

**TOWNSHIP OF DERRY**  
**BOARD OF SUPERVISORS MEETING MINUTES**  
**MAY 24, 2016**

**CALL TO ORDER**

Chairman Marc A. Moyer called the May 24, 2016, regular meeting of the Township of Derry Board of Supervisors to order at 7:00 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 notes. He announced 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  
Jon A. Yost, Township Solicitor  
Chuck Emerick, Director of Community Development  
Garth Warner, Chief of Police  
Robert Piccolo, Assistant 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 Hershey Public Library  
Aaron Moyer, HRG Engineer  
Chris Brown, Derck & Edson  
Julie Echterling, Recorder

**Public in Attendance:**

The following were in attendance: Elvira Ebling, Jack Storm, Steve Ramis, Dale Holt, and Aaron Moyer.

**VISITOR/PUBLIC COMMENTS:**

There were no public/visitor comments offered.

**APPROVAL OF MEETING MINUTES:**

Vice Chairman Foley made a motion to approve the minutes from the May 10, 2016 Board of Supervisors meeting. Supervisor Engle seconded the motion. **Motion carried 5-0.**

**NEW BUSINESS:**

**AWARD CEREMONY-POLICE DEPARTMENT EMPLOYEES**

Chairman Moyer stated this has been tabled for this meeting.

**BOND REFINANCING OPPORTUNITY:**

Mr. Lou Verdelli, RBC Capital Markets, discussed the history and opportunity for the Township to refinance the 2011A outstanding bonds which have a current balance of \$4,395,000. He stated the goal of the refinancing is to lower the interest rate with an estimated savings of \$125,000 net of costs of the issuance. He stated the refinancing has been reviewed by the Township's bond counsel. He stated the cost of the refinancing would be about \$75,000. He discussed the schedule of refinancing which includes a bond sale and final approval in July and settlement in August pending tonight's approval.

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Supervisor Engle made a motion to authorize the administration to work with RBC Capital Markets, as Bond Underwriter, and McNees Wallace & Nurick LLC as Bond Counsel, to prepare the necessary documents for refinancing the Township's General Obligation Notes, Series of 2011A. The minimum amount of savings for the transaction to proceed is \$100,000. Chairman Moyer seconded the motion. **Motion carried 5-0.**

**PFM GROUP PROPOSAL -LONG TERM FINANCIAL PLANNING:**

Mr. Negley stated the Township is seeking support in developing a multi-year capital improvement plan that would outline a strategy for funding and executing projects over the next several years. Three firms were interviewed and the PFM Group was the preferred firm. He stated the Scope of Service from the PFM Group, provides the support and the financial advice that will guide the Township as projects are considered. Supervisor Engle asked the timeframe for moving forward. Mr. Scott Shearer, PFM, stated they would start internally next week and be reaching out to the Township next week.

Supervisor Engle made a motion authorizing the Township Manager to execute an agreement from the PFM Group to provide professional and related financial services for long term financial planning for the Township. Vice Chairman Foley seconded the motion. **Motion carried 5-0.**

**GRANT AGREEMENT- DAUPHIN COUNTY GRANT PROGRAM - GEMMA'S ANGELS:**

Mr. Negley stated the Gemma's Angels is the recipient of \$20,000 in grant money derived from the Pennsylvania Race Horse Development and Gaming Act. In order to receive these funds, the Township must execute an agreement a grant agreement.

Vice Chairman Foley made a motion to authorization for the Chairman of the Board of Supervisors to execute a Grant Agreement for the Dauphin County Local Share Municipal Grant Program for Gemma's Angels. Supervisor Weir seconded the motion. **Motion carried 5-0.**

**PERFORMANCE SECURITY: PENNSYLVANIA STATE POLICE HISTORICAL, EDUCATIONAL, AND MEMORIAL CENTER, PLAT #1241:**

Vice Chairman Foley made a motion to authorize release of \$12,921.98 from the performance security held as Members 1st Federal Credit Union Letter of Credit No. 455655-0001 for the Preliminary/Final Land Development Plan for the Pennsylvania State Police Historical, Educational, and Memorial Center, Plat #1241, resulting in a new balance of \$25,300.00. Supervisor Cort seconded the motion. **Motion carried 5-0.**

**REPLACEMENT PERFORMANCE SECURITY: 515, 555, 565 EAST CHOCOLATE AVENUE PLAT NO. 1254:**

Vice Chairman Foley made a motion accept performance security in the form of CNB Bank Letter of Credit No. 1496 in the amount of \$376,699.29. provided by Bears Creek Hershey Hotel. LLC; and that the Board authorize the release of performance security in the form of S&T Bank Letter of Credit No. SB-004024. in the amount of \$376.699.29. provided by Penn Forensics. LLC. for the Preliminary Subdivision and Land Development Plan for 515. 555, and 565 East Chocolate Avenue and Final Subdivision and Land Development Plan for Phase 1 (Lot 1). Supervisor Weir seconded the motion. **Motion carried 5-0.**

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**PERFORMANCE SECURITY: WILLIAM FISHER & SORAYA SAMII- PLAT NO. 1250:**

Mr. Emerick stated at the November 25, 2014 meeting, the Board of Supervisors took action to release the remaining balance of the performance security, contingent upon the developer providing maintenance security in the amount of \$126.00 and executing the Township's standard maintenance security agreement. The developer never addressed these contingencies, even though staff contacted him numerous times. HRG recently conducted a follow up inspection since it has been over 18 months since their last inspection and recommendation to release the security.

