

**TOWNSHIP OF DERRY
BOARD OF SUPERVISORS MEETING**

Tuesday, July 9, 2013

600 Clearwater Road, Hershey, Pennsylvania 17033

CALL TO ORDER

The July 9, 2013 Township of Derry Board of Supervisors meeting was called to order at 7:30 p.m. by E. Christopher Abruzzo, Chairman.

ROLL CALL

Supervisors Present:

E. Christopher Abruzzo, Chairman
Sandy A. Ballard
Kelly C. Fedeli, Vice-Chairman
John Foley, Jr.

Supervisors Absent:

Marc A. Moyer, Secretary

Also Present:

Matt Bonanno, HRG Engineer
Thomas R. Clark, Director of Public Works
Barbara S. Ellis, Director of Hershey Public Library
Charles W. Emerick, Director of Community Development
Jill E. Henry, Assistant Township Manager
Matt J. Mandia, Director of Parks and Recreation
James N. Negley, Township Manager/Township Treasurer
Patrick O'Rourke, Chief of Police
Terry M. Weinhold, Manager of Accounts Payable & Receivable
Jon A. Yost, Township Solicitor
Brenda Van Deursen, Recorder

Public Present: Jonathan Crist, Matt Weir, Susan Foxx, Charleton Zimmerman, Sue Stough

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

Chairman Abruzzo announced that the Board of Supervisors met in executive session to discuss land, legal, and personnel matters.

OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

Charleton Zimmerman, 119 N. Roosevelt Avenue, Palmdale – Mr. Zimmerman asked the Board to respond to his question regarding a definition of a family and when two people live together who are not married or related is that considered a domestic bond. He would like an answer. Mr. Zimmerman mentioned that prior to this meeting he checked the website and the only definition of a restaurant is fast food not fast casual.

Rich Gamble, Hockersville Road - Mr. Gamble recommended that issues such as what Mr. Zimmerman brought up should be submitted in writing and sent to the appropriate people. This is wasting valuable time not only for the community but also for the supervisors.

Jonathan Crist, 226 West Chocolate – Mr. Crist contacted Judge Lewis who is assigned to the appeal on the Chipotle. Mr. Crist filed an appeal with a motion to stay in the issuance of any building permit. He was informed by Judge Lewis' clerk that he will hold a hearing on it.

Mr. Crist said last week he called the Township to let them know he was going to put a new roof on his building. Mr. Crist found out that a new policy is in effect that requires a building permit to replace roofs on commercial buildings. He has never heard of anyone needing a building permit to replace a roof. Mr. Emerick stated it was the trouble with the Gold's Gym roof that he found that we are not issuing permits for commercial roofs within the Township. Under the Commercial Exemptions in the Statewide Building Code there is no exemption for commercial roofs, but there is an exemption for residential roofs. Mr. Crist was the third person to fall under this policy. Permits are required.

NEW BUSINESS

A1-39 Approval of the Memorandum of Understanding among Derry Township Police Department, Derry Township Board of Supervisors, Dauphin County Board of Commissioners and the Dauphin County Emergency Management Agency, relating to the use of DEMA's Intergraph Computer Aided Dispatch (CAD) Software to achieve Interconnectivity and interoperability with DEMA.

Patrick O'Rourke, Chief of Police – The Derry Township Police Department has previously conducted field operations utilizing a stand-alone Computer Aided Dispatch (CAD) Software, preventing interconnectivity with the Dauphin County Emergency Management Agency (DEMA). A full transition of DEMA's Intergraph CAD System is scheduled for tomorrow. This technological advancement will enhance emergency communications, the safety of our officers in the field and ultimately provide more efficient police services to the community.

Supervisor Ballard noted in the memo it said there is no impact on our current budget, but will there be an impact in the future. Chief O'Rourke said the initial cost was obtained through the Gaming funds (\$64,000), but in the future we will incur sustainability fees that will be charged to us annually.

Steve Libhart, Dauphin County Emergency Management Agency (DEMA) – Mr. Libhart said they will receive an annual quote from Intergraph that breaks down the cost. The County will pay the cost and then bill the Township for their part. Generally it is a 1% increase annually. The first year is about \$20,000 which includes Intergraph and some radios. Supervisor Foley said we are currently looking at about \$22,800 and there are incremental increases that are budgeted each year. It is part of our normal operating budget.

Mr. Libhart said with the interoperability piece we will receive a significant advance from the computer aid dispatcher that we used previously. Officers will have the ability to look at a call, accept it, and self-dispatch themselves and DEMA will know someone is on route immediately. It is a small cost to receive such a significant advance in technology as well as for the County and other municipalities. We are receiving one of only three Tier 1 Computer Aided Dispatch systems available nationwide. Chief O'Rourke said with the GPS enabled in this system it will show the location of the vehicles which will reduce

response calls in the field. When people are calling 911 you could not only pick the closest patrol car, but the closest back up officer as well.

