

**TOWNSHIP OF DERRY
BOARD OF SUPERVISORS MEETING**

Tuesday, June 9, 2015

600 Clearwater Road, Hershey, Pennsylvania 17033

CALL TO ORDER

The June 9, 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
Thomas Clark, Director of Public Works
Bob DiLello, Fire Company
Barbara S. Ellis, Director of Hershey Public Library
Jill Henry, Assistant Township Manager
Matt J. Mandia, Director of Parks and Recreation
James N. Negley, Township Manager/Township Treasurer
Patrick O'Rourke, Chief of Police
Terry Weinhold, Manager of Accounts Payable & Accounts Receivable
Brandon Williams, Assistant Director of Community Development
Jon Yost, Solicitor
Lauren Zumbrun, DT Economic Development Manager
Brenda Van Deursen, Recorder

Public Present: Elvira Ebling, Ryan Zimmerman, Eric Sullivan, Matthew Caples

Press Present: Charles Huth, *The Sun*

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

Matt Caples, 425 Elm Avenue – Mr. Caples' daughters go to KinderCare on Cherry Drive. There is no sidewalk between Fishburn and Cherry on Governor Road and it is unsafe to walk the half mile to Kinder Care. Chairman Foley said that he and Supervisor Engle met with HRG to discuss the items with regard to traffic and pedestrian issues between Fishburn and Cherry. There will be a study released to the Board within the next 7-10 days. One of the immediate priorities is the

walking path on the south side of 322 along Northwest and the Karns site. This project should be completed by the end of October of this year.

APPROVAL OF MINUTES

Chairman Foley called for a motion to approve the Minutes of the May 26, 2015 Board of Supervisors Meeting. Supervisor Engle made a motion to approve the Minutes as written. Supervisor Ballard seconded. *The motion carried, 5-yes 0-no.*

NEW BUSINESS

A1-3 Consideration of the release of the maintenance security provided for the Preliminary/Final Land Development and Stormwater Site Management Plan for Hershey's Chocolate World Building and Parking Expansion, Plat No. 1218.

Brandon Williams, Assistant Director of Community Development – The Chocolate World plans under Plat No. 1218 were divided into two phases. All of the improvements that were required to be posted under the performance security were provided for phase 1 and that was completed in June of 2013. The Board previously approved release of the performance security contingent upon the maintenance security being provided to guarantee the integrity of the improvements in the public right-of-way. Maintenance securities are kept for a period of 18 months and the 18-month period will end on June 17, 2015. HRG inspected the improvements and is recommending the maintenance security be released in full.

Motion: A motion made by Supervisor Weir and seconded by Supervisor Ballard that the Township releases Travelers Casualty and Surety Company of America Bond No. 106025399, in the amount of \$2,938.50, provided as maintenance security for the Preliminary/Final Land Development and Stormwater Site Management Plan for Hershey's Chocolate World Building and Parking Expansion, Plat No. 1218, is hereby approved. *The motion carried, 5-yes 0-no.*

B1-3 Permission to hold a small fireworks display at 1250 Shopes Church Road on July 11, 2015.

James N. Negley, Township Manager/Township Treasurer – This is the second year for the event. The Township has been named as an additional insured on the Zimmerman insurance policy.

Motion: A motion made by Vice-Chairman Moyer and seconded by Supervisor Weir that Ryan Zimmerman, 1250 Shopes Church Road, Township of Derry, is authorized to display fireworks on July 11, 2015 at his residence at approximately 9:00 P.M., is hereby approved. *The motion carried, 5-yes 0-no.*

CORRESPONDENCE/BOARD/COMMITTEE INFORMATION

Supervisor Engle reported they continue to work on the agreement for a Hockersville Road crossing and have had further discussion with Mr. Bonanno. Mr. Bonanno added that they are looking at CAD files and are putting together costs.

Supervisor Engle said they have been looking at the issue of potentially clearing the bike path or parts of it and cost estimates. In that discussion, they heard people saying the Medical Center is clearing their paths so why don't we clear our paths. We did learn that the Medical Center doesn't

actually clear their paths. Mr. Mandia sent requests for proposals for the clearing of the trail. So far, he has received only one back.

