

**TOWNSHIP OF DERRY
BOARD OF SUPERVISORS MEETING**

Tuesday, March 12, 2013
600 Clearwater Road, Hershey, Pennsylvania 17033

CALL TO ORDER

The March 12, 2013 Township of Derry Board of Supervisors meeting was called to order at 7:00 p.m. by E. Christopher Abruzzo, Chairman.

ROLL CALL

Supervisors Present:

E. Christopher Abruzzo, Chairman - *present*
Sandy A. Ballard - *present*
Kelly C. Fedeli, Vice-Chairman - *present*
John Foley, Jr. - *present*
Marc A. Moyer, Secretary - *present*

Also Present:

Matt Bonanno, HRG Engineer
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
Robert Piccolo, Assistant Director of Public Works
Terry M. Weinhold, Manager of Accounts Payable & Receivable
Jon A. Yost, Township Solicitor

Public Present: Rodney Sanderman, Stephen Ferris, Joe Woodward. Elvira Ebling, Charleton Zimmerman, Susan Foxx, Richard Foxx, Brian Shiflett, Rich Gamble, Bill Fisher

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 issues.

OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

Charleton Zimmerman, 119 Roosevelt Avenue, Hershey – Mr. Zimmerman mentioned the article in the March 7 Hummelstown Sun regarding putting the post office post office building into the Chocolate Avenue zoning district. He was told by the Zoning Board on numerous occasions that he could not make any comment or ask any questions because his property is not adjacent to the questioned property.

Mr. Zimmerman asked for the address of the post office building and Mr. Emerick said he did not know. Mr. Zimmerman stated that the address is 50 N. Linden Road. Mr. Zimmerman asked who the owner of the building is. Mr. Emerick said he believes The Hershey Trust owns the building. Mr. Zimmerman asked if anyone occupies the building. Mr. Emerick said there was a construction office in there at one point. Mr. Zimmerman said in 2005 the Hershey Dry Cleaning and Tailor Shop moved into that building. Mr. Emerick said he was not with the Township in 2005. Mr. Zimmerman asked if there was a request for any kind of variance for construction. Mr. Emerick said not that he could recall.

APPROVAL OF MINUTES

Chairman Abruzzo called for a motion to approve the Minutes of the February 26, 2013 Public Hearing. Supervisor Foley made a motion to approve the Minutes. Supervisor Ballard seconded. Vice-Chairman Fedeli abstained as she was excused from the meeting. ***The motion carried, 4-yes 0-no 1-abstention.***

Chairman Abruzzo called for a motion to approve the Minutes of the February 26, 2013 Board of Supervisors meeting. Supervisor Ballard made a motion to approve the Minutes. Supervisor Foley seconded. Vice-Chairman Fedeli abstained as she was excused from the meeting. ***The motion carried, 4-yes 0-no 1-abstention.***

NEW BUSINESS

A1-2 Presentation of a Grant Award from Pennsylvania American Water Company to the Hershey Volunteer Fire Company.

James N. Negley, Township Manager/Township Treasurer – Manager Negley introduced Mr. Joseph Woodward, Manager of Field Operations for Central Pennsylvania. Mr. Woodward said the Pennsylvania American Water has an annual fire department support grant program. Mr. Rodney Sonderman on behalf of The Hershey Volunteer Fire Company submitted a grant application this year for portable lighting equipment for two units in the amount of \$996.00. Mr. Woodward announced that the Hershey Volunteer Fire Company was approved for the full amount and presented the check to Mr. Sonderman. Chairman Abruzzo thanked Mr. Woodward and Mr. Ferris for their support of the fire department.

B1-3 Consideration of release of the remaining balance of the performance security for the Preliminary/Final Subdivision and Land Development Plan for Milton Hershey School Old Senior Hall Renovations, Plat No. 1058.

Motion: A motion made by Supervisor Foley and seconded by Supervisor Ballard that the Township of Derry hereby releases the remaining balance (\$152,180.66) of the performance security provided as Hershey Trust Company Letter of Credit No. 100 for the Preliminary/Final Subdivision and Land Development Plan for Milton Hershey School Old Senior Hall Renovations, Plat #1058, is hereby approved. ***Motion carried, 5-Yes 0-No.***

CORRESPONDENCE – No correspondence to report.

BOARD/COMMITTEE INFORMATION – Supervisor Foley reported that PennDOT has denied their speed reduction request on Fishburn Road. They will continue to work with HRG on a traffic safety study. Chairman Abruzzo thanked the County Commissioners for awarding \$165,000 to the Fire Company to help pay down the debt on the two fire trucks. This will leave a balance of approximately \$265,000. The Fire Department and the Township made application on multiple occasions and we were fortunate to receive the Gaming Funds money to use to pay down the debt for the apparatus. Essentially, we will have over \$1

million dollars worth of apparatus that we did not have to pay for out of Derry Township taxpayer's pocket. He thanked Mr. Sonderman for his part in the presentations of the applications.

