

**TOWNSHIP OF DERRY  
BOARD OF SUPERVISORS MEETING MINUTES  
AUGUST 11, 2015**

**CALL TO ORDER**

Vice Chairman Marc A. Moyer called the August 11, 2015 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.

Vice Chairman Moyer 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.

**The following were in ATTENDANCE:**

**SUPERVISORS**

Marc A. Moyer, Vice Chairman  
Justin C. Engle, Secretary  
Sandy A. Ballard  
Matthew A. Weir

**ABSENT:**

John W. Foley, Jr., Chairman

**ALSO PRESENT:**

James N. Negley, Township Manager and Treasurer  
Jill Henry, Assistant Township Manager  
Chuck Emerick, Director of Community Development  
Robert Piccolo, Assistant Director of Public Works  
Lauren Zumbrun, Economic Development Manager  
Terry Weinhold, Manager of Accounts Payable & Receivables  
Lieutenant Timothy Roche, Police  
Matthew Mandia, Director of Parks and Recreation  
Barbara Ellis, Director of Hershey Public Library  
Matt Bonanno, HRG Engineer  
Jon A. Yost, Township Solicitor  
Julie Echterling, Recorder

**Public in Attendance:**

The following were in attendance: Philip Jurus, Dennis Trout, Anne Newman, Kenny Hinebaugh, Charles Suhr, Pablo Medeiros, Matthew Benton, Charleton Zimmerman, Massimo Rizzetto, and Jamie Pascotti.

**VISTOR/PUBLIC COMMENTS:**

Phillip Jurus, 58 Locust Ave, stated he spoke to the Board in November 2012 about the stormwater and runoff water issues. He spoke about the milling of the road done in May and asked who will be making the decision on repaving. He would like to see it done before the end of the summer.

Dennis Trout discussed his concerns about Middletown Road where he has lived for 60 years. He spoke about the 1991 comprehensive plan. He asked the Township to investigate the problems with flooding and traffic before developing it as a commercial area.

**APPROVAL OF REGULAR MEETING MINUTES:**

Supervisor Weir made a motion to approve the minutes for the July 28, 2015 Board of Supervisors meeting, as written. Supervisor Ballard seconded the motion. **Motion carried 4-0.**

**OLD BUSINESS:**

**RESOLUTION NO. 1407, ADOPTING A CODE OF ETHICS:**

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Solicitor Yost discussed the changes to the resolution with incorporating the state code and including definitions. Potential violations were outlined in the document.

Supervisor Ballard made a motion to approve **Resolution 1407**, a resolution of the Board of Supervisors Adopting a Code of Ethics relating to Township Officials and Employees. Supervisor Weir seconded the motion. **Motion carried 4-0.**

**NEW BUSINESS:**

**CONTRACT FOR THE COLLECTION AND RECYCLING FOR RECYCLING DROP-OFF CENTER.**

Mr. Piccolo discussed the bidding process for the contract for collection and recycling of materials deposited at the Township of Derry Recycling Drop-Off Center.

Supervisor Engle made a motion to accept the following bids: Consolidated Scrap Resources bid for the collection and recycling of corrugated cardboard, mixed paper, aluminum scrap, mixed metals and appliances collected by the Township Recycling Drop-Off Center and Waste Management bid for the collection of bulky waste. Both bids would be enacted effective September 1, 2015. Supervisor Weir seconded the motion. **Motion carried 4-0.**

**AGREEMENT FOR REGIONAL CONNECTIONS GRANT:**

Mr. Emerick discussed an agreement with Tri-County Regional Planning Commission needed for the awarding of a Regional Connections grant to complete a Township Official Map. He stated the grant would provide \$17,672.80 with a Township match of \$4,418.20. Discussion ensued.

Supervisor Ballard made a motion to authorize James N. Negley or Chairman Foley to execute an agreement with Tri-County Regional Planning Commission for the award of a Regional Connections grant to complete a Township Official Map. Supervisor Weir seconded the motion.

