

DERRY TOWNSHIP REGULAR MONTHLY MEETING

The Derry Township Board of Supervisors held its Regular Monthly Meeting, Monday, August 19, 2024 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
	Township Manager	Kelly Shutes
	Township Solicitor	Timothy Searer
	Park Manager	Josh Garver

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

An executive session was held from 4:00 p.m. to 5:00 p.m. prior to this meeting to discuss legal issues regarding the JVG, Pleasant Acres West-16th Addition Land Development Plan approval and regarding legality of issuance of a driveway permit.

J. Sipe made a motion to approve the Minutes of the Monday, August 5, 2024, Township Meeting. D. Warntz seconded the motion. Motion carried 3 - 0.

SOLICITOR:

Atty. Searer commented that the Mifflin Co. School District has requested a return of the Developer's Escrow and Financial Security posted for the Mifflin Co. Academy of Sciences and Technology Diesel/HVAC Construction Project. The School District has decided to cancel the project. An agreement is being prepared to commemorate the return of the funds, with the assurance that a new Developer's Agreement and Financial Security are posted if the recorded Land Development plan is implemented in the future.

VISITORS:

Angie Kemberling-Hunselman, SEDA-COG, CDBG Program Analyst, was present to discuss Change Order # 5 for the Derry Township Senior Center Renovation Project. The Township Engineer has requested an additional \$12,500 in engineering fees, due to the engineering required for re-designing water heater specs, re-bidding of the project (including separating the general and plumbing contracts for bidding purposes), use of incorrect CDBG specifications and update to the 2024 CDBG specifications, additional meetings required for the project with SEDA-COG, and charges for review of shop drawings (not included in the original engineering contract). Ms. Kemberling-Hunselman stated that CDBG regulations dictate engineering fees can only be increased by 15% of the originally accepted Engineering Contract that totaled \$18,500, or \$2,775. The Township will have to pay the difference of \$9,725.00. J. Sipe made a motion to accept Change Order # 5 and direct the Engineer to revise the Change Order indicating that Derry Township will be responsible for the additional engineering fees for the project in the amount of \$9,725. D. Warntz seconded the motion. Motion carried 3 - 0.

Ms. Kemberling-Hunselman submitted a Revised Project Certification to be approved by the Board of Supervisors to submit an application to DCED for FFY 2024 CDBG Entitlement funding to fund Yeagertown Area Road Reconstruction Phase I in the amount of \$ 73,590, funding a Housing Rehab Project for the Mifflin County Housing Authority Scattered Site Roof Replacements in Derry Township in the amount of \$35,570 and associated administration fees in the amount of \$19,000, totaling \$128,160. D. Warntz made a motion to approve the Project Certification as presented. J. Sipe seconded the motion. Motion carried 3 - 0.

Krista Hannon and Holly Fultz, of Hummingbird Lane, were present to get an update on the Hummingbird Lane Reconstruction Project. An updated cost estimate was provided by Buchart Horn. The total project is projected to be \$239,090. The next steps in the project will include gathering up to date deed information for each parcel that borders Hummingbird Lane. After deed information is collected, easements will be prepared, and each property owner will be required to sign so the street can be dedicated to the Township. The Board will ask each property owner to contribute some portion of the project costs by way of front-foot assessment or other means allowed by Township code. At this point, the expected contribution will be in the range of \$1,000 over a period of years. Ms. Hannon asked if the Township would do winter maintenance on the street after the easements are signed over to the Township. Mr. Napikoski indicated that can be done.

Michael Peters, attending in place of his son, Trey Peters, asked what the status was of Trey Peters driveway permit application for his property on Jack's Creek Road. He was told that the Township Solicitors and Engineer will consult with the Zoning Officer and should have a decision in two weeks.

Lucas Parkes, Juniata Valley Group, presented a letter as approval to extend the review period the Pleasant Acres West-16th Addition Subdivision/Land Development Plan until November 19, 2024. He indicated that JVG intends to provide comments in answer to the third-party geotechnical report prepared by ARM Group, LLC and try to get the revised SALDO to the Mifflin Co. Planning Commission by September 1, 2024. D. Warntz made a motion to extend the review period of the Pleasant Acres West-16th Addition Subdivision/Land Development Plan until November 19, 2024. J. Sipe seconded the motion. Motion carried 3 - 0.

Skip Royer and other residents of S. Ridgley Ave. were present to complain about police service to his neighborhood and about a neighboring property owner that he states has been harassing him and his neighbors for many years. He said that the neighbor has thrown stones at him and his one-year-old grandson, puts objects in the right-of-way and makes threats to him and his other neighbors. The other neighbors in attendance acknowledged that they too had been harassed by the same man and his wife. Chief French, MCRPD, was present and clarified that the police department will respond to any calls or emergencies that warrant their presence. He urged the property owners to get an objective third party witness to corroborate any claims of criminal conduct. Mr. Royer was also told that he may file a civil suit against his neighbor for any civil misconduct.

Corey Barger, S. Ridgley Ave., was present to ask if he is allowed to have a second horse on his property since he has purchased more acreage. He was told to contact the Zoning Officer and the Township Manager for more information.

PUBLIC COMMENT: None

PARK MANAGER:

Josh Garver reported that the pond wall issue has not been corrected. He asked why it has taken two and one-half years to complete this project. Quotes for approximately \$4,000 were received to correct the elevation problem of the wall near the overflow box. The Township is still waiting for completion of the project and for some solution to the pond wall problem. The Township attorney will investigate the possibility of closing out the project and withholding the funds necessary to correct the pond wall elevation that are still being held from Pro-Lawn. Josh also reported that the Stone Arch Players storage trailer was delivered to the Park. They said they will have it painted by the end of September. The playground

equipment was delivered on August 12, 2024. Josh will begin demolition of the old equipment and salvage what is usable.

OLD BUSINESS:

D. Warntz made a motion to direct the Township Solicitor to advertise the Solar Ordinance for adoption. J. Sipe seconded the motion. Motion carried 3 - 0.

Discussion was held on the property at 547 Woodland Ave that is scheduled for Judicial Sale in September. The township owns the other half of the double at 545 Woodland Ave. and wants to demolish it since it is an unsafe structure. Township Solicitor will investigate where the property is at in the disposition process by the County.

NEW BUSINESS:

J. Sipe made a motion to accept the offer of \$750 for a vacant property (Tax Map # 16, 03-0120A-,000) located at Old Park Road that is placed in the Repository for Unsold Properties in Mifflin County. D. Warntz seconded the motion. Motion carried 3 - 0.

Chief French has requested use of the old kitchen area that is unused in the Municipal Building for a breakroom for MCRPD. He has also requested use of the garage space outside their barracks and a carport for the police cars. The Township will revisit the carport plan with our engineer.

The Township was awarded a \$4,000 Giant/Keep America Beautiful Grant to purchase trees for the park.

D. Warntz made a motion to approve renewal of the Geisinger Health Plan for employee health insurance for the 2024-2025 plan year. J. Sipe seconded the motion. Motion carried 3 - 0.

J. Sipe made a motion to direct the Roadmaster to install an ADA Parking Space at 502 Woodland Ave. D. Warntz seconded the motion. Motion carried 3 - 0.

J. Sipe made a motion to approve the bills for July 2024. D. Warntz seconded the motion. Motion carried 3 - 0.

There being no further business, the meeting was adjourned at 6:40 pm.

DERRY TOWNSHIP BOARD OF SUPERVISORS



Kelly J. Shutes
Township Manager