

November 15, 2022

Derry Borough Council met in regular session Tuesday, November 15, 2022 at 7:00 P.M. at AV Germano Hall, 100 West Second Street, Derry, PA with the following members present: Barbara Phillips, Daniel Chaney Sr., James Ritenour, Al Checca, Chad Fabian, and Rob White. Sara Cowan was absent. Mayor Grant Nicely was present. Lee Demosky, Solicitor was present. Joe Wells was reporting for the Latrobe Bulletin.

MOTION by Daniel Chaney to approve the minutes for the regular council meeting of October 11, 2022. Motion **SECONDED** by Al Checca. All members present voiced “aye” in favor of the motion. Motion passed.

MOTION by Daniel Chaney to approve the treasurer’s report ending October 31, 2022 with the following balances:

\$783,053.10 -General Fund Balance Sheet

\$362,221.79 -Liquid Fuels Balance Sheet

\$39,756.67 – Street Lighting Fund

\$23,986.49 -Garland Mills Project Fund

Motion **SECONDED** by Chad Fabian. All members present voiced “aye” in favor of the motion. Motion passed.

RECOGNITION OF VISITORS

1. Stephen McDaniel – 418 N. Chestnut St. – Nuisance Ordinance – Mr. McDaniel wanted to know more about the Ordinance and was interested due to historical issues with a neighboring rental property in his neighborhood, which has since changed ownership. The new owner of the rental property next to his property was more helpful with recent issues. Mr. McDaniel is hopeful that property owners have respect for their neighboring property owners.
2. Jerris Weller – 241 W. Owens Avenue – Observing
3. Matthew Wilson and Jessica Wilson – Planning Commission – 328 W. Third Avenue – Thanked the police department for assisting them with the theft in their area and for participating in the Halloween Trick or Treat event in Derry Borough.

SOLICITOR’S REPORT No report for the public.

MAYOR’S REPORT

The Mayor reported for September 2022 with total receipts of \$516.33, which included traffic receipts of \$297.53, non-traffic receipts of \$16.95, and \$201.85 in clerk of court and miscellaneous receipts. There were 49 complaint calls, 10 traffic citations, 5 non-traffic citation, and 0 parking ticket.

K-9 REPORT

The K-9 balance is \$2,676.10 at the end of October 2022.
No invoices for the month of October 2022

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ZONING OFFICER'S REPORT

BIU report for October - There was two (2) Zoning Permits, no (0) UCC and one (1) demolition permit issued in the month of October 2022 by BIU.

CODE ENFORCEMENT REPORT

Mark Cypher reported nine (9) Code Violations for October 2022

COMMITTEE REPORTS

Public Works – Latrobe Street Sweeper is to be coming next week to dedicate 2-3 days of cleaning borough streets. Leaf Pick Up is on-going, as well as alleys being reviewed and maintained.

Buildings and Grounds – No report

Police - No report

Finance/Budget – No report

Zoning/UCC/Code – No report

Parks and Recreation – No report

Fire Protection – No report

Pool Committee – Al Checca mentioned in the next paving project to see if we can include the paving of the parking lot for the pool and possibly the basketball court as well. Barbara Phillips thanked Joe Wells for assisting with other volunteers to help with the pool cover during the closing process of the outdoor community pool.

Grants – 1st Round Application for Local Share Assessment Grants will be announced in December.

Conference – Al Checca reporting on G-17

ANNOUNCEMENTS

Derry Borough Council went into executive session at the Derry Borough Council Worksession held on Tuesday, November 1, 2022 at 8:10pm for discussion regarding legal matters of a fire escrow property, personnel for public works and administration, and legal discussion regarding PMRS pension plan. Executive session ended at 8:30pm.

PLANNING COMMISSION

Occupancy Permit Ordinance Review – Matt Wilson asked council for an email with specific direction in what they want included in the occupancy permit Ordinance/process for our community.

REPRESENTATIVES

DARCEE meeting 4th Weds 7pm monthly

COMMUNICATIONS

- Christmas in Mossback Park is on schedule for Friday, December 9, 2022 at 6:30pm. The Derry Highschool Band and the Derry School District Ensemble will be providing entertainment and Santa will be coming for a visit.

UNFINISHED BUSINESS

1. Board and Commission terms available in the Borough:
 - a) One five-year-term for the Zoning Hearing Board expiring December 31, 2025 and one vacancy of an unexpired term ending December 31, 2024 and (1) alternate board member.
 - b) One (1) four-year term for the planning commission expiring December 31, 2025.
 - c) Vacancy Board Chairman 2022
2. Porcelain Park – Recent maintenance was completed on the borders of the property by the maintenance department of the county.
3. Sewer Lateral Testing Ordinance Amendments
4. American Rescue Plan Budget

MOTION by Chad Fabian to approve new Police vehicle outfitting and equipment to be paid out of ARPA fund - \$ 15,752.00. Motion **SECONDED** by Jim Ritenour. All members present voiced “aye” in favor of the motion. Motion passed.