Vice-Chairman Moyer said it is more than just clearing the path, there are multiple contingencies to include such as re-clearing the path when there is ice, branches are blown on it, etc. Supervisor Engle said once we receive the cost estimates, it might be a good idea to do a pilot on a certain portion of the path and see what it entails.

Supervisor Ballard asked if there is any update on the intersection of Middletown Road and Gramercy Place. Chairman Foley said there is a scope that will be for consideration at the next meeting. Supervisor Engle said we had talked about doing a traffic light, but the challenge that HRG informed us of is it is doubtful that we will meet the warrants for a traffic light. The thought is to slightly alter the scope to put the design and construction of a traffic light in without traffic lights. There would be a pedestrian crossing, the mast arms would be there and could be used short term for pedestrian notification, etc., but long-term we could add the traffic lights when warranted. Mr. Bonanno explained that it would basically be a skeleton of the signal just without the actual signal until the warrants are met.

Supervisor Ballard said when we were talking about a pedestrian crossing without a signal; we talked about pedestrian activated flashing lights. Mr. Bonanno said that is part of the scope.

Manager Negley reported that the police contract is still being considered. The association will be getting our written offer for approval and he hopes to bring it before the Board at the next meeting.

Vice-Chairman Moyer said his understanding about the crossing at Middletown Road is that the scope is going to include the different types of options available to cross Middletown Road. Mr. Bonanno explained that a feasibility study was done back in December and we looked at the five different alternatives. We have now chosen the alternative at Gramercy Place and this scope will now come through with the design of that alternative with those types of design features.

Vice-Chairman Moyer asked Mr. Mandia about the easement. Mr. Mandia said the only piece that he needs is a sketch indicating where the proposed easement will be so he can use that as an exhibit to the easement agreement.

Supervisor Weir said last week there was another stormwater meeting with DTMA and HRG was there to start looking at how we can proceed with the stormwater utility process.

REPORTS

Patrick O'Rourke, Chief of Police – Chief O'Rourke announced that due to the warm weather and the time of the year, the police department's enforcement efforts have stepped up. They are using the motorcycles and mountain bikes a lot more for conducting speed and pedestrian enforcement. Supervisor Ballard asked that Asst. Manager Henry put something on the web about kids being out on bikes, walking, etc. more since school is out.

Bob DiLello, Hershey Fire Company – Mr. DiLello thanked the Township for allowing the HVFD to use their facility for the lecture portions of their trainings the last couple of weeks.

Barbara S. Ellis, Director of Hershey Public Library – Yesterday, the Public Works crew decimated the old service desk in the children’s area and tomorrow the new one should be installed. In the first week, the library had about 300 people registered for a summer reading program.

Matthew Mandia, Director of Parks and Recreation – Mr. Mandia finished their 2015 capital projects servicing and repairing the six outdoor tennis courts. The contractor did a tremendous job. The RFPs for consulting services for a future community center have been sent out and are expect back by June 19. The subcommittee will review those and he should have them before the Board the first meeting in July for authorization.

Supervisor Ballard asked if the task force meetings regarding the future look of a new recreation center/pool are opened to the public. Mr. Mandia said they have had four working meetings. He will be advertising upcoming meetings and community sessions. Supervisor Engle added that the Board sanctioned the task force. The meetings weren’t publically advertised meetings, because it did not occur to them that anyone would want to go to them. They are held in the lobby of the Rec Center and lots of public have been in the room when the meetings were held.

Supervisor Ballard said one thing that is a big issue is the aging of our population as a whole and how we need to rethink how we are doing things in the future in terms of activities, etc. to make sure there are plenty of opportunities for seniors. Mr. Mandia said that is a huge and important component of this task force. He mentioned a member of the Senior Center has been a member of the Parks and Recreation Committee. Supervisor Engle said Mr. Mandia has done a great job in establishing the right stakeholders for that task force and our older residents are represented as well as the aquatics, competition swimming, etc.

