

## January 12, 2021

Pursuant to Governor Wolfes Covid-19 proclamation of Disaster Emergency public meetings were conducted remotely via Zoom by Derry Borough Council in regular session Tuesday, January 12, 2021 at 7:00 P.M remotely with the Zoom App inviting the public to attend electronically with the following members present: Grant Nicely, Presiding, Al Checca, Matthew Clever, Jeremy Stein, Jim Ritenour, Barbara Phillips, and Sara Cowan. Lee Demosky, Solicitor was present. Nick Cammuso was reporting for the Latrobe Bulletin.

**MOTION** by Matt Clever to approve the minutes for the regular council meeting of December 8, 2020. Motion **SECONDED** by Sara Cowan. All members present voiced “aye” in favor of the motion. Motion passed.

**MOTION** by Jeremy Stein to approve the treasurer’s report ending December 31, 2020 with a General Fund Balance Sheet totaling \$396,756.84. Motion **SECONDED** by Jim Ritenour. All members present voiced “aye” in favor of the motion. Motion passed.

### RECOGNITION OF VISITORS

1. Jasen Lentz – W. Keeling Avenue – Observing
2. Amy Forsha – MABD – Observing for Vacancy of Authority and providing a recommendation for Rich Thomas for appointment.
3. Ryan Komar – Owens Avenue – Inquiring of water runoff from Kirk Shaffer’s property as a neighboring property owner. Council will have the new code official review the property for any code violations. Mr. Komar also inquired about two abandoned homes on E. 1<sup>st</sup> Avenue, Is council preparing to have them demolished? There are neighboring property owners concerned of the properties. Solicitor Demosky was instructed not to proceed on the Kirk Shaffer case at this time. New management from BIU will review for any new violations.
4. Steve Kozar – Responding to invitation of the Mayor. Observing

### SOLICITOR’S REPORT

No report for the public

### MAYOR’S REPORT

The Mayor reported for December 2020 with receipts of \$515.27 which included traffic receipts of \$24.76, non-traffic receipts of \$206.88, and \$283.63 in clerk of court and miscellaneous receipts. There were 22 complaint calls, 0 traffic citations, 0 non-traffic citations, and no parking tickets.

The Mayor thanked all the participants of the coloring contest for K-9 Smoke.

### K-9 Report

The Mayor reported a balance of \$1,056.54. Invoice paid to Strategic Law Enforcement K-9 Training Inc. \$3,500. K-9 Smoke is continuing with maintenance training on Tuesdays. T-shirts and Sweatshirts are still available to support the K-9 fund.

**CODE OFFICIALS REPORT**

BIU submitted 1 Occupancy Permit for December 2020. BIU representatives met with council and will be providing new service with new employees and working more closely with council regarding the Borough's needs.

**COMMITTEE REPORTS**

**Public Works-** Snow Removal 21", 19-20 Truck Loads of Leaves Collected, Filled all the alleys with stone as needed, Covered a broken window at 317 E 2<sup>nd</sup> Ave which is a vacant home for several years. Two maple trees have been removed from the Community Pool Grounds in the front of the building. Community Park Men's bathroom lock was defective and has been replaced. 2<sup>nd</sup> Ward patching was completed and will be working on 1<sup>st</sup> and 3<sup>rd</sup>. Street sweeper was not able to be utilized as of yet due to scheduling. Perhaps best to wait till spring to utilize at this time due to snow and cold weather.

**Buildings and Grounds**

**Police** – Mayor Thanked Sam's Club for donating wipes to the department. Police cleaned up everything in the storage area with the exception of the boxes of documents. They will be included in the shredding upcoming in February.

**Finance/Budget** – Budget Committee meeting to review budget for amendments due to upcoming healthcare costs.

**Zoning/UCC/Code**

**Parks and Recreation**

**Fire Protection** – Mayor Gaudiello is requesting the building agreement with the fire department to be reviewed and updated. She is requesting a meeting for discussion of the topic with the fire department.

