

TOWNSHIP OF DERRY
BOARD OF SUPERVISORS MEETING

Tuesday, April 28, 2009
600 Clearwater Road, Hershey, Pennsylvania 17033

I. CALL TO ORDER

The April 28, 2009 Township of Derry Board of Supervisors meeting was called to order at 7:05 p.m. by Chairman, Michael H. W. Pries.

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL

Supervisors Present:

E. Christopher Abruzzo, Vice-Chairman
Kelly C. Fedeli, Township Secretary
August (Skip) T. Memmi, Jr.
George W. Porter
Michael H. W. Pries, Chairman

Also Present:

Jill E. Horner – Assistant Township Manager
Cheryl L. Lontz – Manager of Payroll & Employee Benefits
Matthew J. Mandia – Director of Parks and Recreation
James N. Negley - Township Manager/Township Treasurer
Thomas Clark - Director of Public Works
Edward L. Small – Director of Community Development
William D. Smith – Chief of Police
Scott Stein – President, Hershey Fire Company
Jon A. Yost - Township Solicitor
Brenda Van Deursen - Recording Secretary

Public Present: Matt Tunnell, Elvira Ebling, Sandy Ballard, Rich Gamble

Press Present: Drew Weidman, The Sun and Jim Strine, The Patriot News

Executive Session:

Chairman Pries announced the Board of Supervisors met in executive session prior to this meeting to discuss legal, land, and personnel issues.

Chairman Pries advised that all public meetings are recorded for providing accurate minutes.

IV. VISITOR/PUBLIC COMMENT:

No one came forward.

V. APPROVAL OF MINUTES:

Chairman Pries called for a motion to approve the Minutes of the April 14, 2009 Board of Supervisors Meeting. Supervisor Memmi made a motion to approve the Minutes as written. Vice-Chairman Abruzzo seconded. ***The motion carried 5-0.***

VI. NEW BUSINESS:

A1 Presentation of a check from the Hershey Youth Soccer Association (HYSA) to assist the Township with field renovations.

Matt Tunnell thanked the Board, Mr. Mandia, and Parks and Recreation for their cooperation with maintaining the athletic fields. He remarked that the fields are the best they have played on including out of area and state fields. He thanked them also for prioritizing resources for the wonderful facility. He mentioned Bob Piccolo who helps with the first class operation we have.

Chris LaCoe stated there are between 800-1,000 children involved in youth soccer. Without the cooperation of the Township and Mr. Mandia their program would not be possible.

Mr. Tunnell, Mr. LaCoe and Holly Lehmann presented Mr. Mandia with a check for \$5,000 to assist the Township with field renovations.

B1-4 Ordinance No. 586, approving a Certain Amendment to Ordinance No. 584, changing the Township's Redemption Date from April 1, 2009 to June 1, 2009.

James N. Negley - Township Manager/Township Treasurer

Mgr. Negley stated Donna Kreiser from the law firm of McNees Wallace & Nurick will review the Bond guarantee for approval.

Ms. Kreiser stated that on February 24, 2009, the Board approved the execution of a Guaranty Agreement for the Municipal Authority's 2009 Bond issue and to authorize the redemption of the Township's General Obligation Bond. She said that due to the market condition, the bond issuance has been delayed from April 1st to June 1, 2009. She asked the Board to approve the amendment.

Vice-Chairman Abruzzo reported that with this bond refinancing, we will save \$381,000 this year at the Municipal Authority. He also reported that since rates were not raised in 2009, this will help offset the deficit.

Motion: Supervisor Porter moved to approve a Certain Amendment to Ordinance No. 584, changing the Township's Redemption Date from April 1, 2009 to June 1, 2009. Supervisor Fedeli seconded. ***The motion carried, 5-0.***

C1-3 Consideration of the release of performance security for the Revised Preliminary/Final Land Development Plan or the Outlets at Hershey, Plat No. 1122.

Edward L. Small – Director of Community Development

Mr. Small explained that the plan calls for construction of an 8,000 square foot addition to the west end of the Outlets at Hershey and includes improvements to parking. The

Township holds performance security in the amount of \$27,551.70. HRG inspected the improvements and has determined that all required improvements have been satisfactorily completed.

