

**DERRY BOROUGH COUNCIL**

**January 2, 2024 7:00 P.M.**

**REORGANIZATION MEETING**

**OATH OF  
ADMINISTERED BY  
THE HONORABLE KELLY TUA HAMMERS  
MAGISTERIAL DISTRICT JUDGE  
FOR**

**NEWLY ELECTED CONCILMEMBERS**

**Jim Ritenour  
Sara Cowan  
Al Checca  
Jasen Lentz  
Nathan Bundy**

PLEDGE OF ALLEGIANCE

MOMENT OF SILENCE

The Honorable Kelly Tua Hammers provided the Oaths of Office for Jim Ritenour, Jasen Lentz, Al Checca, Sara Cowan, and Nathan Bundy, and they were all sworn in at the beginning of the re-organization meeting.

Honorable Kelly Hammers turned the meeting over to the Mayor Grant Nicely.

Mayor Nicely requested a nomination for council President.

Barbara Phillips nominated Sara Cowan. Jim Ritenour seconded the nomination.

Jasen Lentz nominated Al Checca. Rob White seconded the nomination.

Roll call vote for Sara Cowan for President of Council: Jim Ritenour – Aye, Sara Cowan – Aye, Barbara Phillips – Aye, Al Checca – Nay, Rob White – Nay, Jasen Lentz- Nay, Nathan Bundy – Nay. 4-3 Motion denied.

Roll call vote for Al Checca as President of Council: Jim Ritenour – Nay, Sara Cowan – Nay, Barbara Phillips – Nay, Al Checca – Aye, Rob White – Aye, Jasen Lentz – Aye, Nathan Bundy – Aye. Motion passed. Al Checca is elected President of Council.

President Al Checca requested nominations for Vice-President. Nathan Bundy nominated Barbara Phillips. Sara Cowan seconded the nomination.

Roll call vote for Barbara Phillips for Vice-President of council. Jim Ritenour – Aye, Sara Cowan – Aye, Barbara Phillips – Aye, Rob White -Aye, Al Checca – Aye, Jasen Lentz – Aye, and Nathan Bundy – Aye. Motion passed unanimously.

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President Al Checca requested a nomination for Pro-tem for council.

Barbara Phillips nominated Jim Ritenour for Pro-Tem. Sara Cowan seconded the nomination.

Jasen Lentz nominated Nathan Bundy for Pro-Tem. Rob White seconded the nomination.

Roll call vote taken by name: Jim Ritenour – Jim Ritenour, Sara Cowan – Jim Ritenour, Barbara Phillips – Jim Ritenour, Al Checca – Nathan Bundy, Rob White – Nathan Bundy, Jasen Lentz- Nathan Bundy, Nathan Bundy – Nathan Bundy.

Motion passed for Nathan Bundy as Pro-Tem

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## **REGULAR MEETING**

Derry Borough Council met in regular session on Monday, January 2, 2024 at 7:12pm at AV Germano Hall, 100 West Second Street, Derry, PA with the following members present. Sara Cowan, Al Checca, Barbara Phillips, Jim Ritenour, Rob White, Jasen Lentz, and Nathan Bundy. Mayor Grant Nicely was present. Joe Wells was reporting for the Latrobe Bulletin.

### **APPROVAL OF MINUTES & TREASURER’S REPORT**

**MOTION** was made by Jasen Lentz to approve the minutes for the regular council meeting of December 12, 2023. Motion **SECONDED** by Nathan Bundy. All members present voiced “aye” in favor of the motion. Motion passed.

**MOTION** was made by Rob White to approve the Treasurer’s report for December 31, 2023 in the total amount of \$608,919.24 General Fund, \$298,309.25 Liquid Fuels, and \$29,506.73 Street Lighting Fund. Motion **SECONDED** by Sara Cowan. All members present voiced “aye” in favor of the motion. Motion passed.

