

September 8, 2020

Derry Borough Council met in regular session Tuesday, September 8, 2020 at 7:00 P.M. in the AV Germano Hall, 100 E. 2nd Street, Derry, PA with the following members present: Grant Nicely, Presiding, Jeremy Stein, Jim Ritenour, and Sara Cowan. Al Checca and Matthew Clever were absent. One vacancy available. Lee Demosky, Solicitor was present. Zachary Damico was reporting for the Latrobe Bulletin.

MOTION by Sara Cowan to approve the minutes for the regular council meeting of August 10, 2020 and the treasurer’s report with a General Fund Balance Sheet totaling \$430,915.82 as of August 31, 2020. Motion **SECONDED** by Jeremy Stein. All members present voiced “aye” in favor of the motion. Motion passed.

RECOGNITION OF VISITORS

Stephen Schmitt and Nick Puzak Engineers from Gibson-Thomas came to present preliminary plans for the paving project plans for 2nd Ward. Amy Forsha Manager of MABD presented she had some preliminary work that she would like to do on Short Street and near 417 High Street prior to the paving. Peoples Gas also submitted street opening permits for East 1st and 2nd Avenue prior to the project. The cost estimate is approximately is around \$450,000. It was discussed we may have some issues on Shade Street that we may have to approach the Municipal Authority with communication to work together on. The plans include the tops of Park, High, and Shade Street that we hope to work with the township as there is a small portion of each of these roads that are in the Township. The cost estimate is approximately \$9,000 for the portion that is in the Township. The goal is to put the project out for bid in October of 2020 in hopes the work can be completed in early spring.

1. Barbara Phillips – 241 W. Owens Avenue – Observing Code Enforcement
2. Jerris Weller – 241 W. Owens Avenue – Observing Planning Commission Member
3. Ashley Hebenthal – E. Third Street - Observing
4. Leonard Shean – 504 N. Chestnut Street - Observing

SOLICITOR’S REPORT

No report for the public

MAYOR’S REPORT

The Mayor reported for August 2020 with receipts of \$ 432.29 which included traffic receipts of \$107.18, non-traffic receipts of \$ 152.57, and \$ 158.54 in clerk of court and miscellaneous receipts. There were 34 complaint calls, 0 traffic citations, 0 non-traffic citations, and no parking tickets.

K-9 Report

The Mayor reported a K-9 Fund Balance of \$2,536.63 for August 2020. One invoice for this month for routine vaccinations for K-9 Smoke in the amount of \$78.87. No revenues were collected. Training for Smoke is planned to have a dual purpose patrol including tracking

humans and narcotics search. Chief Glick will keep Mayor and council up to date of the progress.

ZONING OFFICER'S REPORT

Report for August 2020 submitted with 4 Notice of Violations of Code.

COMMITTEE REPORTS

Public Works – New Truck should be in next week. Slow children signs were requested for W. 2nd Avenue and Utopia intersection area, public works will be installing.

Buildings and Grounds - Municipal Building, Pool Roof and Community Park Shed have all been completed.

Police – Personnel shortage currently. Part-time ad has been placed on our website.

Finance/Budget – Budget committee should start meeting by end of the month

Zoning/UCC/Code – Advertised internal position – 3 Resumes received and forwarded to council.

Parks and Recreation – No report

Refuse/Recycling - Approved and signed contract was provided to Waste Management.

Fire Protection – No report Inspection of hydrants are taking place.

Pool – Dog Swim to be held on September 13, 2020. Pool will be closed thereafter. The two large trees in the front of the pool house will be removed as they are affecting the sidewalks and parking lot paving.

Grants – DCNR Grant Application still pending. Small Water and Sewer Projects grant to be awarded for Derry Borough in amount of \$250,000.

Chicken Committee has tabled topic at this time.

ANNOUNCEMENTS

PLANNING COMMISSION

Report was emailed by Melodie Rogowski

REPRESENTATIVES

Railroad Days we be held on Saturday the 19th and Sunday the 20th of 2020.

Parade Saturday 19th 10:00 AM Pending Penn Dot approval

There will **not** by a 5K run/walk or Hobo Picnic this year.

Railroad Days – Solicitor Demosky will forward a waiver for the Railroad Days Committee to utilize as necessary.

COMMUNICATIONS

- ❖ Request from Derry Area Football Boosters to utilize Community Park for Friday night football game watching. Parents of teammates only would participate. Approximately 65

people maximum. Due to change with state legislation the letter from Derry Football Boosters was withdrawn at this time

- ❖ 2021 CDBG Block Grant Applications are due by September 30, 2020. Map of census track block groups is available at <https://arcg.is/19aiLX>. Pollutant reduction plans for MS-4 may be a good option for a future project.
 - ❖ Letter received for council vacancy Barbara Phillips
 - ❖ Westmoreland County Municipal COVID-19 Impact Survey
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PUBLIC HEARING

Ordinance 789 – Modifying Vehicles and Traffic Stop Intersection established and establishing North Ligonier Street Extension as the Control Way

Accept Public Comment – No public comments were submitted.

