

TOWNSHIP OF DERRY
BOARD OF SUPERVISORS MEETING
June 23, 2015

CALL TO ORDER

The Tuesday, June 23, 2015 Derry Township Board of Supervisors meeting was called to order at 7:02 p.m. by Chairman John W. Foley, Jr. in the meeting room of the Derry Township Municipal Complex, 600 Clearwater Road, Hershey, PA.

ROLL CALL

Supervisors Present:

Sandy A. Ballard
Justin C. Engle, Secretary
John W. Foley, Jr., Chairman

Supervisors Absent:

Marc A. Moyer, Vice Chairman
Matthew A. Weir

Also Present:

Matt Bonanno, HRG
Bob DiLello, Hershey Volunteer Fire Company
Julie Brnik, Hershey Public Library
Chuck Emerick, Director of Community Development
Cheryl L. Lontz, Manager of Payroll and Employee Benefits
Matthew Mandia, Director of Parks & Recreation
James N. Negley, Township Manager/Township Treasurer
Patrick O'Rourke, Chief of Police
Tom Clark, Director of Public Works
Jon A. Yost, Township Solicitor
Lauren Zumbrun, Economic Development Manager
Chris Brown, Derck & Edson
Jenelle Stumpf, Community Development Secretary

Public Registering Attendance: Elvira Ebling; Rich Gamble; Charles Huth, *The Sun*

Chairman Foley advised that all public meetings are recorded for the purpose of providing accurate minutes.

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

VISITOR/PUBLIC COMMENTS

Larry Moyer, Stauffers Church Road – Mr. Moyer is concerned about the poor condition of Felty Mill Road. It has not been touched in 40 years and even though it is only about 1,200 feet in length, there are many people who use it. He asked why there is not enough money to resurface it. Tom Clark responded that he is well aware of the condition of the road, and there are plans to address it this summer.

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Rich Gamble – Mr. Gamble stated that since the opening of The Mill on Old West Chocolate Avenue, he has seen many pedestrians crossing the railroad tracks to get to the restaurant and he is worried that someone will be struck by a train. There used to be a pedestrian underpass but it has been blocked off. If the Township is encouraging walkability in the community, this should be addressed. Chuck Emerick reported that during the land development plan process, he and the plan’s engineer met with Alec Rocha from Norfolk Southern regarding this issue, and Mr. Rocha informed them that Norfolk Southern will not be reopening the underpass. Secretary Engle asked if it would help to have a more fully developed plan for improvements to the underpass, as this could be a very meaningful connection. Supervisor Ballard asked if the Township would need to have an engineer look at the underpass as a preliminary matter to see if it is feasible. Mr. Emerick responded that the focus should be on obtaining permission from Norfolk Southern before any money is spent to conduct a study.

APPROVAL OF MINUTES

Secretary Engle made a motion to approve the minutes of the June 9, 2015 Board of Supervisors meeting, as written. Supervisor Ballard seconded the motion. *The motion carried, 3-yes 0-no.*

NEW BUSINESS

A. Introduction and Oath of Office for the hiring of Kevin M. Leiss to the rank of Police Officer

Chief of Police Patrick O’Rourke reported that the Police Department has hired Kevin Leiss as a Police Officer. Kevin was an officer with the Northern York Regional Police Department in York County, and had served as one of Derry Township’s Civilian Service Officers from January 2012 to December 2013.

Chairman Foley administered the Oath of Office.

B. Adoption of Resolution No. 1432, authorizing signature authority for the Chairman of the Board of Supervisors to execute an agreement that allows electronic access to PennDOT systems

James Negley, Township Manager, stated that before the Township can receive funding from PennDOT on the Park Boulevard relocation project, it must first register as a Business Partner on PennDOT’s Engineering and Construction Management System (ECMS). This will allow the Township electronic access to the ECMS to be able to conduct business related to the design and construction of all transportation projects with PennDOT in the future. It will give the Township access to proprietary information and include specific information between the Township and PennDOT for the Park Boulevard relocation project and future projects.

In response to a question from Supervisor Ballard, Mr. Negley stated that there is no cost involved with this registration.

