

## DERRY TOWNSHIP REGULAR MONTHLY MEETING

The Derry Township Board of Supervisors held its Regular Monthly Meeting, Monday, April 3, 2023 at 5:30 p.m., Township Municipal Building, 73 Reserve Lane, Lewistown.

Present:	Chairman	Ronald E. Napikoski, Jr.
	Vice-Chairman	Donald R. Warntz, II
	Supervisor	John T. Sipe
	Manager	Kelly J. Shutes
	Roadmaster	Justin Allen
	Solicitor	Tim Searer

R. Napikoski called the meeting to order at 5:30 p.m.

J. Sipe made a motion to approve the Minutes of the March 20, 2023 Mid-Month Township Meeting. D. Warntz seconded the motion. Motion carried 3 - 0.

SOLICITOR: Atty. Searer has researched various alternatives to move ahead on the demolition of two unsafe properties on Woodland Ave.

## VISITORS:

Mark Magrecki, of PennTerra Engineering, presented the Starbucks Land Development plan on behalf of LG Realty, LLC. The new Starbucks Restaurant and Drive-Thru will be built at the Mifflin Co. Commons. Discussion was held on engineering and planning comments. Mr. Magrecki displayed an updated plan that addresses the possible stacking issues for vehicles entering the drive-thru. The updated plan also addressed comments from Planning and Engineering regarding emergency vehicle access. Information for traffic and queuing based on other Starbucks locations was provided to the Township Engineer. The proposed Starbucks will be a stand-alone building as opposed to, for example, the State College Starbucks at the North Atherton location. The State College location is part of a multi-tenant building and only has room for four vehicles to stack compared to the Lewistown location plan that provides for seventeen vehicle stacking. A comment will be added to the land development plan that says, if within the next twelve months, traffic problems are found when exiting the restaurant and turning left, the developer will prohibit a left turn at that exit. D. Warntz made a motion to tentatively approve the Starbucks Land Development Plan pending final approval by the Township Engineer. J. Sipe seconded the motion. Motion carried 3 - 0.

Desiree Kinley, Burnham Bulldogs-Special Needs Football Team, attended the meeting to discuss the future leasing of the Kish Park Football field. The office has received Certificates of Insurance from the Central Keystone Football & Cheer League and the Mifflin Co. Tomahawks adult amateur league. Ms. Kinley explained that the Burnham Bulldogs teams are two of six other teams that fall under the Central Keystone Football League and that the Burnham Bulldogs are the ones that primarily use the Kish Park field. She indicated that there are no officers in place but a league meeting will be held on April 19<sup>th</sup> to vote for new officers. The Board decided to grant a two month temporary lease until officers can be elected for the league and a list of officers can be supplied to the Township. J. Sipe made a motion to grant a temporary lease to the Burnham Bulldogs Football League to be effective retroactively to April 1, 2023 to June 1, 2023, at which time a new lease will be prepared after the League has officers in place. D. Warntz seconded the motion. Motion carried 3 - 0. Ms. Kinley also asked for ADA parking spaces at the Football field so wheelchair vans can park and unload the Special Needs children. She agreed to meet with the Park Manager to choose an appropriate location.

Matthew Reik attended the meeting and submitted a letter requesting to serve as an Alternate on the Derry Township Planning Commission. D. Warntz made a motion to appoint Matthew Reik to fill out the unexpired term of William Gomes as an alternate on the Derry Township Planning Commission. J. Sipe seconded the motion. Motion carried 3 - 0.

#### PUBLIC COMMENT:

A resident from Blossom Hill Development was present to ask the status of the installation of streetlights in his development. Mr. Napikoski assured him that the Township is holding funds in escrow that would be used in the event that the developer fails to install the lights. The Township Manager has been in contact with Berks Homes, the developer, and was told that they have been trying to get a work order in to Penelec to begin the installation for electricity to the lights. She noted that it is sometimes a lengthy process to do so.

Jim Zubler, DLI, Inc., noted that planning continues for development of the Three Chief's Trail. He noted that obtaining the necessary ROW's from the abutting property owners should begin and will be another step towards having a shovel-ready project.