Motion: Supervisor Porter moved to approve the release of performance security for the Revised Preliminary/Final Land Development Plan or the Outlets at Hershey, Plat No. 1122. Supervisor Memmi seconded. ***The motion carried, 5-0.***

D1-3 Consideration of the release of the performance security for Lot No. 3 of the Preliminary/Final Land Development Plan of Dean and Laura Bonsall, Plat No. 1020.

Edward L. Small – Director of Community Development

Mr. Small said this is also a routine issue of performance security for improvements installed. The improvements have been inspected and all items are complete.

Motion: Supervisor Fedeli moved to approve the release of the performance security for Lot No. 3 of the Preliminary/Final Land Development Plan of Dean and Laura Bonsall, Plat No. 1020. Chairman Pries seconded. ***The motion carried, 5-0.***

E1-5 Adoption of Resolution No. 1228, amending Resolution No. 1223 which was adopted on March 10, 2009, providing authorization to enter an agreement with PA DOT for use of the dotGrants system and required filing of Liquid Fuels forms and other related documents. This amendment is necessary due to a change in the required signatures on the agreement provided by PA DOT.

Jill E. Horner – Assistant Township Manager

Ms. Horner explained that Resolution No. 1223 had already been adopted on March 10, 2009, but this amendment is to add signatures on the resolution.

Motion: Vice-Chairman Abruzzo made a motion to Resolution No. 1228, amending Resolution No. 1223 which was adopted on March 10, 2009, providing authorization to enter an agreement with PA DOT for use of the dotGrants system and required filing of Liquid Fuels forms and other related documents. Supervisor Fedeli seconded. ***The motion carried, 5-0.***

F1-13 Adoption of Resolution No. 1226 for Maintenance Services with PA DOT for mowing the right-of-ways along SR322, SR422, and a portion of SR039.

Thomas Clark –Director of Public Works

This is the annual agreement with Pa DOT for mowing the gateways to our community. The Township will receive payment of \$12,584.74, an increase of \$518.12 from the 2008 agreement.

Motion: Vice-Chairman Abruzzo moved to adopt Resolution No. 1226 for Maintenance Services with PA DOT for mowing the right-of-ways along SR322, SR422, and a portion of SR039. Supervisor Memmi seconded. ***The motion carried, 5-0.***

G1 Award of contract for cold in-place recycling of Java/East Caracas from Areba to Cocoa Avenues and West Caracas from Cocoa to Ridge Road.

Thomas Clark –Director of Public Works

Mr. Clark received two bids for the cold in-place recycling of Java/East Caracas from Areba to Cocoa Avenues and West Caracas from Cocoa to Ridge Road. E.J. Brenneman's bid was \$130,311.50 and Asphalt Paving Systems' bid was \$114,674.12. Mr. Clark recommends the contract be awarded to Asphalt Paving Systems. He mentioned the \$114,674.12 bid is a significant savings from cost previously estimated at \$165,000.

Motion: Supervisor Memmi made a motion to award the contract for cold in-place recycling to Asphalt Paving Systems in the amount of \$114,674.12. Supervisor Porter seconded. ***The motion carried, 5-0.***

H1-3 Permission to hold fireworks displays at HersheyPark on Saturday evening July 4, 2009.

James N. Negley - Township Manager/Township Treasurer

Hersheypark has requested to hold a fireworks display on Saturday, July 4, 2009 with a rain date of Sunday, July 5, 2009.

Motion: Vice-Chairman Abruzzo made a motion to approve a fireworks display at HersheyPark on Saturday evening July 4, 2009, rain date of July 5, 2009. Supervisor Fedeli seconded. ***The motion carried, 5-0.***

I1-2 Adoption of Resolution No. 1227 designating the Township of Derry's intent to suspend banners across SR0422 announcing various events.

Jill E. Horner – Assistant Township Manager

Ms. Horner said she received two more requests to suspend banners across SR 0422.

Motion: Supervisor Fedeli made a motion to adopt Resolution No. 1227 designating the Township of Derry's intent to suspend banners across SR0422 announcing various events. Vice-Chairman Abruzzo seconded. ***The motion carried, 5-0.***

VII. CORRESPONDENCE

Supervisor Memmi referenced a letter from the Arbor Day Foundation congratulating Derry Township on achieving Tree City USA® status for 2008. He asked Mr. Clark how many years has Derry received this achievement. Mr. Clark responded with 17 years.

