

TOWNSHIP OF DERRY
BOARD OF SUPERVISORS MEETING MINUTES
AUGUST 28, 2018

CALL TO ORDER

Chairman Marc A. Moyer called the August 28, 2018 Regular Meeting of the Township of Derry Board of Supervisors to order at 7:25 p.m. in the meeting room of the Township of Derry Municipal Complex, 600 Clearwater Road, Hershey, PA. The Board met in Executive Session to discuss land and legal issues. He advised that all public meetings are recorded for providing accurate notes. After the Pledge of Allegiance, a roll call was conducted.

IN ATTENDANCE:

SUPERVISORS

Marc A. Moyer, Chairman
Matthew A. Weir, Vice Chairman
Justin C. Engle, Secretary
Richard D. Zmuda
Susan M. Cort

ALSO PRESENT:

James N. Negley, Township Manager and Treasurer
Jill Henry, Assistant Township Manager
Jon A. Yost, Township Solicitor
Chuck Emerick, Director of Community Development
Thomas Clark, Director of Public Works
Chief Garth Warner, Police Department
David Sassman Hershey Volunteer Fire Company
Matthew Mandia, Director of Parks and Recreation
Cheryl Lontz, Manager of Payroll and Employee Benefits
Laura O'Grady, Director of the Hershey Public Library
Lauren Zumbrun, Economic Development Manager
Matt Bonanno, HRG Engineer
Julie Echterling, Recorder

Public in Attendance:

The following were in attendance: Rich Gamble, Jack Storm, JB Feldser, Becky Wills, Kate Toczek, Susan Peter, Kirsten Yuhn, Candis Chubb, Garrett Gallia, Rev. James Stough, Marty Strabley, Lou & Lorri Bushman, Chris Brown, and Tim Ley.

APPROVAL OF MEETING MINUTES:

Supervisor Cort made a motion to approve the minutes of the August 14, 2018 Public Meeting of the Board of Supervisors. Chairman Moyer seconded the motion. **Motion carried 5-0.**

VISITOR/PUBLIC COMMENTS:

Mr. Rich Gamble asked the Board to answer some questions during the meeting. The first was he was thinking about a 50-meter pool versus 25 with the current shortage of after school care for kids. He asked for an update on the amount of monies pledged for the new Recreation Center. He also asked for an update on meeting with the state representative and the entertainment tax.

Mr. Bruce Walbright spoke about the failing road conditions and infrastructure. He spoke about his road which hasn't been paved in 25 years. He spoke to Public Works and was told it would be at least three years. He stated we are building a Recreation Center while the streets and infrastructure is failing. He asked them to take care of these items and look at the budget.

NEW BUSINESS:

DAUPHIN COUNTY LOCAL SHARE MUNICIPAL GRANT PROGRAM APPLICANTS:

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Ms. Zumbrun spoke about the Dauphin County Local Share Municipal Grant program and the Township's involvement. She stated there are five groups interested in applying. Below are the groups and their request for funds:

1. Hershey Volunteer Fire Company: Mr. Sonderman stated they are asking for \$310,000 for funding the Fire Station Construction Debt Resolution. This will be year five of the request and there could be a year six based on the reduced award received in prior years.
2. Derry Township in partnership with the Mohler Senior Center: The request for funding for the Hershey Community Center project for \$1,250,000 over six years, with a request for \$85,000 this year.
3. Vista School: Ms. Kirsten Yurich and Chandis Chubs spoke about the need to improve the safety on campus and reduce the risk of an active shooter incident. They are requesting a total of \$171,460 with \$83,830 for this year. They provided a presentation including desired changes to help their school and spoke about their students and the challenges they face. Since the state considers them a private school, they aren't eligible for the same grants public schools can obtain.
4. Hershey Area Playhouse: Ms. Jennifer Feldser spoke about the desire for the Playhouse to expand. They are requesting \$29,360. She spoke about their 20th anniversary this year and the improvements they would like to make.
5. Senior Citizen's Council of Derry Township (People Movers): Mr. Jack Storm spoke about their organization and how they help the community with providing rides for senior citizens. They are in need of a new van that would allow more storage space in transporting their clients. Their request is for \$43,000.

