

TOWNSHIP OF DERRY
BOARD OF SUPERVISORS MEETING MINUTES
SEPTEMBER 26, 2017

CALL TO ORDER

Vice Chairwoman Susan Cort called the September 26, 2017 Regular Meeting of the Township of Derry Board of Supervisors to order at 7:04 pm in the meeting room of the Township of Derry Municipal Complex, 600 Clearwater Road, Hershey, PA. She stated there was an executive session and land, legal and personnel issues were discussed. She advised that all public meetings are recorded for the purpose of providing accurate minutes. After the Pledge of Allegiance, a roll call was conducted.

IN ATTENDANCE:

SUPERVISORS

John W. Foley, Jr., Chairman-*arrived at 7:08pm*
Susan Cort, Vice Chairwoman
Justin C. Engle, Secretary
Matthew A. Weir
Marc A. Moyer

ALSO PRESENT:

Jill Henry, Assistant Township Manager
Jon A. Yost, Township Solicitor
Timothy Roche, Police Lieutenant
Brandon Williams, Director of Community Development
Robert Piccolo, Director of Public Works
Matthew Mandia, Director of Parks and Recreation
Cheryl Lontz, Manager of Payroll & Employee
David Sassman, Hershey Fire Company
Lauren Zumbrun, Economic Development Manager
Matt Bonanno, HRG Engineer
Julie Echterling, Recorder

Public in Attendance:

The following were in attendance: Elvira Ebling, Charles Huth, James Carter, John Shearer, Chris Baker, Peter Gawron, Phil Friedrich, Susan Kreider, Anne Searer, Linda Williams, Lorrie Bushman, Lou Bushman, Constance Wagner, David Rothermel, Barbara Steele, Rick Zmuda, Bob Baker, Paul Wessel, Kenny Hinebaugh, Anita Mertzner, Rarhil Mark, Lora Ford, Tipton Ford, Michael Mark, Jaquelyn France, Marie McAndrews, Robert Naeye, Felicia Paymer, Bob Williams, Andrew Geronino, Jill Muscat, Julie Waldnor, Cindy Stewart, Beth Campbell Hetrick, Phil Jurus, M. Edmister, Christine Drexler, Kris England-Krieger, Susan Edres, Rebecca Wills, Bonnie Chambers, Sandy Ballard, and Steve Ballard.

VISITOR/PUBLIC COMMENTS:

Mrs. Susan Kreider, 1405 Woodhaven Dr, and Mrs. Chris Baker, 8 Plymouth Circle, spoke to the Board about the redistricting process including a citizen commission for this process. They read a resolution they asked the Board to pass to be fully transparent to voters. They asked the resolution be delivered to the local and federal representatives. They asked those who agreed with the resolution to stand in the audience and the majority of the audience stood. The Board thanked them and stated they received a copy of the resolution in their packet and need time to review it.

Mr. Lou Bushman, 108 E. Areba Avenue, spoke about parking issues in the alley near his house. He stated there are no parking signs in the alley, but they still park there especially during the football games. He is concerned someone could get hurt. He spoke about the drain which he feels is dangerous. Supervisor Engle spoke about the drain. Lieutenant Roche stated he would have officers patrol the area. He will also reach out to the football association and let them know they will be enforcing the restricted parking.

APPROVAL OF MEETING MINUTES:

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Vice Chaireoman Cort made a motion to approve the minutes from the September 12, 2017 Board of Supervisors 6:00 p.m. Public Meeting. Supervisor Engle seconded the motion. **Motion carried 5-0.**

NEW BUSINESS

WEST HERSHEY PLANT – PLAT NO 1281:

Mr. Williams spoke about the preliminary/final land development plan and stormwater management site plan for the West Hershey -finished goods and milk receiving expansion. The Finished Good building will be expanded by 6,250 square feet. The Milk Receiving building will have a new 650 square foot locker room. A traffic summary was submitted which showed eight AM weekday peak hour trips and ten PM peak hour trips. He discussed the waivers, deferments for sidewalks and curbing and condition of the plan. Supervisor Weir asked why we wouldn't require sidewalks for this plan, but required them for the Rehab Center. Mr. Williams spoke about the deferment and how it can be called as part of future development. A representative from Evans Engineer discussed potential future plans for the applicant. Discussion ensued.

Supervisor Engle made motion to approval of Plat #1281, conditional upon the following items being satisfactorily addressed:

1. The applicant reimburses the Township for costs incurred in reviewing the plan no later than October 26, 2017.
2. A performance security is provided to guarantee the installation of the bicycle rack, and the accompanying agreement is signed; or, in the alternative, the bicycle rack is installed and inspected by Township staff no later than March 26, 2018.
3. A letter from the Dauphin County Conservation District approving the Erosion and Sedimentation Control Plan is provided no later than March 26, 2018.
4. Two originals of the signed and notarized Agreement for the Deferment of the Installation of Curbing, Sidewalks, Walkways, and/or Bicycle Paths are provided no later than March 26, 2018.
5. The Agreement for the Deferment of the Installation of Curbing, Sidewalks, Walkways, and/or Bicycle Paths is recorded concurrently with the plan.

