

TOWNSHIP OF DERRY
BOARD OF SUPERVISORS MEETING MINUTES
JUNE 28, 2016

CALL TO ORDER

Chairman Marc A. Moyer called the June 28, 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. He announced the Board of Supervisors met in executive session to discuss legal, personnel and land 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 Cort

ALSO PRESENT:

James Negley, Township Manager
Jill Henry, Assistant Manager
Jon A. Yost, Township Solicitor
Chuck Emerick, Director of Community Development
Garth Warner, Chief of Police
Bob DiLello, Hershey Volunteer Fire Company
Matthew Mandia, Director of Parks and Recreation
Cheryl Lontz, Manager of Payroll and Employee Benefits
Barbara Ellis, Director of Hershey Public Library
Chris Brown, Derck & Edson Associates, LLC
Matt Bonanno, P.E., Herbert, Rowland & Grubic, Inc.
Julie Echterling, Recorder

Public in Attendance:

The following were in attendance: Elvira Ebling, Charles Huth, Matthew Bennett, Mark Johns, Risa Paskoff, Christi Beazley, Mike Gustantino, and Rich Gamble.

VISITOR/PUBLIC COMMENTS:

Risa Paskoff, Lancaster, stated she was here to speak to the Board about Aaron's Acres. She discussed how the organization arranges camps for special needs children. She stated the camp they were going to use was closed and they met with Mr. Mandia about what they could do for their campers. He opened the Hershey Recreation Center to her 75 campers, parents, and helpers for two weeks. She spoke about the excellent job the Recreation Staff did helping them daily and wanted to thank them. Mr. Mandia thanked her and said it was one of the most meaningful 2 weeks they have had at the Center. The Board thanked her for what Aaron's Acres does for the community.

APPROVAL OF MEETING MINUTES:

Supervisor Cort made a motion to approve the minutes from the June 14, 2016 Board of Supervisors meeting. Supervisor Weir seconded the motion. **Motion carried 5-0.**

NEW BUSINESS:

LAND DEVELOPMENT PLAN FOR THE MILL RESTAURANT, PLAT NO. 1267:

Mr. Emerick showed the Board the location on the map for the property owned by Tana Properties. The plan proposes the expansion of the existing parking area over lands formerly occupied by a millwork shop. The plan would add 58 parking spaces to support the Mill restaurant. He spoke about the stormwater discharging which was permitted as part of the prior plan. He discussed each of the waivers and conditions of the plan.

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Supervisor Weir asked about the issues with water on the culvert running into tracks with the sink hole. Mr. Emerick and Mr. Bonanno discussed the flow and testing for the plan and stated if there is a failure, the applicant has taken measures so it should not cause issues.

Supervisor Engle made a motion to approve Preliminary/Final Subdivision and Land Development Plan for The Mill Restaurant, Plat #1267, subject to the following:

- a. The applicant reimburses the Township for costs incurred in reviewing the plan no later than July 28, 2016.
- b. A performance security is provided to guarantee the completion of required improvements, and the accompanying agreement is signed no later than December 28, 2016.
- c. The revised plans are signed and notarized no later than December 28, 2016.
- d. The revised Stormwater Best Management Practices Operation and Maintenance Agreement is signed and notarized no later than December 28, 2016.
- e. The plans are revised to remove the easement from lands of Norfolk Southern on Sheet 12 of 13 no later than December 28, 2016.
- f. The plans are revised to indicate the assumed discharge point of the stormwater detention basin no later than December 28, 2016.
- g. The plans are revised to correct the "proposed condition" parking count, erroneously shown as 71 on the cover sheet, no later than December 28, 2016.
- h. A digital copy of the revised plans is provided no later than December 28, 2016.
- i. The applicant addresses all of HRG's comments in their June 13, 2016 letter no later than December 28, 2016.
- j. The revised Stormwater Best Management Practices Operation and Maintenance Agreement is recorded concurrently with the plan.
- k. The revised deed, listing the stormwater BMPs as a restrictive covenant, is recorded concurrently with the plan.