Motion: A motion made by Supervisor Foley and seconded by Supervisor Ballard that the Memorandum of Understanding (MOU) between the Dauphin County Emergency Management Agency (DEMA) and the Derry Township Police Department (DTPD) to enable the use of DEMA's Intergraph CAD Software, is hereby approved. *The motion carried, 4-Yes 0-No.*

B1-32 The approval of a Restated and Amended Memorandum of Understanding among the Derry Township Police Department, Derry Township Board of Supervisors, Dauphin County Emergency Management Agency and the Dauphin County Board of Commissioners, relating to the unmanned telecommunications facility currently located on northern exposure of the Derry Township Police Department facilities.

Patrick O'Rourke, Chief of Police – In 2006, the Derry Township Police Department and the Dauphin County Emergency Management Agency entered into a Radio Tower Partnership agreement in an effort to insure public safety radio communications throughout Dauphin County. The partnership shared resources such as a radio bunker and communications tower and enhanced emergency radio communications resulted in a cost savings for both parties. During the flooding of Tropical Storm Lee in 2011 these resources were destroyed and construction to alleviate similar damage in the future is scheduled to be completed by late fall of 2013.

Motion: A motion made by Supervisor Foley and seconded by Vice-Chairman Fedeli that the amended Memorandum of Understanding, so as to continue the terms and conditions of the existing "Radio Tower Partnership" agreement between the Derry Township Police Department and Dauphin County Emergency Management Agency, is hereby approved. *The motion carried, 4-Yes 0-No.*

C1-5 Approval of Resolution No. 1366 to authorize Director of Community Development to submit an application for modifications to the pedestrian crossing at the intersection of Governor Road (SR0322) with Bullfrog Valley Road and Lucy Avenue.

Charles W. Emerick, Director of Community Development – PennDot requires any permit that is submitted from a municipality to be accompanied with a resolution authorizing an individual to sign that application. As part of the Centric Bank Land Development Plan there were certain pedestrian improvements that were requested at the intersection of Lucy Avenue, Bullfrog Valley Road and Governor Road which are going to include an accessible ramp and extension of the push buttons. This resolution will authorize Mr. Emerick to sign this application only and the applicant has been asked to enter into an agreement with the Township because they will be acting as our agent during this permit procedure.

Motion: A motion made by Supervisor Foley and seconded by Supervisor Ballard that Resolution No. 1366 to authorize Director of Community Development to submit an application for modifications to the pedestrian crossing at the intersection of Governor Road (SR0322) with Bullfrog Valley Road and Lucy Avenue, is hereby approved. *The motion carried, 4-Yes 0-No.*

D1-3 Consideration of releasing the performance security and entering the maintenance security period for the Revised Preliminary/Final Subdivision and Land Development Plan for the West Hershey Facility Plant Expansion, Plat No. 1205.

Motion: A motion made by Supervisor Foley and seconded by Supervisor Ballard that the Township release performance security in the amount of \$299,701.21, supplied as Travelers Casualty and Surety Company Bond #105503683, for the Revised Preliminary/Final Subdivision and Land Development Plan for the West Hershey Facility Plant Expansion, Plat #1205, is hereby approved. *The motion carried, 4-Yes 0-No.*

E1-2 Approval of Ordinance No. 638, amending the Code of Township of Derry (Ordinance No. 553) Part II, Chapter 210 Article II Section 210-34. Restrictions on size and weight of vehicles on certain streets and bridges, by deleting the “no trucks except local deliveries” restriction on N. Lingle Avenue between SR422 and Palm Street.

Motion: A motion made by Supervisor Foley and seconded by Vice-Chairman Fedeli that Ordinance No. 638, amending the Code of Township of Derry (Ordinance No. 553) Part II, Chapter 210 Article II Section 210-34. **Restrictions on size and weight of vehicles on certain streets and bridges**, by deleting the “no trucks except local deliveries” restriction on N. Lingle Avenue between SR422 and Palm Street, is hereby approved. *The motion carried, 4-Yes 0-No.*

F1-2 Award of a bid for the removal of (2) existing one-meter diving boards and the purchase, replacement and installation of (1) one-meter diving board at the Hershey Recreation Center.

Matt J. Mandia, Director of Parks and Recreation – The two one-meter diving boards at the Recreation Center are platforms that were originally installed at the Recreation Center in the early 1960’s. The boards have been serviced over the years, but they now need to be replaced. They are recommending replacing only one of the boards. The cost for the project would be derived from fee in lieu of funds which would not impact our general or capital funds. Three bids were received: The Fulcrum Guy Inc, in the amount of \$12,254; Lincoln Equipment, Inc. in the amount of \$12,973.10; and Rec Supply Company in the amount of \$14,302. Mr. Mandia said they also received a quote in the amount of \$2,380 for the removal of the two existing boards and the installation of a new diving board.

