

## DERRY TOWNSHIP MID-MONTH MEETING

The Derry Township Board of Supervisors held its Mid-Month Meeting, Monday, May 17, 2021 at 5:30 p.m., 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
	Solicitor	Jeffrey L. Snook

R. Napikoski called the meeting to order at 5:30 p.m. Mr. Napikoski announced that an Executive Session was held just prior to this meeting from 4:55 p.m. to 5:15 p.m. to discuss legal matters related to dangerous structures on Woodland Ave.

J. Sipe made a motion to approve the Minutes of the Monday, May 3, 2021 Regular Meeting. D. Warntz seconded the motion. Motion carried 3 - 0.

SOLICITOR:

Attorney Snook submitted an Omnibus Zoning Amendment Ordinance for action by the Board of Supervisors. A Public Hearing was held just prior to this meeting for public comment. None received. D. Warntz made a motion to adopt Ordinance 2021-1 amending Chapter 215, Zoning, of the Code of the Township of Derry, as amended, by adopting omnibus amendments, including correction of various typographical errors and minor technical errors. J. Sipe seconded the motion. Roll Call Vote: R. Napikoski, aye, D. Warntz, aye and J. Sipe, aye. Motion carried 3 - 0.

Discussion was held regarding two double houses located at 609 & 611 and 613 & 615 Woodland Ave., Lewistown. The structures were destroyed by a fire in November of 2019. Since the fire, the structures have become increasingly unsafe. The owners were notified by the Township's Building Code Officials (Bureau Veritas) in 2019 that these structures were deemed dangerous structures and uninhabitable. All the occupants/owners have moved out of the premises. R. Napikoski stepped from the Chair to make a motion that it is the opinion of the Board of Supervisors that the houses located at 609 & 611 and 613 & 615 Woodland Ave., Lewistown should be demolished based on the fact that the structures constitute a fire hazard and a danger to the public health and welfare and cannot be reasonably repaired; and to authorize the Codes Office to have a Constable serve such Notice in person giving the property owners thirty (30) days to repair or demolish the structures; and if the property owners fail to take such action to direct the Township Engineer to prepare the necessary plans and documents to allow the Township of Derry to advertise for bids to contract with the appropriate parties to demolish the properties.

VISITORS:

J. Sipe made a motion to adopt Resolution 2021-7 recognizing Joseph E. Rodgers for his twenty-eight (28) years of service to the Derry Township Fire Police Association as member and President, in addition to his membership in the East Derry Volunteer Fire Company and Yeagertown Volunteer Fire Company and extending appreciation posthumously, to Joseph Rodgers for his dedicated years of community service and extending its sympathy to the Joseph Rodgers' family on his passing. D. Warntz seconded the motion. Roll Call Vote: R. Napikoski, aye, D. Warntz, aye and J. Sipe, aye. Motion carried 3 - 0.

Mr. David Esh submitted the 2021 Farmers' Market License for approval. The License was renewed.

Bill Wright, Wright Surveying, LLC, submitted two Subdivision plans for approval:

1. Delbert and Amanda Moeller Lot Consolidation Plan - D. Warntz made a motion to approve the Moeller Lot Consolidation Plan that consolidated a 2.156 acre lot and a 2.145 acre lot into one 4.309 acre lot. The Lot is partially located in Granville Township and Derry Township. J. Sipe seconded the motion. Motion carried 3 - 0.
2. Henry S., Mattie D. & Michael J. Hostetler and Jonathan S., Jake C. & Amos J. Yoder Minor Subdivision Plan – This parcel is also partially located in Granville Township. D. Warntz made a motion to approve the Hostetler/Yoder Subdivision Plan conditional on Granville Twp's receipt of a PennDOT HOP. J. Sipe seconded the motion. Motion carried 3 - 0.