Supervisor Fedeli recognized Matt Bonanno as one of the associates of HRG to be selected to their Associates Program. These associates are mentored by senior management staff and given corporate management responsibilities as part of their succession plan.

VIII. BOARD/COMMITTEE INFORMATION

Supervisor Memmi thanked Mr. Clark for his part in the Township's bid proposal for road service materials. He mentioned working together with other municipalities as the key to keeping the numbers good.

Supervisor Fedeli announced that Thursday, April 30th, a meeting is scheduled in the Township Building with residents from Cocoa Avenue in preparation for meeting with Pa DOT to discuss the speed and safety on Cocoa Avenue.

IX. REPORTS

William D. Smith – Chief of Police

Chief Smith is in the process of gathering information to provide to the Board and citizens for their meeting with Pa DOT regarding traffic concerns.

Thomas Clark - Director of Public Works

Mr. Clark shared that last week they implemented traffic signal changes. Everything seems to be going well.

Chairman Pries commended Mr. Clark and his staff for assisting the Kiss Hershey Back event.

Supervisor Memmi asked Mr. Clark if there will be increased timing for left-hand turn movement to Park Avenue at the intersection of 743 and 422. Mr. Clark said there would be. Supervisor Memmi asked him to stay on top of it.

Supervisor Memmi asked Mr. Clark about the overlay project on 39 and the extension of the queuing lane. Mr. Clark said he spoke to the inspector who indicated it will be finished tonight.

Matthew J. Mandia – Director of Parks and Recreation

Mr. Mandia announced that the annual Fishing Derby will be held Saturday, May 2nd from 8:00-11:00 for children 12 years of age and under.

X. APPROVAL OF ACCOUNTS PAYABLE (\$856,048.53) AND PAYROLL (\$265,040.27).

Vice-Chairman Abruzzo moved to approve accounts payable in the amount of \$856,048.53 and payroll in the amount of \$265,040.27. Supervisor Porter seconded. ***The motion carried, 5-0.***

XI. VISITOR/PUBLIC COMMENTS

Elvira Ebling commented on the successful Candidates night. She was appreciative to be able to hold this event in this facility. She was very complimentary of Jill and her staff.

Chairman Pries thanked Elvira for everything she does for the community.

Rich Gamble – Hershey

Mr. Gamble expressed his concern with the future plans involving improvements on traffic flow. He does not agree with the engineering design. He believes the Township is focusing too much on the entities of the community and not on the citizens. Mr.

Gamble noted that all roads leading to and from Hershey are single lane. He also noted that the old Township building and two other properties owned by the Township are falling apart. He mentioned that the community could use a fire station at the other end of the town and believes the old Township building would be a good place to house it. Mr. Gamble believes trucks should not be allowed to go through the town.

Supervisor Memmi said that our engineers, HRG, had several designs for 743 and 422 and Lingle Avenue and 422. Based on studies and evaluations, the current designs are what they suggest. Penn DOT has agreed with them. Supervisor Memmi said that Derry Township has a factory in the heart of downtown and trucks will need to travel through the downtown. He noted that the community is made up of manufacturing, health care, and tourism...all assisting in helping the economy grow.

Chairman Pries stated that the current location of the Fire Department is very satisfactory. The design improvements made by our engineers will make traffic flow more efficient. He also shared that the Board has been proactive regarding the old Township Building. The solicitor is looking into their suggestions. In a month or two, the Board will announce what they are going to do with the building.

Chairman Pries mentioned that two of the buildings on Hockersville are privately owned. He also said they are keeping an active eye on the Township's two buildings and they will be part of the plan the Solicitor is looking into. Chairman Pries thanked Mr. Campbell for his comments and will take them into consideration.

XII. ADJOURNMENT

Supervisor Porter moved to adjourn the meeting at 7:45 p.m. Vice-Chairman Abruzzo seconded. ***The motion carried, 5-0.***

SUBMITTED BY:

Kelly C. Fedeli
Township Secretary

Brenda Van Deursen
Recording Secretary