

**TOWNSHIP OF DERRY
BOARD OF SUPERVISORS MEETING**

Tuesday, March 24, 2015
600 Clearwater Road, Hershey, Pennsylvania 17033

CALL TO ORDER

The March 24, 2015 Township of Derry Board of Supervisors meeting was called to order at 7:00 p.m. by John W. Foley, Jr., Chairman.

ROLL CALL

Supervisors Present:

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

Also Present:

Matt Bonanno, HRG Engineer
Chris Brown, Township Planner
Bob DiLello, Fire Company
Barbara S. Ellis, Director of Hershey Public Library
Charles Emerick, Director of Community Development
Jill Henry, Assistant Township Manager
Cheryl Lontz, Manager of Payroll and Employee Benefits
Mathew J. Mandia, Director of Parks and Recreation
James N. Negley, Township Manager/Township Treasurer
Robert Piccolo, Assistant Director of Public Works
Garth Warner, Police Department
Jon Yost, Solicitor
Brenda Van Deursen, Recorder

Public Present: Stephen Ramis, Skip Memmi, Jessica Bosley, Dale Holte, Paul Thompson, Kenny Hinebaugh

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 matters.

OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

No one came forward.

APPROVAL OF MINUTES

Chairman Foley called for a motion to approve the Minutes of the March 10, 2015 Board of Supervisors Meeting. Supervisor Ballard made a motion to approve the Minutes subject to changes related to the quality of stormwater (last paragraph page 2) and EPA (pages 3&4). Vice-Chairman Moyer seconded. ***The motion carried, 5-yes 0-no.***

NEW BUSINESS

A1-1 Presentation by the Dauphin County Industrial Development Authority to follow-up on the Dauphin County Energy Efficiency Partnership.

Skip Memmi and Jay Franklin, Dauphin County Industrial Development

In August 2014, the Board approved an initial assessment of the Township's energy use. Since then, they have been evaluating the Township's current energy requirements and usage. The assessment included using cameras to find areas where cold air was leaking through the building as well as inspecting the insulation, the HVAC system, lighting, roof top unit controllers, etc.

The expected energy cost of the municipal complex over the next 20 years is \$7 million dollars. Upgrading lighting to LED lights, updating the roof top unit controller, replacing HVAC controls, etc. are a few ways to decrease the energy cost. The cost of upgrading the HVAC system would be in the range of \$1.3 to \$1.9 million with return on investment 10-20 years.

DISCUSSION:

Supervisor Weir asked if the existing energy contracts can be negotiated. Mr. Franklin said typically not. He could look into it, but because they procure the supplying of the energy, they need to be guaranteed a certain amount to give you the lower rates.

Vice-Chairman Moyer said when adding HVAC components, it seems there would be close to \$2 million dollars in costs and a savings of about \$2.1 million over the same period of time. In a worse case scenario over 20 years we would realize a \$100,000 benefit. Mr. Franklin said that would be a worse case scenario. They try to be a little conservative on their estimates. The point is if they do need to put in new roof top units, the Township's cash flow will be very limited. The newer equipment will be a little more energy efficient. If they put new roof top units on, they would probably recommend going with energy recovery wheels which will increase the energy savings, but you are not going to be receiving a \$100,000 a year cash flow.

Supervisor Engle asked if the financial modeling is part of the scope of the IGA and if it can be done so we have more to look at before we get too far into it. Mr. Franklin said it is part of the scope. The investment grade audit is usually a 20-25 page document and it will go in much more detail. It breaks out ECM and will have the financials which is half of the IGA.

Supervisor Engle asked if the maximum exposure would be \$30,000 if we move forward with the IGA. Mr. Franklin said that was correct. Supervisor Engle asked how long the process was. Mr. Franklin answered that they would like to take their time on it, but could do it within 3 to 4 months.

Supervisor Engle asked if the Township wanted to explore solar options would it be part of IGA. Mr. Franklin answered yes. Supervisor Engle asked if under the solar option the energy is going from the panels and sold back to the grid. Mr. Franklin said it is and the Township is credited. You don't actually use that power. Supervisor Engle noted there has to be usage fairly close to the panels. Mr. Franklin said that is why there has to be a building close by with a meter.