**Grants** – DCNR Grant Workshop 2021 DCNR Virtual Grant Workshop for Recreation and Conservation Projects on January 19<sup>th</sup>, 2021 from 9:30 AM – 12 PM.

**ANNOUNCEMENTS**

**Derry Borough Council went into executive session at 9:17pm for police department personnel on Tuesday, January 5, 2021. Executive session ended at 9:59pm.**

**PLANNING COMMISSION**

**REPRESENTATIVES**

DARCEE's next meeting will be held in January 2021 at the Derry Borough Municipal Building or AV Germano Hall on Wednesday, January 27, 2021.

**COMMUNICATIONS**

- The Pennsylvania State Association of Boroughs (PSAB) is again offering a training subscription program for member boroughs. By now, you should have received a flyer on this program in your fall membership dues mailing with more information on how to enroll.

The PSAB Plus Membership Training Subscription Program provides your borough with a cost-effective option for training and professional development opportunities.

**Summary of Benefits**

PSAB Plus benefits apply to all officials and staff in your borough.

Free access to all PSAB webinars. 50 percent discount on all PSAB traditional classroom and online training sessions. 25 percent discount on attendance at the PA Municipal Legal Update. To join the PSAB Plus Membership Training Subscription Program, you must enroll and submit payment of \$450 by **Jan. 29, 2021**.

- Letter from Rich Thomas for the Municipal Authority Board Vacancy
- Letter of recommendation from MABD for Rich Thomas to fill vacancy
- Letter from GTE for 2021 rates
- Letter from Lee Demosky for 2021 rates and reappointment
- Email of interest for the MABD from Barbara Phillips

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**OLD BUSINESS**

1. Board and Commission terms expiring in the Borough:
  - a) One (1) vacancy and (1) alternate vacancy for the Zoning Hearing Board
  - b) One (1) vacancy for the Municipal Authority of the Borough of Derry Term expiring 12-31-2025. Vacancy filled at the end of the meeting.
2. Porcelain Park – KU Resources Planning – Email received by Hallie Chatfield regarding progress.
3. 2020 Paving Project – PIB Loan application submitted, waiting for approval. Once approved we can submit DCED paperwork for processing. (Loan amount of \$200,000)
4. Stormwater Ordinance- Doug Siler, GTE – Review suggested to model Greensburg’s Ordinance. GTE to prepare draft. Secretary will follow up with Mr. Siler to see if a draft has been prepared.
5. 5<sup>th</sup> Avenue Culvert – Permit Applications Initiated.
6. Zoning and Code Enforcement Officer – Possible share agreement with the City of Latrobe for services.

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7. Sewer Lateral Testing Ordinance – Lee Demosky presented a verbal review and summary of the changes requested by the committee. Solicitor Demosky discussed the points made by the committee such as the importance of consistency with the Ordinance for each resident, pressure testing old lines that may be terracotta lines which can be fragile (is there an alternative that can be discussed with the MABD inspector), and the importance of the Ordinance from DEP standpoint is to confirm there are no infiltration in the sewer system.

A flat rate should be provided and a timely written inspection report should be provided to the resident from MABD with details of what needs to be completed for passing the inspection. Property owners unfortunately are responsible for the payment of the repairs if needed. Perhaps escrow accounts can be set up during the real estate transaction as not to hold up the transfer but to confirm the line maintenance will be completed. Solicitor Demosky suggested setting up a meeting with the committee and an MABD inspector/manager to discuss in further detail and help develop resolution to the issues.

8. **MOTION** by Sara Cowan to adopt an internal Covid Policy provided by Lee Demosky. Motion **SECONDED** by Matthew Clever. All members present voiced “aye” in favor of the motion. Motion passed.

#### **NEW BUSINESS**

1. Approve Ordinance 791 an Ordinance increasing the Indebtedness of the Borough of Derry, Westmoreland County, PA by the issue of a General Obligation Note in the amount of \$200,000 for purposes of Street Resurfacing in the Borough of Derry. (DCED Requirement) – Tabled for February until approval from PIB received.

