

**TOWNSHIP OF DERRY
BOARD OF SUPERVISORS MEETING**

Tuesday, February 25, 2014

600 Clearwater Road, Hershey, Pennsylvania 17033

CALL TO ORDER

The February 25, 2014 Public Hearing of the Township of Derry Board of Supervisors was called to order at 7:00 p.m. by John W. Foley, Chairman.

ROLL CALL

Supervisors Present:

Sandy A. Ballard
Justin C. Engle, Secretary
John W. Foley, Chairman
Marc A. Moyer, Vice-Chairman
Matthew A. Weir

Also Present:

Matt Bonanno, HRG Engineer
Bob DiLello, Fire Company
Barbara S. Ellis, Director of Hershey Public Library
Charles W. Emerick, Director of Community Development
Jill E. Henry, Assistant Township Manager
Cheryl L. Lontz, Manager of Payroll and Employee Benefits
Matt J. Mandia, Director of Parks and Recreation
James N. Negley, Township Manager/Township Treasurer
Patrick O'Rourke, Chief of Police
Robert Piccolo, Assistant Director of Public Works
Jon Yost, Solicitor
Brenda Van Deursen, Recorder

Public Present: August Memmi, Elvira Ebling, Chris Brown, Lisa Sadlin, Scott Stein, Phil Friedrich, Ray Brace, Robin Isaacson, Todd Pagliarulo, Ross Willard, Wendy P., Mike K., Susan C., Vincent Donughey, James George, Anne Newman, Rich Gamble, Lisa Maloy

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

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

VISITOR/PUBLIC COMMENT

George Haverstraw, Brookline Drive – Mr. Haverstraw commented on the hesitation approval by the Board for the bike regional study. He understands one of the main issues the Board had

was the risk that would be taken. He would like to know the risks and see if they are legitimate to be holding up this main effort. Another issue he understands was leadership and why Derry Township has to be the leader. Mr. Haverstraw said geographically we hold the center part in the area that is being discussed to be studied. The surrounding municipalities look to us to maintain leadership positions. Derry Township has the most to gain. The purpose of the study is to ultimately improve public safety. He strongly urges the Supervisors to take some action and not let this one time opportunity escape.

Rev. James Stough, 1134 Cord Drive, Hummelstown – Rev. Stough owns property at 606 Hillcrest Road, but does not live there due to the past flooding that destroyed his home. He went to his Hillcrest property to check if the sidewalk had been cleared and discovered the Township had put two giant piles of snow on his property from the street. It would have been nice to have been notified that they were putting snow on his private property.

APPROVAL OF MINUTES

Chairman Foley called for a motion to approve the Minutes of the January 28, 2014 Board of Supervisors meeting. Supervisor Engle made a motion to approve the Minutes. Supervisor Ballard seconded. *The motion carried, 5-yes 0-no.*

Chairman Foley called for a motion to approve the Minutes of the February 11, 2014 Board of Supervisors meeting. Supervisor Wehr made a motion to approve the Minutes. Supervisor Ballard seconded. *The motion carried, 5-yes 0-no.*

NEW BUSINESS:

A1 Presentation by the Hershey Volunteer Fire Company

Chairman Foley explained that over a number of years, the Township and the Fire Company have been working together to meet their needs both from a fire apparatus standpoint and from a physical plant. The Township has the responsibility of public safety and the Fire Company fulfills the fire rescue need.

Deputy Chief Rodney Sonderman – Deputy Chief Sonderman presented the plan for their new and improved fire station. The Hershey Volunteer Fire Company is run currently by 71 volunteers from age 14 up. They have 11 vehicles. They have been working on this plan for about three years. In order to expand their current fire station, they have to acquire property. In the presentation, Chief Sonderman reported the Fire Company receives approximately 900 calls a year which equates to 14 calls a week. They average three fire calls a week and their response time is within 10 minutes 87% of the time. They discussed having a second fire company, but decided they didn't need to because every address in the community is within 5 miles of a fire company. Their services are benchmarked ISO and NFPA.

The improved station will include a training tower, storage in the basement, office space, a training room, sleep quarters, a small kitchen, and additional parking. In addition, there will be some historic apparatus that could be displayed along with a piece of steel from 911. It will contain approximately 27,000 square feet.

Their plan is to keep in light with the design downtown and become one of the focal points. In 2014, they plan to seek their approvals and hold fundraisers. In 2015, they plan to break ground. The land costs are approximately \$600,000, construction is \$5.4 million and he is adding \$1 million for the unexpected. The total project would be approximately \$7 million dollars. Their plan for funding sources include \$2 million from Rep. Payne, \$1 million from grants, \$2 million from large businesses, \$1 million from small businesses, and \$1 million from the citizens.

