

**May 11, 2020**

Pursuant to the Borough of Derry Resolution 642 of 2020 and Governor Wolfes Covid-19 proclamation of Disaster Emergency public meetings were conducted remotely via Zoom. Derry Borough Council met in regular session on Monday, May 11, 2020 at 7:00 P.M. remotely with the Zoom App inviting the public to attend electronically with the following members present: Grant Nicely, Presiding, Sara Cowan, Jim Ritenour, Al Checca, Matthew Clever, and Allen Hixson. One vacancy. 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 April 13, 2020. Motion **SECONDED** by Matt Reeves. 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 \$352,436.44 for April 30, 2020. Motion **SECONDED** by Sara Cowan. All members present voiced “aye” in favor of the motion. Motion passed.

**RECOGNITION OF VISITORS**

1. Jeremy Stein – Leo Street – Letter of Interest for Council Vacancy
2. Valerie Palko – Zumba Fitness Crew, LLC – Submitted a letter to council requesting use of the Community Park and the Community Park Bathrooms for an outdoor Zumba Class to be held on Monday’s at 5:30-7:30pm.

**SOLICITOR’S REPORT**

No report for the public

**MAYOR’S REPORT**

The Mayor reported for April 2020 with receipts of \$ 482.54 which included traffic receipts of \$264.19, non-traffic receipts of \$34.00, and \$184.35 in clerk of court and miscellaneous receipts. There were 22 complaint calls, 0 traffic citations, 0 non-traffic citations, and no parking tickets. Lower traffic has constituted minimal traffic stops.

**Current proclamation providing for the Declaration of Emergency in the Borough of Derry still in place. Resolution 642-20 providing for the Declaration of Emergency.** (Note: Due to the state of emergency imposed by the Commonwealth of Pennsylvania and Westmoreland County, Borough Council determined that it promoted the health, safety and welfare of the residents to enact Resolution 642-20) Mayor Gaudiello stated our county is moving to yellow status.

**K-9 Report**

The Mayor reported \$5,116.63 as balance in K-9 account. Training in Narcotics is scheduled to begin on May 12, 2020. A new mat was to be purchased for the K-9 vehicle. Al Checca requested a more detailed report for the future meetings.

**Council went into executive session at the Derry Borough Council Worksession held on May 4, 2020 at 7:40pm for police personnel matters. Executive session ended 7:50pm.**

ZONING OFFICER'S REPORT

BIU report for April 2020 reported three violation notices.

COMMITTEE REPORTS

***Public Works – Adam Hebental reported***

- Maintenance work being done at the outdoor community pool and updated filter covers being installed. .
- Line painting will be done in areas other than paving project area
- Banners will be installed beginning next week.
- Nick Butts provided quotes for the pool roof at estimated \$6,800 and \$5,250 for the storage shed at the Derry Community Park.
- Bathrooms are almost completed at the Derry Community Park.

***Buildings and Grounds-*** Pool maintenance is being completed including seam repair of the pool, filter cover replacement, and complete review of equipment with plans of opening hopefully by the end of June 2020. Nicks Specialty Roofing submitted a quote for \$6,800 for the Derry Community Pool maintenance and repairs of the roof of the community pool building and a quote for \$5,250 for roofing and soft and fascia for the storage building at the Derry Community Park. Banners will be installed next week. They will be painting street lines with intersections included as required by Penn Dot. They will be holding off in certain areas the 2<sup>nd</sup> Ward project due to the upcoming paving project. Excess wood at community park should be hauled out of the by next month.

***Police- Grant Nicely***

***Finance/Budget***

***Zoning/UCC/Code*** – BIU is accepting permit applications again. Lee Miller is on vacation until May 25<sup>th</sup>, 2020.

***Parks and Recreation*** – Community Pool (Adam)

2<sup>nd</sup> Ward Playground Park (Lori)

Community Park Bathrooms (Adam)

Small dog park is open. Large dog park is closed for grass maintenance temporarily.

Sara Cowan wishes the playgrounds to be open since the dog parks are open.

**MOTION** by Sara Cowan to open the playgrounds limiting to groups of 25 people. Motion **SECONDED** by Matt Clever. A roll call vote was taken Al Checca – no, Sara Cowan- yes, Allen Hixson-No, Jim Ritenour – No, Matt Clever- yes, and Grant Nicely – yes. Resulted in a tie vote. Mayor Gaudiello voted yes. Motion passed. Signs can be posted at the dog park and playground for the limited number. Solicitor expressed it is recommended to follow the CDC guidelines.

The county parks are open for their recreational activities. They have their playgrounds closed.

A reminder was discussed gatherings over 25 people are prohibited.

Ethel Lake walking path is still closed to the public due to limited personnel.

**May 11, 2020**

***Refuse/Recycling*** Bids will be advertised May 21<sup>st</sup> and May 26<sup>th</sup> and pre-bid meeting will be held on Weds. May 27<sup>th</sup> 2020.

***Fire Protection*** – No reports

***Grants*** – Lori Latta sent email - Blight remediation program is available. We will hear more regarding grant for 5<sup>th</sup> Ave Garland Mills project. Grant funding may lapse in our future years due to the COVID virus. It is important to act on any grants available that may be in our area of need. It may be a good idea to apply for a few new vests for the police department at this time since we have some new hires.

