

## November 16, 2021

Derry Borough Council met in regular session Tuesday, November 16, 2021 at 7:00 P.M. at AV Germano Hall, 100 West Second Street, Derry, PA with the following members present: Sara Cowan, Al Checca, Chad Fabian, Barbara Phillips, and Matthew Clever. James Ritenour and Jeremy Stein were absent. Mayor Grant Nicely was present. Lee Demosky, Solicitor was present. There was no reporter for the Latrobe Bulletin.

**MOTION** by Chad Fabian to approve the minutes for the regular council meeting of October 12, 2021. Motion **SECONDED** by Matthew Clever. All members present voiced “aye” in favor of the motion. Motion passed.

**MOTION** by Chad Fabian to approve the treasurer’s report ending October 31, 2021 with the balance of \$583,828.25. Motion **SECONDED** by Matthew Clever. All members present voiced “aye” in favor of the motion. Motion passed.

### RECOGNITION OF VISITORS

1. Jasen Lentz – 309 W. Keeling Avenue -Observing
2. Erin Oliver - 309 W. Keeling Avenue - Observing
3. Jerris Weller – 241 W. Owens Avenue – Observing
4. Donald Hart – 330 Ridge Avenue – Observing
5. Melodie Rogowski, - High Street – Planning Commission

**SOLICITOR’S REPORT** No report for the public. Request for executive session for personnel matter.

### MAYOR’S REPORT

The Mayor reported for October 2021 with receipts of \$399.37 which included traffic receipts of \$116.47, non-traffic receipts of \$0, and \$282.90 in clerk of court. There were 38 complaint calls, 9 traffic citations, 1 non-traffic citations, and no parking tickets.

Mayor Nicely read two apology letters from two juveniles who created graffiti under Rt. 217 bridge.

### K-9 Report

The K-9 balance is \$1,178.95 for October 31, 2021. There was one invoice for October 2021 for Latrobe Animal clinic \$443.15 for shots and yearly check-up. The K-9 unit continued with maintenance training on Tuesdays. The Chief and K-9 Smoke participated in re-certifications and they are completed for another year.

Mayor Nicely read letters from two juveniles who were involved with the graffiti under Rt. 217 bridge. They apologized for their actions and are willing to resolute the situation.

### CODE OFFICIALS REPORT

Shannon Cypher-Hart reported three violation notices and two Zoning Permits for October 2021. Several code violations have been abated.

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Shannon also did a review of all abandoned homes within the Borough to provide an updated list the Westmoreland County Redevelopment Authority.

#### COMMITTEE REPORTS

**Public Works** – Filling of potholes, grass mowing, brush trimming in alleys, graveled alleys, trucks inspected, repaired leak at pool CPR Certification.

**Buildings and Grounds** – Gregory & Martin Upstairs Women’s Bathrooms. Front Door System needs updated at Municipal building. Quote from Tri-State was distributed to all of council for three cameras for the municipal building. Council agreed to get at least one more quote possibly two.

**Police** – Gregory Martin provided a quote to replace the commode system in the holding cell due to a continuous leak and corrosion. Officer Sam stated unfortunately maintenance will need provided.

**Finance/Budget** – Budget draft prepared for advertising with use of reserves to balance budget for next year.

**Zoning/UCC/Code** – Drafts provided by planning commission with review of the changes they recommended. Lee Demosky is to draft the amendments.

**Parks and Recreation** – Swing needs reinstalled 2<sup>nd</sup> Ward Playground DARCEE is to work on a plan for the spring for playground near pool.

**Fire Protection** – No report

**Pool Committee** – Discussion of slide to be replaced at the pool. Mr. Fabian suggesting holding off until we stabilize financially from COVID and have a normal summer pool season.

**Grants** – CDBG Review with Janet Thomas from Westmoreland County Planning for Municipal Building ADA updates, sidewalk improvements on S. Ligonier St. along playground, or stormwater upgrades in low income areas.

#### ANNOUNCEMENTS

#### PLANNING COMMISSION

Melody Rogowski presented a summary regarding their recommendation for the noise ordinance in which the police department should be listed to enforce. Also, they discussed RV’s and camping equipment storage. They presented council with a recommendation regarding the business district changes for Zoning with a map. Code official Shannon Cypher Hart discussed with planning commission regarding fencing code and amendments recommended.

#### REPRESENTATIVES

DARCEE will resume meetings in 2022.

#### COMMUNICATIONS

- PSAB Membership Training Subscription program Includes all webinars, 50% discount on PSAB Classroom and online course training, 25% on attendance on the PA Municipal Legal Update, and 50% on all attendance on the Newly Elected Municipal Official classes and boot camp. Pay \$450 by January 28, 2022 Newly Elected Official Bootcamp will be offered January 21<sup>st</sup> and January 22<sup>nd</sup>, 2022 Westmoreland County

- Pennsylvania Environmental Council 2022 Membership \$50 Government Annual Fee **MOTION** by Chad Fabian to approve the 2022 membership fee for PEC. Motion **SECONDED** by Matthew Clever. All members present voiced “aye” in favor of the motion. Motion passed.