Supervisor Weir made a motion to authorize the release of the remaining balance (\$8,873.98) of the performance security supplied as BELCO Community Credit Union Letter of Credit No. 405300 L6 for the Preliminary/Final Land Development Plan of Lot A-2 for William Fisher and Soraya Samii, Plat #1181, contingent upon the developer reimbursing the Township for costs incurred in having HRG conduct the May 2016 follow up inspection. Vice Chairman Foley seconded the motion. **Motion carried 5-0.**

**CORRESPONDENCE BOARD/COMMITTEE INFORMATION:**

Supervisor Cort attended the Design Advisory Board meeting this week. She had two other meetings cancelled this month. She congratulated the Downtown Association for their hard work for the upcoming events. Supervisor Weir attended the Library Board meeting. Chairman Moyer spoke about the quality of the Library and encouraged residents to volunteer to help with the library.

Vice Chairman Foley discussed the Transportation project with Park Boulevard. He attended the recent IDCA meeting. He continues to work with the Fire Company fundraising. He met with Hershey Trust in regards to parking. He stated they have met with Jay Franklin to discuss the solar directive from the Board. He stated Mr. Franklin forwarded a Power Purchase Agreement to the Board. Mr. Jay Franklin stated rates have started to increase and discussed some international issues and rates. He would like to lock in rates pending the market changes. He stated they can void the contract up to the point of procuring the energy. Discussion ensued.

Vice Chairman Foley made a motion to charge the Township Manager to execute the Power Purchase Agreement pending Township Solicitor review of the documents. Supervisor Weir seconded the motion. **Motion carried 5-0.**

**REPORTS:**

Police Chief Warner reminded everyone to drive safely this holiday weekend. Supervisor Cort discussed her safety concerns about a Chocolate Avenue crosswalk and asked for his assistance in this area.

Fire Mr. DiLello stated they are fundraising and still providing tours of the firehouse.

Public Works Mr. Piccolo stated they are catching up with work with all the rain delays. He stated they are getting ready for the Memorial Day parade this weekend.

Library Mrs. Ellis spoke about the Library's open house on June 5<sup>th</sup>.

Accounting Mrs. Lontz stated the audited financial statements should be ready in June.

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Recreation Mr. Mandia stated about 125 kids participated in the Fishing Derby event. He stated the pool will open this weekend and spoke about the Memorial Day parade.

Community Development

- Mr. Emerick stated the ordinance was posted to the website on May 4<sup>th</sup> and it will be discussed at the Planning Commission meeting on June 2<sup>nd</sup>.
- The official map is nearly completed and GIS will be installed and training will take place this week.
- There are 39 foreclosed homes in the Township and 6 of them have registered. He has a court case for property issues at the end of June.
- He has been contacted about entering the Township's Comprehensive Plan into the PA Chapter of 2016 Planning awards.
- A part-time secretary is starting next week and they are in the final stages of hiring a qualified codes person.

Economic Development

- Mrs. Zumbrun thanked staff for their help with the recent events.
- The first music on Hershey will be June 11<sup>th</sup>.
- The next DHA meeting is June 8<sup>th</sup> and is open to the public.
- She won't be at the next Board meeting as she will be presenting at a conference in Allentown.
- She applied for monies for funding improvements for the ChocolateTown square and the decision will be made in June. If it isn't awarded to the Township she would like to apply for the next round, which would include a required resolution needed in the second meeting of the Board in June.
- She spoke about a multi-modal application she will be working on with staff and the Board about applying for these grants.

**ACCOUNTS PAYABLE and PAYROLL:**

Vice Chairman Foley made a motion to approve accounts payable in the amount of \$838,182.52 and Payroll of \$305,524.03. Supervisor Engle seconded the motion. **Motion carried 5-0.**

**VISITOR/PUBLIC COMMENTS:**

Mr. Jack Storm, Hillview Lane, congratulated the staff and Board for working together so well. He said they should be commended for their working together so well. He stated they have lives beyond this building and he is amazed at their work and appreciates their service and hard work.

**ADJOURNMENT:**

Supervisor Engle made a motion to adjourn the meeting at 7:39 p.m. Vice Chairman Foley seconded the motion. **Motion carried 5-0.**

**SUBMITTED BY:**

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Justin C. Engle  
Township Secretary

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Julie Echterling  
Recorder