

DERRY TOWNSHIP REGULAR MONTHLY MEETING

The Derry Township Board of Supervisors held its Regular Monthly Meeting, Monday, June 5, 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
	Manager	Kelly J. Shutes
	Park Manager	Joshua Garver
	Solicitor	Tim Searer

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

D. Warntz made a motion to approve the Minutes of the Monday, May 15, 2023, Mid-Month Township Meeting. R. Napikoski stepped from the Chair to second the motion. Motion carried 2 - 0.

SOLICITOR: D. Warntz made a motion to authorize filing and all other actions necessary to prosecute a complaint for zoning/nuisance violations against Cody & Jamie Hunter. R. Napikoski stepped from the Chair to make a motion. Motion Carried 2 – 0.

VISITORS:

Karl Shellenberger, Buchart Horn, submitted his latest comments on the Pleasant Acres West 16th Addition Subdivision/Land Development Plan. Karl stated that there are minor concerns with the plan as listed in his report of June 5, 2023. There were brief discussions on the following comments:

- Easements – There are existing 22 foot easements on several lots within the existing development and included in the previously approved land development plan that was recorded in the 1980's.
- Township Engineer recommended that the Township Solicitor review the existing deeds to verify that the easements can be used for stormwater easements.
- An existing sanitary sewer easement that is 22 feet wide is proposed to be utilized for a stormwater pipe installation. The Township Engineer comments that while it appears the easement can be used for stormwater piping, the width that is available for use may create some difficulty to construct the stormwater system without at least some temporary easements from adjoining landowners. Juniata Valley group commented that they can assure that temporary easements will not be required but will seek them if necessary.
- An existing 22 foot easement between the existing lots to the South of the lots being proposed for construction of duplex single-family detached homes will be used to construct a two to three foot earthen berm to assist with stormwater runoff from the area to the North. This berm would extend into some of the already developed lots and would be within the 11 feet of easement on those lots where homes already exist. Property owners voiced concerns about how the berm would be maintained. Juniata Valley Group assured the homeowners that the new duplexes and the berm will stay within their ownership. The berm will be planted with some sort of grasses or landscaping.
- Township Engineer stated that the DEP has approved this plan's NPDES permit.

- Rich Stomackin voiced concerns regarding the steep slopes of the lots and driveways within the proposed development. He asked if this is a violation of the Township Ordinance. Township Engineer recommended that typical views should be included on the plan that show examples of how driveways may be constructed to meet the Township regulations.

Chairman Napikoski recommended holding a public hearing so property owners with concerns can see an updated plan and ask questions of the Developer.

Juniata Valley Group asked for conditional approval of the Pleasant Acres West 16th Addition Subdivision/Land Development Plan as submitted. The Board of Supervisors declined to give approval on the plan citing the fact that the Derry Township Planning Commission has not made its recommendations.

Lucas Parkes will see that the plan is updated and some aerial views are provided for review by the public.

D. Warntz made a motion to add approval of the L & O Orchard Hills Storage Unit Expansion Land Development Plan to the Agenda. R. Napikoski stepped from the Chair to second the motion. Motion carried 2 – 0.

D. Warntz made a motion to conditionally approve the L & O Orchard Hills Storage Unit Expansion Land Development Plan asking that the location of the access easement is noted on the Land Development Plan, the Developer conducts a photometric lighting analysis and on condition of receipt of an approved NPDES Permit for the plan. R. Napikoski stepped from the Chair to second the motion. Motion carried 2 – 0.

Kristin Fultz, Bureau Veritas, submitted a report on the status of the Shy Bear Brewing Building Permit reviews. She went over the list of reviews that have been ongoing. There are still outstanding issues on many of the permit submittals but slow progress is being made. There are two permit applications that have not been submitted to date. The deadline for approval and completion of work for the permits submitted on April 23, 2023 is 60 days from the date of submittal.

PUBLIC COMMENT:

Nineteen property owners/residents of Pleasant Acres West attended the meeting to voice their concerns over the Pleasant Acres West 16th Addition Land Development Plan.

