voiced “aye” in favor of the motion. Motion passed.
13. **MOTION** by Rich Eikenburg to approve the indemnification agreement prepared by Solicitor Lee Demosky to cover anything that may happen while filming of the Discovery Channel Expedition X program on borough property. Motion **SECONDED** by Rob White. All members present voiced “aye” in favor of the motion. Motion passed.

MOTION by Rob White to pay bills totaling \$30,899.68 and all outstanding legitimate bills through the end of the month. Motion **SECONDED** by Rich Eikenburg. All members present voiced “aye” in favor of the motion. Motion passed.

Derry Borough Council went into executive session at 8:03pm for a personnel issue. Executive session ended at 8:20pm.

ADJOURNMENT

MOTION by Nathan Bundy 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