

TOWNSHIP OF DERRY
BOARD OF SUPERVISORS MEETING MINUTES
APRIL 11, 2017

CALL TO ORDER

Chairman John W. Foley, Jr., called the April 11, 2017 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 providing accurate notes. He announced the Board of Supervisors met in executive session to discuss land, legal and personnel issues before the meeting. After the Pledge of Allegiance, a roll call was conducted.

IN ATTENDANCE:

SUPERVISORS

John W. Foley, Jr., Chairman
Justin C. Engle, Secretary
Matthew A. Weir
Marc A. Moyer

ALSO PRESENT:

James Negley, Township Manager
Jill Henry, Assistant Township Manager
Jon A. Yost, Township Solicitor
Chuck Emerick, Director of Community Development
Robert Piccolo, Director of Public Works
Chief Garth Warner, Police Department
Patrick Rudisill, Hershey Fire Company
Barbara Ellis, Director of Hershey Public Library
Matthew Mandia, Director of Parks and Recreation
Terry Weinhold, Manager of Accounts Payable & Receivables
Lauren Zumbrun, Economic Development Manager
Matt Bonanno, HRG Engineer
Julie Echterling, Recorder

ABSENT:

Susan M. Cort, Vice Chairwoman

Public in Attendance:

The following were in attendance: Charles Huth, Rich Gamble, Brandon Harner, Anne Searer, Anita Mentzer, Marie McAndrews, Juliet Waldron, Suzanne Fisher, Justin Fisher, Marlene Kanuck, Carol Gisselquist, Susan Kreider, Dale and Ann Holte, Thomas A. Wimmer, and Lori W.

VISITOR/PUBLIC COMMENTS:

Mrs. Anita Mentzer and Mrs. Juliet Waldron spoke about April 12th as being pay equality for women in Pennsylvania. They read a proclamation about pay equality for woman and asked the Board to adopt proclamation. They provided the Board a copy of the proclamation. The Board thanked them and said they would read it and it would be on the agenda for the next meeting.

Mrs. Susan Fisher, American Cancer Society, spoke about two fundraisers happening in the next month in the community. April 29th is the Bark for Life fundraiser at Indian Caverns for canine caregivers. June 9-10th is the Relay for Life fundraiser at Lower Dauphin High School. She asked if it could be put on the Community calendar for the Township.

Mr. Richard Gamble spoke in support of the pay equality for women. He spoke about the single moms who work and the lunch program through the schools to help.

APPROVAL OF MEETING MINUTES:

Supervisor Engle made a motion to approve the minutes from the March 28, 2017 Board of Supervisors Public Hearing. Supervisor Weir seconded the motion. **Motion carried 4-0.**

Supervisor Weir made a motion to approve the minutes from the March 28, 2017 Board of Supervisors Public Meeting. Supervisor Engle seconded the motion. **Motion carried 4-0.**

TOWNSHIP OF DERRY
BOARD OF SUPERVISORS MEETING MINUTES
APRIL 11, 2017

NEW BUSINESS

DERRY TOWNSHIP DOWNTOWN CORE DESIGN BOARD APPOINTMENTS:

Mr. Emerick spoke about the need to appoint members to the Derry Township Downtown Core Design Board (DCDB). He spoke about the 2017 Zoning Ordinance and the change in the Board.

Supervisor Weir made a motion to appoint the following members to the Downtown Core Design Board for the following terms:

- Pam Moore for a 1-year term ending 12/31/2017
- Andy Bowman for a 1-year term ending 12/31/2017
- Susan Cort for a 2-year term ending 12/31/2018
- Justin Engle for a 2-year term ending 12/31/2018
- Jim George for a 3-year term ending 12/31/2019
- George Achorn for a 4-year term ending 12/31/2020
- Jennifer Harner for a 5-year term ending 12/31/2021

Supervisor Engle seconded the motion. **Motion carried 4-0.**

PLAN FOR 555 EAST CHOCOLATE AVENUE – LOT 2, PLAT NO. 1272:

Mr. Emerick discussed the final land development plan for 555 East Chocolate Avenue ó Lot 2. He stated the proposed plan of Lot 2 includes a two-story, 20,000 square foot retail/office building, an existing 12,684 square-foot, two-story office building and a single story, 4,750 square-foot medical office building. He stated the trip generation evaluation anticipates 851 fewer trips from their previous plan. He spoke about the stormwater plan including a rain garden and vegetative swale. He stated the Planning Commission approved the plan at their February meeting and he read the conditions of an approval.