Motion: Supervisor Ballard made a motion to authorize the Chairman of the Board of Supervisors to execute Resolution No. 1432. Secretary Engle seconded the motion. *The motion carried, 3-yes 0-no.*

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C. Authorization to accept a proposal from Herbert, Rowland & Grubic, Inc. to provide Construction Administration and Construction Inspection (CA/CI) for the Park Boulevard Relocation Project

Mr. Negley reported that the fees for this contract will be entirely funded via federal aid by a reimbursement agreement between PennDOT and the Township.

Motion: Supervisor Ballard made a motion to authorize the Township Manager to execute a proposal from Herbert, Rowland & Grubic, Inc. to provide Construction Administration and Construction Inspection (CA/CI) for the Park Boulevard relocation project. Secretary Engle seconded the motion.
The motion carried, 3-yes 0-no.

D. Adoption of Resolution No. 1433 authorizing the Chocolatetown Square Park Improvements Project grant application to the Commonwealth Financing Authority's (CFA) Greenways, Trails, and Recreation Program (GTRP), administered by the Pennsylvania Department of Community and Economic Development (DCED)

Lauren Zumbrun, Economic Development Manager, stated that the Township can request up to \$250,000. The proposed project would cost \$350,000; Ms. Zumbrun is seeking authorization from the Supervisors to commit \$100,000 to the project, which would be paid with fees received from developers in lieu of park, recreation, and open space land dedication. The current balance of this account is \$123,472.

Ms. Zumbrun displayed a sketch plan of the proposal and indicated that improvements to Chocolatetown Square were identified in the Downtown Hershey Master Plan. The grant application represents a request to move forward with the first phase of improvements, focusing on Area A, which includes the stage and covering, the brick plaza in front of the stage, and stepped entrance improvements.

Supervisor Ballard asked if the existing playground structure will remain. Matt Mandia, Director of Parks and Recreation, responded that he thinks the structure will probably be removed because of its condition. It is not intended to be replaced as part of the first phase of improvements, but it can be considered in a future phase.

Secretary Engle asked how much the final plan might deviate from the sketch plan if the grant is approved. Ms. Zumbrun replied that there could be some deviation, but the main components would likely remain as is, otherwise a scope change request would be necessary if the funding is approved. The plan still needs to go through engineering and design to fine tune some aspects.

In response to a question from Supervisor Ballard, Ms. Zumbrun explained where the proposed concrete walk will tie into the existing sidewalk. Chris Brown, Derck & Edson, added that one of the reasons why the new walkway is pulled back so far is because during the Downtown Hershey Master Plan process, there was a lot of conversation about providing a tree line and buffer from the street.

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The details of the design, such as what kind of paving is used, are unknown at this point, but the site furniture has already been determined as part of the Downtown Hershey Master Plan process.

Secretary Engle asked Ms. Zumbrun to explain the best case scenario. She stated that the Township would apply for funding by the end of June, the decisions will come out sometime in the fall, and then the engineering and design work could begin. It is possible that construction could begin in late summer of 2016.

Supervisor Ballard commented that it appears as though some trees will have to be removed, and they should be replaced to the extent possible. She hopes some of the trees will be able to be saved.

Secretary Engle questioned how this plan will ultimately be coordinated with the Downtown Hershey Association's design committee. Ms. Zumbrun responded that the plan is still conceptual, but if and when the grant application is approved, the next step would be engineering and design and the Downtown Hershey Association can work with the Board and the consultants before the project goes out to bid. In response to a question from Supervisor Ballard, Ms. Zumbrun clarified that the majority of the grant is for the construction of the project, although there is a portion for engineering.

Public comment: Larry Moyer stated that he thinks the site looks fine the way it is and does not think it should be changed.

Motion: Secretary Engle made a motion that the Board of Supervisors adopt Resolution No. 1433 to request a Greenways, Trails, and Recreation Program grant of \$250,000, and to designate the Chairman and Secretary of the Board as the officials to execute all documents between the Township and the Commonwealth Financing Authority. Supervisor Ballard seconded the motion. ***The motion carried, 3-yes 0-no.***

E. Execution of a Labor Contract Extension Agreement with the Derry Township Police Association

Mr. Negley reported that the existing contract is scheduled to expire at the end of 2015. The proposed new extension will cover the period of January 1, 2016 to December 31, 2018. He outlined the terms of the extension and stated that the Police Association has signed the agreement.

