

November 21, 2023

Derry Borough Council met in regular session Tuesday, November 21, 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, Chad Fabian, and Adam Cowan. 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 October 10, 2023. Motion **SECONDED** by Jim Ritenour. 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, 2023, with the following balances:

\$615,842.74 -General Fund Balance Sheet

\$338,818.18 -Liquid Fuels Balance Sheet

\$33,452.40 – Street Lighting Fund

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

RECOGNITION OF VISITORS

1. Laurel Inspection Agency
2. Amy Hood – Read statement regarding K-9 which was prepared by Nathan Bundy protesting an email and internal phone calls with council regarding K-9 Smoke and the incident.
3. Fran Plummer – Derry Police Officer – Statement read in support of the police department addressing council and the public.
4. Melissa Stiles – - Laurel Municipal Inspection Agency – Provided information to council regarding their services.
5. Yvonne Earhart – Derry - K-9 Smoke Addressed council with her concerns of K-9 Smoke. Discussed credentials and testing with questions. Questioned bills paid from K-9 fund.
6. Joan Reynolds – 260 S. Walnut St. Blairsville- Education
7. Ted Ehman Jr. – Derry- Education
8. Dominick Dempsey – 110 Walters Street, Derry – Observing
9. Andrea Palmer – Unity Township – Observing
10. Jasen Lentz – 309 W. Keeling Avenue, Derry - Observing

SOLICITOR’S REPORT

Special investigator reviewing the investigation will be supplying Solicitor Lee Demosky to provide information at the December 2023 council meeting.

MAYOR’S REPORT

The Mayor reported for October 2023 with total receipts of \$528.62, which included traffic receipts of \$291.82, non-traffic receipts of \$15.94, and \$60.86 in clerk of court and \$160.00

miscellaneous/parking receipts. There were 52 complaint calls, 12 traffic citations, 0 non-traffic citation, and 7 parking tickets.

Amber Noel would like to come back as part-time officer and Anthony Regopoulos will be resigning as he has acquired a full-time position with another department.

ZONING /CODE/UCC OFFICER'S REPORT

BIU report for October 2023 - There were three (3) Zoning Permits, three (3) UCC permits, and four (4) code enforcement violations reported in the summary.

COMMITTEE REPORTS

Public Works – Brush cleared from McGee Run next to Municipal Building, Stained Pavilions at Community Park, parks winterized, drainage ditch on Reed, Cameras installed under bridge and gazebo for security, Snow Removal equipment inspected and installed ready for season, sign replacement

Buildings and Grounds – Lattice replaced at Mossback Gazebo

Police – Crime Watch App Available for Public Information Distribution – Approximately \$1,200/annual fee Presentation possibly in December – Presented by Officer Shelby Glick

Finance/Budget – Budget for advertisement No tax increase

Parks and Recreation – Parks winterized, 2nd Ward pavilion at the playground repaired gutters and maintenance at community park

Fire Protection – No report

Pool Committee – Plumbing Quote for the pool, Reimbursed funds for the motor invoices from the DCED grant.

Grants – Local Share Account Category 5, T Mobile grant application for pool slide

New Municipal Building Committee – No report

ANNOUNCEMENTS

Derry Borough Council went into executive session at 6:00pm on Tuesday, November 14, 2023 for police personnel matters. Executive session ended at 6:29pm.

PLANNING COMMISSION

Occupancy Permit Ordinance Review – Summary of draft ordinance provided to council and minutes from the last planning commission meeting. Need to research the cost for BIU to assist with the Occupancy Ordinance.

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)
- 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

- Mutual Aid Ambulance Services request for financial support from communities within the county.
 - Gibson-Thomas Engineering Proposal for 2024
 - Community Foundation of Westmoreland 2023-2027 Strategic Plan
 - Lee Demosky letter for reappointment for 2024
-

UNFINISHED BUSINESS

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
3. Sewer Lateral Testing Ordinance Amendments – Draft provided by Solicitor
 - Approve to advertise the updated sewer lateral testing ordinance and advertise the ordinance for approval.
4. American Rescue Plan Budget
5. Appoint Deputy Tax Collector
6. Administrative Assistant for the Borough Office
7. Comprehensive Plan – January the County should have the next district picked for their review.
8. Mossback Park Gazebo Maintenance – Chad Fabian is inquiring with a company to see if they can provide the maintenance.
9. Police Contract

NEW BUSINESS

1. Approve _____ for vacancy on the Municipal Authority Board Term Expiring 2026.
Approve _____ for vacancy on the Municipal Authority Board Term Expiring 2023.
No letters were received.
2. **MOTION** by Chad Fabian to approve the quote for plumbing maintenance at the outdoor community pool provided by A&M Plumbing in the amount of \$3,300. Motion **SECONDED** by Jim Ritenour. All members present voiced “aye” in favor of the motion. Motion passed.