## PLANNING COMMISSION

### REPRESENTATIVES

DARCEE Car Show will be held on Sunday, August 2, 2020 tentatively. Next DARCEE meeting will be held on Wednesday, May 27<sup>th</sup>, 2020 at 7pm.

### COMMUNICATIONS

- Meeting scheduled with Rick Skovensky and Brandon Firestone on Thursday May 7, 2020 to review roads for paving project with Lori and Adam to help us develop a cost estimate. There will be more needed than mill and pave. Some of the roads in the area are going to need some infrastructure and drainage work. Gibson -Thomas will be communicated with to set up a meeting for review.
- Letter of interest Bridget Wyant
- Letter of interest Jeremy Stein
- Letter of request for Park Zumba at the Derry Community Park on Mondays beginning May 18<sup>th</sup>, 2020 from 5:30pm to 7:30pm utilizing outdoor bathrooms if needed, music will be playing during the sessions. (Emailed to Council)
- Due to Governor Wolf's issue of proclamation of disaster implementing measures to mitigate the spread of COVID-19 and due to the Mayor's declaration supporting such efforts (Resolution 644-20) the DVFD and veterans are not having a Memorial Day Parade in Derry Borough this year.

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## **PUBLIC HEARING COMMENT SECTION**

### **Ordinance 788 Ordinance of the Borough of Derry Modifying Derry code chapter 358 Article IV Excavations 358-12 through 358-20 to address restoration of streets excavated within the Borough of Derry**

No public comment was not received.

**MOTION** by Matt Clever to approve Ordinance 788 Modifying Derry Code chapter 358 Article IV Excavations. Motion **SECONDED** by Sara Cowan. Roll call vote was taken. All members present voiced "aye" in favor of the motion. Motion passed.

**May 11, 2020**

**Refuse and Recycling Contract** – Meeting for public comment was advertised for Monday, April 20, 2020 and Monday, May 4, 2020 – No public attendance and no comments were received at that time. We did received two comments by phone at the Derry Borough Office hoping to continue our good service and recycling capabilities.

**MOTION** by Sara Cowan to advertise for bids. Motion **SECONDED** by Al Checca. A roll call vote was taken. All members present voiced “aye” in favor of the motion. Motion passed.

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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- Final review in process
  3. Occupancy Permit Ordinance – Committee needed
  4. Porcelain Park – KU Resources Planning – Currently in the response to comments process for the planning phase and NPDES application for permit. No report received from KU Resources.
  5. 2020 Paving Project – Infrastructure review of how to proceed with project.
  6. McGee Run Wall Collapse – Solicitor Demosky is in process of acquiring temporary easements for the removal.

#### NEW BUSINESS

1. Advertise for bids for a Refuse and Recycling contract for the residents of Derry Borough  
Approved earlier in the meeting.
2. Approve Ordinance 788 Modifying Derry Code chapter 358 Article IV Excavations to address restoration of streets excavated within the Borough of Derry §358-12 through §358-20.
3. Pool roof maintenance and community park shed roof maintenance. – Adam to request estimate
4. Council vacancy – Two letters were submitted by Jeremy Stein and Bridget Wyant. President Nicely requested a Motion for the floor. Motion by Al Checca to nominate Jeremy Stein. Motion failed for lack of second. No other motions were made. Solicitor Demosky will review and submit report to council of how to proceed with vacancy.

**May 11, 2020**

5. **MOTION** by Sara Cowan to approve Resolution 645-20 Real Estate Tax extension for discounts and penalties pursuant to Senate Bill 841 and Westmoreland County’s Resolution. Motion **SECONDED** by Jim Ritenour. A roll call vote was taken. All members present voiced “aye” in favor of the motion. Motion passed.

6. **MOTION** by Al Checca to approve E- Code online for the Derry Borough Code to be available online. Motion **SECONDED** by Sara Cowan. A roll call vote was taken. All members present voiced “aye” in favor of the motion. Motion passed.

7. **MOTION** by Sara Cowan to appoint Treasurer as the Chief Administrative Officer of the PMRS Non-Uniform Pension Plan and the Derry Borough Police Pension Plan current appointee Lori Latta, Secretary/Treasurer. Motion **SECONDED** by Jim Ritenour. A roll call vote was taken. All members present voiced “aye” in favor of the motion. Motion passed.

8. Advertise for part-time police officers – Advertise on Derry Borough website.

9. Community Park sign relocated from Clifton **MOTION** by Sara Cowan to relocate the sign (603 W. 4<sup>th</sup> Avenue area) contingent to homeowners approval. Motion **SECONDED** by Al Checca. A roll call vote was taken. All members present voiced “aye” in favor of the motion. Motion passed.

#### **PAYMENT OF BILLS**

**MOTION** by Al Checca to approve payment of bills totaling \$34,164.11 and all outstanding legitimate bills through the end of the month. Motion **SECONDED** by Sara Cowan. All members present voiced “aye” in favor of the motion. Motion passed

#### **ADJOURNMENT**

**MOTION** by Jim Ritenour to adjourn at 8:21 p.m. Motion **SECONDED** by Al Checca. All members present voiced “aye” in favor of the motion. Motion passed.

Respectfully submitted,

Lori L. Latta  
Secretary