

TOWNSHIP OF DERRY
BOARD OF SUPERVISORS MEETING MINUTES
APRIL 25, 2016

CALL TO ORDER

Chairman Marc A. Moyer called the April 26, 2016, regular meeting of the Township of Derry Board of Supervisors to order at 7:04 p.m. 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 minutes. He announced that the Board of Supervisors met in executive session to discuss 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
Susan M. Cort

ALSO PRESENT:

James Negley, Township Manager
Jill Henry, Assistant Township Manager
Chuck Emerick, Director of Community Development
Garth Warner, Chief of Police
Bob DiLello, Hershey Volunteer Fire Company
Thomas Clark, Director of Public Works
Matthew Mandia, Director of Parks and Recreation
Lauren Zumbrun, Economic Development Manager
Cheryl Lontz, Manager of Payroll and Employees
Barbara Ellis, Director of the Hershey Public Library
Matt Bonanno, HRG Engineer
Jon Yost, Township Solicitor
Julie Echterling, Recorder

Public in Attendance:

The following were in attendance: Elvira Ebling, Sandy Cappelli, Olajide Oladipe, Abiola Oladipe, Joe Hoover, Kenneth Jenkins, Chris Fencel, Mark Morgan, Jay Wenger, Edward Ruth, Betsy Ruth, Ron Lucas, Charleton Zimmerman, and Dave Weaver.

VISITOR/PUBLIC COMMENTS:

There were no visitor/public comments.

APPROVAL OF MEETING NOTES:

Vice Chairman Foley made a motion to approve the minutes from the April 11, 2016 Board of Supervisors meeting. Supervisor Cort seconded the motion. **Motion carried 5-0.**

NEW BUSINESS:

PRESENTATION: SUSQUEHANNA GROUP ADVISORS:

Mr. Jay Wenger, Susquehanna Group Advisors, spoke about his firm and the services they could offer the Township. He stated they help municipalities and tax exempt entities throughout Pennsylvania including Dauphin County and Swatara Township. He stated they have worked on two Recreation Centers including the Friendship Center and the Lancaster Convention Center and have P3 experience. Chairman Moyer asked if they would be able to assist with revenue resources. Mr. Wenger stated they could help with grants and help fund projects. He spoke about the services they provided to the Friendship Center. Based on their experience, he recommends being very clear from the beginning of the Recreation Center project

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on what the Township is investing in the project and the expectations/results expected. He suggested if they were interested, they would need to have a working roundtable discussion to understand the full project and to create a scope of work on the services they can offer. The Board thanked him for his presentation.

PERFORMANCE SECURITY: LOT 1-777 MIDDLETOWN RD – PLAT 1216:

Vice Chairman Foley made a motion to authorize the release of \$ 239,941.41 from the performance security held as Reliance Bank Letter of Credit No. 072715A, resulting in a new balance of \$491,276.67 for Lot 1 of the Preliminary/Final Subdivision and Land Development Plan for 777 Middletown Road, Plat 1216. Supervisor Weir seconded the motion. **Motion carried 5-0.**

PERFORMANCE SECURITY: LOT 2-777 MIDDLETOWN RD – PLAT 1216

Vice Chairman Foley made a motion to authorize the release of \$130,711.82 from the performance security held as S&T Bank Letter of Credit No. SB-003915, resulting in a new balance of \$329,793.72 for Lot 2 of the Preliminary/ Final Subdivision and Land Development Plan for 777 Middletown Road, Plat 1216. Supervisor Engle seconded the motion. **Motion carried 5-0.**

EXTENSION OF CONDITIONAL APPROVAL OF EAST POINT TRADE CENTER-PLAT 1234

Mr. Emerick stated the Board approved Plat #1234 in October 2013 and in August 2015 authorized the modification of the Plan for two tenants. They went to the Derry Township Zoning Hearing Board in April and obtained another extension of the plan until July 2, 2019. They are asking for the Board of Supervisors to extend the approval until 2019. Mr. Ronald Lucas, Stevens & Lee, spoke about the plan and the complications of the property. He stated the building will be built to specifications for a company. He stated the build out could take a year and currently there isn't a company interested in the property. He stated for these reasons, they are asking for a three-year extension. Chairman Moyer asked if there were any pitfalls granting a three-year extension and Mr. Emerick stated it was a good project and agreed with the extension with conditions. Discussion ensued.