2. Part-time police officers – **MOTION** by Jeremy Stein to hire Justin James for part-time police officer as recommended by Chief Glick. Motion **SECONDED** by Barbara Phillips. All members present voiced “aye” in favor of the motion. Motion passed.

3. **MOTION** by Matthew Clever to approve Lee Demosky for the Borough Solicitor for 2021. Motion **SECONDED** by Jim Ritenour. All members present voiced “aye” in favor of the motion. Motion passed.

4. **MOTION** by Al Checca to approve Gibson-Thomas Engineering as the Borough Engineers for 2021. Motion **SECONDED** by Sara Cowan. All members present voiced “aye” in favor of the motion. Motion passed.

5. **MOTION** by Jim Ritenour to approve 2021 Membership to the Central Westmoreland COG and Indiana/Westmoreland COG. Motion **SECONDED** by Sara Cowan. All members present voiced “aye” in favor of the motion. Motion passed.

6. **MOTION** by Jim Ritenour to approve Resolution 651-21 Police officers in the Borough of Derry shall not be required to make contributions to the Police Pension Fund for 2021. Motion **SECONDED** by Matthew Clever. All members present voiced “aye” in favor of the motion. Motion passed.

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7. **MOTION** by Matthew Clever to approve the Borough Secretary/Treasurer to pay bills between meetings to take advantage of discounts and prevent bills from becoming past due. Motion **SECONDED** by Jim Ritenour. All members present voiced “aye” in favor of the motion. Motion passed.

8. **MOTION** by Matthew Clever to approve Resolution 652-21 Appointment of Primary Voting Delegate Sara Cowan and Secondary Voting Delegate Lori Latta for the Westmoreland County Tax Collection Committee effective January 2021. Motion **SECONDED** by Barbara Phillips. All members present voiced “aye” in favor of the motion. Motion passed.

9. **MOTION** by Jim Ritenour to approve Fire Chief Josh Campbell permission to change 911 call outs. Motion **SECONDED** by Sara Cowan. All members present voiced “aye” in favor of the motion. Motion passed.

10. A discussion among councilmembers to decide on what they should request as an increase for the police agreement with the school. Barbara Phillips recommended \$1,500. Al Checca recommended \$1,000. **MOTION** by Al Checca to approve DASD Police Services Contract for 2021 with a \$1,000 increase. Motion **SECONDED** by Sara Cowan. All members present voiced “aye” in favor of the motion. Motion passed. In 2019 Alanna, Chad and Al met with the school district. Mayor Gaudiello recommended setting up a personal meeting with the committee for the school board. Al Checca stated he would call the school to schedule.

11. **MOTION** by Al Checca to approve Sable Kennel Contract for 2021. Motion **SECONDED** by Sara Cowan. All members present voiced “aye” in favor of the motion. Motion passed.

12. Budget Amendment - Finance Committee Meeting Thursday, January 13, 2021.

13. Firemans/Borough Building Agreement – Meeting to be scheduled for review.

14. **MOTION** by Al Checca to hold March meetings via Zoom and advertise. Motion **SECONDED** by Jeremy. All members present voiced “aye” in favor of the motion. Motion passed.

Barbara Phillips mentioned sending Welcome letters to new residents and include the DARCEE pamphlets to help new residents with utility communications and recreational options.

President Nicely requested nominations for the vacancy on the Municipal Authority Board. **MOTION** by Sara Cowan to appoint Barbara Phillips. Motion **SECONDED** by Jeremy Stein. Roll call vote was taken. Al Checca – No, Matthew Clever – yes, Sara Cowan – yes, Jeremy Stein – yes, Jim Ritenour – yes, Grant Nicely- No, and Barbara Phillips abstained. 4 – “aye” 2- “nay” Motion passed.

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PAYMENT OF BILLS

**MOTION** by Matt Clever to pay the bills totaling \$25,840.96 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 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