

DERRY TOWNSHIP REGULAR MONTHLY MEETING

The Derry Township Board of Supervisors held its Regular Monthly Meeting, Monday, August 2, 2021, at 5:30 p.m., Township Municipal Building, 73 Reserve Lane, Lewistown.

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

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

J. Sipe made a motion to approve the Minutes of the Monday, July 19, 2021, Mid-Month Township Meeting. D. Warntz seconded the motion. Motion carried 3 - 0.

SOLICITOR:

Atty. Searer submitted his August 2nd report.

He reported that he expects the MCSD Land Development Plan, Developer's Agreement, the Stormwater Agreement and the 10-year Maintenance Bond to be submitted in time for our August 16th meeting for approvals and signatures.

There was a request regarding open carry firearms at Kish Park. Even though there is an existing ordinance that prohibits firearms in the park, it is not enforceable as new state law prohibits municipalities from enacting ordinances that are stricter than the U.S. Constitution's Second Amendment. MCRPD spoke to the person that asked about our ordinance and clarified that the Township's ordinance was not enforceable.

Discussion was held regarding a revised fee schedule submitted by Bureau Veritas, the township building code officials. The fee schedule remains the same but has an added note stating that BVNA reserves the right, with approval from Derry Township, to assess an additional \$1,000 to the building permit fee for projects that have been started prior to the issuance of an UCC building permit. This additional fee would help to deter contractors and property owners from beginning construction of projects before permits are issued. D. Warntz made a motion to approve the revised fee schedule from BVNA conditioned on favorable review by Township legal counsel. J. Sipe seconded the motion. Motion carried 3 - 0.

Atty. Searer will begin work on getting the necessary easements for the Ninth Ave. rehabilitation project.

Discussion was held on the establishment of a UCC Appeals Board in Derry Township. Kelly reported that she presently has two prospective members, but she needs another to make up the three-member board. In addition to members, the Township also must choose a solicitor to represent the Appeals Board.

ROAD REPORT:

The Roadmaster gave his report for July. The Road Dept. has been busy keeping storm drains open due to recent thunderstorms. A stormwater pipe will be installed in Yeagertown, but the pipe is still on backorder. The crew has also been trimming trees and bushes.

Justin looked at the property owned by Dan Firth at 306 Oak Ridge in South Hills. He is complaining of mud and debris that is washing down Oak Ridge Road and onto his property. Justin found that there is a new home being built above him and the lot has been excavated and sod removed. The contractor was contacted and asked to put silt fencing in place to help with erosion. Justin reported that has helped but the area has always had stormwater runoff problems. J. Sipe made a motion to direct the Roadmaster to put asphalt curbing along that section of Oak Ridge Road to try to help with stormwater runoff. D. Warntz seconded the motion. Motion carried 3 - 0.

VISITORS:

Brad Remig and Garrett Moore, PFM Financial Advisors, attended the meeting via teleconference to go over the recent proposed refinance of General Obligation Note of 2018. The present loan has an interest rate of 3.08% that can reset to 5% for the final five years of the term, which ends in September 2032. Proposals were submitted by nine banks. C & N Bank proposed the best terms with a fixed interest rate of 1.5% for a term ending in September 2032. The net savings would range between \$93,478 (based on the current loan rate of 3.08% with no increases) and \$128,614 (based on the current loan resetting to the full 5% during the final five years of the loan). The net savings include the estimated refinancing fees. The total borrowing would be in the amount of \$1,520,000 using the estimated costs for interest and fees. J. Sipe made a motion to direct PFM Financial Advisors to draw up the necessary documents to issue General Obligation Note of 2021 to be purchased by Citizens & Northern Bank ("C & N Bank") in the proposed principal amount of \$1,520,000 at the rates set forward in their proposal submitted July 29, 2021. D. Warntz seconded the motion. Motion carried 3 - 0. The Board would like to receive proposals for Bond Counsel from Mette, Evans and Woodside as well as Tucker/Arensberg.

PUBLIC COMMENT: None

OLD BUSINESS:

The Kish Park Master Plan Study Committee has been established and will hold its first meeting on August 24, 2021, at 5:30 p.m. at the Derry Township Municipal Building.

NEW BUSINESS:

D. Warntz made a motion to donate \$2,200 to the Mifflin Co. Library in 2022. J. Sipe seconded the motion. Motion carried 3 - 0.

FYI

The Township employee healthcare plan with Geisinger Healthcare will renew with a 9.6% decrease in premiums and an \$8,000 return in surplus reserves.

J. Sipe made a motion to go into executive session at 6:10 p.m. to discuss potential litigation regarding Shy Bear Brewing' and Belle Mountain Estates' building code violations. D. Warntz seconded the motion. Motion carried 3 - 0.

Executive session ended at 6:30 p.m.

D. Warntz made a motion to direct the solicitor to prepare a letter to the owners of Shy Bear Brewing notifying them that the Township would like a response to the Zoning and Building Code Violation notices that were sent to them in July by the Township's August 16, 2021, meeting. J. Sipe seconded the motion. Motion carried 3 - 0.

J. Sipe made a motion to adjourn the meeting at 6:31 p.m. D. Warntz seconded the motion. Motion carried 2 - 0.

DERRY TOWNSHIP BOARD OF SUPERVISORS

Kelly J. Shutes,
Township Manager