

# TOWNSHIP OF DERRY BOARD OF SUPERVISORS MEETING

Tuesday, September 25, 2012  
600 Clearwater Road, Hershey, Pennsylvania 17033

## CALL TO ORDER

The September 25, 2012 Township of Derry Board of Supervisors meeting was called to order at 7:05 p.m. by Chairman E. Christopher Abruzzo.

## ROLL CALL

### *Supervisors Present:*

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

### *Supervisors Absent:*

Marc A. Moyer, Secretary

### *Also Present:*

Matt Bonanno, HRG, Township Engineer  
Barbara S. Ellis, Director of Hershey Public Library  
Charles W. Emerick, Director of Community Development  
Jill Henry, Assistant Township Manager  
Matthew J. Mandia, Director of Parks & Recreation  
James N. Negley, Township Manager/Township Treasurer  
Robert D. Piccolo, Assistant Director of Public Works  
Garth W. Warner, Lt. Police Department  
Terry M. Weinhold, Manager of Accounts Payable & Accounts Receivable  
Brandon J. Williams, Assistant Director of Community Development  
Jon A. Yost, Township Solicitor  
Brenda Van Deursen, Recorder

***Public Present:*** Elvira Ebling, Miles Wagler, Pierce Wagler, Ed Uravic, Lisa Schirato, Sydney Ruker, R. Ruble, Micki Molinari, Jan Waybright, Harry & Ruth Heath, Phyllis Ingold, Clara Hess, Harry Greer, Rich Gamble, Anne Searer, Pat Krebs, Andrew Varcoe, Sandy Capelli, Rich Capelli, Phil Friedrich, Diana Myrvang, Paul Thompson, Juliet Waldron

**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

No one came forward.

## **APPROVAL OF MINUTES**

Chairman Abruzzo called for a motion to approve the Minutes of the September 11, 2012, Board of Supervisors Meeting. Supervisor Ballard made a motion to approve the Minutes as written. Supervisor Foley seconded. *The motion carried, 4-yes 0-no.*

## **NEW BUSINESS**

**A1 Presentation from Patrick Briotte, Eagle Scout candidate on the progress of his project to create the Stanley Ginder Memorial Reading Garden at the Hershey Public Library.**

**Barbara Ellis, Director of Hershey Public Library** - Mrs. Ellis introduced Patrick Briotte, Eagle Scout candidate. He has been working for almost a year on the Stanley Ginder Memorial Reading Garden. Mrs. Ellis said he did a wonderful job planning and coordinating the work. This Memorial Garden is dedicated in memory of Stan Ginder, a dedicated employee to the Hershey Public Library.

**Patrick Briotte, Eagle Scout Candidate** – Patrick presented a slide show of the work taking place in the garden. The plans for the garden included a walking path, three patio areas for two gliders and a bench, picnic table, and the addition of trees and plants. Patrick and volunteers spent a total of 261.25 hours on the project. The funds raised for the project equaled \$6,346.86 and the cost of the project totaled \$5,198. The balance of \$1,150 was donated to the Library.

Chairman Abruzzo commented on the terrific job that Patrick, other scouts, and volunteers did. He thanked them for their voluntary commitment to the community.

### **B1-5 Consideration of a Derry Township Bond Refinancing Opportunity**

**James N. Negley, Township Manager/Township Treasurer** – Mgr. Negley introduced Lou Verdelli, Managing Director for RBC Capital Markets. Mr. Verdelli reported that the Township Series of 2008 – (\$3,955,000) is outstanding with interest rates ranging from 3.25% to 4.05%. Due to the recent drops in interest rates, the Township has a significant refinancing opportunity with interest rates of .55% to 2.53% resulting in a possible savings of \$200,000. If the Board approves the team to proceed, they will report back at the November 13 meeting with the final savings amount and a confirmed settlement date of December 13. The debt will not be extended...maturity is the same day as the current one.

Chairman Abruzzo recognized and appreciated the direction the Board receives from Manager Negley and Mr. Verdelli. Over the last five years they have done their best to refinance at the lowest interest rate possible resulting in savings to the Township.