MOTION by Sara Cowan to approve Ordinance 789 Modifying Vehicles and Traffic Stop Intersection and Control Ways. Motion **SECONDED** Jim Ritenour. All members present voiced “aye” in favor of the motion. Motion passed.

Ordinance 790 – Regulating Days of Open Fires and Outdoor Burning

Accept Public Comment – No public comments were submitted. The days to be allowed to burn yard waste including trees, branches, and brush will be Tuesday and Saturday weekly.

MOTION by Jeremy Stein to approve Ordinance 790 Regulating Days of Open Fires and Outdoor Burning. Motion **SECONDED** by Jim Ritenour. All members present voiced “aye” in favor of the motion. Motion passed.

OLD BUSINESS

1. Board and Commission terms expiring in the Borough:
 - a) Two (2) vacancies and (1) alternate vacancy for the Zoning Hearing Board
2. Maintenance Bonds for Derry Community Park – Spoke with Misty Ong, JT was put on notice for the items of maintenance repairs needed (maintenance bond should be secure) and we are still waiting for his maintenance bond for the community bathroom project.
3. Occupancy Permit Ordinance – Planning Commission Summary was submitted to council and the Solicitor.
4. Porcelain Park – KU Resources Planning – Currently in the response to comments process for the planning phase and NPDES application for permit. - Tabled
5. 2020 Paving Project – Gibson Thomas preparing a cost estimate- Stephen Schmitt will be attending Sept 8th meeting.

6. Stormwater Ordinance- Under review by Doug Siler, GTE – Review suggested to model Greensburg’s Ordinance

7. 5th Avenue Culvert deterioration – Grant Application submitted and we recently received word we have received a \$250,000 Grant. Doug Siler wants approval from council to scale back the project to assist with budgetary constraints. **MOTION** by Sara Cowan to approve Doug Siler to scale back the project to assist with budgetary constraints. Motion **SECONDED** by Jim Ritenour. All members present voiced “aye” in favor of the motion. We are still waiting to receive the award letter from the agency.

8. Zoning and Code Enforcement Officer - Tabled

NEW BUSINESS

1. Councilmember vacancy. One letter of interest was submitted by Barbara Phillips. **MOTION** by Jeremy Stein to appoint Barbara Phillips to the council vacancy. Motion **SECONDED** by Jim Ritenour. All members present voiced “aye” in favor of the motion. Motion passed.

2. CDBG Grant Application – Discuss with Doug Siler, GTE to see if we can apply for a portion of our MS-4 reduction Plan items

3. General Fund Budget- Committee Sara Cowan, Matt Clever, Lori Latta will meet at the end of September or beginning of October.

4. **MOTION** by Sara Cowan to approve hiring Kris Shoup for part-time seasonal laborer effective September 3, 2020. Motion **SECONDED** by Jim Ritenour. All members present voiced “aye” in favor of the motion. Motion passed.

5. **MOTION** by Jim Ritenour to approve 2021 MMO for Non-Uniform Pension Plan for the amount of \$19,715. Motion **SECONDED** by Sara Cowan. All members present voiced “aye” in favor of the motion. Motion passed.

6. **MOTION** by Sara Cowan to approve Resolution 648-20 Waste Management Contract Agreement for a three year contract with possible one-year extensions for two additional years. Motion **SECONDED** by Jeremy Stein. All members present voiced “aye” in favor of the motion. Motion passed.

7. Sewer Lateral Testing Ordinance – A committee was established including Sara Cowan, Jim Ritenour, and Barbara Phillips. The repairs being required by the Municipal Authority for the residents trying to sell their homes has created a financial burden which can result up to \$10,000 at times. The goal of the committee is to review the Ordinance and eliminate additional costs which may be added unnecessarily by the authority and better specify the requirements in the Ordinance. Council had a long discussion of the importance of the Borough and the Municipal Authority to work together on this and to improve communication to assist our residents with this testing and the improvements that are required.

8. Mr. Daniel Chaney has resigned from the Municipal Authority Board which has created a vacancy. **MOTION** by Sara Cowan to advertise for the vacancy Board of Directors for the Municipal Authority term expiring December 31, 2022. 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 \$8,147.00 and all outstanding legitimate bills through the end of the month. Motion **SECONDED** by Jeremy Stein. All members present voiced “aye” in favor of the motion. Motion passed

Derry Borough Council went into executive session at 8:30pm for legal purposes regarding the MABD. Executive session ended at 9:05pm.

ADJOURNMENT

MOTION by Sara Cowan to adjourn at 9:06pm. Motion **SECONDED** by Jeremy Stein. All members present voiced “aye” in favor of the motion. Motion passed.

Respectfully submitted,

Lori L. Latta
Secretary