

TOWNSHIP OF DERRY
BOARD OF SUPERVISORS MEETING MINUTES
FEBRUARY 9, 2016

CALL TO ORDER

Chairman Marc A. Moyer, called the February 9, 2016, 2016 Regular Meeting of the Township of Derry Board of Supervisors to order at 7:00 pm in the meeting room of the Township of Derry Municipal Complex, 600 Clearwater Road, Hershey, PA. He advised that all public meetings are recorded for the purpose of providing accurate notes. Chairman Moyer announced the Board of Supervisors met in executive session to discuss land, legal, and personnel issues before the meeting. After the pledge of Allegiance, a roll call was conducted.

IN ATTENDANCE:

SUPERVISORS

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

ALSO PRESENT:

James Negley, Township Manager
Jill Henry, Assistant Manager
Chuck Emerick, Director of Community Development
Thomas Clark, Director of Public Works
Lt. Garth Warner, Police Department
Matthew Mandia, Director of Parks and Recreation
Bob DiLello, Hershey Volunteer Fire Company
Lauren Zumbrun, Economic Development Manager
Terry Weinhold, Manager of Accounts Payable & Receivables
Barbara Ellis, Director of Hershey Public Library
Matt Bonanno, HRG Engineer
Jon A. Yost, Township Solicitor
Julie Echterling, Recorder

ABSENT:

Susan Cort

Public in Attendance:

The following were in attendance: David Wang

VISITOR/PUBLIC COMMENTS:

There were no public comments offered.

APPROVAL OF MEETING NOTES:

Supervisor Engle made a motion to approve the minutes from the January 26, 2016 Board of Supervisors 6:00 pm Public Hearing. Vice Chairman Foley seconded the motion. **Motion carried 4-0.**

Vice Chairman Foley made a motion to approve the minutes from the January 26, 2016 Board of Supervisors 6:30 pm Public Hearing. Supervisor Weir seconded the motion. **Motion carried 4-0.**

Vice Chairman Foley made a motion to approve the minutes from the January 26, 2016 Board of Supervisors meeting. Chairman Moyer seconded the motion. **Motion carried 4-0.**

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NEW BUSINESS

ORDINANCE NO. 677 - GUARANTEED SEWER REVENUE BOND ISSUE:

Mr. Negley stated Ordinance No. 677 is to execute a Guaranty Agreement in regard to Derry Township Municipal Authority Series 2016 Guaranteed Sewer Revenue Bond Issue. To insure the lowest possible interest rate on the Bonds, DTMA is requesting a Township guarantee for the issue. The expected savings to DTMA from this refinancing is approximately \$500,000. Mr. Lou Verdelli, RBC Capital Markets, provided the Board a handout and discussed the history and background of the financing. He discussed the maturity date and interest rates. He stated if the Board approves this action tonight, they will lock in the rate this month. He stated he would be back in March for approval. Discussion ensued.

Vice Chairman Foley made a motion to instruct RBC Capital Markets to investigate the loan options discussed and report back to the Board. Chairman Moyer seconded the motion. **Motion carried 4-0.**

RESOLUTION 1460 TERMINATE AN INTEREST RATE SWAP:

Mr. Negley stated the Township adopted an Ordinance on June 22, 2010, entering into an interest rate Swap with the Royal Bank of Canada (RBC). The Swap was in the amount of \$14,125,000 and the has since received payments of approximately \$460,000. Resolution 1460 would establish the termination parameters and will not be terminated unless the amount of the termination payment is greater than \$400,000. Mr. Verdelli provided the Board with a cash flow sheet. He provided the background of this transaction. He stated two years ago it was worth \$285,000 and now is worth \$400,000. He discussed how the market is changing and there could be a potential decrease in value. Discussion ensued.

Supervisor Engle made a motion to authorizing the Township Manager to terminate this Interest Rate Swap when circumstances provide the Township the best financial opportunity and fall within the termination parameters. Supervisor Weir seconded the motion. **Motion carried 4-0.**

REVISED FINAL LAND DEVELOPMENT PLAN - SHEETZ, INC., PLAT NO. 1263:

Mr. Emerick discussed the Sheetz project located at the corner of Middletown Road and Stoverdale Road. The site is within the Neighborhood Commercial zoning district and contains 2.706 acres. This property was previously shown on Plat #1216 (the Preliminary/Final Subdivision and Land Development Plan for 777 Middletown Road). Plat #1216 created two lots. Lot 1 is to contain the Sheetz convenience store and a car wash. Lot 2 contains 19,200 square feet and will be the site of future commercial space and a bank. This plan proposes to revise only Lot 1 of Plat #1216 by removing the car wash, adjusting the parking, and modifying the footprint of the proposed Sheetz building. All site entrances, stormwater facilities, and other features remain substantially the same as previously approved. The traffic study for this site was based on the number of pumps at a convenience store which will remain as previously approved. Prior commitments by the developer to maintain lower lighting levels, to not play music on the speaker system, and to not light the exterior face of the canopy also remain unchanged. The largest adjustment to the plan is the increasing of parking spaces from 47 to 55.

