

TOWNSHIP OF DERRY BOARD OF SUPERVISORS MEETING

Tuesday, September 11, 2012
600 Clearwater Road, Hershey, Pennsylvania 17033

CALL TO ORDER

The September 11, 2012 Township of Derry Board of Supervisors meeting was called to order at 7:00 p.m. by E. Christopher Abruzzo, Chairman

ROLL CALL

Supervisors Present:

E. Christopher Abruzzo, Chairman
Sandy A. Ballard
Kelly C. Fedeli, Vice-Chairman
John Foley, Jr.
Marc A. Moyer, Secretary

Also Present:

Matt Bonanno, HRG Engineer
Thomas Clark, Director of Public Works
Barbara S. Ellis, Director of Hershey Public Library
Charles Emerick, Director of Community Development
Jill Henry, Assistant Township Manager
Cheryl Lontz, Manager of Payroll & Employee Benefits
Matt Mandia, Director of Parks and Recreation
James N. Negley, Township Manager/Township Treasurer
Patrick O'Rourke, Chief of Police
Jon A. Yost, Township Solicitor
Brenda Van Deursen, Recorder

Public Present: Rev. James Stough, Lou Bushman, Charleton Zimmerman, Elvira Ebling, Rich Gamble, Scott Stein, P. O'Rourke, Jr., Matt Weir, Wagler Family

FIRST ANNIVERSARY OF DERRY TOWNSHIP FLOOD OF SEPTEMBER 7, 2011 RECOGNITION OF FIRE, POLICE, AND PUBLIC WORKS DEPARTMENTS.

Chairman Abruzzo acknowledged tonight as a special evening as we really thank our first responders in Derry Township for all the great, brave work they did on behalf of the residents of Derry Township on September 7, 2011.

The Guard presented the colors for the Pledge of Allegiance. Rev. James Stough provided the Invocation and Benediction.

Chairman Abruzzo remembered those who perished on 9/11/01 and all of the first responders in this room and all the first responders across the country for their selfless, brave action. Although the events of 9/7/11 don't compare as a human tragedy to 9/11/01, the acts of heroism and bravery from our first responders do. They answered the call and reported to duty without regard to what situation your own families were experiencing with one mission...to save lives and property. No one could be prepared for the amount of flooding that occurred with Tropical Storm Lee. Our

first responders knew how dangerous it was and closed off roads and came up with schedules to get the children safely home from school. The Fire Department embarked upon 61 rescues over a two-day period. The flood came so fast and if it weren't for the work of the Fire Department and the Police Department, who were immediately engaged in this community rescuing people from harrowing situations, we certainly would have had lives lost. The Board of Supervisors helped out as much as they could while the first responders kept them updated on roads and damaged structures/homes. There are many debts that we will not be able to repay. As we look back at the success of the operation – it saved Derry Township. It was amazing the coordination that we have between the Fire Department, Police Department, Public Works and Administration. The Board of Supervisor's number one obligation to the people in this community is their public safety and we have the best public safety team anywhere in the country.

The Board presented awards to Chief Leonard on behalf of the Fire Department, Tom Clark on behalf of Public Works, and Chief O'Rourke on behalf of the Police Department in recognition of their distinguished emergency response to extreme and extraordinary dangerous flooding conditions caused by Tropical Storm Lee on September 7, 2011. Their service and dedication was invaluable to the citizens of Derry Township.

Chairman Abruzzo acknowledged his colleagues and Todd Pagliarulo for their selfless work and effort that they gave to this community that went well above and beyond the call of duty as a Township Supervisor. They worked cohesively as a unit to provide support. Mr. Pagliarulo manned our emergency center, Ms. Fedeli led the communications team, Ms. Ballard and Mr. Moyer walked the neighborhoods, and the Township staff coordinated so many details.

Chairman Abruzzo acknowledged that Chuck Emerick, Jim Negley and Jill Henry left their homes for days at a time and stayed here making sure the phones were answered, plans were made and implemented, damages assessed and assured things were running smoothly.

Vice-Chairman Fedeli remarked on the leadership of Chairman Abruzzo and the direct line staff had to him while he was working at PEMA.

On behalf of Representative Payne, Todd Pagliarulo presented certificates of appreciation to the Police Department, Fire Department and Public Works. These departments placed their lives in jeopardy.

After the presentations, the regular Board meeting began.

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

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

OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

Lou Bushman 32 Maple Avenue – Mr. Bushman's father lives at 108 East Areba. Because of the sporting activities at Memorial Field his father cannot get in or out of his garage. There is a safety concern with people running up and down the street and the large amount of traffic and vehicles parked in a no parking zone. It has been going on for years. He suggested possibly blocking the area off during the events and only allow the residents in that area. Chairman Abruzzo said they did take a look at this issue in the past. He asked Chief O'Rourke to respond. Chief O'Rourke stated he has people taking measurements and will assess it to see what can be done. Mr.

Bushman asked that all visiting teams of the sporting activities be notified. In the meantime, Chairman Abruzzo encouraged him that when it happens to call the Police Department immediately to address the problem.