### **RECOGNITION OF VISITORS**

1. Matthew Wilson – W 3<sup>rd</sup> Ave – Congratulations to the new councilmembers
2. Yvonne Earhart – Derry – Smoke and Lee Demosky
3. Alanna Gaudiello – Connellsville – Smoke, Mayor, and Lee Demosky
4. Joelle Parkinson- 133 E. 2<sup>nd</sup> St. – See new council
5. Joe and Joanne Lenz – 436 Cemetary Way – See new council
6. Samantha Manly- 309 W. Keeling Ave – Observing
7. Debbie Matteo – 138 E. Third St. – Observing and Letter of Interest for MABD
8. Cory Parker 518 W. 2<sup>nd</sup> Ave – Observing
9. Ricky McCurdy – Derry – Observing
10. Sharon Ritenour – 729 E. 2<sup>nd</sup> Ave – Observing
11. Chasity Weirs – Latrobe – Observing
12. Dominick Dempsey – 110 Walters St. – Observing

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13. Angela Bundy- 221 S. Chestnut St. - Observing
14. Adam Cowan – 326 N. Ligonier St – Observing
15. Jeremy Stein – Leo St – Observing
16. Jerris Weller – W. Owens Ave – Observing
17. Maddie Derito – W. 2<sup>nd</sup> Ave – Observing – Letter of Interest for MABD
18. Celia Rajkovich – 122 W. 5<sup>th</sup> St. – Observing/Refuse trucks other than Waste Management. She reported McKlinchock trucks are in the Borough at 1am on Sundays on Mowry Way unsafely.

\*There were a few names on the list that were illegible to record.

#### SCHEDULE OF COUNCIL MEETINGS FOR 2024

**MOTION** by Sara Cowan to approve the schedule provided for the first and second Tuesdays excluding Holidays. Motion **SECONDED** by Jim Ritenour. All members present voiced “aye” in favor of the motion. Motion passed.

#### SOLICITOR’S REPORT

#### MAYOR’S REPORT

The Mayor reported for December 2023 with total receipts of \$\_\_\_\_\_, which included traffic receipts of \$\_\_\_\_\_, non-traffic receipts of \$\_\_\_\_\_, and \$\_\_\_\_\_ in clerk of court and \$\_\_\_\_\_ miscellaneous receipts. There were \_\_\_ complaint calls, \_\_\_ traffic citations, \_\_\_ non-traffic citation, and \_\_\_ parking tickets.

Mayor Nicely reports December 2023 and January 2024 will be reported at February’s 2024 meeting.

#### ZONING /CODE/UCC OFFICER’S REPORT

BIU report for December 2023 - 0 Zoning Permits, one (1) UCC permit, and ten (10) code enforcement violations/hearings for violations reported in the summary.

#### COMMUNICATIONS

- Letter from Lee Demosky as Solicitor for 2024
- Letter from Gibson-Thomas with rates for 2024
- Email of Interest for MABD from Rachelle Bodenschatz, Darla Campbell, and letter from Stephanie Myers
- Letter for reappointment for the MABD from Grant Nicely
- Letter of Interest for MABD from Debbie Matteo
- Letter from Pamela Myers for Planning Commission
- News Release from Rep Leslie Rossi’s Office Grant awards
- Penn State Pesticide Highlights Newsletter
- Westmoreland Cleanway’s Christmas Tree Recycling Flyer

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Alanna Derito requested to read an email from Noah Alter to Derry Borough Council regarding the current Solicitor requesting review of our services.

COMMITTEE REPORTS

- New Committees will be assigned by President of Council – List will be provided

REPRESENTATIVE REPORTS

None

UNFINISHED BUSINESS

1. Board and Commission terms expiring 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, 2026 and (1) alternate board member.
  - b) Vacancy Board Chairman 2024
  - c) Three five-year terms on the Municipal Authority Board expiring December 31, 2024, 2026 and 2028.Approve \_\_\_\_\_ for vacancy on the Municipal Authority Board term ending\_\_\_\_\_.

Letters submitted for the Municipal Authority vacancies and one for the planning commission:

Grant Nicely- Reappointment for MABD - 205 Park St. Derry  
Rachelle Bodenschatz – No address given – MABD Needs verified  
Debbie Matteo – 138 E. Third Street, MABD  
Madilyn Derito – 608 W. 2<sup>nd</sup> Ave, MABD  
Darla Campbell – No address given – MABD Needs verified  
Stephanie Myers – 623 Pandora Road, MABD Needs verified  
Amy Hood – 109 Bittner Lane Latrobe, MABD

Madilyn Derito requested Chuck DeRito’s letter to be reconsidered as well.