**Motion carried 4-0.**

**PROFESSIONAL SERVICES FOR COMPLETION OF AN OFFICIAL TOWNSHIP MAP:**

Supervisor Engle made a motion authorizing James N. Negley or Chairman Foley to execute an agreement between Derry Township and Traffic Planning and Design, in association with Environmental Planning and Design, to provide professional services for the Township Official Map, upon the Township Solicitor's approval of the agreement. Supervisor Ballard seconded the motion. **Motion carried 4-0.**

**ROAD DESIGN – HERSHEY DOWNTOWN CENTER:**

Mr. Emerick discussed the request to support the roadway design related to the Hershey Downtown Center Plat #1258. He discussed the developer's plan for West Chocolate Ave, Ridge and Linden Roads. He discussed the traffic study including a right-in and right-out driveway. Mr. Ken Hinebaugh, Evans Engineering, discussed the impact of a left hand turn and the timing of the intersection and light. He stated a center lane turn wasn't studied. He spoke about the timing of the lights and the associated costs and maintenance. Discussion ensued.

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Supervisor Engle made a motion authorizing Chairman Foley to execute a letter of support for the roadway design modifications related to the Hershey Downtown Center, Plat #1258. Supervisor Ballard seconded the motion. **Motion carried 4-0.**

**LAND DEVELOPMENT PLAN – HERSHHEY SQUARE SHOPPING CENTER:**

Mr. Emerick discussed the development plan for the Hershey Square Shopping Center, Plat #1259. The proposal for the expansion of the existing 178,960 shopping center to include the following:

- 4,526 square feet of retail space to the PA State Wine and Spirits store.
- Demolition of the existing bank building.
- Construction of a multi-use building to include a 2,500 square foot, 67 seat restaurant.
- 1,450 square foot retail space.
- 2,804 square foot doctor's office.

He discussed the 916 regular parking spaces which represents a 235 space deficit. He stated the Zoning Hearing Board granted relief of this requirement in February 2015 hearing. He discussed the trip generation assessment submitted, which based on those results, doesn't require the applicant to submit a full traffic study. He discussed the waivers including a requested fee in lieu of sidewalks. The applicant proposes a fee of \$20.00 per lineal foot in-lieu of sidewalks along Mae Street, Hersheypark Drive, and Route 422. He showed the Board the location of the sidewalks and discussed the long-term plans for sidewalks in this area. Discussion ensued.

Supervisor Ballard made a motion to approve the Preliminary/Final Land Development Plan for Hershey Square Shopping Center, Plat #1259, subject to the following conditions:

1. That the applicant reimburses the Township for costs incurred in reviewing the plan no later than September 11, 2015.
2. That performance security is provided to guarantee the completion of required improvements, and the accompanying agreement is signed no later than February 11, 2016.
3. That the plans are provided on a CD in AutoCAD or DXF format no later than February 11, 2016.
4. That the applicant provides a traffic improvements contribution no later than February 11, 2016 in the amount of \$5,000, as offered by way of Stevens & Lee's July 28, 2015 letter.
5. That data substantiating minimum fire hydrant flow requirements, flow availability, recharge capabilities, and duration of flow is provided no later than February 11, 2016.
6. That the evergreen trees proposed around the electric panel box at the pad site building are included on the planting schedule on sheet C10.3 and in the cost estimate for performance security no later than February 11, 2016.
7. That calculations are provided no later than February 11, 2016 demonstrating that interior green space has not been reduced below existing conditions as a result of the parking reconfiguration proposed as part of this plan.
8. That the spot elevations at the accessible parking area adjacent to the pad site building are corrected no later than February 11, 2016 so that the slope of the parking spaces, loading areas, and curb ramps are compliant with prevailing codes governing handicapped accessibility.

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9. That a letter is provided from the Dauphin County Conservation District, no later than February 11, 2016, approving the erosion and sedimentation control plan.
10. That a professional engineer signs the certification on the lighting plan no later than February 11, 2016.
11. That the comments in the August 4, 2015 DTMA letter (attached) are addressed no later than February 11, 2016.
12. That the curbing installation deferment agreement is recorded concurrently with the plan.