Chairman Moyer made a motion that the Township of Derry agrees to sponsor as a co-applicant, the request for funding from the Dauphin County Local Share Municipal Grant program for the following projects: the Hershey Fire Station Construction Debt Reduction, Derry Township Hershey Community Center, Vista School, Hershey Area Playhouse and the Senior Citizen's Council of Derry Township. Supervisor Zmuda seconded the motion. **Motion carried 5-0.**

The Board ranked each of the requests in priority order of one through five.

Chairman Moyer made a motion to rank the Hershey Fire Company as number one, The Hershey Community Center as number two, the Vista School as number three, the Senior Citizen's Council of Derry Township as number four and the Hershey Area Playhouse as number five. Supervisor Engle seconded the motion. **Motion carried 5-0.**

RESOLUTION 1556 TO 1560 - DAUPHIN COUNTY LOCAL SHARE MUNICIPAL GRANT:

Chairman Moyer made a motion to adopt the following resolutions:

Resolution No. 1556 – A resolution sponsoring and supporting the Township of Derry and the **Hershey Volunteer Fire Company's** Fire Station Construction Debt Reduction for submission to the Dauphin County Local Share Municipal Grant Program as Priority **Number One**.

Resolution No. 1557 – A resolution sponsoring and supporting the Township of Derry and the Mohler Senior Center for the **Hershey Community Center** project for submission to the Dauphin County Local Share Municipal Grant Program as Priority **Number Two**.

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Resolution No. 1558 – A resolution sponsoring and supporting the Township of Derry and the **Vista School** for the Safety and Security Improvements project for submission to the Dauphin County Local Share Municipal Grant Program as Priority **Number Three**.

Resolution No. 1559 – A resolution sponsoring and supporting the Township of Derry and the **Hershey Area Playhouse** for the Theater Academy Improvement and Expansion project for submission to the Dauphin County Local Share Municipal Grant Program as Priority **Number Five**.

Resolution No. 1560 – A resolution sponsoring and supporting the Township of Derry and the Senior Citizens Council of Derry Township (**People Movers**) for the Transportation Van purchase for submission to the Dauphin County Local Share Municipal Grant Program as Priority **Number Four**.

Vice Chairman Weir seconded them motion. **Motion carried 5-0.**

PLAN FOR HERSHEY PARK 2020 ATTRACTION, PLAT NO. 1298:

Mr. Emerick discussed the plan for a new attraction for Hersheypark, covering approximately 394 acres of Hershey Entertainment and 17 acres of The Hershey Company holdings. The relocation of Park Boulevard was part of the plan to expand the limits of Hersheypark. This plan includes 23.54 acres being disturbed including 3.33 acres within the floodway requiring special state/federal permitting. The improvements are proposed to be completed in 2020. He spoke about the removal of the pedestrian bridges and construction of a new bridge. The Planning Commission requested including comments regarding pedestrian access from downtown to be explored. He discussed the requested waivers and conditions for the plan.

Chairman Moyer made a motion to approve the Preliminary/Final Subdivision and Land Development Plan for Hersheypark 2020 Attraction, Plat #1298, is approved, subject to compliance with items with the following items:

1. The applicant reimburses the Township for costs incurred in reviewing the plan no later than September 28, 2018.
2. A performance security in the amount of \$8,755,471 is provided to guarantee the installation of required improvements, and the accompanying agreement is signed no later than February 28, 2019.
3. A performance security in the amount of \$61,922 is provided to guarantee the developer's submission of technical or scientific data to FEMA for a Letter of Map Revision (LOMR), and the accompanying agreement is signed no later than February 28, 2019.
4. The comments in the August 13, 2018 HRG letter (attached) are addressed no later than February 28, 2019.
5. Corrections are made to Sheet 18.1 as outlined in the Community Development staff memo dated August 21, 2018 (attached) no later than February 28, 2019.
6. Two originals of the signed and notarized Agreement for the Deferment of Curbing Installation and Sidewalk, Walkway, and/or Bicycle Path Installation are provided no later than February 28, 2019.
7. Two originals of the signed and notarized Stormwater Best Management Practices Operation and Maintenance Agreement are provided no later than February 28, 2019.
8. A digital file of the final plan in Auto CAD or DXF compatible format is provided no later than February 28, 2019.
9. A draft copy of the revised property deed is provided no later than February 28, 2019. The property deed must be revised to include the following restrictive covenant language: "UNDER

