

**TOWNSHIP OF DERRY**  
**BOARD OF SUPERVISORS MEETING**  
Tuesday, June 28, 2011  
600 Clearwater Road, Hershey, Pennsylvania 17033

**CALL TO ORDER**

The June 28, 2011 Township of Derry Board of Supervisors meeting was called to order at 7:00 p.m. by Vice-Chairman Kelly C. Fedeli.

**ROLL CALL**

E. Christopher Abruzzo, Chairman  
Sandy A. Ballard  
Kelly C. Fedeli, Vice-Chairman  
Marc A. Moyer, Secretary  
Todd Pagliarulo

**Excused:** E. Christopher Abruzzo, Sandy A. Ballard

**Also Present:**

Matt Bonanno – HRG, Township Engineer  
Barbara Ellis – Director, Hershey Public Library  
Charles Emerick - Assistant Director of Community Development  
Jill Horner- Assistant Township Manager  
Cheryl L. Lontz – Manager of Payroll & Employee Benefits  
Matthew Mandia – Director of Parks & 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:** John Foley, Julie Neal, Judy Woodring, Bill Woodring, Elvira Ebling, David Rosensteel, Pat Leonard, Scott McCann, Dennis Trout, Jim Ingalzo, Rich Gamble

**Press Present:** Drew Weidman, The Sun and Elizabeth Krotz, Patriot News

***Vice-Chairman Fedeli advised that all public meetings are recorded for providing accurate minutes.***

**Executive Session:**

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

**VISITOR/PUBLIC COMMENT:** No one came forward.

**APPROVAL OF MINUTES:**

Vice-Chairman Fedeli called for a motion to approve the Minutes of the June 14, 2011, Public Hearing. Supervisor Moyer made a motion to approve the Minutes as written. Supervisor Pagliarulo seconded. ***The motion carried, 3-0***

Vice-Chairman Fedeli called for a motion to approve the Minutes of the June 14, 2011, Board of Supervisors Meeting. Supervisor Pagliarulo made a motion to approve the Minutes as written. Supervisor Moyer seconded. ***The motion carried, 3-0.***

**NEW BUSINESS:**

**Employee Performance Awards**

Asst. Manager Jill Horner explained that each year every department selects an individual in their department that stands out and goes above and beyond their job duties. She read the following names as Vice-Chairman Fedeli presented them each with their award.

- Taylor Heisey, Police Department
- William Woodring, Public Works
- Louise Speicher, Library
- David Rosensteel, Parks & Recreation
- Scott McCann, Fire Department

Vice-Chairman Fedeli commended them for their dedicated service.

**Services Awards**

Vice-Chairman Fedeli acknowledged and thanked the following individuals for their years of service to the Township of Derry:

**5-Years:**

- Tricia Bruce, Parks & Recreation
- Wendy Burgwald, Police Department
- Diane LeBlanc, Finance Department
- Andrew Maya, Child Care
- James Kessler, Public Works
- Adrienne Eckenrode, Police Department

**10-Years:**

- Anthony Bernardo, Police Department
- Leona Hahn, Library

**35-Years:**

- Daryl Eisenhour, Public Works

**A1-15 Consideration in participation with Hummelstown Borough to seek funding through the Regional Connections Grant for a study of the Hersheypark Drive/Walton Avenue Intersection.**

**Motion:** A motion made by Supervisor Moyer and seconded by Supervisor Pagliarulo to table this agenda item until there is a full Board present to discuss in more detail and have greater dialogue with Hummelstown Borough, is hereby approved. ***The motion carried, 3-0.***

**B1-4 Consideration of the release of a portion of the performance security for the Phase 2 Final Land Development Plan for Southpoint Meadows 2, Plat No. 1197.**

Charles Emerick – Assistant Director of Community Development – Phase 2 is the second and last of the phases of Southpoint Meadows 2. Recent inspection by HRG, Inc. indicated that installations valued at \$388,789.85 were completed.

**Motion:** A motion made by Supervisor Pagliarulo and seconded by Supervisor Moyer that the Township hereby releases \$388,789.85 from the performance security provided in the form of United States Surety Company Bond No. 100088067 for the Phase 2 Final Land Development Plan for Southpoint Meadows 2, Plat No. 1197, leaving a balance of \$283,019.08, is hereby approved.