**MOTION:** A motion made by Supervisor Ballard and seconded by Vice-Chairman Fedeli that the Board of Supervisors authorize the administration to work with RBC Capital Markets, as Bond Underwriter, and McNees Wallace & Nurick LLC as Bond Counsel, to prepare the necessary documents for refinancing the Township's General Obligation Notes, Series of 2008; and the minimum amount of savings for the transaction to proceed is \$150,000, is hereby approved. *The motion carried, 4-yes 0-no.*

### **C1-4 Consideration of releasing the remaining performance security and entering the 18-month maintenance security period for the Final Subdivision and Lot Consolidation Plan Phase 1 Final Land Development Plan for Southpoint Meadows 2, Plat No. 1123.**

**Charles W. Emerick** – This is an ordinary release of performance security. HRG inspected the improvements and found the release of security to be warranted. A maintenance security of 15% of the

improvements will be required as guarantee for the structural integrity of the improvements within the public right-of-way along Locust Street and Jo Ann Avenue.

**MOTION:** A motion made by Supervisor Foley and seconded by Vice-Chairman Fedeli that the Board release the remaining security in the amount of \$42,598.08, supplied as Arch Insurance Company Bond No. SU1031732, provided that maintenance security in the amount of \$8,254.05 is supplied in acceptable form and the standard Maintenance Security Agreement is executed for the Final Subdivision and Lot Consolidation Plan and Phase 1 Final Land Development Plan for Southpoint Meadows 2, Plat #1123, is hereby approved. *The motion carried, 4-yes 0-no.*

**D1-9 Consideration of the Vision and Mission statements as developed by the Comprehensive Plan Working Committee noted in their report titled, "Smart Growth Principles: 20-year Guidelines for a Smart Growth Approach."**

**Charles W. Emerick, Director of Community Development** – Mr. Emerick thanked the volunteers who gave of their time and provided input for the Working Group Committee. Chairman Abruzzo recognized the following for their help in developing the Mission and Vision for the Comprehensive Plan: Sandy Ballard-Jill Henry-Chuck Emerick-Brandon Williams-Sheila Borne Fuller-Justin Engle-John Foley-Ken Gall-Garrett Gallia-Ruth Good-John Grab-Tammy McElfresh-Ann Messner-Diane Myers Krug-Diana Myrvang-Todd Pagliarulo-Glenn Rowe-Rick Russell-Lisa Schirato-MaryEllen Sheehan-Paul Thompson-Matt Tunnell-Ed Uravic-Jan Waybright-Ned Wehler. He thanked them for their invaluable input and time on behalf of the community.

Mr. Emerick said the Committee realized that our present 20-year Comprehensive Plan is at the outer edge of the 20 years and it was time to update it. They developed a citizen's survey and received almost 1,500 responses. From the responses, they had 20 presentations to individual groups to receive additional input. All the information gathered can be viewed at Derryvision.org. They considered all the input along with the information from the current Comprehensive Plan to develop their Guidelines, which includes the Mission and Vision statements. The community goals focus on *sense of place, land use & design, transportation & circulation, environment, and information technology*, which is new, but very important to the Comprehensive Plan. The planning considerations for land use districts include: *Downtown (Chocolate Avenue), Hersheypark Drive Corridor, Medical Center/Research Park (HCAR) Area, Waltonville/Middletown Road, Palmdale, and 743 South*. Mr. Emerick read the Mission and Vision Statements and recommended that the Board adopt and authorize their use in the Comprehensive Plan update.

**Discussion:**

**Pat Krebs, Former State Legislator and now President of the Lebanon Valley Bicycle Coalition (LVBC).** Mrs. Krebs commented on the importance of bicycling in a community and what is necessary for pedestrian and bicycle safety. Many bicycle for transportation, recreation and health. The LVBC uses a transportation map for their community and suggested Derry Township consider this.

**Vice-Chairman Fedeli** said she met with Mrs. Krebs and her husband regarding bicycling in Derry Township. They are asking us that when opportunities arise that we consider the bicycling opportunities and capitalize on them.

**Supervisor Ballard** thanked Chuck Emerick for his time and work on the plan. In addition to his normal duties, Chuck attended all the listening sessions and traveled to California to attend a Smart Growth Conference.

**MOTION:** A motion made by Supervisor Ballard and seconded by Supervisor Foley that the Board

adopt the mission and vision statements as noted in the “Smart Growth Principles: 20-year Guidelines for a Smart Growth Approach” and authorize their use for the continued efforts of the Comprehensive Plan update, is hereby approved. *The motion carried, 4-yes 0-no.*

**CORRESPONDENCE** – No correspondence to report.

**BOARD/COMMITTEE INFORMATION** - Supervisor Foley said the Hershey Volunteer Fire Department will begin Fire Prevention Month, which includes teaching and educating on fire safety.

## **REPORTS**

**Lt. Garth Warner, Police Department** – Lt. Warner reported their last big concert went considerably well. The RV show was held which resulted in lots of traffic. The Antique Auto Show will be held the second week of October and the Half Marathon is scheduled for October 21.