They are asking Derry Township to back the loan from the ICDA to continue advancing fire protection and to plan for the future.

Discussion:

The members of the Board thanked the Fire Department and the Chief for their service and selfless dedication to the Township and their effort they put forth on a daily basis.

The Board asked Chief Sonderman the following questions:

How much would the loan be for? They already have \$2 million and to get the \$2 million state money, they have to spend \$2 million up front and then get reimbursed for that. With the fundraising and contributions coming in, the loan will be less than \$5 million.

Can they wait until after they raise the money? It is a complex project. You have to have a project with a budget before you can ask the donors for money. There is a little upfront money needed for design build process, the architect, the traffic studies, etc. This is really the beginning of the project. Some of the large contributors are not prepared to write a bulk check, but are more inclined to do annual installments.

Was there a formal study conducted to determine the current location is the best location now and for the future...not only geographically, but from an infrastructure standpoint? There was a report done in 2005 and at that time they recommended there should be three stations in the community. There would be one along Bullfrog Valley Road in the Hill Church area, and another on Bachmanville Road on the campus of Milton Hershey School. Three fire stations would be great for a career department. With a career department, you have paid staff and the expectation of that department is to show up on your door step in 4 minutes. The report said as long as you are a volunteer-run fire company, the current fire station is more than adequate and is in the right location to be in the center of all the areas that are more prone for a fire.

When was the square footage determination made? In 2010/2011. This is a 50-year project and 27,000 square feet is more than adequate.

Have there been sister fire departments that constructed new facilities and how does their cost compare to this proposal? Palmyra is looking at a 24,000 square foot facility at a little over \$4 million. They are building on property that is already owned by the Township so they do not have that extra cost. The Grantville fire station was \$4 to 5 million. They are running into mold and design issues. The West Hanover station was about \$3.6 million, a much smaller station of 15,000 sq. feet.

Vice-Chairman Moyer noted the article in PennLive referencing an estimate of approximately \$1.5 to 2 million from the Hershey entities and another \$1 million from the County. Chief Sonderman said they are in discussion with the County, but the County money has not been committed. The discussions with the larger entities are ongoing. They have shown an interest by providing an operational cost on a yearly basis.

What is the status of the acquisitions to acquire property? Both properties are ongoing negotiations. The Fire Company has cash for the 31 property and the ICDA would be purchasing the other property.

Was there a soil analysis done on the site for the expanded footprint for potential catastrophic failure underneath the station? Not only was a soil sample done, but they also did the ground sonar study and did not find anything.

What prevented us from getting a higher ISO score? Chief Sonderman said one of the things was the training. They went to the Harrisburg Community College on a regular basis to use their facilities for burning and thought this would help us, but we were told we are too far away for this to help our score. In addition, if you are scored a 4 if you are within 1000 feet of hydrant and 9 if you are not.

Is the location of the Fire Company a factor in us not achieving a higher score? The ISO looks in the overall point system and the location and coverage of fire stations is worth about 4% of the total score. Even having multiple stations, it would be negligible on the overall score.

Would it improve our ISO score improve if we move our fire station to a different location? No.

Is the current ISO score based on any inadequacies of the physical location of the current fire company? No.

What is the benefit of the ISO score as it relates to the insurance that the residents and businesses of the Township experience? The insurance companies need something to base fire insurance rates on for resident homes or their business. Not every fire company uses the ISO because it is an independent organization that services the industry, but it is not an insurance company itself. Every insurance company is different about how they determine scores, but roughly a score of 1 to 5/6 for homes is about the same. Improving that score will not improve your homeowner's insurance score. If you had a business the business insurance would definitely change and to improve by a full point you would roughly save about 1% on your fire insurance for the year.

How do you see the fire department fitting in on one of our main corners downtown? The Fire Company has always been a part of Hershey and was one of Mr. Hershey's entities. Mr. Hershey was a firefighter himself. The Fire Company takes great pride in protecting Mr. Hershey's town. A fire station historically in America has been the center of the community. In smaller towns, the fire station is used where the public meets and the plan is to bring the public back. When they met with the 9 companies that submitted proposals, the first thing that they did was focus on

the center section of the Fire Company. They looked at the Theater and the restaurants and said you have to make the Fire Company a part of this community that adapts to the current structure.