It is further moved that the following waivers are granted from the Subdivision and Land Development Ordinance:

- a. From Section 185-22.D.(3) regarding providing additional right-of-way for West Chocolate Avenue.
- b. From Section 185-22.D.(3).(c) regarding street cartway widening of West Chocolate Avenue.
- c. From Sections 185-12.D.(3).(a).[21], [22], [23] and 185-13.E.(4).(a).[19], [20], [21] regarding providing profiles of all existing utilities that will not be impacted by the proposed development.
- d. From Sections 185-12.D.(3).(a).[9], [35] and 185-13.E.(4).(a).[9], [36] regarding showing all features and contours within 200' and 50', respectively, of the subject property.
- e. From Section 185-12.D.(3).(a).[7] regarding providing metes and bounds for all existing easements.

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

CONTRACT - DERCK & EDSON ASSOCIATES, LLP FOR PROFESSIONAL MUNICIPAL PLANNING SERVICES:

Mr. Emerick discussed the original contract with Derck & Edson for the Comprehensive Plan and the Zoning Ordinance. He spoke about the budget and what was actually spent for the years 2014-2016. Recently, it became evident that there may be some further mapping changes necessary facilitating more meetings which aren't included in the original scope of the contract. Derck & Edson notified him that modifications to the

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scope of services is necessary to complete the work, which could include a not to exceed cost of \$25,000. He stated \$31,209 was budgeted for 2016 to complete the updates with \$10,708 spent to date. Vice Chairman Foley asked if the Solicitor has reviewed the addendum. He expressed concerns about the cost and the language and expectations. Mr. Brown stated the reason for the requested change is the significant change with the district requirements in April. He stated the contract could be done for a lump sum but they are trying to limit the times coming to the Board for adding things including additional meetings. Discussion ensued.

Vice Chairman Foley made a motion to approve the May 23, 2016 Addendum to expand the scope of services listed in the November 25, 2014 contract between Derck & Edson Associates, LLP and Derry Township pending Solicitor's review of the Addendum. Chairman Moyer seconded the motion. **Motion carried 5-0.**

RESOLUTION 1472 - CHOCOLATE TOWN SQUARE PARK IMPROVEMENTS PROJECT GRANT APPLICATION:

Mrs. Zumbrun stated the improvements to ChocolateTown Square were identified in Downtown Hershey: a plan for continued revitalization. Last year, the Township submitted an application requesting funding for improvements in Area A of the existing park. Although the Commonwealth Financing Authority Board was originally supposed to act on the applications in September 2015, they will not be acting on them until at least July 1, 2016, so the outcome of that funding request will not be known until after the current funding round submission date, June 30, 2016. She spoke about applying for the new year with the focus of improvements to the eastern part of ChocolateTown square. She showed the Board some of the ideas for the improvements. She spoke about the cost of the project and the matching funds of \$100,000, which would come out of fees in lieu of fund. She stated if the grant request from 2015 is funded, this year's request would be pulled.

Vice Chairman Foley made a motion to pass Resolution 1472 to request a Greenways, Trails, and Recreation Program grant of \$250,000, to provide matching funds in the amount of \$100,000, and to designate the Chairman and Secretary of the Derry Township Board of Supervisors as the officials to execute all documents between the Township of Derry and the Commonwealth Financing Authority. Supervisor Cort seconded the motion. **Motion carried 5-0.**

AUTHORIZATION TO INSTALL AN 18-HOLE DISC GOLF COURSE AT SHANK PARK:

Mr. Mandia provided a map to the Board of the proposed 18-hole disc golf course for Shank Park. He stated this idea was discussed in the past. He shared that he was approached by a resident who offered to fund the cost of the course (\$15,000). He spoke about the course being around the outside of the active park and believes it will be used heavily.