Supervisor Weir made a motion to approve the First Revised Final Land Development Plan - Lot 1 for Sheetz, Inc., Plat #1263, is approved subject to the following:

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1. The applicant reimburses the Township for costs incurred in reviewing the plan no later than March 9, 2016.
2. A performance security is provided to guarantee the completion of improvements not already secured under Plat #1216, and the accompanying Agreement is signed no later than August 9, 2016.
3. The outstanding comments from the February 3, 2016 DTMA letter (attached) are addressed no later than August 9, 2016.

Vice Chairman Foley seconded the motion. **Motion carried 4-0.**

RESOLUTION NO. 1461- APPLICATION FOR TRAFFIC SIGN MODIFICATIONS THE INTERSECTION OF GOVERNOR ROAD, SR0322 AND CHERRY DRIVE:

Mr. Emerick stated Resolution No. 1461 will authorize a Township official's signature on the application for traffic light improvements at the above-mentioned intersection. Members 1st desires to improve circulation at this intersection for the benefit of their customers and the community. They intend to undertake the costs for the permit application and required improvements to add an eastbound designated left turn arrow to the signal support. HRG reviewed the permit information and if it should be coordinated with other improvements from their recent study of this corridor. HRG stated there isn't a reason to coordinate the short-term improvements with the improvements at Cherry Drive that the Bank is considering. The improvements, while not identified in the Long Term scenario, would aid traffic flow in the near term and could be implemented independently. He stated Members 1st has committed to covering all costs associated with this improvement.

Supervisor Engle made a motion to adopt Resolution No. 1461. Vice Chairman Foley seconded the motion. **Motion carried 4-0.**

PERFORMANCE SECURITY FOR THE 4TH REVISED PRELIMINARY/FINAL LAND DEVELOPMENT PLAN FOR DEER RUN COMMONS, PLAT NO. 1245:

Vice Chairman Foley made a motion authorize the release of \$190,574.14 from the performance security held as SAFECO Insurance Company of America Bond No. 6603339 for the 4th Revised Preliminary/ Final Land Development Plan for Deer Run Commons, Plat #1245, resulting in a remaining balance of \$67,583.86; and the Board accepts an extension until February 18, 2017 as the term of the bond. Supervisor Engle seconded the motion. **Motion carried 4-0.**

APRIL 2, 2016 HERSHEY 10 K RACE:

Lieutenant Warner discussed the request to hold the 2016 Hershey 10K race on April 2, 2016. He discussed the roads to be closed during the 1-2 hours. He stated all road closures must be Board approved.

Vice Chairman Foley made a motion to approve the request to hold the 2016 Hershey 10K race starting at 0730 hours on Saturday, April 2, 2016. Supervisor Weir seconded the motion. **Motion carried 4-0.**

CORRESPONDENCE BOARD/COMMITTEE INFORMATION:

There were no reports or information provided by the Board members.

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REPORTS:

Fire – Mr. DiLello discussed the progress on the fire house. He stated on February 28th they will be responding from the new fire house.

Recreation – Mr. Mandia stated the spring schedule is now online and it is the largest they have done. He thanked his staff for all their work.

ACCOUNTS PAYABLE and PAYROLL:

Vice Chairman Foley made a motion to approve accounts payable in the amount of \$670,029.33 and Payrolls of \$311,270.11. Supervisor Engle seconded the motion. **Motion carried 4-0.**

VISITOR/PUBLIC COMMENTS:

Dave Wang, Boy Scout Troup 65, asked the Board a question about the Middletown Road construction. Chairman Moyer spoke about the drawings for Sheetz and how some believe the construction will be a benefit for the area. Mr. Wang asked how young people could help the community. Chairman Moyer and Supervisor Weir stated there are several opportunities including tree planting and clean up teams who keep Hershey beautiful.

ADJOURNMENT:

Vice Chairman Foley made a motion to adjourn the meeting at 7:44 pm. Supervisor Engle seconded the motion. **Motion carried 4-0.**

SUBMITTED BY:

Justin C. Engle
Township Secretary

Julie Echterling
Recorder