

**TOWNSHIP OF DERRY
BOARD OF SUPERVISORS MEETING**

Tuesday, April 22, 2014
600 Clearwater Road, Hershey, Pennsylvania 17033

CALL TO ORDER

The April 22, 2014 Township of Derry Board of Supervisors Meeting was called to order at 7:25 p.m. by John W. Foley, Chairman.

ROLL CALL

Supervisors Present:

Sandy A. Ballard
Justin C. Engle, Secretary
John W. Foley, Chairman
Marc A. Moyer, Vice-Chairman
Matthew A. Weir

Also Present:

Matt Bonanno, HRG Engineer
Bob DiLello, Fire Company
Charles W. Emerick, Director of Community Development
Chris Gawron, Hershey Public Library
Jill E. Henry, Assistant Township Manager
Cheryl L. Lontz, Manager of Payroll and Employee Benefits
Matthew J. Mandia, Director of Parks and Recreation
James N. Negley, Township Manager/Township Treasurer
Patrick O'Rourke, Chief of Police
Robert Piccolo, Director of Public Works
Jon Yost, Solicitor
Brenda Van Deursen, Recorder

Public Present: Phil Friedrich, Scott Stein, Ed Svirbely, Charles H., John Moore, Patrick O'Connor, Rich Gamble, Elvira Ebling, Anne Newman

Chairman Foley advised that all public meetings are recorded for providing accurate minutes.

Chairman Foley announced that the Board of Supervisors met in executive session to discuss land, legal, and personnel issues prior to this meeting.

VISITOR/PUBLIC COMMENT

John Garner, 1197 Jill Drive – Mr. Garner is representing his neighbors at Jill Drive regarding the replacement of sidewalks and trees. Over 90 plus sections of sidewalk had

been marked on Jill Drive and Randall Circle to be replaced. The trees were installed over 27 years ago and are causing problems with the sidewalks because of their roots. In his research, Mr. Garner discovered that the trees should have a minimum of 200 square feet surface area in which to expand; however, since they were placed between the curb and the sidewalk this has not occurred. To repair the sidewalk in most cases, the tree root will have to be destroyed and in some cases, the whole tree will have to be removed. There are conflicting views as to whether cutting the roots to prevent removing the trees will damage them. He also heard conflicting information regarding replacing trees. Mr. Garner understands you can select from a number of trees to replant, but has there been research done on them related to their roots. There are also concerns related to the location of utilities. PPL advised him to call prior to any sidewalk or tree removal so they could disconnect the electric. Verizon was unable to determine the depth of the line. He and his neighbors are approaching the deadline date to sign a contract and return it to the Township so they can proceed with the sidewalk project. Mr. Garner had asked for a time extension. Mr. Clark agreed to meet with them regarding their questions.

Robert Piccolo, Assistant Director of Community Development – Mr. Piccolo said there are some instances where a tree would not have to be replaced. It doesn't matter which kind of trees are planted eventually there will be a problem with the sidewalk. Neither he nor Mr. Clark remembers ever losing a tree that they had to trim the roots to put a sidewalk in. Mr. Piccolo or Mr. Clark will be back in touch with the neighbors regarding the deadline for the contract.

Supervisor Ballard thanked Mr. Garner for sharing his concerns. She shared that several years ago; a committee was tasked with finding a way for sidewalks and trees to coexist. The committee came up with a draft ordinance that allows for more flexibility regarding the types of trees and as well as an option to install curbing or meandering sidewalks. They continue to work on the ordinance and hope to have it finalized in a few weeks.

Rich Gamble, Hockersville Road – In 1977-78, the VA was required to put in ADA sidewalks. The contractor had to cut the roots of the trees. It didn't kill them but the winds blew them over. Mr. Piccolo said they cut out one of the four squares of the root so there are three quarters of the root system left for the tree. They have not had any issue where it weakened the structure enough that it fell over or blew over.

Fred Saunder, 1190 Jill Drive – Mr. Saunder said that when you go out of his house 150 yards in either direction, the sidewalk stops. It is just a very small area where they put trees and sidewalks. He wonders why they couldn't eliminate the sidewalks like the rest of the development and let the trees alone.

