

February 10, 2020

Derry Borough Council met in regular session Monday, February 10, 2020 at 7:00 P.M. in the Derry Station Community Room, 200 West Second Avenue, Derry, PA with the following members present: Grant Nicely, Presiding, Sara Cowan, Jim Ritenour, and Alison Camp. Al Checca was absent. Lee Demosky, Solicitor was present. Nick Cammuso was reporting for the Latrobe Bulletin.

MOTION by Sara Cowan to approve the minutes for the regular council meeting of January 6, 2020. Motion **SECONDED** by Jim Ritenour. All members present voiced “aye” in favor of the motion. Motion passed.

MOTION by Alison Camp to approve the minutes for the special council meeting of January 27, 2020. Motion **SECONDED** by Jim Ritenour. All members present voiced “aye” in favor of the motion. Motion passed.

MOTION by Jim Ritenour to approve the treasurer’s report with a General Fund Balance Sheet totaling \$291,316.18 for January 31, 2020. Motion **SECONDED** by Sara Cowan. All members present voiced “aye” in favor of the motion. Motion passed.

RECOGNITION OF VISITORS

1. Jasen Lentz – 309 W. Keeling Avenue – Planning Commission- Council Interest
2. Erin Oliver – Observing
3. Dan Lynch – Observing
4. Shawn Baum – 518 W. 5th Avenue - Observing
5. Pat and Jim Clark – 119 Park Street – Supporting Police K-9, Appreciates having our own police department and their response time. Mr. Clark is concerned because having a police department increases taxes.
6. Courtney Hixson –201 Park Street - Observing
7. Bridget Weyant – 205 Park Street -Observing
8. Matthew Clever- 308 W. Sixth Avenue – Observing Council Interest
9. Brian Edminston – TSI – Overview of plans for land swap
10. George Hixson – 201 Park Street – Observing Council Interest
11. Barbara Phillips and Jerris Weller – W. Owens Avenue – Observing Council Interest and K-9 interest
12. Carmelita Neiman – Support K-9 Program
13. Samantha Neiman – Support K-9 Program
14. Linda Werner- 200 W. Second Avenue – Observing
15. William and Cheryl Morgan – 219 W. Fourth Avenue – Support K-9 Program

SOLICITOR’S REPORT

The Solicitor provided a written report to Borough Council relating to public and attorney client privileged issues.

MAYOR’S REPORTS

The Mayor reported for December 2019 with receipts of \$304.42 which included traffic receipts of \$66.79, non-traffic receipts of \$3.03, and \$234.60 in miscellaneous receipts. There were 32 complaint calls, 1 traffic citations, 2 non-traffic citations, and no parking tickets.

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The Mayor reported for January 2020 with receipts of \$605.79 which included traffic receipts of \$336.54, non-traffic receipts of \$0, and \$269.25 in miscellaneous receipts. There were 44 complaint calls, 14 traffic citations, 1 non-traffic citations, and no parking tickets.

BUILDING INSPECTIONS UNDERWRITERS, INC. MONTHLY REPORT

BIU reported for January-December 2020 - 18 Occupancy Permits and 14 Zoning Permits processed.

PLANNING COMMISSION

Letter received from Planning Commission approving plans for TSI.

REPRESENTATIVES and ANNOUNCEMENTS

DARCee Car Show will be held on Sunday, August 2, 2020

COMMUNICATIONS

- Letter of Interest from Daniel Chaney
- Letter of Interest from Matthew Clever
- Letter of Interest from Jasen Lentz
- Letter of Interest from Bridget Wyant
- Letter of Interest from George Allen Hixon II
- Letter of Interest from Jerris Weller
- Letter of Approval from DASD school board for police service contract for 2020
- DAHS A Bachelor Auction March 21, 2020 requesting donations Benefits March of Dimes
- DAHS Ad for School Musical- Need to know by February 12, 2020 Business Card Ad is \$25 ½ page \$50 to support Musical **MOTION** by Alison Camp to approve \$25 for a quarter page ad to support the musical. Motion **SECONDED** by Sara Cowan. All members present voiced “aye” in favor of the motion. Motion passed.
- Westmoreland Conservation District Municipal Roundtable, Friday, February 21, 2020 Notify office by 2/13 if you would like to attend. Topics: New Stormwater Ordinance, MS4 Experiences and Challenges, Multi Municipal Projects and Agriculture and Timber Management

COMMITTEE REPORTS

- **Public Works** – Lawn Tractor for Community Pool / Mower Deck for Zero Turn
- **Buildings and Grounds**
- **Police**
- **Finance/Budget**
- **Zoning/UCC/Code**
- **Parks and Recreation**
- **Fire Protection**
- **Grants** *Community Foundation of Westmoreland – Deadline Feb 28, 2020*
DCNR – Deadline April 22, 2020
Westmoreland County Parks Local Art Grants – Deadline March 17, 2020

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UNFINISHED BUSINESS

1. Board and Commission terms expiring in the Borough:
 - a) Two (2) vacancies and (1) alternate vacancy for the Zoning Hearing Board
 - b) Vacancy Board Chairman
2. Community Park Bathroom Project
3. Occupancy Permit Ordinance – Al Checca review with Youngwood - Tabled
4. Porcelain Park – KU Resources Planning
5. 2020 Paving Project – 2nd Ward Area will be reviewed in March and prepared so we can submit a list of roads to be paved for People Gas for their maintenance schedule.
6. **MOTION** by Jim Ritenour to approve Police Contract with DASD for the 2020 year. Sara questions whether we should discuss K-9 program prior to voting on the agreement with the school. Council agreed. Jim Ritenour withdrew his motion.