Motion: Secretary Engle made a motion that the Board of Supervisors approve and execute the contract extension with the Derry Township Police Association for 2016, 2017, and 2018. Supervisor Ballard seconded the motion. ***The motion carried, 3-yes 0-no.***

F. Authorization for the Vice Chairman of the Board of Supervisors to execute a Cooperation Agreement for the Hershey Fire Station Project

Mr. Negley explained that the Cooperation Agreement must be submitted to meet the requirements of the Redevelopment Assistance Capital Program for this project. The Commonwealth, through the Office of the Budget, lists this as a Special Condition that must be met in order to receive funds. The

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Agreement is between the Township and the ICDA and obligates the Township to reimburse the Commonwealth for any reimbursements that may later be determined to have been ineligible. Mr. Negley stated that the chances of this are probably minimal because there has been a satisfactory review conducted by both the Township's construction manager, Greg Koussis, and the Township's accountant, Diana Reed & Associates.

Chairman Foley noted that in the absence of Vice Chairman Moyer, the Chairman or Secretary of the Board should be authorized to sign the Agreement. Chairman Foley has signed the Agreement on behalf of the ICDA, so to err on the side of caution, he believes another Board officer should sign on behalf of the Township. Solicitor Jon Yost stated that the Board as a whole is taking the administrative action to accept the Agreement; therefore, Chairman Foley can sign the Agreement.

Motion: Secretary Engle made a motion that the Board of Supervisors authorize the Chairman to execute the Cooperation Agreement for the Hershey Fire Station Project. Supervisor Ballard seconded the motion. *The motion carried, 3-yes 0-no.*

G. Authorization to execute a scope of service received from HRG for professional services related to a trail extension and pedestrian crossing of Middletown Road

Matt Mandia, Director of Parks and Recreation, reported that as requested by the Board, he received an updated Scope of Services for the pedestrian crossing and the alignment for the recreational bicycle and pedestrian trail. The Scope of Services includes all of the professional services needed to accomplish this, including survey services for the Highway Occupancy Permit (HOP), future intersection traffic signal plans for pedestrians, the HOP and construction plans, right-of-way services (easement exhibits and corresponding legal descriptions), erosion and sedimentation control, stormwater management, utility coordination, and attendance at meetings. The cost for these services is \$48,800 and will be covered by funds from developer traffic contributions.

In response to a question from Secretary Ballard, Mr. Emerick explained the funds have been collected during the course of many years from developers as contributions towards off-site traffic improvements.

Secretary Engle asked about the timing of the project, as this corridor is a priority for the Board. Matt Bonanno, HRG, stated that the land will be surveyed first, which can probably be accomplished within a month of authorization, then HRG will meet with PennDOT to start the HOP process. It remains to be decided whether or not Township forces will be used for construction, but that would eliminate the need for a bidding timeframe. An easement needs to be granted by the adjacent property owner, and approval from the Conservation District is necessary. It is possible that permits and approvals could be in place by the end of 2015, allowing for construction to start in the spring of 2016.

Secretary Ballard asked if there will be a need for funding for the actual construction. Chairman Foley answered yes, but the funds are not in the 2015 budget, so options would have to be explored for 2016.

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Motion: Secretary Engle made a motion that the Board of Supervisors approve the Scope of Services for professional services for the trail extension and pedestrian crossing of Middletown Road. Supervisor Ballard seconded the motion. *The motion carried, 3-yes 0-no.*

CORRESPONDENCE & BOARD/COMMITTEE INFORMATION

Secretary Engle asked if there has been any progress on the Areba Avenue and Hockersville Road pedestrian crossing. Mr. Bonanno stated that HRG is looking at the revised profile as a result of milling to improve the site distance in order to make the crossing on the north side available. The south side already meets PennDOT site distance requirements. Chairman Foley noted that there are no sidewalks to connect to on the south side, which is why the crossing is desired on the north side, where there is an existing sidewalk system. Secretary Engle stated that once this project is complete, sidewalks will need to be installed on the property to the west of the intersection on Areba Avenue. The Board needs to continue to focus on opportunities for pedestrians to cross Hockersville Road safely.