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

1. From Sections 185-12.D.(2) and 185-13.E.(3) regarding plan scale for the overall site plans.
2. From Sections 185-12.D.(3).(a).[7] and 185-13.E.(4).(a).[7] regarding metes and bounds of street right-of-ways, centerlines, and easements.
3. From Sections 185-12.D.(3).(a).[21] and 185-13.E.(4).(a).[19] regarding stormwater plan and profiles for existing systems.
4. From Sections 185-12.D.(3).(a).[22] and 185-13.E.(4).(a).[20] regarding sanitary plan and profiles for existing systems.
5. From Sections 185-12.D.(3).(a).[23] and 185-13.E.(4).(a).[21] regarding utility plan and profiles for existing systems.
6. As a deferment from Section 185-22.E.(5) regarding curbing along Hersheypark Drive and Route 422, with the stipulation that the owner enter into an agreement with the Township no later than February 11, 2016 that would allow the Township to require the installation of curbing in the future if deemed necessary.
7. From Section 185-49 regarding wetlands delineation studies.
8. From Section 185-13.E.(4).(a).[7] regarding providing metes and bounds for the 20'-wide easement around the existing stream, and existing drainageways.
9. Regarding the installation of sidewalks along Hersheypark Drive, Mae Street, and Route 422: The board chose Option A (Fee in lieu of installation) : That a waiver is granted from Section 185-34 of the Subdivision and Land Development Ordinance regarding the installation of sidewalks along the Hersheypark Drive, Mae Street, and Route 422 frontages of the property, with the stipulation that the owner/developer has offered to and will pay a fee in lieu of installation of sidewalks in the amount of \$38,600 prior to recording of the land development plan. Applicant shall be responsible for providing a revised letter of intent to this effect.

Vice Chairman Moyer seconded the motion. **Motion carried 4-0.**

**CORRESPONDENCE BOARD/COMMITTEE INFORMATION:**

There were no comments from the Board.

**REPORTS:**

Police Department – Lieutenant Roche thanked the Brownstone Lodge for a great night out event. Vice Chairman Moyer thanked the police for their work in the successful night.

Public Works – Mr. Piccolo discussed Ridge and Valley Road with the start of paving this week. The Board asked for an update on Locust at the next meeting. Supervisor Ballard asked about the

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construction on 322 and 422 based on the signs and detours. Lieutenant Roche will check with PennDOT on the detours and updates.

Library – Mrs. Ellis thanked the Police and Public Works for their help with the Book Sale. She discussed the new furniture for the children. She stated a new maintenance person starts on Monday.

Parks and Recreation – Mr. Mandia discussed the original Coco Castle Playground Committee and fundraising. He stated they will be asking the public to get involved. He is hoping to have a community build for the playground.

Engineer - Mr. Bonanno updated the Board on Hockersville Road improvements. He discussed the base mapping and the gap. They are going to request the pavement and accident history to maybe reduce the speed limit to 25 mph. He discussed the site distance and speed limit enforcement.

Community Development - Mr. Emerick stated the public hearing on the sidewalk ordinance will be held on September 8<sup>th</sup> at 6 p.m.

Economic Development – Mrs. Zumbrun stated the TIFF meeting was held last week. She is working on formulating a schedule. Vice Chairman Moyer asked if the TIFF meetings could be held at night.

Mrs. Henry stated the Fall Township News will be sent tomorrow.

**ACCOUNTS PAYABLE and PAYROLL:**

Supervisor Ballard made a motion to approve accounts payable in the amount of \$269,831.90 and payroll in the amount of \$353,092.85. Supervisor Weir seconded the motion. **Motion carried 4-0.**

**VISTOR/PUBLIC COMMENTS:**

Charleton Zimmerman, Palmdale, discussed the traffic problems and signals downtown. He spoke about a previous proposed SAMMI project that was stopped due to tropical storm Lee. He spoke about what was done and hopeful it can be reused. He spoke about TIFF tax incentive and spending the monies wisely to help with the downtown traffic.

**ADJOURNMENT:**

Supervisor Engle made a motion to adjourn the meeting at 8:15 pm. Supervisor Ballard seconded the motion. **Motion carried 4-0.**

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**SUBMITTED BY:**

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Justin C. Engle  
Township Secretary

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Julie Echterling  
Recorder