Supervisor Ballard suggested putting temporary signs instructing them to park in the school lot. Chief O'Rourke said people will still park there because they do not want to walk.

Rich Gamble, Hockersville Road – Mr. Gamble thanked the Police Department, Public Works and Community Development for addressing the parking problems on Hockersville Road. He also noted that PaDot has corrected the problem with the curb that has been an issue for over a year.

Charleton Zimmerman, Palmdale 119 N. Roosevelt Avenue – Mr. Zimmerman was happy to report that PA American Water and Ebersole Excavating has done an excellent job. He also thanked Brad Kiscadden for getting a new fire hydrant in their area which will result in better fire protection. Mr. Zimmerman made a comment regarding closing the mobile home park for commercial development.

APPROVAL OF MINUTES

Chairman Abruzzo called for a motion to approve the Minutes of the August 28, 2012 Public Hearing. Supervisor Foley made a motion to approve the Minutes of the Public Hearing. Vice-Chairman Fedeli seconded. Supervisor Ballard abstained as she was not at the meeting. ***The motion carried, 4-yes 0-no 1 abstention.***

Chairman Abruzzo called for a motion to approve the Minutes of the August 28, 2012 Board of Supervisors Meeting. Supervisor Foley made a motion to approve the Minutes of the Board of Supervisors Meeting. Supervisor Moyer seconded. Supervisor Ballard abstained as she was not at the meeting. ***The motion carried, 4-yes 0-no 1-abstention***

NEW BUSINESS

A1 Award of a bid for the replacement of the pedestrian bridge at Bullfrog Valley Park.

Matt Mandia, Director of Parks and Recreation - This project was publicly bid and a pre-bid conference was held on August 17, 2012. They received two bids: Lobar Associates in the amount of \$24,140 and T.R. Stoner Contracting in the amount of \$41,700.

Motion: A motion made by Vice-Chairman Fedeli and seconded by Supervisor Ballard that the bid for the replacement of the pedestrian bridge at Bullfrog Valley Park be awarded to Lobar Associates in the amount of \$24,140 is hereby approved. ***The motion carried, 5-yes 0-no.***

B1-2 Award of a bid for the repair of the stream bank along the Jonathan Eshenour Trail.

Matt Mandia, Director of Parks and Recreation – This project was publicly bid and a pre-bid conference held on August 17, 2012. They received three bids: T.R.Stoner Contracting in the amount of \$17,900, Lobar Associates in the amount of \$18,500 and Central Penn Asphalt in the amount of \$20,200.

Motion: A motion made by Supervisor Moyer and seconded by Supervisor Ballard that the bid for the repair of stream bank along the Jonathan Eshenour Trail be awarded to T.R. Stoner Contracting in the amount of \$17,900 is hereby approved. ***The motion carried, 5-yes 0-no.***

C1-2 Award of a bid for the repair of the Jonathan Eshenour Trail and associated washouts.

Matt Mandia, Director of Parks and Recreation - This project was publicly bid and a pre-bid conference held on August 17, 2012. They received four bids: York County Paving in the amount of \$35,000; Lobar Associates in the amount of \$39,400; T.R. Stoner Contracting in the amount of \$45,400; and Central Penn Asphalt in the amount of \$83,753.

Motion: A motion made by Supervisor Moyer and seconded by Supervisor Ballard that the repair of the Jonathan Eshenour Trail and associated washouts be awarded to York County Paving in the amount of \$35,000, is hereby approved. ***The motion carried, 5-yes 0-no.***

Supervisor Ballard asked when the bike path would open back up. Mr. Mandia said hopefully by this fall.

D1-4 Presentation of the 2013 Minimum Municipal Obligation (MMO) for the Non-Uniformed and Police Pension Plans.

Cheryl Lontz, Manager of Payroll & Employee Benefits - The Minimum Municipal Obligation for the Non-Uniformed Pension Plan and the Police Pension Plan totals \$1,210,595. The Township is required to do this projection without consideration of the State Casualty Insurance Reimbursement, but the offset is estimated at \$450,000. If this reimbursement is received, the actual cost of funding for both pensions equals approximately \$760,595. The total payment is due to the pension plans by December 31, 2013.

Motion: A motion made by Vice-Chairman Fedeli and seconded by Supervisor Foley that the Minimum Municipal Obligation calculation for both pension plans, is hereby approved. ***The motion carried, 5-yes 0-no.***

E1 Authorization to conduct the 65th Annual Hershey Halloween Parade on Monday, October 29, 2012 at 7:00 p.m. The severe weather make-up is on Tuesday, October 30, 2012 at 7:00 p.m.

Matt Mandia, Director of Parks and Recreation - The route of the parade is the same as last year beginning and ending at the Hershey Company's parking lot. The primary expenses for this event are for police route coverage, parks and recreation staff time, and the registration process.