Chairman Foley made a motion to approve the land development plan for 555 East Chocolate Avenue ó Lot 2, Plat No. 1272 subject to the following conditions:

1. The applicant reimburses the Township for costs incurred in reviewing the plan no later than May 11, 2017.
2. The performance security is provided to guarantee the completion of required improvements, and the accompanying agreement is signed no later than October 11, 2017.
3. A letter or agreement from DTMA, acknowledging and agreeing to the two-story retail office building encroachment into DTMA's right-of-way, is provided no later than October 11, 2017.
4. The Wetland Certification on Sheet EX-1 is signed no later than October 11, 2017.
5. A letter is provided from the Dauphin County Conservation District approving the Erosion and Sedimentation Control Plan no later than October 11, 2017.
6. A copy of the NPDES permit is provided no later than October 11, 2017.
7. A DXF or AutoCAD digital file of the final plans is provided no later than October 11, 2017.
8. Two originals of the signed and notarized Operation and Maintenance Agreement, defining responsibilities between Lots 1 and 2, are provided no later than October 11, 2017.
9. Drafts of the revised property deeds for Lots 1 and 2 are provided no later than October 11, 2017 to include the following language: "UNDER 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., regulating the BMP associated with the development project."
10. Shared access, shared parking, stormwater discharge, and sanitary sewer easement agreement(s), which include exhibits showing all easements, is/are provided for Township review no later than October 11, 2017. Note that the minimum term for the shared parking agreement must be 25 years and that the Township must be a party to the agreement.

TOWNSHIP OF DERRY
BOARD OF SUPERVISORS MEETING MINUTES
APRIL 11, 2017

11. A signed easement for the proposed grading on the Ricker Development, LLC property is recorded no later than October 11, 2017.
12. The Stormwater Best Management Practices Operation and Maintenance Agreement is recorded concurrently with the plan.
13. The signed agreement(s) cited in condition 10 above is/are recorded concurrently with the plan.

Supervisor Engle seconded the motion. **Motion carried 4-0.**

PRINCIPAL BUILDING AT 555 EAST CHOCOLATE AVENUE:

Mr. Emerick spoke about the new principal building at 555 East Chocolate Avenue, within the Chocolate Avenue Preservation Overlay District. He stated the Board of Supervisor has sole approval authority for any new construction of a principal building within the District. He showed the Board the plan. He stated the Derry Township Design Advisory Board recommended changes at their February meeting. These changes included the addition of a stone veneer around the base of the building and to incorporate more traditional building materials of the Downtown. He spoke about MedExpress national branding and their revised renderings. Mr. Brown, Township Planning Consultant, reviewed the revised renderings and has no objections to the changes. Supervisor Weir asked about the proposed sign and Mr. Emerick stated MedExpress was told the sign doesn't meet the Township requirements.

Supervisor Engle made a motion to approve the building design for the proposed medical office building at 555 East Chocolate Avenue, as depicted on the revised information submitted to Derry Township on March 20, 2017. Chairman Foley seconded the motion. **Motion carried 4-0.**

PLAN FOR THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS, PLAT NO. 1156:

Mr. Emerick asked the Board to consider rejecting the Preliminary Land Development Plan for the Church of Jesus Christ of Latter-Day Saints, Plat No. 1156. He provided the history of the plan starting in June 2008 with the last action being in 2010 with an indefinite extension. He stated they have reached out to their legal counsel, Marc Jones. Mr. Jones has reached out to the owners with no response. He spoke about all the changes to ordinances and recommends the Board reject the plan for a list of plan deficiencies and modifications of regulations. Solicitor Yost asked if the owner had been contact directly. Mr. Emerick said no. Solicitor Yost suggested contact the owner first of the impending decision. The Board agreed with Solicitor Yost and tabled action on this plan until the next meeting.

DHA'S 2017 LIFE ON CHOCOLATE EVENT SERIES-ALLOW ALCOHOLIC BEVERAGES:

Mrs. Zumbrun discussed the request by the Downtown Hershey Association to have alcoholic beverages in ChocolateTown Square Park for DHA's 2017 Life on Chocolate Event Series.