And the following recommended waivers and deferrals are approved:

1. Waivers from Sections 185-12.D.(2) and 185-13.E.(3) ó Plan scale.
2. Waivers from Sections 185-12.D.(3).(a).[7] and 185-13.E.(4).(a).[7] ó Metes and bounds of street rights-of-way, centerlines, and easements.
3. Waivers from Sections 185-12.D.(3).(a).[9] and 185-13.E.(4).(a).[9] - Existing conditions.
4. Waivers from Sections 185-12.D.(3).(a).[21] and 185-13.E.(4).(a).[19] ó Stormwater profiles.
5. Waivers from Sections 185-12.D.(3).(a).[22] and 185-13.E.(4).(a).[20] ó Sanitary profiles.
6. Waivers from Sections 185-12.D.(3).(a).[23] and 185-13.E.(4).(a).[21] ó Utility profiles.
7. Deferral from Section 185-22.E.(5) ó Curbing (Old West Chocolate Avenue and Hersheypark Drive).
8. Deferral from Section 185-34 ó Sidewalks, walkways, and bicycle paths (Old West Chocolate Avenue and Hersheypark Drive).

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

PERFORMANCE SECURITY: 555 EAST CHOCOLATE AVENUE:

Vice Chairman Cort made a motion to accept S&T Bank Letter of Credit No. SB-004146 in the amount of \$357,881.78 as replacement performance security, as provided by 535 Chocolate Avenue, LP; and that the Board authorizes the release of the \$357,881.78 cash performance security provided by 555 East Chocolate Avenue, LP for Plat #1272. Supervisor Weir seconded the motion. **Motion carried 5-0.**

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2018 MINIMUM MUNICIPAL OBLIGATION (MMO)– PENSION PLANS:

Mrs. Lontz spoke about Act 205 requirements for the public pension plans. She stated the 2018 MMO is a total of \$1,400,366, which would be offset by an estimated \$630,000 which would leave a balance of \$770,366 which will be due in December 2018. She asked for approval to submit these MMO calculations to the pension plans.

BID FOR REPAIRS TO JONATHAN ESHENOUR BICYCLE AND PEDESTRIAN TRAIL:

Mr. Mandia spoke about the damage from the heavy rain in the trail between Shank Park and Stoney Run Road. He stated he received two bids and the lowest bid was from York County Paving for \$62,500. He stated he reached out to the Jonathan Eshenour Foundation and they will cover the costs of the repair.

Vice Chairwoman Cort made a motion to award the Jonathan Eshenour Bicycle and Pedestrian storm damage repairs to York County Paving, Inc. in the amount of \$62,500. Supervisor Moyer seconded the motion. **Motion carried 5-0.**

PERFORMANCE SECURITY - HERSHEY GARDENS PLAT #1250:

Supervisor Weir made a motion to release the remaining balance (\$104,234.74) of the performance security held as Pennsylvania National Mutual Casualty Insurance Company Bond No. SB0371785 for the Preliminary/Final Subdivision and Land Development Plan for the Milton and Catherine Hershey Conservatory at the Hershey Gardens, Plat #1250, subject to maintenance security in the amount of \$1,485.00 being supplied in acceptable form and the standard Maintenance Security Agreement being executed. Chairman Foley seconded the motion. **Motion carried 5-0.**

PERFORMANCE SECURITY – LOT #1 777 MIDDLETOWN ROAD, PLAT #1216:

Vice Chairwoman Cort made a motion to release \$423,541.11 from the performance security held as Reliance Bank Letter of Credit No. 072715A, resulting in a new balance of \$67,735.56 for Lot 1 of the Preliminary/Final Subdivision and Land Development Plan for 777 Middletown Road, Plat #1216. Supervisor Moyer seconded the motion. **Motion carried 5-0.**

PERFORMANCE SECURITY – LOT 1 FOR SHEETZ #1263:

Supervisor Engle made a motion to hereby releases cash performance security in the amount \$1,992.38, which had been provided for the First Revised Final Land Development Plan 6 Lot 1 for Sheetz, Inc., Plat #1263. Supervisor Weir seconded the motion. **Motion carried 5-0.**

HALLOWEEN PARADE – OCTOBER 17TH 7PM:

Vice Chairwoman Cort made a motion authorizing the 70th Annual Halloween Parade to be held on Tuesday, October 17, 2017 at 7:00 p.m. with a severe weather make- up of Wednesday, October 18, 2017 at 7:00 p.m. Supervisor Engle seconded the motion. **Motion carried 5-0.**

CORRESPONDANCE BOARD/COMMITTEE INFORMATION:

Vice Chairman thanked the public for coming out for the Diversity meeting. She stated the next one would be in November.

REPORTS:

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Recreation

Mr. Mandia spoke about the opportunity to speak at the Rotary Club and thanked them for their donation toward the Cocoa Castle. He reminded the Board of the public meeting on October 16th at 5:30pm.

Engineer

Mr. Bonanno stated the parking lot paving should be done by Friday.

Economic Development

Ms. Zumbrun spoke about the last Farmer's market and the Downtown Hershey Association meeting being held on Monday. She also spoke about the bikeshare program.

Assistant Manager

Mrs. Henry spoke about the upcoming Walk to School Day event.

ACCOUNTS PAYABLE and PAYROLL:

Vice Chairwoman Cort made a motion to approve accounts payable in the amount of \$745,597.51 and Payroll of \$348,225.53. Supervisor Weir seconded the motion. **Motion carried 5-0.**

VISITOR/PUBLIC COMMENTS:

There were no public comments offered.

ADJOURNMENT:

Supervisor Engle made a motion to adjourn the meeting at 7:35 p.m. Supervisor Weir seconded the motion. **Motion carried 5-0.**

SUBMITTED BY:

Justin C. Engle
Township Secretary

Julie Echterling
Recorder