NEW BUSINESS

1. Garbage Recycling Contract – Plan review/Appoint Committee
2. **MOTION** by Jim Ritenour to approve TSI Request for Sub Division and Minor Side Lot Addition – Planning Commission approved. Motion SECONDED by Sara Cowan. All members present voiced “aye” in favor of the motion. Motion passed.
3. Full-time police officer position- Tabled
4. Appointment of two council vacancies. **MOTION** by Sara Cowan to appoint Matthew Clever for one of the vacant council seats. Motion SECONDED by Alison Camp. Roll call vote was taken. All members present voted “aye” in favor of the motion. Motion passed. **MOTION** by Jim Ritneour to appoint George Allen Hixon II for the second vacancy on council. Motion SECONDED by Sara Cowan. Roll call vote was taken. Jim Ritenour – “aye”, Sara Cowan- “aye”, Alison Camp – “Nay” Grant Nicely – “Aye” Motion passed.

Jim Ritenour thanked all attendees and council applicants who are interested in supporting positive community efforts.

5. **MOTION** by Alison Camp to approve Resolution 641-20 Signature Cards for First Commonwealth Bank. Motion SECONDED by Jim Ritenour. All members present voiced “aye” in favor of the motion. Motion passed.

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6. **MOTION** by Sara Cowan to approve submission of Ordinances 780-785 to General Code for supplement for Code Book. Motion **SECONDED** by Alison Camp. All members present voiced “aye” in favor of the motion. Motion passed.
7. **MOTION** by Jim Ritenour to approve bid for 650 tons of salt for the 2020-2021 Winter Season for Costars Salt Program. Motion **SECONDED** by Alison Camp. All members present voiced “aye” in favor of the motion. Motion passed.
8. Advertise Ordinance electing to amend the non-uniform pension plan administered by PMRS pursuant to article IV of the PA Municipal Retirement Law as amended, and adopt the updated PMRS Defined Benefit Plan for Non-Uniform Employee. - Tabled
9. **MOTION** by Alison Camp to request Lee Demosky to draft an amendment including curb to curb replacement after digging for utility companies including backfilling street openings by contractors, utility companies, and others after contracted work. Motion **SECONDED** by Jim Ritenour. All members present voiced “aye” in favor of the motion. Motion passed.

10. K-9 Program

Mr. Nicely addressed council and visitors and stated the K-9 program they would like to initiate would not cost the taxpayers a single cent. The program received an anonymous donation of \$6,000 to cover the cost of the dog including travel and equipment is already in place from Blade. Chief Glick’s contract is current and will allow the K-9 program to continue.

The Solicitor advised that a designated bank account should be established wherein donations are deposited and accounted for in the regular course of Borough business. (i.e. swimming pool account) The Borough’s auditor should authorize the accounting methods used for donations to be deposited into this designated account. Checks issued from the account will require two signatures.

The Solicitor recommended a supplemental agreement for the new dog and will draft in preparation for next meeting.

There was discussion regarding handling of the dog and if the dog is transferable to a different handler. Typically the first year would be the window for successfully transferring a handler according to Chief Glick.

There was an additional discussion regarding what happens to the dog when Chief Glick retires. It was explained by the Chief the dog would retire with him at that time-as the animal is unable to be retrained to take directives from another handler. No taxpayer funds are being used to purchase the dog, therefore, no buy back provision will be required to recover public funds in the event the dog is retired prior to the end of its useful life.

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A **MOTION** was made by Jim Ritenour to accept and approve the new K-9 and continue the program. The motion was **SECONDED** by Alison Camp. All members present voiced “aye” in favor of the motion. Motion passed.

11. **MOTION** by Sara Cowan to approve Sable Kennel Animal Control Contract (Resolution 642-20) for January 2020 through December 2022. Monthly fee \$85. Includes additional fees, Road Kill Pickup \$75-\$100, Small Animals \$30-\$50 Emergency Calls \$40 and holidays \$60. \$10 fee court hearing. Motion **SECONDED** by Jim Ritenour. All members present voiced “aye” in favor of the motion. Motion passed

12. **MOTION** by Alison Camp to approve Mower Deck for 48” zero turn Idler Arm Assembly - \$1, 072.00. Motion **SECONDED** by Jim Ritenour. All members present voiced “aye” in favor of the motion. Motion passed.

PAYMENT OF BILLS

MOTION by Sara Cowan to approve payment of bills totaling \$24,324.32 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 at 8:10 p.m. Motion **SECONDED** by Alison Camp. All members present voiced “aye” in favor of the motion. Motion passed.

Respectfully submitted,

Lori L. Latta
Secretary