OLD BUSINESS

1. Board and Commission terms expiring in the Borough:
  - a) One (1) vacancy and (1) alternate vacancy for the Zoning Hearing Board
2. Porcelain Park – Discussion regarding the Westmoreland Redevelopment Authority Signage for marketing the industrial site, proper placement.
3. Sewer Lateral Testing Ordinance Amendments – Committee summary and review More discussion will be held at the Muncipal Authority meeting upcoming.
4. American Rescue Plan Budget - Expenditure Planning - Discussion of proceeding with purchases of Police Equipment such as vests and computers as well as a Camera system for the Municipal Building.
5. 2022 Paving Project – Goal of Early Spring Notice to Proceed – PW requesting to add Braden Avenue. Discussion regarding a separate paving project.
6. Garland Mills Project – Review of Gas Line - Gibson-Thomas Engineering recommend approval of the test dig change order in the amount of \$1,729.60 and Wall Anchors in the amount of \$12,947.19.

**MOTION** by Al Checca to approve Change Order #1 in the amount of \$12,947.19 for Wall Anchors to be added into the Garlane Mills Run culvert Project. Motion **SECONDED** by Barbara Phillips. All members present voiced “aye” in favor of the motion. Motion passed.

**MOTION** by Al Checca to approve Change Order #2 in the amount of \$1,729.60 for a gas line located for the Garlane Mills Run Culvert Project. Motion **SECONDED** by Chad Fabian. All members present voiced “aye” in favor of the motion. Motion passed.

NEW BUSINESS

1. **MOTION** by Matthew Clever to advertise the General Fund Budget for 2022 with tax ordinance. Motion **SECONDED** by Al Checca. All members present voiced “aye” in favor of the motion. Motion passed.

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2. **MOTION** by Al Checca to accept presented adjustments Police Pension Plan Amendments and have Lee Demosky prepare the changes for formal approval. Motion **SECONDED** by Matthew Clever. All members present voiced “aye” in favor of the motion. Motion passed.
3. Advertise draft amendments to RV, Mobile Home, Camping Equipment Ordinance **MOTION** by Al Checca to table the amendments. Motion **SECONDED** by Barbara Phillips. All members present voiced “aye” in favor of the motion. Motion passed.
4. Advertise draft amendments to Home-based businesses **MOTION** by Barbara Phillips to table the amendments. Motion **SECONDED** by Al Checca. Four members present voiced “aye” in favor of the motion. Chad Fabian abstained. Motion passed.

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**Public Hearing – Comments session – Ord 795** No public comments were given.

5. Approve Ordinance 795 Modifying Chapter 319 Code of the Borough of Derry - Property Maintenance Code Ordinance (original Ord. 739)

**MOTION** by Chad Fabian to approve Ordinance 795 Modifying Chapter 319 Code of the Borough of Derry Property Maintenance Code. Motion **SECONDED** by Al Checca. All members present voiced “aye” in favor of the motion. Motion passed.

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6. **MOTION** by Chad Fabian to approve PRINT to provide an updated Borough Map with updated information for Derry Borough and distribute to the Residents of our community and provide additional maps for a distributional resource for the Derry Borough office. Motion **SECONDED** by Al Checca. All members present voiced “aye” in favor of the motion. Motion passed.

7. Part-time police –Discussion held for personnel matter in executive session.

8. **MOTION** by Chad Fabian to approve Westmoreland Transit Agreement from July 1, 2021 and June 30, 2022 in the amount of \$924.00. Motion **SECONDED** by Matthew Clever. All members present voiced “aye” in favor of the motion. Motion passed.

9. **MOTION** by Matthew Clever to table advertising for Outdoor Community Pool Assistant Fiscal Manager. Motion **SECONDED** by Al Checca. All members present voiced “aye” in favor of the motion. Motion passed.

10. **MOTION** by Matthew Clever to table approving going back to default electrical rates with West Penn temporarily until rates stabilize and better rates are offered. Motion **SECONDED** by Chad Fabian. All members present voiced “aye” in favor of the motion. Motion passed.

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11. DASD Police Contract - **MOTION** by Chad Fabian to open negotiations for the upcoming year. Motion **SECONDED** by Barbara Phillips. All members present voiced “aye” in favor of the motion. Motion passed.

12. **MOTION** by Chad Fabian to table the Snow Removal Agreement with Municipal Authority of the Borough of Derry. Motion **SECONDED** by Matthew Clever. All members present voiced “aye” in favor of the motion. Motion passed.

13. **MOTION** by Chad Fabian to table the resignation of councilmember Jeremy Stein. Motion **SECONDED** by Al Checca. All members present voiced “aye” in favor of the motion. Motion passed.

14. **MOTION** by Matthew Clever to create local agency hearing appeals board to hear Heart & Lung Act Board Claim Appeals Res 662-21. Motion **SECONDED** by Barbara Phillips. All members present voiced “aye” in favor of the motion. Motion passed. Sara Cowan asked for volunteers for the hearing committee. Matthew Clever, Barbara Phillips, and Sara Cowan volunteered.

**Derry Borough Council went into executive session for personnel matters for the police department and personnel of administration at 7:53pm. Executive session ended at 8:27pm.**

#### **PAYMENT OF BILLS,**

**MOTION** by Chad Fabian to pay the bills totaling \$29,450.66 and all outstanding legitimate bills through the end of the month. Motion **SECONDED** by Barbara Phillips. All members present voiced “aye” in favor of the motion. Motion passed

#### **ADJOURNMENT**

**MOTION** by Chad Fabian to adjourn at 8:32pm. Motion **SECONDED** by Matt Clever. All members present voiced “aye” in favor of the motion. Motion passed

Respectfully submitted,

Lori L. Latta Secretary