PARK REPORT:

The new pavilion near the Kish Slow Pitch Pavilion (Cedar Pavilion) has been completed. We are awaiting meter placement from Penelec for electricity. The pavilion is ready for rental. D. Warntz made a motion to set the rental fee at \$60 per day for the new Cedar Pavilion. R. Napikoski stepped from the Chair to second the motion. Motion carried 2 – 0.

Buchart Horn submitted Change Order # 2 (in the amount of an additional \$43,035.00) and Change Order # 3 (in the amount of an additional \$83,098.75) for the Kish Park Pond

Rehabilitation Project. D. Warntz made a motion to approve Change Orders # 2 and # 3. R. Napikoski stepped from the Chair to second the motion. Motion carried 2 – 0.

OLD BUSINESS:

D. Warntz made a motion to release the Road Bond for the Swarey & Son Logging project on Old Park Road and Alexander Lane. R. Napikoski stepped from the Chair to second the motion. Motion carried 2 – 0. The Roadmaster inspected the streets and found no damages from the logging.

The 2023 Bridge Inspection Report noted that the Nolan Drive Bridge # 117 has deteriorated to the point that it must be posted at a reduced weight limit. The Township is awaiting Engineering plans for rehabilitation of the bridge. The project will be partially funded from the County’s Act 89 of 2013 Bridge Rehabilitation fund.

The Township Manager presented a concept plan for Mini Golf Renovations. The project has an estimated cost of \$350,000. Due to lack of funds the project will be tabled for now. The Manager noted that the present Mini Golf course is in poor condition and updates will need to be addressed in the near future.

NEW BUSINESS:

D. Warntz made a motion to approve renewal of the Workman’s Compensation Insurance Policy with the Wesco Insurance Co. in the amount of \$43,650/year. R. Napikoski stepped from the Chair to second the motion. Motion carried 2 – 0. The premium increased by approximately \$6,460.

Jim Zubler, DLI, Inc., received a price for survey work of the Bohn property in Derry Township that is needed for the proposed Three Chiefs Trail project. The estimated cost for survey of the access road on the Yeagertown side will be between \$2,500 and \$3,000. D. Warntz made a motion to approve expenditure for the survey costs. R. Napikoski stepped from the Chair to second the motion. Motion 2 – 0.

Mike Souders of the Mifflin Co. Travel Team asked if the Township would contribute to the purchase of infield material on their field in Yeagertown. D. Warntz made a motion to approve expending no more than \$2,000 towards the cost of the material. R. Napikoski stepped from the Chair to second the motion. Motion carried 2 – 0.

D. Warntz made a motion to approve issuance of the annual Junkyard License to Junction Auto Wrecker’s. R. Napikoski stepped from the Chair to second the motion. Motion 2 – 0.

D. Warntz made a motion to cancel the Township Regular Meeting on July 3, 2023, noting that if urgent business arises, it will not be cancelled. R. Napikoski stepped from the Chair to second the motion.

D. Warntz made a motion add two additional CDBG invoices to the Agenda and to approve all as follows:

EADS Group	Fair Share HVAC Project	Inv # 332174	\$268.47
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A to Z Builders	Housing Rehab Change Order	Inv # 06052023	\$1,606.00
A to Z Builders	Housing Rehab Final 10%	Inv # 06052023G	\$4,960.00

R. Napikoski stepped from the Chair to second the motion. Motion carried 2 – 0.

Lucas Parkes stated that Juniata Valley Group will send a letter to the Board to accept an extension of time to submit their Land Development plan from July 15, 2023 to July 17, 2023.

FYI

Fire Chief Eric Moist, of Chief Logan Fire Co. informed the Township that the Fire Department has purchased a used 2008 Fire Engine from Granville Township. He also extended an invitation to Township personnel to the Fire Dept.'s annual family picnic on August 5 at the Seven Mountains Boy Scout Camp.

D. Warntz made a motion to enter an executive session at 6:45 p.m. to discuss personnel issues pertaining to the Derry Township Planning Commission. R. Napikoski stepped from the Chair to second the motion. Motion carried 2 – 0.

D. Warntz made a motion to end the executive session and adjourn the meeting at 6:55 p.m. R. Napikoski stepped from the Chair to second the motion. Motion carried 2 – 0.

DERRY TOWNSHIP BOARD OF SUPERVISORS

Kelly J. Shutes
Kelly J. Shutes,
Township Manager