Supervisor Ballard wondered if the Hershey Swim Club is okay with one diving board. Mr. Mandia said he was in contact with everyone who would be impacted by this and they were fine.

Chairman Abruzzo noted that on the weekends at the pool both diving boards are used pretty heavily. He would be okay to replace both of them. Mr. Mandia said if they find that there is a need for two boards, he will make a recommendation.

Motion: A motion made by Supervisor Foley and seconded by Vice-Chairman Fedeli that the bid for the new diving board at the Hershey Recreation Center be awarded to The Fulcrum Guy Inc. in the amount of \$12,254.00 with an installation cost of \$2,380.00 for a total project cost of \$14,634.00, is hereby approved. *The motion carried, 4-Yes 0-No.*

CORRESPONDENCE – Vice-Chairman Fedeli received a call from a resident regarding the bike path that runs along Cocoa in front of the CocoaPlex down towards Governor. The caller complimented us that the dirt is not washing in the bike path like it used to, but it is washing up by the new bridge on the east side of the path. Mr. Bonanno said he did see that and the landscaper was there cleaning it off. They are seeding that area which will help prevent the dirt washing up.

BOARD/COMMITTEE INFORMATION – Supervisor Foley said they continue to meet with the contractors on the stormwater project. We are seeing progress, but he is disappointed in their performance over the last three or four weeks.

REPORTS

Patrick O'Rourke, Chief of Police – Chief O'Rourke reported the transition of the CAD to the County software will happen tomorrow. This is one of two projects that were slated in the gaming grant. The other project is the Records Management System and it is up and running.

Thomas Clark, Director of Public Works - Mr. Clark reported they started paving last week in the Mansion area on Para Avenue, East Granada, and East Caracas. By the end of the week the Mansion area should be done and then they will move on to Ridge Run.

Barbara Ellis, Hershey Public Library – Mrs. Ellis reported there were 850 people in and out of the Library on Monday. They are very busy. Next week the refurbishing of the Hershey Room will begin. A restoration professional will work on the built-in cabinetry where the wood has started to age and then they will have the walls painted.

Matt Mandia, Director of Parks & Recreation – Mr. Mandia said bids are due this Thursday for the re-grouting of the indoor upper pool. This project and the diving board replacement project should happen the last two weeks of August when the pool is closed for annual maintenance. This Friday and Saturday is the second weekend of drive-in movies at Shank Park. Friends of Parks and Rec basically fund this.

Chairman Abruzzo suggested two opportunities for the pool. The first one is to put a sign out front before the area where you pay reminding people they must have a valid ID from the Township to get the Township rate. The second suggestion is to offer healthy snacks in the Snack Shop.

Matt Bonanno, HRG Township Engineer – Mr. Bonanno reported that three crews were working on the stormwater project. One crew is landscaping on Cocoa at the bike trail, the second crew is installing storm sewer near the apartments, and the third crew is milling and installing the base along Old West Chocolate Avenue, north of 422 with the intent to pave that area on Friday of this week.

Chairman Abruzzo said with the stormwater improvements he has not seen the flooding problems we had in the past summers after bad thunderstorms. Mr. Bonanno said a lot of the issues are with the restoration work, but the actual pipes/inlets in the ground have done a good job. Supervisor Ballard asked about the sink hole on Cocoa. Mr. Bonanno said it was fixed two weeks ago.

Jill E. Henry, Assistant Township Manager – Assistant Manager Henry is submitting all the necessary paperwork to close out a large project with FEMA that was to replace all the contents in the Police building. She will be asking for about \$26,000 which is the difference between what we were paid from insurance and what we actually replaced.

James N. Negley, Township Manager/Treasurer – Manager Negley said our Healthcare RFP will be received on the 22nd.

APPROVAL OF ACCOUNTS PAYABLE (\$141,676.20) AND PAYROLL (\$339,319.31).

Vice-Chairman Fedeli moved to approve accounts payable in the amount of \$141,676.20 and payroll in the amount of \$339,319.31. Supervisor Ballard seconded. ***The motion carried, 4-yes 0-no.***

OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

Charleton Zimmerman, Palmdale – Mr. Zimmerman referred to Ordinance 638 amending the code of Township of Derry, related to size and weight of vehicles on certain streets and bridge by deleting “no trucks except local delivery restriction on N. Lingle and from 422 to Palm Street.” He asked if that meant trucks are allowed. Chief O’Rourke said that trucks are allowed. Mr. Zimmerman asked if Public Works can remove the sign that says Truck Bypass on SR 2012 East Derry Road. Mr. Clark said they have been removing these types of signs and may have missed a few. He will look into it.

ADJOURNMENT

Supervisor Ballard moved to adjourn the meeting at 8:40 p.m. Supervisor Foley seconded. ***The motion carried, 4-yes 0-no.***

SUBMITTED BY:

Marc A. Moyer
Township Secretary

Brenda Van Deursen
Recording Secretary