James Strong and Gary Thorpe, Curry & Associates presented a Subdivision Plan on behalf of GL Logan Holdings, LLC to subdivide a parcel where CVS Pharmacy is currently located from the remainder of the parcel where the Greater Lewistown Shopping Plaza is located. D. Warntz made a motion to conditionally approve the Subdivision Plan contingent on submittal of a parking agreement to allow for extra parking to fulfill zoning requirements and to allow for an easement to permit traffic to travel across the Shopping Plaza property and acknowledging that the waiver granted by previous approval by the Township to grant a variance of the parking set backs on the north side of the CVS store is still in existence; and acknowledging that part of the parcel is located in Burnham Borough and must also be compliant with their regulations. J. Sipe seconded the motion. Motion carried 3 - 0.

Deb Pallo, Derry Twp. Dog Park Committee along with a new member of the Committee to update the Supervisors on work being done at the Park. She submitted a new list of members. The Board informed her that they are open to allowing a card reader system at the Dog Park if it is managed by the Committee. The Committee is to submit invoices to the Township for approval prior to purchases of anything for the Dog Park. She asked for keys to the gates to be able to open them if needed.

#### PUBLIC COMMENT:

John Bradley from Blossom Hill asked if there has been any new progress with stormwater plans there. He was told nothing new has been submitted.

#### OLD BUSINESS:

J. Sipe made a motion to accept the proposal submitted by Tucker/Arensberg Attorneys at Law to serve as the Township Solicitors beginning June 1, 2021 and to serve concurrently with Attorney Snook until his retirement. D. Warntz seconded the motion. Motion carried 3 - 0.

D. Warntz made a motion to accept the proposal by YSM, Landscape Architects dated May 13, 2021 to develop a Master Site Plan for improvements to Kish Park and to include the option for an Online Public Survey, total budget in the amount of \$34,000. J. Sipe seconded the motion. Motion carried 3 - 0.

R. Napikoski stepped from the Chair to make a motion to authorize the Township Manager to approve up to \$1,000 to be paid to the Municipal Authority of Mifflin County for legal and advertising expenditures incurred by them. D. Warntz seconded the motion. Motion carried 3 - 0.

D. Warntz made a motion to authorize Justin Allen, Roadmaster to execute the LVR/DGR Grant documents for the Riden's Road Culvert project that was awarded to the Township by the Mifflin County Conservation District. J. Sipe seconded the motion. Motion carried 3 - 0.

NEW BUSINESS:

J. Sipe made a motion to exonerate Bret Treaster, Tax Collector from collecting the Per Capita Tax as listed on his report dated 5/12/2021 in the amount of \$480.00. D. Warntz seconded the motion. Motion carried 3 - 0.

J. Sipe made a motion to authorize the Township Manager to execute DEP Municipal Land Use Letter for the MCSD Solar Panel Project. D. Warntz seconded the motion. Motion carried 3 - 0.

D. Warntz made a motion to approve the CDBG Engineering Agreement for the East Walnut St. Extd. Paving/Piping Project. J. Sipe seconded the motion. Motion carried 3 - 0.

D. Warntz made a motion to approve the Stone Arch Players Children's Play Park Use Application conditioned on receipt of a current Certificate of Insurance. J. Sipe seconded the motion. Motion carried 3 - 0.

J. Sipe made a motion to approve the Park Use Application for the Rotary Club's "Flags for Heroes" Display and Ceremony. D. Warntz seconded the motion. Motion carried 3 - 0.

D. Warntz made a motion to direct the Township Manager to contact the CPA firm being endorsed by PSATS to handle the ARPA Covid-19 funds that will be available to Derry Township this May. J. Sipe seconded the motion. Motion carried 3 - 0.

D. Warntz made a motion to approve the April bills as presented. J. Sipe seconded the motion. Motion carried 3 - 0.

J. Sipe made a motion to approach the property owner of the vacant lot beside the burned-out homes at 613-615 Woodland Ave. to offer \$500 for a temporary construction easement to gain entry to demolish the damaged structures. D. Warntz seconded the motion. Motion carried 3 - 0.

There being no further business D. Warntz made a motion to adjourn at 6:20 p.m.

DERRY TOWNSHIP BOARD OF SUPERVISORS



Kelly J. Shutes  
Township Manager