Motion: A motion made by Supervisor Ballard and seconded by Chairman Abruzzo that the authorization to conduct the 65th Annual Hershey Halloween Parade on Monday, October 29, 2012 at 7:00 p.m. with a severe weather make-up of Tuesday, October 30, 2012 at 7:00 p.m., is hereby approved. ***The motion carried, 5-yes 0-no.***

F1 Request to close N. Hockersville Road (SR2011) from Old West Chocolate Avenue to Hersheypark Drive for three events being held on the grounds of the Hershey Entertainment Complex. 1) AACCA Fall Meet, October 12, 2012; 2) PIAA District 3 Cross Country Championships, October 24, 2012; and 3) PIAA Cross Country State Championships November 3, 2012.

Patrick O'Rourke, Chief of Police –Supervisor Ballard asked if these events are on a Sunday and they are not.

Motion: A motion made by Supervisor Foley and seconded by Supervisor Moyer that the request to close N. Hockersville Road (SR2011) from Old West Chocolate Avenue to Hersheypark Drive for three events being held on the grounds of the Hershey Entertainment Complex. 1) AACCA Fall Meet, October 12, 2012; 2) PIAA District 3 Cross Country Championships, October 24, 2012; and 3) PIAA Cross Country State Championships November 3, 2012, is hereby approved. *The motion carried, 5-yes 0-no.*

G1-3 Consideration of the release of the maintenance security for the Preliminary/Final Subdivision and Land Development Plan for Members 1st Federal Credit Union, Plat No. 1171.

Chuck Emerick, Director of Community Development – They are requesting a release of their final security performance of \$238.50 which was secured to make sure a small portion of the roadway held up.

Motion: A motion made by Supervisor Ballard and seconded by Supervisor Foley that the Township releases maintenance security in the amount of \$238.50, provided as a Mid-Atlantic Corporate Federal Credit Union Letter of Credit, dated March 25, 2011 for the Preliminary/Final Subdivision and Land Development Plan for Members 1st Federal Credit Union, Plat No. 1171, is hereby approved. *The motion carried, 5-yes 0-no.*

CORRESPONDENCE – No correspondence to report.

BOARD/COMMITTEE INFORMATION - Supervisor Foley reported that the Hershey Volunteer Fire Department continues to work on its capital campaign.

REPORTS

Patrick O'Rourke, Chief of Police – Supervisor Ballard mentioned that Lou Paoletti acknowledged the Police Department for their quick action regarding his request of stop sign violations at the intersection where he lives.

Thomas Clark, Director of Public Works - Mr. Clark reported that the PPL projects encountered problems in the tennis court area. They will continue to work there this week. The Water Company will be working in Areba Avenue from Linden to Hillcrest within the next week or two.

Barbara Ellis, Hershey Public Library – Ms. Ellis reported they have had a little over 55,000 people in and out of the library during the months of June, July and August. They are starting a new round of computer classes, continuing Ed classes, presentations and seminars, and book groups for adults. There will be a special Science Discovery event for children this Sunday.

Cheryl Lontz, Manager of Payroll and Employee Benefits – Ms. Lontz reported they continue to work on the budget and will get a copy to the Board soon to review. Expenditures are where they should be for the end of August. Revenues are not in for the end of August, but they have been looking good.

Matt Bonanno, HRG Township Engineer – Mr. Bonanno reported the following:

- Stormwater on Mill Street is still on hold waiting for a special inlet box to come in.
- Final culvert at 322/743 intersection has been installed for the Hershey property.
- Village Area on Maple – They put in the last inlet box - 20 feet of rock has been removed from there.
- Mansion Road – received the final acceptance certificate from PennDOT.

- Waiting for a permit for the general stormwater discharge into waters of the Commonwealth.

Chairman Abruzzo mentioned that he went around different areas and he noted some clogged stormwater inlets. He encourages all residents to take responsibility for the inlets on their street.

Chuck Emerick, Director of Community Development – Mr. Emerick reported that the Fence and Design Review Board Ordinance went through the Planning Commission at their last meeting. A public hearing needs to be scheduled for either October 9 or October 23. The Supervisors agreed to schedule a hearing for October 9, 2012 at 6:45 p.m.

Jill Henry, Assistant Township Manager– Mrs. Henry reported that she received three wire transfers from FEMA and PEMA. The other projects are still under review, but hopefully the next couple of months she will have final numbers. There is one more insurance check coming in for about \$43,000, but we have exhausted our limit on the police building.

James N. Negley, Township Manager/Township Treasurer - Lou Verdelli will be at the September 25th meeting in regards to refinancing the Series 2008 Bonds.

APPROVAL OF ACCOUNTS PAYABLE (\$440,563.72) AND PAYROLL (\$308,009.47).

Supervisor Foley moved to approve accounts payable in the amount of \$440,563.72 and payroll in the amount of \$308,009.47. Supervisor Ballard seconded. ***The motion carried, 5-yes 0-no.***

OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

No one came forward.

ADJOURNMENT

Supervisor Ballard moved to adjourn the meeting at 8:30 p.m. Supervisor Moyer seconded. ***The motion carried, 5-yes 0-no.***

SUBMITTED BY:

Marc A. Moyer
Township Secretary

Brenda Van Deursen
Recording Secretary