Council wishes to review further the applicants prior to voting for all positions on the Municipal Authority; however, will vote on one applicant for the purpose of a quorum for the scheduled upcoming meeting. **MOTION** by Sara Cowan to appoint Debbie Matteo to the term expiring December 31, 2028. Motion **SECONDED** by Jasen Lentz. All members present voiced “aye” in favor of the motion. Motion passed unanimously.

Pamela Myers – 509 Traction Avenue, Derry Submitted a letter for the Planning Commission Vacancy – No vacancy at this time.

2. Porcelain Park – Communications upcoming

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3. Sewer Lateral Testing Ordinance Amendments – Draft to be prepared by Solicitor for advertisement.
4. American Rescue Plan Budget – No activity
5. 2024 Paving Project – CDBG Grant (LF and Reserves) Plans to be provided by Steve Schmitt from Gibson-Thomas.
6. Appoint Deputy Tax Collector – No applicants
8. Mossback Park Gazebo Maintenance - Tabled
9. Police Contract - Tabled

NEW BUSINESS

1. **MOTION** by Sara Cowan to approve Lee Demosky as Borough Solicitor for 2024. Motion **SECONDED** by Jim Ritenour. Roll Call vote was taken. Sara Cowan – Aye, Jim Ritenour – Aye, Barbara Phillips – Aye, Al Checca – Aye, Nathan Bundy – Nay, Jasen Lentz – Nay, Rob White – Nay Motion passed.
2. **MOTION** by Sara Cowan to approve Gibson-Thomas Engineering as the Engineers for Derry Borough for 2024. Motion **SECONDED** by Rob White. All members present voiced “aye” in favor of the motion. Motion passed.
3. **MOTION** by Barbara Phillips to appoint Stephen Crevak for the Zoning Hearing Board Solicitor for 2024. Motion **SECONDED** by Sara Cowan. All members present voiced “aye” in favor of the motion. Motion passed.
4. **MOTION** Barbara Phillips to approve Tim Rennie, CPA to conduct the 2023 Borough and Tax Audits. Motion **SECONDED** Jim Ritenour. All members present voiced “aye” in favor of the motion. Motion passed.
5. **MOTION** by Jim Ritenour to approve Derry Borough Fire Chief Josh Campbell for 2024. Motion **SECONDED** by Rob White. All members present voiced “aye” in favor of the motion. Motion passed.
6. **MOTION** by Jim Ritenour to approve Fire Chief Permission to change 911 Call Outs for 2024. Motion **SECONDED** by Sara Cowan. All members present voiced “aye” in favor of the motion. Motion passed.
7. **MOTION** by Jim Ritenour to approve Resolution 679-24 Police Officers in the Borough of Derry shall not be required to make contributions to the Police Pension Fund.

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for the calendar year 2024. Motion SECONDED by Sara Cowan. All members present voiced “aye” in favor of the motion. Motion passed.

8. **MOTION** by Jasen Lentz to approve Resolution 680-24 Appointment of Primary and Secondary Voting Delegate for the Westmoreland County Tax Collection Committee effective January 4, 2024, Sara Cowan as Primary and Lori Latta as Secondary. Motion SECONDED by Nathan Bundy. All members present voiced “aye” in favor of the motion. Motion passed.

9. Approve the following annual partnership/memberships:

- Indiana Westmoreland COG - \$100 (UCC Appeals Board/Public Works Supplies)
- PSAB Membership - \$450
- Central Westmoreland COG – \$250 (Property Maintenance Appeals Board/Vehicles)
- Westmoreland Cleanways – \$25
- PEC – \$50
- Mayors Association of the Boroughs - \$60
- Website PSAB - \$619

**MOTION** by Jim Ritenour to approve memberships listed. Motion SECONDED by Rob White. All members present voiced “aye” in favor of the motion. Motion passed.

10. **MOTION** by Jim Ritenour to authorize the Borough Secretary/Treasurer to pay bills between meetings to take advantage of discounts and prevent certain bills from becoming overdue. Motion SECONDED by Sara Cowan. All members present voiced “aye” in favor of the motion. Motion passed.

#### PAYMENT OF BILLS

**MOTION** by Rob White to approve payment of bills \$7,938.17 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 Sara Cowan to adjourn at 8:02 p.m. Motion SECONDED by Jim Ritenour. All members present voiced “aye” in favor of the motion. Motion passed.

Respectfully submitted,

Lori L. Latta  
Secretary