Supervisor Weir stated that the Township would not own the solar panels itself. Mr. Franklin's recommendation is for the Township to not own it. He said there are some issues with the Township owning the solar panels. One is the tax credits and the second is if the solar panel breaks who will take care of it and who insures it. The Township would only be responsible for buying the energy that is produced. By not owning it and a third of the energy goes down, the Township only buys the energy that

is produced. In 20 years, they could buy the solar panel for \$1. Solar panels usually last between 25 and 30 years.

The Board made no decisions, but said they would consider proceeding with the next step with a more complete audit. They directed Manager Negley, Tom Clark and Lou Verdelli to look into this and provide a report back to the Board.

The meeting was suspended at 7:40 p.m. due to a gas odor and it was resumed at approximately 8:00 p.m. in the Police Department.

B1 Presentation of a Community Partnership Certificate by Jessica Bosley, Outreach Coordinator for Commuter Services of Pennsylvania.

C1-7 Alteration to a waiver from filing a land development plan, as requested by 169 Chocolate Group, LLC.

Charles Emerick, Director of Community Development – The alteration is due to a new proposed location of the modular building for the retail portion of the post office during the construction of their property. Due to the change of the location of the modular building certain conditions also changed. Such changes included walkways which were not required in the other location and the removal of four trees.

Supervisor Engle asked if the Planning Commission has to approve this. Mr. Engle said no because this is just a modification related to the relocation of the modular on the same piece of property.

Supervisor Weir asked when this will take place. Mr. Emerick said he has not seen the building permit plans, but it has to be done no later than March 2016.

Supervisor Engle commented that it is good to see collaboration between Community Development, the planner, and the developers.

Motion: A motion made by Supervisor Engle and seconded by Supervisor Ballard that the Board of Supervisors approves the modification to the waiver granted from Sections 185-5.A and 185-5.B of the Derry Township Subdivision and Land Development Ordinance (to not require 169 Chocolate Group, LLC to file a land development plan with Derry Township for the installation of a temporary modular unit at 50 North Linden Road), is hereby approved, subject to the following conditions:

- a. That financial security is provided to the Township and the accompanying agreement is signed prior to permit issuance to ensure that the temporary structure, temporary walkways and temporary parking area are removed from the property within 2 years of the issuance of the temporary structure's Certificate of Occupancy, if an acceptable land development plan has not been approved for the retention of the structure. The financial security shall also include funds to guarantee the replacement of 4 trees.
- b. That the temporary structure is connected to public water and sewer facilities.
- c. That lighting for the safety of the visitors to the property, meeting the minimum standards of the Subdivision and Land Development Ordinance, is provided on the site.
- d. That all signage associated with the temporary structure is properly approved and permitted.
- e. That the temporary structure is put to no other commercial use than that which is noted with the waiver request.

- f. That an equal amount of impervious area is removed from the property within the same drainage area as that of any impervious area that is added to the property.
- g. That the developer replace the 4 trees that will be impacted by the proposed improvements.
- h. That the developer provides a smooth, walkable path meeting ADA standards from Chocolate Avenue to the temporary structure's parking area prior to the issuance of a Certificate of Occupancy for the temporary structure.
- i. That the developer provides proof to the Township prior to entering the lease that the tenant was notified of the terms of the agreement.
- j. That the term of the lease for the tenant is limited to 2 years.
- k. That the temporary structure is removed within 30 days of vacancy.

The motion carried, 5-yes 0-no.

D1-6 Extension of conditional approval of the Preliminary/Final Subdivision Plan for Tyrone J. and Cecelia C. Kreamer and Swatara Station Partners, LLC, Plat No. 1224.