***The motion carried, 3-0.***

**C1-6 Addendum to the Second Amendment to the Intergovernmental Cooperation Agreement allocating Real Estate Taxes from an improved property lying partially in Dauphin and Lebanon Counties.**

James N. Negley - Township Manager/Township Treasurer – At the last meeting, the Board approved the Second Amendment to the Intergovernmental Cooperation Agreement allocating real estate taxes for the ECD III Warehouse located both in Lebanon and Dauphin County. The agreement was executed by the Board of Supervisors and was returned for the County. The County advised that the School District who must also sign the document had a change. The change is to put it in fair market value instead of square feet.

**Discussion:** Supervisor Moyer asked what this change means in real dollars. Mgr. Negley said the slight increase equates from \$32,892 to \$33,072. The School District will receive 17 times our amount.

**Motion:** A motion made by Supervisor Moyer and seconded by Supervisor Pagliarulo that an Addendum to the Second Amendment to the Intergovernmental Cooperation Agreement allocating Real Estate Taxes from an improved property lying partially in Dauphin and Lebanon Counties, is hereby approved. ***The motion carried, 3-0.***

**D1-3 Authorization to advertise an ordinance amending the Code of the Township of Derry (Ordinance No. 553), Chapter 210, Section 210-38 – Parking prohibited at all times in certain locations – by establishing “no parking” restrictions on E. Governor Road on both sides from Homestead Lane to Cocoa Avenue.**

Patrick O'Rourke, Chief of Police – Events at Founder's Park and sports events at the Hershey High School have resulted in spectators and participants parking along E. Governor Road to attend these events. This parking situation and the pedestrian traffic along E. Governor Road sometimes create a hazardous condition for the traffic flow. During these events, adequate parking does exist at Founder's Park and on the School District property. To establish no parking restrictions, the budget impact would be approximately 28 signs and signposts to properly post this area.

Supervisor Moyer requested when it comes time to post the signs to try to space out the signs as much as possible.

**Motion:** A motion made by Supervisor Moyer and seconded by Supervisor Pagliarulo that authorization to advertise an ordinance amending the Code of the Township of Derry (Ordinance No. 553), Chapter 210, Section 210-38 – **Parking prohibited at all times in certain locations** by establishing “no parking” restrictions on E. Governor Road on both sides from Homestead Lane to Cocoa Avenue, is hereby approved. ***The motion carried, 3-0.***

**E1-3 Adoption of Resolution No. 1307 designating the Township of Derry's intent to suspend banners across SR0422 announcing various events.**

Jill Horner, Assistant Township Manager – Three new requests were received to suspend banners and we are required to adopt a resolution by PennDOT.

**Motion:** A motion made by Supervisor Pagliarulo and seconded by Supervisor Moyer to adopt Resolution No. 1307 designating the Township of Derry's intent to suspend banners across SR0422 announcing various events, is hereby adopted. ***The motion carried, 3-0.***

**CORRESPONDENCE** - No correspondence to report.

**BOARD/COMMITTEE INFORMATION** – No information to report.

### **REPORTS**

Patrick O'Rourke – Chief of Police – On Wednesday, June 22<sup>nd</sup>, we had a power outage downtown that knocked out power to several hundred residents and nine traffic signals. We worked in conjunction with the Hershey Fire Department to run incident command out of our mobile command vehicle to manage the traffic control points and get the power restored. Today, June 28<sup>th</sup>, we deployed the truck again to Palmyra. They had a hostage situation. Derry officers were used to control the perimeter of the structure. Detective Day was the on duty hostage negotiator and successfully talked the subject out of the house within 30 minutes.