APPROVAL OF MINUTES

Chairman Foley called for a motion to approve the Minutes of the April 8, 2014 Board of Supervisors Meeting. Supervisor Engle made a motion to approve the Minutes. Supervisor Ballard seconded. *The motion carried, 5-yes 0-no.*

NEW BUSINESS:

A1-20 Adoption of Ordinance No. 644 authorizing a Dauphin County Infrastructure Bank (DCIB) Loan for \$256,960.00 to fund the installation of a traffic signal at the intersection of Fishburn and Homestead Roads.

Jill E. Henry, Assistant Township Manager – The Township applied for a loan through the Dauphin County Infrastructure Bank in the amount of \$256,960.00 for the installation of a traffic signal. The bank approved it and now the Board needs to approve accepting the debt. The interest rate on the loan is .50%.

Supervisor Ballard explained that this issue had been brought by residents who were concerned about the safety of some intersections in that area.

Chairman Moyer questioned why it costs more than a quarter of a million dollars to put a light in. Mr. Bonanno said the signal itself costs about \$150,000.

Motion: A motion made by Chairman Foley and seconded by Supervisor Weir that Ordinance No. 644 authorizing a Dauphin County Infrastructure Bank (DCIB) Loan for \$256,960.00 to fund the installation of a traffic signal at the intersection of Fishburn and Homestead Roads, is hereby approved. *The motion carried, 5-yes 0-no.*

B1-3 Consideration of the release of maintenance security provided for sanitary sewer improvements as part of the Preliminary/Final Land Development Plan for West Chocolate Avenue Medical Park, Plat No. 1168.

Motion: A motion made by Supervisor Ballard and seconded by Supervisor Engle that the Township release maintenance security provided as PNC Bank Letter of Credit No. 18118491-00-000 in the amount of \$30,187.65 for sanitary sewer improvements associated with the Preliminary/Final Land Development Plan for West Chocolate Avenue Medical Park, Plat No. 1168, is hereby approved. *The motion carried, 5-yes 0-no.*

C1 Request to conduct the 2014 Ben & Tim Day 5K Race on Saturday, August 23, 2014 starting at 9:00am.

Patrick O'Rourke, Chief of Police – A request was received from Al Fricke to conduct the Ben & Tim Day 5K Race. The route this year has changed slightly, but will start and end at the Hershey High School. Some roadways will be closed during this event. There may be some overtime coverage needed and the event organizer is aware of the Township's reimbursement policy.

Motion: A motion made by Chairman Foley and seconded by Vice-Chairman Moyer that the request to conduct the 2014 Ben & Tim Day 5K Race on Saturday, August 23, 2014 starting at 9:00am over various Township roadways on a route approved by the Derry Township Police Department, is hereby approved. *The motion carried, 5-yes 0-no.*

D1 Public Workshop regarding the Proposed Plans for the Hershey Fire Station Project

Motion: A motion made by Chairman Foley and seconded by Supervisor Ballard that the Board of Supervisors support the Fire Company project and advance it to the ICDA for the implementation and management of the project; and that the Fire Company provide contractual funding to the extent of the guaranteed debt service not to exceed \$3 million dollars, is hereby approved. *The motion carried, 5-yes 0-no.*

Comments:

Vice-Chairman Moyer had asked after the motion was made but prior to the approval if there is a sense of urgency to vote on this tonight as opposed to the next meeting to more clearly identify the ICDA's role. Chairman Foley said there are a collection of activities going on and they need the ICDA to take leadership. Also, time is of the essence regarding the grant from Rep. Payne's office. Mr. Brace added that this will allow them to take the next step in getting contributions.

Supervisor Engle wanted to clarify that we are guaranteeing and not committing to any taxpayer funds. Chairman Foley said as the host of the municipality there is a \$2 million dollar grant. It is earmarked to Derry Township for the fire station. There is no additional Derry Township tax liability. We do not guarantee the loan until it has been contractually promised.