Motion: A motion made by Supervisor Weir and seconded by Supervisor Engle that the October 14, 2014 approval of the Preliminary/Final Subdivision Plan Tyrone J. and Cecelia C. Kreamer and Swatara Station Partners, LLC, Plat No. 1224, is extended for an additional 6 months, is hereby approved subject to the following:

- a. That monuments and markers are installed and inspected no later than September 24, 2015; OR that performance security is provided to guarantee the installation of the monuments and markers, and the accompanying agreement is signed no later than September 24, 2015.
- b. That the waiver request for the dedication of right-of-way is removed from the plan no later than September 24, 2015, because the dedication is now being proposed.
- c. That the front setback line along Tice Road is revised on the plan no later than September 24, 2015, to start at the dedicated right-of-way line.
- d. That the legal descriptions representing Tract A, Lot 2, and the consolidation of Lot 1 and Tract A are updated to reflect the most recent revision date of the subdivision plan and to reference an Instrument number (rather than a Plan book and page number) no later than September 24, 2015.
- e. That legal descriptions for the deeds of dedication and accompanying exhibits for the right-of-way dedication of Clark Road and Tice Road to the Township are submitted no later than September 24, 2015, for approval by HRG; and further that the deeds of dedication are recorded concurrently with the plan.
- f. That a deed representing Tract A; a deed consolidating Lot 1 and Tract A; and a deed revising Lot 2 are recorded concurrently with the plan.
- g. That the curbing and sidewalk agreement is recorded concurrently with the plan.

The motion carried, 5-yes 0-no.

E1-3 Consideration of releasing the maintenance security provided for the Preliminary/Final Land Development Plan for Hershey Community Food Bank, Plat No. 1210.

Motion: A motion made by Vice-Chairman Moyer and seconded by Supervisor Ballard that the Township releases cash maintenance security in the amount of \$1,168.85, which had been provided for the Preliminary/Final Land Development Plan for Hershey Community Food Bank, Plat No. 1210, is hereby approved. *The motion carried, 5-yes 0-no.*

F1-1 Request to conduct a walk celebrating the feast of Corpus Christi requested by the St. Joan of Arc Parish on Sunday, June 7, 2015 starting at 1:00pm on various Township roadways.

Motion: A motion made by Supervisor Engle and seconded by Vice-Chairman Moyer that a request to conduct a walk celebrating the feast of Corpus Christi requested by the St. Joan of Arc Parish on Sunday, June 7, 2015 starting at 1:00pm on various Township roadways, is hereby approved. *The motion carried, 5-yes 0-no.*

CORRESPONDENCE/BOARD/COMMITTEE INFORMATION

Vice-Chairman Moyer has been in discussion with Tom Clark regarding the recycle turn-in event and hopefully will have some dates at the next meeting.

Supervisor Engle announced that the Downtown Hershey Association will host a new art festival, “Art on Chocolate” on May 16. During certain hours of the event, Chocolate Avenue between Ridge and Linden will be closed.

Motion: A motion made by Supervisor Engle and seconded Chairman Foley to close Chocolate Avenue between Ridge and Linden during certain hours of the Art on Chocolate event May 16, 2015, is hereby approved. *The motion carried, 5-yes 0-no.*

REPORTS

Bob DiLello, Hershey Fire Company – Mr. DiLello reported that construction on the station will begin Monday, March 30th.

Barbara S. Ellis, Director of Hershey Public Library – Ms. Ellis announced two programs that will be at the library this weekend, planting and a crime victims program.

Matthew Mandia, Director of Parks & Rec – Mr. Mandia announced that the Annual Easter Egg Hunt is this Saturday, March 28 at Shank Park.

Matt Bonanno, HRG Engineer – Mr. Bonanno reported they are working on the MS4 permit.

APPROVAL OF ACCOUNTS PAYABLE (\$371,444.41) AND PAYROLL (\$313,944.82).

Supervisor Engle moved to approve accounts payable in the amount of \$371,444.41 and payroll in the amount of \$313,944.82. Supervisor Weir seconded. *The motion carried, 5-yes 0-no.*

OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

No one came forward.

ADJOURNMENT

Chairman Foley moved to adjourn the meeting. Vice-Chairman Moyer moved to adjourn the meeting at 8:15 p.m. Chairman Foley seconded. *The motion carried, 5-yes 0-no.*

SUBMITTED BY:

Justin C. Engle
Township Secretary

Brenda Van Deursen
Recording Secretary