Has there been thought given to how this will interact with the park and the presence on the corner? There are three fronts to the building. The West Caracas side is the current front of the Fire Company. The Cocoa Avenue side is where the plan is for the piece of 911 steel they have. They are working out the details for a Memorial to firefighters who have fallen in the history of their Fire Company in a grassy area on Cocoa Avenue. They need to be sensitive to site restrictions. The realignment of Cocoa Avenue has presented some challenges in that site distance area. The park is owned by the Company and another section is being purchased by the Township to be turned into a community park. There are utility lines along an alley that use to go to the old Sorrento's Pizza facility which presents an unknown cost of how much work is involved in that area.

The Fire Company has already provided the plan to the consultant for the Downtown Hershey Association and have started to work with him.

Will there be a siren on this location? They do not believe there will be a siren on this particular location. There was a siren on the 19 East site and when it got torn down they lost the access to the siren. The community has been quiet in the last year or so. We are looking where else the siren could go.

Supervisor Engle suggested entering into a 30-day public comment period to hear comments from the citizens about the improved station. Supervisor Ballard suggested social media to get the public comment period out to the community.

Motion: A motion made by Supervisor Engle and seconded by Supervisor Ballard that the Board enter into a 30-day listening period for the community and stakeholders to comment on how they feel about the station, is hereby approved. *The motion carried, 5-yes 0-no.*

B1-3 Presentation by the United States Postal Service

Richard A. Hancock, Real Estate Specialist for the United States Postal Service – Mr. Hancock said the Hershey Main Post Office is located at 50 North Linden Road. Their landlord of this property is looking to redevelop this property and will not extend the lease of the post office. The landlord is in discussions and is under contract to sell this property to a developer. Mr. Hancock has started the process to locate new space for the postal service. They are looking for approximately 6,000 square feet and a location close to where the postal service is currently located. After tonight's presentation, there will be a minimum 15-day period for the public to comment. The comments should be sent to Mr. Hancock as point contact. Once the comment period is over there is an appeal process for 30 days. It will be posted, comments will be taken, the public can appeal, etc. Once the appeal period is over, they will move forward to identifying sites. The sites that meet their criteria will be reviewed by their Site Review Committee and a preferred site will be chosen. This chosen site is presented to the public and local government for comment. Once there is a final determination after 30 days, it will get posted and they move forward with a lease negotiation, the design, and construction. This whole process will take

approximately one year. They do not want to leave where they are currently at and if the developer does not buy the current Post Office location, they would like to enter into another 5 year lease.

Supervisor Ballard requested the 15-day public comment period be made available on social media and asked for a link to Mr. Hancock to email their comments. Mr. Hancock said the best way to get it to the public is to post his letter on our website with his contact information so the public can email him their comments. Mr. Hancock said the postings will be the letters to the council (Manager Negley) and will be posted at the Post Office.

Supervisor Moyer asked Mr. Hancock if there is a date by which the developer must exercise his option. Mr. Hancock said he does not know what that date is, but they also have an extension available as well.

Supervisor Moyer asked if there was a deadline date for the post office to move on. Mr. Hancock said he is in negotiations.

Mr. Hancock said the postal service wants to maintain their presence in the community as they are as much a part of Hershey as is the Police Department and Fire Department.

Supervisor Engle asked Mr. Hancock if they are interested in having the distribution and retail all together. Mr. Hancock said there will be one location for both operations.

C1-6 Waiver from filing a land development plan as requested by the Hershey Trust Company, Trustee for Milton Hershey School.

Charles W. Emerick, Director of Community Development – Mr. Emerick stated that the applicant has asked this item be moved to the Board of Supervisors' meeting on March 11, 2014.

D1-2 Consideration of an extension of the term of the performance security for the Phase 2 Final Land Development Plan for Southpoint Meadows 2, Plat No. 1197.

Motion: A motion made by Chairman Foley and seconded by Vice-Chairman Moyer that the Township accepts an extension until March 11, 2015 of the term of the United States Surety Company Bond No. 1000880067, at the current balance of \$283,019.08, supplied as performance security for the Phase 2 Final Land Development Plan for Southpoint Meadows, Plat #1197 is hereby approved. *The motion carried, 5-yes 0-no.*

E1-4 Consideration of adoption of Ordinance No. 641, which would amend Chapter 225 (Zoning) of the Code of the Township of Derry regarding municipal buildings and uses.

Charles W. Emerick, Director of Community Development – Mr. Emerick said this agenda item was presented at the public hearing prior to this meeting and there was no public comment.

