

January 3, 2012

Derry Borough Council met for the reorganization meeting Monday, January 3, 2012 at 7:00 P.M. in the Derry Station Community Room, 200 West Second Avenue, Derry, PA with the following members present: Randy McCreary. Mayor Dave Bolen was present. Marie McCandless was reporting.

Oaths of office of the following members took place and were administered by the Honorable Mark J. Bilik Magisterial District Judge:

David J. Bolen, Mayor

James Byers, Councilmember

Kristine Melville, Councilmember

Charles DeRito, Councilmember

Mayor David Bolen chaired the election of President, Vice President, and Pro-tem of council.

MOTION by Kristine Melville to nominate Randy McCreary for council president. Motion **SECONDED** by Jim Byers. All four members present voiced “aye” in favor of the motion.

MOTION by Randy McCreary to nominate Jim Byers for Vice President. Motion **SECONDED** by Charles DeRito. All four members present voiced “aye” in favor of the motion.

MOTION by Jim Byers to nominate Chuck DeRito for Pro-tem. Motion **SECONDED** by Randy McCreary. All members present voiced “aye” in favor of the motion.

Meeting turned over to Council President Randy McCreary.

Following the re-organizational meeting, council went into their regular session for January 2012. Four members of council were present for the regular meeting with three vacancies of which there are three (3) two- year terms available.

Council meetings were scheduled as the following. Council work sessions will be held on the first Monday of the month at 7p.m. and the regular meetings will be held the second Monday of the month at 7p.m. If any of the meeting’s fall on a holiday, the meeting will be scheduled the following Monday.

A schedule of council meetings for 2012 was discussed but no motion to advertise was made.

A reporter from the Bulletin requested a moment to take a picture of the new council.

January 3, 2012

MOTION by Jim Byers to approve the minutes for the council meetings of December 12, 2011. Motion **SECONDED** by Kristine Melville. All members present voiced “aye” in favor of the motion. Motion passed.

MOTION by Chuck DeRito to approve the treasurer’s report for December 31, 2011. Motion **SECONDED** by Jim Byers. All members present voiced “aye” in favor of the motion. Motion passed.

VISITORS

1. Paula Byers- 501 Mentor Street, Derry – Observing.
2. Allen Skopp – 125 W. 3rd St., Derry - Observing
3. Curt Robbins – 216 S. Chestnut St., Derry – Observing
4. Ted Kopas – County Commissioner – Introduction.
5. Kim DeRito – 604 W. 2nd Avenue, Derry - Observing

MAYOR’S REPORT

Mayor’s Report was submitted for December 2011 with receipts of \$1068.49 which included traffic receipts of \$740.38 and non-traffic receipts of \$217.49. There were 138 complaint calls, 46 traffic citations, and 13 non-traffic citations with one parking ticket.

MOTION by Kristine Melville to approve the Mayors Report. Motion **SECONDED** by Jim Byers. All members present voiced “aye” in favor of the motion. Motion passed.

ZONING OFFICER’S REPORT

Absent

REPRESENTATIVE’S REPORT

None

COMMUNICATIONS

- A letter of interest for council vacancy from Chris Gerhard was read.
- A resignation letter was read from Thomas McWherter for his elected council seats due to moving out of the Derry Borough community. (He won a 4-year and a 2-year term.)
- A letter of interest for council vacancy from John E. Patrick was read to council.
- A letter of interest for council vacancy from James Ritenour, 314 S. Chestnut St. and was read to council.
- Letters of interest for council vacancies were received from Allen Skopp, Curt Robbins, and Barry Smith and mentioned previously in prior meetings.

January 3, 2012

UNFINISHED BUSINESS

1. Appoint Board and Commission Terms expiring in Borough:
 - a. One (1) Five-year Term for the Zoning Hearing Board expiring December 31, 2016
 - b. One (1) Two-year Term for the Zoning Hearing Board expiring December 31, 2013
 - c. One Alternate Vacancy for the Zoning Hearing Board
 - d. Vacancy Board Chairman for 2012
 - e. One (1) Four –year Term for the Planning Commission Term Ending December 31, 2015
 - f. One (1) Civil Service Commission Term Ending December 31, 2016.

No letters were received for the above listed vacancies advertised. We only received letters for the council vacancies.

Randy McCreary requested a motion for the resignation of Thomas McWherter.

MOTION by Kristine Melville to accept resignation of Thomas McWherter for both the four-year term and the two-year term council seats. Motion **SECONDED** by Charles DeRito. All members present voiced “aye in favor of the motion. Motion passed.

James Byers chose to accept his four-year term on Borough Council and decline the two-year term. **MOTION** by Kristine Melville to accept James Byers declination of the two-year term. Motion **SECONDED** by Charles DeRito. All members present voiced “aye” in favor of the motion. Motion passed.

Derry Borough will have three (3) two- year terms available.
Council vacancies will be reviewed at the next meeting.