MOTION by Al Checca to approve \$10,000 for DVFD. Motion **SECONDED** by Daniel Chaney Sr. All members present voiced “aye” in favor of the motion. Motion passed.

2023 Operating Expenses – Will be reviewed monthly and supported as necessary in 2023.

5. 2022 Paving Project

MOTION by Chad Fabian to approve Change Order #3 in the amount of \$24,126.00. Motion **SECONDED** by Rob White. All members present voiced “aye” in favor of the motion. Motion passed.

MOTION by Daniel Chaney Sr. to approve Pay Estimate #2 in the amount of \$60,837.72. Motion **SECONDED** by Al Checca. All members present voiced “aye” in favor of the motion. Motion passed.

6. Garland Mills Project – Punch list review is in place as the contractor has stated the project is at completion.

7. Police Pension Plan Amendments

8. **MOTION** by Chad Fabian to approve Addendum for Public Works Contract. Motion SECONDED by Al Checca. All members present voiced “aye” in favor of the motion. Motion passed.
9. Appoint Deputy Tax Collector – No applicants
10. Appoint Administrative Assistant for the Borough Office – No applicants
11. **MOTION** by Chad Fabian to approve Public Works Policy/Safety Procedures. Motion SECONDED by Jim Ritenour. All members present voiced “aye” in favor of the motion. Motion passed.
12. Part-time Police Officers – No applicants

NEW BUSINESS

PUBLIC HEARING – Ordinance 801- Nuisances – Disorderly Houses

PUBLIC COMMENT

- Shirley Kolick attended the Borough Council work session held on November 1, 2022 in regards to several homes in her neighborhood on the 100 block of Owens Avenue, which are problem properties and hopes this nuisance ordinance will assist with the resolution to improve such properties.
- Stephen McDaniel thanked council for considering the Ordinance as he has had a rental property next to his residence that has a history of issues. He has had better communicational circumstances recently as there is a new owner for the apartment complex. Mr. McDaniel just wanted to learn more about the Ordinance.

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1. **MOTION** by Al Checca to approve Ordinance 801 – Nuisance Ordinance. Motion SECONDED by Chad Fabian. All members present voiced “aye” in favor of the motion. Motion passed.
 2. **MOTION** by Jim Ritenour Memorandum of Understanding Derry Borough Police Department and Derry Area School District - \$16,800 Agreement for 2023. Motion SECONDED by Rob White. All members present voiced “aye” in favor of the motion. Motion passed.
 3. **MOTION** by Chad Fabian to approve to advertise General Fund Budget. Motion SECONDED by Daniel Chaney Sr. All members present voiced “aye” in favor of the motion. Motion passed.

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4. **MOTION** by Al Checca to approve to advertise Ordinance 802 – Tax Rates for 2023. Motion SECONDED by Daniel Chaney Sr. All members present voiced “aye” in favor of the motion. Motion passed.
5. **MOTION** by Chad Fabian to approve amendment to PMRS Pension Plan to allow for the Normal Retirement age to be age 60 for those vested members (which include two), prior to PMRS enrollment, with no additional cost to the Borough. Motion SECONDED by Rob White. All members present voiced “aye” in favor of the motion. Motion passed.
6. **MOTION** by Chad Fabian to approve purchase of Microsoft 365 to update office system and email for \$785.00. Motion SECONDED by Jim Ritenour. All members present voiced “aye” in favor of the motion. Motion passed.
7. **MOTION** by Al Checca to approve secretary’s annual economic increase of .50 (2.5%). Motion SECONDED by Chad Fabian. All members present voiced “aye” in favor of the motion. Motion passed.
8. **MOTION** by Al Checca to approve Share Assessment Agreement for Fiscal Year 2022-2023 with Westmoreland County Transit Authority for \$924.00 annually. Motion SECONDED by Rob White. All members present voiced “aye” in favor of the motion. Motion passed.
9. **MOTION** by Chad Fabian to approve Resolution 670-22 Act 57 – Request for Waiver of Additional Charges: Real Estate Taxes pending Solicitor approval. Motion SECONDED by Jim Ritenour. All members present voiced “aye” in favor of the motion. Motion passed.
10. Police Department – Medical Coverage – Tabled for executive session.

Derry Borough Council went into executive session at 7:34pm for legal and personnel discussion. Executive session ended at 8:00pm.

PAYMENT OF BILLS

MOTION by Chad Fabian to pay the bills totaling \$ 34,510.44 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 Chad Fabian to adjourn meeting at 8:01pm. Motion SECONDED by Rob White. All members present voiced “aye” in favor of the motion. Motion passed.

Respectfully Submitted,

Lori L. Latta, Secretary