

The Derry Township Board of Supervisors held its Mid-Month Meeting, Monday, October 18, 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	Katherine Beers, Esq. (via teleconference)
	Engineer	Karl Shellenberger (via teleconference)

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

J. Sipe made a motion to approve the Minutes of the Monday, October 4, 2021, Regular Meeting. D. Warntz seconded the motion. Motion carried 3 - 0.

SOLICITOR:

Atty. Searer submitted his October 18, 2021 report. The MCSD has returned the recorded Developer's Agreement and Stormwater Agreement to the Township. The Manager reported that the Land Development plan was also recorded, and a copy given to the Township.

The extension granted to Shy Bear Brewing was documented in a letter from the Manager to Mr. Ufema. The Manager reported that his engineer has submitted zoning and building permit applications and As-Builts for review today.

The Bond Refinance closed on October 7, 2021.

Comcast has agreed that they do not require a public hearing and prefers to proceed with informal negotiations of the franchise agreement.

Preliminary inquiries are being made regarding the school district's possible construction of a stadium for football and other uses within the Township.

VISITORS:

Paul Fagley, Embassy Fair coordinator, attended to request that the Board reconsiders its decision to disallow future Embassy Fair events at Kish Park. He stated that he had spoken to J. Sipe and D. Warntz about the issue prior to tonight's meeting. He made several points about the Park Manager's report stating that the park was left in bad condition during and after this year's event. Mr. Fagley said that due to a police standoff during the morning and afternoon on one day of the fair his cleanup crew was not permitted to enter the park, so they were not able to get in and do their usual cleanup for that day. Mr. Fagley also pointed out that some of the refuse was already in the park prior to the Fair. He indicated that he is willing to meet with the park staff in January of 2022 to update the procedures for organization and cleanup of the event. J. Sipe made a motion to continue allowing the fair to use the park so long as it is kept in good condition during and after the event. D. Warntz seconded the motion. Motion carried 3 - 0.

Discussion was held regarding the Blossom Hill Stormwater Drainage Plan behind 22 and 30 Cambridge Lane. The latest revision was submitted by Dave Palmer of Berks Homes in response to the property owners' concerns over disturbance of structures in their yards and current stormwater drainage issues. He stated that Berks is not certain of the timeframe for completion of the stormwater work because of delays caused by negotiations with property owners. Mr. Palmer also submitted Letters of Agreement that Berks prepared with both Ron Fitzgerald, 30 Cambridge Lane and John Bradley, 22 Cambridge Lane. The Township Solicitor and Engineer reviewed the letters and had no issues with them being prepared between the parties. Mr. Fitzgerald voiced a

concern over his deed and if it would have to be changed to reflect the proposed easement. Atty. Beers did not think that will be necessary because the easement will be recorded containing that information. Mr. Fitzgerald was also concerned that his existing structure (fence and landscaping) would be placed in violation of the regulations for an easement after the proposed easements are recorded. R. Napikoski stepped from the Chair to make a motion that the Township acknowledges some structures already exist in the proposed easements for stormwater improvements/changes as set forth in the "Drainage Improvements Plan", the most current revision (dated 10/18/2021) submitted by Berks Homes. D. Warntz seconded the motion. Motion carried 3 - 0. It was pointed out that the Township acknowledges the fences now located on the two properties but that this would not change the fact that if at some later date the structures cause an issue those issues would have to be addressed and that no other structures would be permitted to be located in those easements. The Township Engineer requested that As-Builts be provided for the new stormwater work so they can be reviewed and recorded by Berks.

PUBLIC COMMENT: No comments

OLD BUSINESS:

The Manager reported that Lucas Parkes, ELA, submitted preliminary As-Builts of the Ufema/Shy Bear Brewing improvements today that were requested by the Township after several zoning violations were found on the premises. They will be reviewed by the Zoning Officer and Bureau Veritas.

NEW BUSINESS:

D. Warntz made a motion to approve Payment Application # 1 for the Kish Park Security Camera Electrical Project submitted by KIT Communications in the amount of \$9,445.08. J. Sipe seconded the motion. Motion carried 3 - 0. The camera installation has been pushed back to October 28 due to shortages of parts needed to complete the project.

J. Sipe made a motion to donate \$100 towards the Derry Township Senior Center Holiday Meal. D. Warntz seconded the motion. Motion carried 3 - 0.

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

D. Warntz made a motion to approve payment of the CDBG bill as presented:

M. C. Commissioners	3 rd Qtr. 2021 Salary Reimbursement	Inv # 09302021	\$7,594.08
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J. Sipe seconded the motion. Motion carried 3 - 0.

J. Sipe made a motion to add the approval of the draft Budget submitted by the Mifflin Co. Regional Police Department for fiscal year 2022 to the October 18, 2021 Agenda. D. Warntz seconded the motion. Motion carried 3 - 0.

D. Warntz made a motion to approve the draft Budget submitted by the Mifflin Co. Regional Police Department for fiscal year 2022. J. Sipe seconded the motion. Motion carried 3 - 0.

There being no further business D. Warntz made a motion to adjourn at 6:05 p.m.

DERRY TOWNSHIP BOARD OF SUPERVISORS

Kelly J. Shutes
Kelly J. Shutes
Township Manager