Correspondence/Board & Committee Information

Supervisor Ballard is on an ad hoc committee with the school district regarding the Bike to School Day scheduled for May 7. There will be a couple of drop off points that you can drive your child to and let them bike the rest of the way to school. The incentive for each child is a flashy light for their bike or backpack.

REPORTS

Patrick O'Rourke, Chief of Police – On Saturday, April 26 from 10 to 2, the Police Department will hold their annual Drug Take Back program at the Hershey Library for anyone in the public that has prescription medication to dispose of. If they can't make it Saturday, they can always drop it off at a lockbox in the lobby of the Police Department.

Bob DiLello, Fire Company – Mr. DiLello thanked Scott Stein, Ray Brace and Greg Koussis for representing the Fire Company in the workshop discussion held prior to this meeting. He also thanked the Supervisors for their vote enabling the Fire Company to move forward on their project. They will start their fund raising in the near future.

Mr. Weir thanked Mr. Foley and Mr. Pagliarulo for all their time spent on the Fire Company's project.

Robert Piccolo, Assistant Director of Public Works – The Kiss Hershey Back event will be held on Saturday, April 26 from 10 to 1. This is a Township-wide cleanup effort led by the College of Medicine students to try to make the sweetest place on earth also the cleanest place on earth. This community driven event was supported by the Derry Township Board and the Department of Public Works along with local community organizations and businesses. In its first year, more than 800 community members turned out to pick up litter. In addition, a Tree City Proclamation presentation will occur at this event.

Chris Gawron, Hershey Public Library – The library is holding their annual volunteer luncheon on Friday, April 25. She thanked Steve Ballard and Lynn George for promoting and facilitating the Friends Student Film Festival. There are 15 students who have entered films and they will be shown at the Hershey Library this Sunday, April 27 at 2:00 pm.

Matthew J. Mandia, Director of Parks and Recreation – The Annual Fishing Derby at Bullfrog Valley Pond will be held on Saturday, May 3 from 8 to 11 for ages 12 and under.

Matt Bonanno, HRG Engineer – The contractor and their sub have been back in the Township putting top soil and seeding down on all the disturbed areas. Mr. Bonanno will be resubmitting the letter of map revision to FEMA tomorrow for the Cocoa Avenue stream corridor.

Chairman Foley asked if the front of the library is part of their cleanup. Mr. Bonanno said there was no disturbance there, but that area was part of the stream plantings. It is being watched to make sure the live stakes that were installed were actually rooted and starting to bloom. Chairman Foley asked if the silk sock is going to remain. Mr. Bonanno said it was up to the Board. Chairman Foley asked how soon it can be taken out without messing up the vegetation. Mr. Bonanno said the purpose of that was to make sure that it wasn't mowed down until it was established. Mr. Bonanno said he will have the contractor remove all of it.

Jill E. Henry, Assistant Township Manager – Asst. Manager Henry shared that when you post to the Police Department's Facebook it automatically feeds to the Township's Facebook.

APPROVAL OF ACCOUNTS PAYABLE (\$552,653.28) AND PAYROLL (\$299,269.02). Supervisor Weir moved to approve accounts payable in the amount of \$552,653.28 and payroll in the amount of \$299,269.02. Vice-Chairman Moyer seconded. ***The motion carried, 5-yes 0-no.***

OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

Frank Ferguson, Edgewood Drive – Mr. Ferguson asked if the second fire station is being considered by the Board. Chairman Foley said it was always under consideration, but at this point they are only looking at the one central fire station.

Rich Gamble, Hockersville Road – Mr. Gamble questioned adding the Fire Company project to the agenda tonight. There were a lot of people here for the workshop and left with the understanding the discussion was going to continue. Mr. Gamble said he recommended having an independent second opinion to look at what the Fire Company was presenting, but no one commented or said they wouldn't do that.

ADJOURNMENT

Supervisor Engle moved to adjourn the meeting at 8:15 p.m. Supervisor Ballard seconded.
The motion carried, 5-yes 0-no.

SUBMITTED BY:

Justin C. Engle
Township Secretary

Brenda Van Deursen
Recording Secretary