Vice Chairman Foley made a motion to approve the August 25, 2015 approval of the Preliminary/ Final Land Development Plan for East Point Trade Center -Building C, Plat # 1234, is extended, subject to the following occurring no later than the date indicated and prior to the recording of the plan:

- a. The plan modification necessary to alter the design to allow for two tenants is reviewed in accordance with the current Derry Township regulations to Township staff's satisfaction, and that the applicant reimburses the Township for costs incurred in reviewing the modification no later than July 2, 2019.
- b. The performance security is provided to guarantee the completion of required improvements, and that the accompanying agreement is signed no later than July 2, 2019.
- c. A signed Operation and Maintenance Agreement is provided no later than July 2, 2019.
- d. A signed agreement from the entity providing the street sweeping maintenance is provided no later than July 2, 2019.
- e. A digital file of the final version of the plan is provided in AutoCAD or DXF format no later than July 2, 2019.
- f. The plans are signed and sealed prior to plan recording.
- g. The inter-municipal agreement related to impervious coverage limits on the property is recorded concurrently with the plan.

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- h. The Stormwater Best Management Practices Operation and Maintenance agreement and a revised property deed, listing the stormwater BMPs as a restrictive covenant, are recorded concurrently with the plan.

Supervisor Cort seconded the motion. **Motion carried 5-0.**

PERFORMANCE SECURITY: COUNTY MEADOWS OF HERSHEY – PLAT 1251

Vice Chairman Foley made a motion to authorize the release of \$87,791.00 from the cash performance security provided for the Preliminary/Final Land Development Plan for Country Meadows of Hershey, Plat 1251, resulting in a new balance of \$11,448.25. Supervisor Engle seconded the motion. **Motion carried 5-0.**

AWARD OF VOLUNTARY SIDEWALK AND CURB RECONSTRUCTION PROJECT AND BID LETTING. CONSTRUCTION OF HANDICAP ACCESSIBLE RAMPS:

The Board tabled action on this item.

REQUEST BY THE DOWNTOWN HERSHEY ASSOCIATION TO HOLD ITS TOWNIE KICKOFF PARTY IN CHOCOLATE TOWN SQUARE ON MAY 3, 2016:

Chairman Moyer stated the location of this event has changed and action on this item is no longer needed.

CORRESPONDENCE BOARD/COMMITTEE INFORMATION:

Supervisor Engle discussed the stormwater meeting on April 18th. He stated it went well with about 50 people in attendance.

REPORTS:

Fire

Mr. DiLello spoke about the open house held on April 23rd. He stated it was well attended and everyone seemed happy about the new station.

Recreation

Mr. Mandia spoke about the Fishing Derby event to be held on May 7th.

Library

Mrs. Ellis spoke about the upcoming self-check out and phone app for checking out books for the Library. She stated the radio frequency program is up and running.

Engineer

Mr. Bonanno stated there is a Stormwater Advisory Meeting this week. He provided an update on the Java project and stated 70% of the piping is done and he hopes to see the project completed in the next few weeks.

Community
Development

Mr. Emerick stated the zoning ordinance draft will be discussed at the May 3rd and June 7th Planning meeting and will be released on the website on May 4th. He spoke about the articles he wrote for the informed citizen. He stated the court case he went to this month netted a \$500 award. He stated he is working on the official maps and spoke about the March statistics for Community Development.

Economic
Development

Mrs. Zumbrun stated the volunteers (Hershey Townies) are meeting on May 3rd at the Hershey Story. She stated Art on Chocolate will be held on May 14th with 130 artists participating this year.

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ACCOUNTS PAYABLE and PAYROLL:

Vice Chairman Foley made a motion to approve accounts payable in the amount of \$999,247.54 and Payroll of \$310,014.37. Supervisor Cort seconded the motion. **Motion carried 5-0.**

VISITOR/PUBLIC COMMENTS:

Mr. Charleton Zimmerman, Palmdale, spoke about the recent legalization involving medical marijuana. He spoke about doctors being upset and potential zoning issues in the Township with dispensing it. He spoke about a liquor license that he believes the Township was not notified about at 1319 Chocolate.

Mrs. Sandy Ballard, 650 Cocoa, invited everyone out to the Bike to School on May 4th. She spoke about the event and locations and donations received for the event. She thanked Mrs. Henry for promoting the event. She thanked the Board for the public meeting on stormwater. She thanked Derry Cares and congratulated the Board on their first step with registering vacant homes in the Township. She passed on a concern from a resident about trees being cut down on the streets. Mr. Clark stated they have issued a few permits for new trees to be planted.

Allan, Boy Scout Troop 75, Milton Hershey School, stated some of his troop was here tonight working on their citizenship badge. The Board thanked him for coming. Supervisor Cort stated she was at a ceremony yesterday for 72 girl scouts and congratulated them on their achievements.

ADJOURNMENT:

Vice Chairman Foley made a motion to adjourn the meeting at 7:47 pm. Supervisor Weir seconded the motion. **Motion carried 5-0.**

SUBMITTED BY:

Justin C. Engle
Township Secretary

Julie Echterling
Recorder