NEW BUSINESS

1. **MOTION** by James Byers to declare the solicitor’s position open for the year 2012 and advertise. Motion **SECONDED** by Charles DeRito. All members present voiced “aye” in favor of the motion. Motion passed.
2. **MOTION** by James Byers to approve Brock E. Dwire for 2012 Fire Chief. Motion **SECONDED** by Kristine Melville. All members present voiced “aye” in favor of the motion. Motion passed.
3. **MOTION** by James Byers to approve George Love as the Zoning Hearing Board Solicitor for 2012. Motion **SECONDED** by Kristine Melville. All members present voiced “aye” in favor of the motion. Motion passed.
4. **MOTION** by Charles DeRito to approve Regis A. Tomsey, CPA to conduct the 2011 Borough and Real Estate Tax Audits. Motion **SECONDED** by James Byers. All members present voiced “aye” in favor of the motion. Motion passed.

January 3, 2012

5. **MOTION** by Charles DeRito to approve Gibson-Thomas Engineering Co., Inc.'s Proposal for 2012 Engineering Services. Motion **SECONDED** by Kristine Melville. All members present voiced "aye" in favor of the motion. Motion passed.
6. **MOTION** by Kristine Melville to approve Fire Chief permission to change 911 Call Outs. Motion **SECONDED** by James Byers. All members present voiced "aye" in favor of the motion. Motion passed.
7. Resolution 529-12 Police Officers in the Borough of Derry shall not be required to make contributions to the Police Pension Fund for the calendar year 2012. Charles DeRito made a **MOTION** to table this item until next month's meeting for further review and understanding of the impact of this Resolution. Motion **SECONDED** by James Byers. All members present voiced "aye" in favor of the motion. Motion passed.
8. Resolution 530-12 Appointment of Primary Voting Delegate for the Westmoreland County Tax Collection Committee effective January 3, 2011. **MOTION** by James Byers to table until special meeting to be held later in the month. Motion **SECONDED** by Charles DeRito. All members present voiced "aye" in favor of the motion. Motion passed.
9. **MOTION** by Charles DeRito to table appointments to Indiana/ Westmoreland COG and the Lake Ethel Board until the next meeting. Motion **SECONDED** by James Byers. All members present voiced "aye" in favor of the motion. Motion passed.
10. **MOTION** by Kristine Melville to approve Resolution 531-12 Signature cards for First Commonwealth Bank. Motion **SECONDED** by James Byers. All members present voiced "aye" in favor of the motion. Motion passed.
11. **MOTION** by Kristine Melville to approve the membership to the 2012 Indiana/Westmoreland Council of Governments for \$100. Motion **SECONDED** by James Byers. All members present voiced "aye" in favor of the motion. Motion passed.
12. **MOTION** by Kristine Melville to authorize the Borough Secretary/Treasurer to pay bills between meetings to take advantage of discounts and prevent certain bills from becoming overdue upon president or vice-presidents signature. Motion **SECONDED** by Charles DeRito adding upon president or vice-presidents approval. Kristine restated the motion including upon president or vice-presidents approval. All members present voiced "aye" in favor of the motion. Motion passed.

PAYMENT OF BILLS

Motion was tabled until the later meeting in January, since there is no current bill list to provide.

January 3, 2012

Randy McCreary mentioned having another meeting in January to review the current budget, reconsider the current millage and possibly lower the rate to 26 mills, and consider all the applicants who have applied for the council vacancies. The secretary mentioned that a new budget would need to be advertised and posted for ten days prior to adoption. DCED requires reporting by January 31, 2011. Lori Latta reviewed the Borough Code book and read section 1311 which read “During the month of January next following any municipal election the council of any borough may amend the budget and the levy and tax rate to conform with its amended budget. A period of ten days’ public inspection at the office of the borough secretary of the proposed amended budget after notice by the borough secretary to that effect is published once in a newspaper as provided in section 109 of this act, shall intervene between the proposed amended budget and the adoption thereof. Any amended budget must be adopted by council on or before the fifteenth day of February.

With fifteen days after the adoption of an amended budget the borough secretary shall file a copy thereof in the office of the Department of Community and Economic Development. “

It was discussed and determined council could advertise an amended budget at the special meeting in January. They selected their special meeting for January 23, 2011. **MOTION** by Charles DeRito to advertise and hold a special meeting on January 23, 2011 at Derry Station Community Room. Motion **SECONDED** by James Byers. All members present voiced “aye” in favor of the motion. Motion passed.

James Byers brought to councils attention the police should not be parking on the Fire Department ramp and the issue needs addressed.

ADJOURNMENT

MOTION by Kristine Melville to adjourn at 8:23 p.m. Motion **SECONDED** by James Byers. All members present voiced “aye” in favor of the motion. Motion passed.

Respectfully submitted,

Lori L. Latta
Secretary