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AND SUBJECT TO the Operation and Maintenance Agreement dated _____, recorded in the Office of the Recorder of Deeds of Dauphin County, Pennsylvania, at Instrument No. ____, governing the BMPs associated with the regulated improvements on the property.”

10. The Reciprocal Easement and Stormwater Facility Construction, and Maintenance Agreement is recorded concurrently with the plan.
11. The Agreement for the Deferment of Curbing Installation and Sidewalk, Walkway, and/or Bicycle Path Installation is recorded concurrently with the plan.
12. The Stormwater Best Management Practices Operation and Maintenance Agreement is recorded concurrently with the plan.
13. The revised property deed referencing the Stormwater Best Management Practices Operation and Maintenance Agreement is recorded concurrently with the plan.

It is also moved that the requested waivers and deferments from the Subdivision and Land Development Ordinance and the Stormwater Management Ordinance are granted as noted below:

1. Waivers from Sections 185-12.D.(3).(a).[9], [35] and 185-13.E.(4).(a).[9], [36] – Location of existing features and topographic contours within 200' (preliminary plan) and 50' (final plan) of the land to be developed or subdivided.
2. Waivers from Sections 185-12.D.(3).(a).[21], [22], [23] and 185-13.E.(4).(a).[19], [20], [21] – Plan and profiles for existing stormwater, sanitary sewer, gas, and water systems.
3. Waiver from Section 185-13.E.(4).(a).[35] – Wetlands locations.
4. Waiver from Section 185-49 – Wetlands determination.
5. Waivers from Sections 185-12.D.(2) and 185-13.E.(3) – Minimum plan scale of all plan sheets.
6. Waivers from Sections 185-12.D.(3).(a).[51], 185-13.E.(4).(a).[49], and 185-18.D -- Absence of existing monuments and markers along recently constructed Park Boulevard right-of-way.
7. Deferments from Sections 185-22.E.(5) and 185-34.A.(1) – Installation of curbing and sidewalks, walkways, and bicycle paths along Hersheypark Drive, Park Avenue, portions of relocated Park Boulevard, and portions of North Hockersville Road.
8. Waiver from Section 174-13.B – Stormwater volume control.

Supervisor Zmuda seconded them motion. **Motion carried 5-0.**

RESOLUTION 1555- CLIMATE CHANGE/MITIGATION OF GREENHOUSE GAS EMISSIONS:

Mr. Emerick stated Resolution 1555 came from a draft resolution read by two residents at a June meeting. He has worked with the residents and Vice Chairman Weir to refine the resolution. Vice Chairman Weir made a motion to adopt Resolution 1555 pending verification of the information in the fourth and fifth whereas statements in the resolution. Chairman Moyer seconded the motion.

Motion carried 5-0.

RESOLUTION 1554- TRAFFIC SIGNALS AT CAMPUS DRIVE AND CENTERVIEW DRIVE:

Mr. Clark spoke about the request from Penn State Hershey Medical Center to add a left turn phase to the eastbound direction of Campus Drive/Centerview Drive traffic signal. PennDOT requires the Board to approve all such requests.

Supervisor Cort made a motion to adopt Resolution #1554 to modify and operate traffic signals at Campus Drive and Centerview Lane to add a left turn phase. Supervisor Engle seconded the motion.

Motion carried 5-0.

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AUTHORIZATION - ALLOW ALCOHOLIC BEVERAGES AT THE RECREATION CENTER FOR A FUNDRAISING EVENT ON FRIDAY, SEPTEMBER 14 FROM 5:30 TO 7:30 P.M.:

Mr. Mandia stated the Capital Campaign Committee will hold a fundraiser on September 14th to raise money for the new community center. They would like to offer adult beverages, requiring the Board's approval.