Supervisor Ballard offered her kudos to Mr. Mandia and the friends of Parks & Rec for the second annual Park Pride Day. The great thing about it is the volunteers involved seem to be mostly young, energetic people that bring new energy to the community.

Brandon Williams, Assistant Director of Community Development – Mr. Williams reviewed the upcoming schedule of the Planning Commission because it does involve the comprehensive plan discussions. On Tuesday, June 16, the Planning Commission will make the vote that the Comprehensive Plan be forwarded to the Supervisors. July 7 is the regular scheduled Planning Commission meeting and that is where they will review and comment on the comprehensive plan. He found out today that there is a lengthy agenda with a number of subdivision and land development plans on there as well. He is looking into trying to start the meeting earlier and will alert everyone if the time is changed. He is also trying to plan for a carry over meeting on July 13 if necessary. They expect the comprehensive plan to draw some public interest, they will try to hold it as the first action item on July 7. Once the planning commission reviews and makes the comprehensive plan a public document, it will be posted on the web site. The public can come at both meetings, but the most informative meeting will be on July 7. Once the Planning Commission would review and comment, we would also get comments from the County, the neighboring municipalities, and the School District. Once all comments are received, a public meeting with the Board of Supervisors will be scheduled. This should happen in August.

Lauren Zumbrun, DT Economic Development Manager – Ms. Zumbrun attended the Pennsylvania Downtown Center’s annual statewide conference this week. She is also looking into two different funding opportunities. Both of them are through the Pennsylvania Department of

Community and Economic Development through the Commonwealth Financing Authority. The first is the multi-model transportation fund program. She is looking into the streetscape improvements proposed along Chocolate Avenue. The other program is the Greenway Trails and Recreation program. She will have more information at the next meeting.

APPROVAL OF ACCOUNTS PAYABLE (\$408,395.39) AND PAYROLL (\$356,986.25).

Supervisor Engle moved to approve accounts payable in the amount of ~~\$408,395.39~~ and payroll in the amount of \$356,986.25. Vice-Chairman Moyer seconded. *The motion carried, 5-yes 0-no.*

OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

Roy Vanderhoff, 208 Clark Road – Mr. Vanderhoff owns the property south of Woodlawn Acres Development, 208 Clark Road. His tenants at this property found a 4-foot ditch across the driveway. There was no notification from the developer that anything was going to happen. The developer later filled it in with gravel with a promise to repave. On Mr. Vanderhoff's property the water main shut off was in the driveway section. They cut it out and it is exposed up about 4 inches. Every time a vehicle goes in and out it obviously is in jeopardy of being struck and eventually it is going to puncture the water main. We were told three months ago it was going to be paved and it is not. Mr. Vanderhoff went on to say the rain washed out the gravel, but the developer eventually backfilled it with more gravel. The developer also cut down an oak tree on Mr. Vanderhoff's property without permission. The developer claimed he had permission from the tenant and then said the tree was on his property and not Mr. Vanderhoff's. Mr. Vanderhoff said the developer has invaded his property, cut a tree down without permission, and took the wood. There is probably \$4,000 or 5,000 worth of wood in that tree. This is a theft issue. He did call the police department and filed a report.

Chairman Foley said the Board is aware and they have given their instructions to Community Development and they are addressing it. He asked Chief O'Rourke to communicate with Community Development.

Chairman Foley said Thursday morning at 7:30 a.m. is the next TIF meeting and the public is invited.

Chairman Foley acknowledged Eric Sullivan. Eric is here to observe the meeting and write about the different view points that were expressed. He is working on his Communication Merit badge. Eric is a Life Scout and is working on his Eagle Scout.

ADJOURNMENT

Chairman Foley called for adjournment. Vice-Chairman Moyer moved to adjourn the meeting at 7:45 p.m. Supervisor Ballard seconded. *The motion carried, 5-yes 0-no.*

SUBMITTED BY:

Justin C. Engle
Township Secretary

Brenda Van Deursen
Recording Secretary