**Robert Piccolo, Assistant Director of Public Works** – Mr. Piccolo reported:

- The square project under the highway is almost completed. Work will begin on sidewalks and the center island.
- Finished paving Boat House Road from the cottage to Rt. 39.
- Bullfrog Valley Pond - finished restoring the banks along the pond. Once the bridge is installed, they will start landscaping the area.

**Barbara Ellis, Director of Hershey Public Library** – Mrs. Ellis reported the fall programs are going very well. She will give each Supervisor a copy of their new logo for the Library’s 100-year anniversary.

**Terry M. Weinhold**– Ms. Weinhold reported expenses are slightly under budget so far in September. They began inputting the revenue, but is too early to report.

**Matthew J. Mandia, Director of Parks and Recreation** – Mr. Mandia reported that Sportsman Limited from Middletown made a donation for a pond starter kit which will help get the eco system up and running at Bullfrog Valley Pond.

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

- Bullfrog Valley area - received DEP permit, but still need a federal permit.
- Stormwater - completed the connection in the Village area. There are two inlets being installed on 743. They again ran into more rock, which has caused the work to slow down.
- The driveway culvert off 743 to access the Hershey property is in.
- They will bring in a concrete company to do curb and sidewalk repairs and then paving will start. Once the concrete work is done, the contractor will move to the Mill Street area.

Supervisor Foley asked about Areba Avenue/Java and if the stormwater has all been completed because they still have consistent flooding. Mr. Bonanno said the main area is on Maple. Mr. Piccolo explained that there is a culvert that runs down from the baseball field to Homestead Road. PPL ran into electric lines and other utilities while working on the tennis project. They have to dig deeper down to get to the other side to make a connection.

Supervisor Foley asked if the inlets are having problems. Lt. Warner responded that they met with the contractors and did a little research. They found the silk drains are creating a little problem with the overflow. They will need to keep an eye on that area. Mr. Emerick also responded that he contacted the School District since it is there project. He reminded them that the area needs maintained after any

rainfall. Supervisor Foley asked who was inspecting the area. Mr. Emerick said it is not a required permit project so it falls under the County Conservation District. They can contact the County Conservation, but they won't clean it. He will contact the School District again to remind them to maintain the area.

**Charles Emerick, Director of Community Development** – Mr. Emerick reminded everyone that the Comprehensive Working Group will be meeting at the Library on October 11<sup>th</sup>. Chris Duerksen, Esq, a national planning expert will be there. On October 12, they will have a private working session with Mr. Duerksen, staff and Supervisors to work further into the details of the planning process.

**Jill Henry, Assistant Township Manager** –Supervisor Ballard asked about the maps that were mailed out. Ms. Henry heard from a couple of residents that they received the map, but some did not. She is checking into this.

**James N. Negley, Township Manager/Township Treasurer** – Manager Negley reported that he, Mr. Pagliarulo, and Supervisor Foley attended a meeting on September 14 hosted by Rep. Payne. This meeting was in regards to a traffic concern from residents along East Derry Road. Manager Negley said that the new district executive from PennDOT, Michael Keiser, was in attendance and gave immediate personal attention to the problem. Mgr. Negley feels it will be resolved and commended Mr. Keiser for taking such an interest in our community.

**APPROVAL OF ACCOUNTS PAYABLE (\$213,475.21) AND PAYROLL (\$306,904.38).**

Supervisor Foley moved to approve accounts payable in the amount of \$213,475.21 and payroll in the amount of \$306,904.38. Supervisor Ballard seconded. *The motion carried, 4-yes 0-no.*

**OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD**

**Ruth Heath, 51 Learden Road** – Mrs. Heath said she and her husband her walk a lot and are amazed at how unfriendly a pedestrian community it is. She wishes drivers would be more mindful of pedestrians. You have to be very careful at a crosswalk/crossing a street. She appreciates the Comprehensive Plan and the Recycling Program.

**Janis Waybright, 656 Hotel Road** – Mrs. Waybright said the traffic from the last concert was tremendous if you live on Hotel Road. They have hundreds and hundreds of cars with lights shining in their house. She wondered if there was a different route for traffic to get through town. Chairman Abruzzo said they will send her request to the Hershey Entertainment Company for their consideration.

**ADJOURNMENT**

Supervisor Ballard moved to adjourn the meeting at 8:15. Vice-Chairman Fedeli seconded. *The motion carried, 4-yes 0-no.*

SUBMITTED BY:

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Marc A. Moyer  
Township Secretary

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Brenda Van Deursen  
Recording Secretary