Robert Piccolo – Assistant Director of Public Works - Mr. Piccolo gave the following update:

- Cold in Place Recycle has been completed from Ridge Road on Caracas to Hillcrest. It will sit until it cures and then will be paved in the middle to end of July.
- 743 and Caracas Avenue Tie In Projection of Work for the next 3 to 4 weeks:
  - July 8, 9, 10, if needed, tie in existing Cocoa Avenue to the new relocated portion. The majority of the tie in and paving is to be done at night. It may drag into the daylight hours or Saturday in order to complete.
  - Traffic in the Caracas intersection by contract is to be maintained during tie in. Single alternating lanes in long wait times.
  - Work will continue as long as needed until the tie in is complete.
  - The contractor assured them they will see that the response time is not hindered for the Hershey Volunteer Fire Department. The flag crew will be instructed to give them priority.
  - Sidewalks in this area will also be installed during the time to facilitate pedestrian movements in the downtown area and through the new intersection.
  - The traffic signals in the square are now under the control of the contractor as the old signal has been removed. Emergency contact information will be sent out to everyone that needs it if there should be a traffic light problem.
  - The island removal on Chocolate Avenue will begin at the completion of the above work as the next traffic control plan will take effect. At that time the crosswalk at Ceylon will be installed by the contractor for employee crossing to and from the factory about a week after medial removal. At this point the only pedestrian crossings in that area will be at Ceylon and the new intersection of Cocoa and Chocolate Avenue.

Vice-Chairman Fedeli said she appreciates the update. It is important that the public know what to expect. She asked about the weeds that are growing up in the medial and whose responsibility it is on the islands at Chocolate. Mr. Piccolo said it is in the scope of the contractor's responsibility. Once they are working in that area, our crews are not supposed to go in there and do anything. It would be up to the contractor to take care of that area.

Barbara Ellis – Director, Hershey Public Library – Ms. Ellis reported there are approximately 1100 registrants for the Summer Reading Program. She is pleased to announce that coming soon the library will be in receipt of two Nooks and two Kindles to make available to the public for borrowing. The Library’s database allows downloading to happen. She acknowledged that the Kindles came from donations. We are also sponsoring a Peace Poster contest this summer in cooperation with the Lions Club. It is for children in the community and it becomes an international competition. This coming month, you will notice changes in regards to the redesign project.

Matthew Mandia – Director of Parks & Recreation – Mr. Mandia reported that the Department of Health was here for their inspection this past Friday. The inspection results indicated they were in compliance in all areas.

Matt Bonanno – HRG, Township Engineer – Mr. Bonanno reported the bid period is still open for the stormwater project. We currently have 20 contractors that purchased bidding documents. The bid closes July 18<sup>th</sup>.

Charles Emerick – Assistant Director of Community Development – Mr. Emerick updated the Board on the new stormwater ordinance. This ordinance reaches out to individual property owners. As of last week, we had our first individual property owner go through the process. It was efficient and was within reasonable cost by the consultant as to what we were expecting. Matt turned his review of the documents around in about three days. It went very smoothly. This ordinance kicks in if you add more than 5% of new impervious area to your lot or more than 1,000 square feet. We found one glitch in the ordinance regarding townhouses and we are working through it. He will present to the Board a modification to the Ordinance to never require a \$1,015 worth of stormwater control for a 200 square foot project. We are looking to grant a waiver for this project. The staff and Matt approve the stormwater design and the Supervisors sign the O&M agreement. In this case, he feels comfortable granting the waiver as long the Board is comfortable exercising that knowing its going to policy shortly. Vice-Chairman Fedeli said we need to abide by the overall law, but also to be fair with the residents of the Township. Mr. Emerick is waiting to get a few more requests before he makes changes to the Ordinance. He also will be adding zoning permits to the Ordinance.

**APPROVAL OF ACCOUNTS PAYABLE (\$202,120.34) AND PAYROLL (\$307,210.72).**

Supervisor Moyer moved to approve accounts payable in the amount of \$202,120.34 and payroll in the amount of \$307,210.72. Supervisor Pagliarulo seconded. ***The motion carried, 3-0.***

**VISITOR/PUBLIC COMMENTS**

Rich Gamble – Mr. Gamble inquired about one of the “blighted” properties on Hockersville Road. Mr. Emerick said he is not up to-date with that property, but will follow up on it to keep it moving.

**ADJOURNMENT**

Supervisor Moyer moved to adjourn the meeting at 7:30 p.m. Supervisor Pagliarulo seconded. ***The motion carried, 3-0.***

SUBMITTED BY:

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Marc A. Moyer  
Township Secretary

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Brenda Van Deursen  
Recording Secretary