3. **MOTION** by Rob White to approve to advertise General Fund Budget/ Street Lighting Budget. Motion **SECONDED** by Adam Cowan. All members present voiced “aye” in favor of the motion. Motion passed.
4. **MOTION** by Chad Fabian to approve to advertise Ordinance 807 Fixing the Tax Rate for 2024. Motion **SECONDED** by Jim Ritenour. All members present voiced “aye” in favor of the motion. Motion passed.
5. Review DASD Agreement – Meeting was held with members of the committee. Sara Cowan forwarded summary of updated agreement to council post their meeting. Al Checca presented a cost analysis to council and requested we ask for reimbursement to cover our actual expense at an estimated \$24,600 to supply them with officer coverage.
6. Chief’s Contract - Tabled
7. **MOTION** by Al Checca to approve economic increase for Secretary/Treasurer position for 3% (.64 cents per hour). Motion **SECONDED** by Chad Fabian. All members present voiced “aye” in favor of the motion. Motion passed.
8. Approve purchasing painting for Smoke approximately \$500 from K-9 Fund. – Remove from agenda.
9. **MOTION** by Al Checca to approve to sell K-9 vehicle and equipment. Motion died for a lack of second.
10. **MOTION** by Chad Fabian to approve resignation of Brad Eaglehouse and advertise for part-time public works employee. Motion **SECONDED** by Al Checca. All members present voiced “aye” in favor of the motion. Motion passed. Al Checca requested to postpone the advertisement until spring.
11. **MOTION** by Al Checca to amend motion from May 10, 2022 regular council meeting to reimburse Derry Area Revitalization Corporation for \$10,000 towards the playground equipment for the community park upon receiving receipts of payment. Motion **SECONDED** by Adam Cowan. All members present voiced “aye” in favor of the motion. Motion passed.
12. **MOTION** by Jim Ritenour to approve Brittany Steiner Photography to utilize Mossback Park on December 9th, 2024 for Holiday pictures. Waiving fee (Rain date December 10th). Benefits Non-Profit. Motion **SECONDED** by Adam Cowan. All members present voiced “aye” in favor of the motion. Motion passed.
13. **MOTION** by Jim Ritenour to approve Snow Removal Agreement between Borough of Derry and the Municipal Authority of the Borough of Derry executed and to commence November 21, 2023 and continue through season ending April 15th, 2026. Motion **SECONDED** by Chad Fabian. All members present voiced “aye” in favor of the motion. Motion passed.

14. DAYAA – 20 yr - Lease agreement for use of land for baseball **MOTION** by Chad Fabian for Lee Demosky to draft a lease agreement for one dollar for 20 years for DAYAA to utilize the property (baseball field) behind the pool area. Motion **SECONDED** by Jim Ritenour. All members present voiced “aye” in favor of the motion. Motion passed.
15. Review and approve purchase for the grant funded maintenance pool project.
- 12 X 24 pavillion – Westmoreland Renovation Brothers Inc. at \$22,280.00 **or** Booher Construction , LLC \$20,860.00
- Council agreed to call Gibson-Thomas to move forward with formal plans as required for a pavilion and the overhang in the concession area for the community pool.

PAYMENT OF BILLS

MOTION by Jim Ritenour to pay the bills totaling \$ 51,441.82 and all outstanding legitimate bills through the end of the month. Motion **SECONDED** by Chad Fabian. All members present voiced “aye” in favor of the motion. Motion passed.

Greg Cromer displayed an Aerial Photograph of Derry Borough with a cost estimate for the different sizes available. Explained how this would be a great attachment to grant applications as well as a displayed photo of the community. He presented his information to the secretary for consideration.

ADJOURNMENT

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

Respectfully Submitted,

Lori L. Latta, Secretary