Supervisor Ballard reported that at the last Capital Area Council of Governments meeting, they had a discussion about volunteer fire departments and how important it is to support them. It is great to know what an exciting and young group of firefighters the Township has compared to other municipalities. Chairman Foley thanked her on behalf of the Hershey Volunteer Fire Department, and added that they also have one of the most seasoned departments in the County. He estimated that there are nine volunteers with over 25 years of experience.

Chairman Foley thanked the Milton Hershey School and its students, and particularly Tim Hoover, Tim Landenberger, and Nate McKelty for work that more than 60 students did at the buffer in front of the library. He also thanked Public Works for their assistance in the project.

REPORTS

Bob DiLello, Fire Company – The new station is progressing, and they are anticipating a winter 2016 completion date. They have been teaming up with local businesses for fundraising.

Julie Brnik, Hershey Public Library – Ms. Brnik is the new full-time adult education coordinator. She thanked the Board for approving her position. Currently underway are the children and adults summer reading programs, each program has 200 people registered. The Friends of the Library pre-sale will run from July 11 until July 15. The preview night is July 31 and the sale will begin on August 1.

Matt Mandia, Director of Parks and Recreation – Friday was the deadline for RFPs for the community center planning process. They have received two RFPs, which will be reviewed by the planning committee before coming to the Advisory Board and the Board of Supervisors in July.

Matt Bonanno, HRG – Dauphin County has been selected through the third round of CDBG to compete for the \$1 billion. This is important to note because the Township was part of that application. Chairman Foley added that this is for the entire county and it is probably not a \$1 billion

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award, rather it is part of a \$1 billion fund. Mr. Bonanno clarified that the minimum grant that can be awarded is \$1 million and the maximum is \$500 million.

Supervisor Ballard asked for an update regarding stormwater projects on Locust Avenue and Java Avenue. Mr. Bonanno responded that they are still waiting for the County to execute the final construction grants. Chairman Foley added that the delay has to do with a HUD issue. Mr. Bonanno thinks it is still likely that construction could begin this year. Supervisor Ballard asked if the neighbors are being informed of the status of the project. Mr. Bonanno stated that he has been receiving phone calls from Mr. Juris, who seems to be the spokesperson for the neighborhood. Supervisor Ballard asked if Locust Avenue has been repaved yet. Tom Clark, Director of Public Works, answered no, but it has been milled. It will stay that way until the project is approved and if there are still delays in the early fall, it will have to be determined what should be done to get through the winter.

Supervisor Ballard asked if the crosswalk has been installed on East Derry Road. Mr. Clark responded not yet, but the crosswalk at Almond Drive and Glen Road has been completed.

Chuck Emerick, Director of Community Development – Mr. Emerick requested approval to schedule the public hearing before the Board of Supervisors regarding the Comprehensive Plan. Chairman Foley directed Mr. Emerick to start the process of seeing when all of the Supervisors and consultants are available.

Supervisor Ballard asked if another TIF Committee meeting date has been scheduled. Chairman Foley responded that they are in the process of establishing a meeting date, and it will be published when known.

APPROVAL OF ACCOUNTS PAYABLE (\$296,929.62) AND PAYROLL (\$333,262.31)

Secretary Engle made a motion to approve accounts payable in the amount of \$296,929.62 and payroll in the amount of \$333,262.31. Supervisor Ballard seconded the motion. *The motion carried, 3-yes 0-no.*

VISITOR/PUBLIC COMMENTS

None.

ADJOURNMENT

Supervisor Ballard made a motion to adjourn the meeting at 7:58 p.m. Secretary Engle seconded the motion. *The motion carried, 3-yes 0-no.*

SUBMITTED BY:

Justin C. Engle
Township Secretary

Jenelle E. Stumpf
Community Development Secretary
(stenographer)