Supervisor Weir made a motion to allow alcoholic beverages to be on the property of ChocolateTown Square Park in conjunction with the Downtown Hershey Association's 2017 Life on Chocolate event series, including: Art on Chocolate on May 13, 2017, Market on Chocolate, Saturdays, June through September 2017, Music on Chocolate, Second Saturday of each month, June through September 2017 and Choctoberfest, October 14, 2017. Member Weir asked about the possibility of having icecream for sale for children at the events. Chairman Foley seconded the motion. **Motion carried 4-0.**

HE&R 8th ANNUAL HERSHEY HALF MARATHON – OCTOBER 15TH:

TOWNSHIP OF DERRY
BOARD OF SUPERVISORS MEETING MINUTES
APRIL 11, 2017

Supervisor Weir made a motion to approve the request to hold the 8th Annual Hershey Half Marathon on Sunday, October 15, 2017 starting at 7:30 AM which includes road closures. Supervisor Engle seconded the motion. **Motion carried 4-0.**

CORRESPONDANCE BOARD/COMMITTEE INFORMATION:

Supervisor Moyer asked about having a five-year capital plan. He asked if Manager Negley could meet with the department heads and provide a list of capital projects for the Board to review and add to the capital budget. Manager Negley stated he will work with the departments and Cheryl and come up with a prioritized list to receive direction from the Board. He stated it may take a few weeks. Discussion ensued. The Board agreed with working on a five-year capital plan which would be subject to change.

Supervisor Moyer asked about when the next stakeholder's meeting for the Recreation Center is being held. Mr. Mandia stated it is May 2nd and consists of HMC, School District, Senior Center and Swimming stakeholders. Supervisor Moyer asked if there has been discussion of cost comparison of renovation versus new building. Mr. Mandia stated they are currently in the second phase of planning and finalizing the footprint for the new building which will then lead to cost and operation analysis. He believes they could look at possible renovation costs at another date if the Board wishes. He cautioned that the current pools are 55 years old and isn't sure the costs associated with renovating it. Supervisor Moyer believes the public should hear the costs associated with a new building versus renovation as this could create a need for a tax increase. Supervisor Engle stated he and Vice Chairman Cort are part of the stakeholder's meeting and spoke about some of the challenges of the building. He doesn't think it would be too hard to get renovation costs without having to go out to bid. Mr. Mandia stated clarification would be needed on what renovations would be needed to determine the costs associated with them.

Chairman Foley spoke about continued coverage about the railroad and discussions with Public Safety. He will update the board and public and there are developments. Supervisor Engle spoke about attending the transportation meeting today.

REPORTS:

- | | |
|-----------------------------|---|
| <u>Fire</u> | Mr. Rudisill stated they had 63 calls in March. He spoke about a recent award given to Chief Sanders. |
| <u>Library</u> | Mrs. Ellis spoke about this week being National Library Week. She spoke about the volunteer luncheon on April 21 st . |
| <u>Parks and Recreation</u> | Mr. Mandia stated the final DCNR inspection of Cocoa Castle will be on April 20 th with an opening day of April 29 th . |
| <u>Engineer</u> | Mr. Bonanno stated they advertised a proposal for the crossing at Oakmont and will have a bid opening in May. |
| <u>Economic Development</u> | Ms. Zumbrun stated she will be attending a public hearing at the County tomorrow for DCIB applications. |

ACCOUNTS PAYABLE and PAYROLL:

Supervisor Weir made a motion to approve accounts payable in the amount of \$275,261.11 and a Payroll of \$320,029.57. Supervisor Engle seconded the motion. **Motion carried 4-0.**

TOWNSHIP OF DERRY
BOARD OF SUPERVISORS MEETING MINUTES
APRIL 11, 2017

VISITOR/PUBLIC COMMENTS:

Mr. Gamble spoke about a sink hole on University Drive and is worried about it. The Board is aware of it and will follow-up. Mr. Gamble spoke about a water puddle on Oakmont west of the proposed crosswalk. Mr. Mandia will look into it.

Scout Wallace from Troop 108 was in the audience working on his Citizen Badge and asked the Board about pay equality for woman. Chairman Foley spoke about going beyond the policy and the union contract which pays by job. Mr. Negley spoke about being fair to everyone. The Board thanked him for being there.

ADJOURNMENT:

Supervisor Weir made a motion to adjourn the meeting at 8:00 pm. Supervisor Engle seconded the motion. **Motion carried 4-0.**

SUBMITTED BY:

Justin C. Engle
Township Secretary

Julie Echterling
Recorder