Supervisor Cort made a motion to authorize alcoholic beverages at the Recreation Center on Friday September 14, 2018 from 5:30 to 7:30 pm as part of a fundraising event to raise funds for the Community Center Project. Supervisor Zmuda seconded the motion. **Motion carried 5-0.**

HERSHEY VOLUNTEER FIRE COMPANY BANNER FOR THE SOUP COOK-OFF:

Mr. Emerick spoke about the annual request for the event banner for the 2018 soup cook off. Supervisor Engle questioned the timing as he believes 30 days is too long. Discussion ensued.

Chairman Moyer made a motion to approve the 15th Annual Soup Cook-Off banner to be placed in the grass area of Chocolatetown Square East at the intersection of Chocolate Avenue and Cocoa Avenue for 21 days prior to the event and to be removed within two days after the event. Supervisor Zmuda seconded the motion. **Motion carried 5-0.**

AUTHORIZATION TO ADVERTISE ORDINANCE NO. 533 AMENDING CHAPTER 210 §210-42 AND §210-41:

Chief Warner spoke about the request to advertise Ordinance #533. The established "drop-off zone" in front of the Hershey Public Library which is in ordinance under § 210-42 will be rescinded and the drop-off zone" will be changed to a restricted 5-minute parking zone established in ordinance under § 210-41.

Chairman Moyer made a motion to authorize advertising an ordinance amending the Code of the Township of Derry (Ordinance No. 553) Chapter 210 § 210-42 Special purpose parking zones established; parking otherwise prohibited, and § 210-41 Parking time limited in certain locations, certain days and hours. Vice Chairman Weir seconded the motion. **Motion carried 5-0.**

CORRESPONDENCE BOARD/COMMITTEE INFORMATION:

There were no updates provided.

REPORTS:

<u>Library</u>	Mrs. O'Grady spoke about the Summer Reading program wrapping up. She stated she would recognize the top readers at the next meeting.
<u>Recreation</u>	Mr. Mandia spoke about the great summer season and they are looking forward to fall.
<u>Engineer</u>	Mr. Bonanno stated there would be a meeting tomorrow to discuss the Cocoa Avenue landscaping.
<u>Economic Development</u>	Ms. Zumbrun spoke about the last Music on Chocolate held on September 8 th . The September 10 th Downtown meeting will probably be rescheduled.

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ACCOUNTS PAYABLE and PAYROLL:

Chairman Moyer made a motion to approve accounts payable in the amount of \$609,617.20 and Payroll of \$371,388.60. Supervisor Engle seconded the motion. **Motion carried 5-0.**

VISITOR/PUBLIC COMMENTS:

Mrs. Rebecca Willis thanked the Board for passing the resolution on climate control.

Mr. Rich Gamble asked about answers on the after-school program. He asked if they spoke about this and Chairman Moyer stated they have discussed it. Mr. Gamble asked if they reached out to the school district and state representative. Chairman Moyer stated he spoke to the state representative and they speak regularly with the Hershey Companies but doesn't have a specific meeting scheduled to discuss this issue. Supervisor Cort stated they kicked off their Capital Campaign and will reach out to companies for the first few months. The campaign will go to the public in February/March. Mr. Gamble asked how they could take a vote on the Recreation Center without knowing how much the Capital Campaign will generate.

Mr. Evan Diacou, 184 Jacobs Creek Drive, thanked the Board for listening to him last meeting and Chairman Moyer for reaching out to him. He was here tonight to provide a polite reminder of the demand for before and after school childcare in the Township. He reminded the Board that increasing this program would not be a burden on taxpayer as it could be funded fully through the parent's payments.

ADJOURNMENT:

Supervisor Cort made a motion to adjourn the meeting at 8:20 p.m. Chairman Moyer seconded the motion. **Motion carried 5-0.**

SUBMITTED BY:

Justin C. Engle
Township Secretary