#### ROAD REPORT:

J. Allen reported that the Road Dept. will begin street sweeping after a fairly mild winter. Discussion was held on beginning work on the Hummingbird Lane stormwater and repaving project. He is awaiting engineering design from the Township Engineer.

#### OLD BUSINESS:

Discussion was held on the LSA Grant that was awarded to Derry Township in the amount of \$559,394. This was short of the \$969,000 the Township requested for installation of a Splash Pad at Kish Park. A decision will need to be made on what projects the Township wants to fund. Jim Zubler spoke with an LSA reviewer and they indicated that we could request more funds and more funding would depend on future availability. The LSA grant has up to a three-year time frame and the DCNR Grant the Township was given must be expended in two years. The Township Manager has asked Ann Yost to update the cost estimates for the Splash Pad and Playground projects.

D. Warntz made a motion to approve payment of Inv # E40946B to Willow Playworks in the amount of \$13,525 for the concrete portion of the new pavilion at Kish Park. J. Sipe seconded the motion. Motion carried 3 - 0.

#### NEW BUSINESS:

D. Warntz made a motion to exonerate Bret Treaster, Tax Collector from collecting Township RE Tax in the amount of \$130.34 for the Hayden & Catherine Bedlyon (Parcel #16,-01-0101--,000) because parcel was combined. J. Sipe seconded the motion. Motion carried 3 - 0.

Change Order # 2 was presented by Buchart Horn for the replacement of the concrete wall and outlet structure of the Kish Park Pond. Approval was tabled until further clarification is made on the figures.

J. Sipe made a motion to approve the Park Use Application for the Flags for Heroes Event sponsored by the Lewistown Rotary club to be held between June 3, 2023 through June 17, 2023 with an event on the Stage on June 6, 2023, pending receipt of the proper fees and Certificate of Insurance. D. Warntz seconded the motion. Motion carried 3 - 0.

The 2022 Derry Township Audit was completed by Boyer & Ritter and reviewed by the Board of Supervisors. The Auditors recommended that the Board of Supervisors should review the bank reconciliations and compare to the current balance sheets. The office will provide copies of the bank reconciliations quarterly. There were no substantial findings.

J. Sipe made a motion to approve the purchase of two CD's in the amount of \$215,000 each for 182 days at an interest rate of 5.33%. D. Warntz seconded the motion. Motion carried 3 - 0.

D. Warntz made a motion to approve the following CDBG Bills:

Tra Electric, Inc.	HVAC Upgrades-Lewistown Sr Ctr.	Pay App #22095-1	\$1,475.74
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J. Sipe seconded the motion. Motion carried 3 - 0.

J. Sipe made a motion to add approval of MCRPD Inv # 4281 - \$15,382.48 to the agenda.

D. Warntz seconded the motion. Motion carried 3 - 0.

J. Sipe made a motion to approve MCRPD Inv # 4281 - \$15,382.48 for the remainder of the police vehicle purchase out of the ARPA Covid account. D. Warntz seconded the motion. Motion carried 3 - 0.

D. Warntz made a motion to add Juniata Valley Group Pleasant Acres West-16<sup>th</sup> Addition Land Development plan to the agenda. J. Sipe seconded the motion. Motion carried 3 - 0.

D. Warntz made a motion to recommend that the Juniata Valley Group Pleasant Acres West-16<sup>th</sup> Addition Land Development plan should be submitted to the Mifflin Co. Planning Commission and the Derry Township Planning Commission for review prior to Board approval. J. Sipe seconded the motion. Motion carried 3 - 0.

D. Warntz made a motion to enter an executive session at 6:20 p.m. to discuss legal issues surrounding potential litigation regarding the Shy Bear Brewing code issues and to discuss professional services/personnel issues. J. Sipe seconded the motion. Motion carried 3 - 0.

D. Warntz made a motion to end the executive session at 6:50 p.m. and adjourn the meeting. J. Sipe seconded the motion. Motion carried 3 - 0.

DERRY TOWNSHIP BOARD OF SUPERVISORS

*Kelly J. Shutes*  
Kelly J. Shutes,  
Township Manager