Supervisor Weir made a motion authorizing the installation of a disc golf course at Shank Park. Supervisor Engle seconded the motion. **Motion carried 5-0.**

7TH ANNUAL HERSHEY HALF MARATHON ON OCTOBER 16, 2016:

Vice Chairman Foley made a motion to approve the request to hold the 7th Annual Hershey Half Marathon on Sunday, October 16, 2016 starting at 7:30 a.m. Supervisor Engle seconded the motion. **Motion carried 5-0.**

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2016 BEN & TIM DAY 5K RACE ON AUGUST 27, 2016:

Supervisor Cort made a motion to approve the request to conduct the 2016 Ben & Tim Day 5K race on Saturday August 27, 2016, starting at 9:00 am. The race will be on various Township roadways on a route approved by the Derry Twp. Police Department. Vice Chairman Foley seconded the motion. **Motion carried 5-0.**

CORRESPONDENCE BOARD/COMMITTEE INFORMATION:

Supervisor Cort will be attending a luncheon to honor volunteers. She attended the opening of the Hershey Conservatory, the Tax Association meeting and a conference with Mrs. Zumbun about Downtowns. She thanked Mr. Negley for answering her calls and taking care of residents. Supervisor Weir spoke about the rain barrel workshop and shared that another is coming this summer.

Chairman Moyer spoke about the Wood Road crossing and the potential funding available for the project. He stated he would like to discuss the scope of services at the next meeting. The Board agreed. Vice Chairman Foley spoke about the Capital Campaign for the Fire Company including attending meetings for the company. He also attended the Conservatory opening and attended an ICDA meeting where restructuring of debt was discussed. He discussed the road work being performed in the Township. Mr. Negley spoke about the passing of Mark VanZandt.

REPORTS:

Police

Chief Warner spoke about the 50th Anniversary of the Derry Township Police Department. There will be a public event on July 9th from 4pm-8pm. He stated there would be an anniversary badge that each officer will receive to wear for a year.

Fire

Mr. DiLello spoke about training which included going out to the neighborhoods.

Library

Mrs. Ellis spoke about the new smart phone app for the Library. She thanked the Rotary for their volunteers who have helped in the Library.

Planner

Mr. Brown spoke about the work being stopped on the Post Office and the improvements and traffic. He stated there would be a meeting on the master planning process on June 30 at the Library. He shared the process of collecting comments and tracking changes and the Planning Commission meeting in September. Chairman Moyer asked what the deadline for public comments to be considered for incorporation. Mr. Emerick stated it is up until the public Hearing on September 27. But you have until the end of July for being incorporated.

Community
Development

Mr. Emerick asked for a public hearing for August 9 at 6p.m. for the official map and the August 23 for the Communication ordinance at 6p.m. The Board agreed to tentatively set these dates. He stated there were 34 foreclosed properties last month with nine of them registering. He received the first payment for \$500 from Community Champions. He shared that the court case for a property was postponed today. He spoke about the new code officer that was hired, his qualifications and background. He spoke about the May statistics for his department.

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Economic Development Mrs. Zumbrun discussed the StreetScape project application for \$2.8 million. She spoke about another grant opportunity (with a 30% match) for the project ending in July and asked the Board if she could move forward on the grant. The Board agreed.

Assistant Manager Mrs. Henry stated she reached out two times to PPL about the South Point project involving the power line upgrade. She stated they haven't defined the project as of yet so there isn't anything to report to the residents.

ACCOUNTS PAYABLE and PAYROLL:

Vice Chairman Foley made a motion to approve accounts payable in the amount of \$608,187.02 and Payroll of \$346,992.62. Chairman Moyer seconded the motion. **Motion carried 5-0.**

VISITOR/PUBLIC COMMENTS:

Mr. Richard Gamble stated he is in favor of the disc golf course in the Township. He spoke about how these types of courses have been therapeutic and helpful to patients with brain injuries.

ADJOURNMENT:

Vice Chairman Foley made a motion to adjourn the meeting at 8:14 p.m. Chairman Moyer seconded the motion. **Motion carried 5-0.**

SUBMITTED BY:

Justin C. Engle
Township Secretary

Julie Echterling
Recorder