Motion: A motion made by Supervisor Weir and seconded by Supervisor Engle that Ordinance No. 641, which would amend Chapter 225 (Zoning) of the Code of the Township of Derry

regarding municipal buildings and uses, is hereby approved. *The motion carried, 5-yes 0-no.*

Correspondence/Board & Committee Information

Supervisor Ballard said she recently attended the Council of Governments Regional meeting. The Council of Governments is an opportunity for regional municipalities to do as much work together to save costs.

Chairman Foley thanked Milton Hershey School and Hershey Entertainment & Resorts for their generosity loaning salt to our Public Works Department to prepare the roads for our citizens. We are currently low on salt in this region.

Chairman Foley reported that Vice-Chairman Moyer, Manager Negley and he met with the School Board and the District Superintendent. They had a very productive meeting and they look forward to their future meetings.

REPORTS

Bob DiLello, Fire Company – Mr. DiLello thanked the Board of Supervisors for allowing the Fire Company to do their presentation on the new proposed fire station.

Robert Piccolo, Assistant Director of Public Works – Mr. Piccolo reported that the Township has approximately 200 tons of straight salt. They are going to double that volume by adding anti-skid, which should help get through the next storm, but we need to be extremely conservative.

Matt J. Mandia, Director of Parks and Recreation – Mr. Mandia reported that the Parks & Recreation Advisory Board began the process of updating the Recreation Park & Open Space Master Plan. In February, they updated their facilities inventories, which is time consuming. They will be meeting with both the Comprehensive Plan and Downtown Plan consultants in the near future to see how recreation fits into the whole community.

Charles W. Emerick, Director of Community Development – Mr. Emerick mentioned the upcoming Public Hearing on March 11, 2014 at 6:30 p.m. It is regarding rezoning on Derry Road.

Jill E. Henry, Assistant Township Manager – Asst. Manager Henry reported that she will be issuing a press release tomorrow to inform the public that on March 10, 2014 at 10:00 a.m. there will be a test call sent from CodeRED. The purpose of the call is for CodeRED to evaluate the infrastructure of the phone system, determine how quickly they can send out the calls, and then validate all of the numbers. They are requesting that the public log on to the Township's website and sign up for CodeRED or update any phone numbers and e-mail addresses.

Jon Yost, Solicitor – Solicitor Yost said the last three years there have been discussions with DSG Development Corp. Mr. Doug Gelder's plan for Southpoint Meadows 2 provided for a bike path to be located in the southwestern corner of the Township. They are proposing a Memorandum of Understanding in which we will not only get a location for the bike path which

will be built at the developer's expense, but we will also get land of about an acre and a half on either side of the proposed bike path for future recreation in that area. Solicitor Yost would like to add this to the agenda tonight for the Board's approval. After some discussion, it was decided to wait until the Board has had time to review all the information and then put it on the agenda for their next meeting.

APPROVAL OF ACCOUNTS PAYABLE (\$711,457.86) AND PAYROLL (\$297,260.05).

Vice-Chairman Moyer moved to approve accounts payable in the amount of \$711,457.86 and payroll in the amount of \$297,260.05. Supervisor Engle seconded. *The motion carried, 5-yes 0-no.*

OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

Frank Ferguson, 1255 Edgewood Drive – Mr. Ferguson believes that since the population has shifted south, we need an additional station near Middletown, Wood Road or Waltonville Road. It is nice to have cooperation from other communities, but it is only valuable if they are available. They have commitments for other Townships as well as Derry Township.

Rich Gamble, Hockersville Road – Mr. Gamble asked if Supervisor Engle or any of our Supervisors are going to take an active role in assisting in maintaining a local post office. Mr. Engle responded that it is very early in the process. Mr. Gamble encouraged Supervisor Engle and the rest of the Supervisors to keep services in our community that the citizens need.

Adam Cray, 954 Deborah Drive – Mr. Cray said he has been pushing for a second fire company since he was a member of the Hershey Fire Company. He was a member there for approximately 20 years. Hummelstown should be there for mutual aid for Derry Township, but they should not be our second station. He suggested constructing a \$5 million dollar improvement to the current station and put \$1 million toward another station to cover this Township a lot better. He does not understand why we would not want more coverage.

ADJOURNMENT

Supervisor Engle moved to adjourn the meeting at 8:45 p.m. Supervisor Ballard seconded. *The motion carried, 5-yes 0-no.*

SUBMITTED BY:

Justin C. Engle
Township Secretary

Brenda Van Deursen
Recording Secretary