REPORTS

Patrick O'Rourke, Chief of Police – Chief O'Rourke said the Police Department faces some technology challenges this year with both their records management system and also the computer aided dispatch. We currently do not have the ability to speak with Dauphin County 911 via our mobile data terminals. Through the gaming funds we are very fortunate to receive monies to update a new records management system to a product called In Sync. It should be brought on line by the second week of June which includes implementation and training of all their personnel. The computer aided dispatch should be online prior to the opening of the park season. Chairman Abruzzo thanked Chief O'Rourke for the presentation that the Police Department put together in support of that application.

Chief O'Rourke said they have been busy investigating some very serious crimes. He commended his investigators and his patrol personnel for putting an outstanding case together on the subjects related to both robbery investigations. Chairman Abruzzo thanked Chief O'Rourke and his personnel who worked on the cases. Chief O'Rourke added that they were able to work the home invasion robbery in conjunction with personnel from the Office of the Attorney General. This resulted in a huge drug investigation and we were able to take off a high level heroin dealer in the state of New Jersey.

Chairman Abruzzo asked for an update related to the Royer truck that is parked at Quail Hollow. Chief O'Rourke reported that it took a while to get a hold of the resident who had the vans/trucks parked in front of his residence. There was a meeting yesterday between Mr. Royer, Sgt. Ferree, and Lt. Warner. A speed study was done, but the manner in which the vehicles were parked impeded the true results of the study. Therefore, Mr. Royer moved his vehicles off the road so that another speed study could be conducted. We will compare the two results to see what kind of speeds we are getting and then we can move forward to resolve the situation.

Robert Piccolo, Assistant Director of Public Works - Mr. Piccolo said the crews are preparing for the opening of all the parks as well as doing building maintenance. Two of the three lights that were out on the Hershey Park Drive corridor should have been fixed now. The third light at 39 and Hersheypark Drive was a PPL light and has been reported to them.

Vice-Chairman Fedeli asked what happened with Waste Management on the snow day that wasn't. Mr. Piccolo said they canceled the trips due to the weather forecast and were scheduled to pick up like they do for a holiday. Mr. Piccolo said it was a couple of degrees that made a difference and was hard to predict if the bad weather would hit us or not.

Barbara Ellis, Hershey Public Library – Ms. Ellis reported that the beginning of the year at the library has been very good. They have been doing a lot for the 100th year anniversary including selling cookbooks (\$15/each) and planning for a 100 year anniversary time capsule. May 19 will be Family Fun Day with activities outdoors primarily throughout the day. They will have another blood drive on March 25. She will give Asst. Manager Henry the remaining dates for the blood drives to put on the website.

Terry M. Weinhold, Manager of Accounts Payable & Receivable – Ms. Weinhold reported preliminary reports are showing that revenues are under budget, which is typical for this time of the year and expenses are also under budget. We should have the 2012 year end numbers by mid summer.

Matt Mandia, Director of Parks & Recreation – Mr. Mandia and his staff are working on the Easter Egg Hunt event, which will be held on Saturday, March 23 at 10:00 at Shank Park. They have over 12,000 eggs to distribute.

Matt Bonanno, HRG Township Engineer – Mr. Bonanno reported the contractors are currently working between Old West Chocolate up towards Mill Street with the storm sewer line. They plan to start the 422 crossing next Friday. It will be around the clock operation. He asked the contractors to let him know by this Friday if that date is still on target to put the news release out.

Vice-Chairman Fedeli asked if they will be able to pave that road once that portion of the area is done. Mr. Bonanno said the shape of the road will be like that for a while. At their job conference meeting they will talk to the contractor as far as prioritizing some of the restoration areas that need to get started.

Chairman Abruzzo asked if we applied for the grant related to the Locust Lane project. Mr. Bonanno said it was applied for in February and it could take 6 months to hear anything.

Charles Emerick, Director of Community Development – Mr. Emerick said they have revisions to their zoning ordinances mostly related to junk and trash storage and permitted encroachments into the setback. The revisions were presented to the Planning Commission at their meeting on the 5th. He is looking to schedule a public hearing that is required for a zoning ordinance amendment on April 23 at 6:45. The Board agreed to the date and time for the public hearing.

Mr. Emerick said at the last meeting, the Board asked him to take a look into the uses that are permitted in the Village Core and the Downtown Commercial district. He prepared a matrix of the uses in the Neighborhood Commercial, General Commercial, Downtown Commercial and Village Commercial. He will see that each Board member gets a copy to look over for discussion at a future meeting.

Jill E. Henry, Assistant Township Manager – Asst. Manager Henry reported that a year and half later they are still collecting their claims with FEMA. After discussion with them this week, FEMA told us there is an additional \$35,000 coming from our building. Asst. Manager Horner said they have three projects where they requested additional funding after the work was done and are waiting for approval.

James N. Negley, Township Manager/Township Treasurer – Manager Negley said his office has been fielding some calls asking why we raised the cable franchise fee. Manager Negley said we did not raise our fee. The fee has been in effect since 1966 at 3% of the total bill. Anytime Comcast raises their bill then the percentage goes up and Comcast raised their overall fee which reflected the increase.

Chairman Abruzzo asked if once PA Water Company knows what their projects are if they could be posted on our website to make it clear that these are Water Company projects. Manager Negley said that PA Water Company wants to get the information out as best as they can including delivering brochures and a timeline of the project to everybody affected with the construction projects as well as using social media.

APPROVAL OF ACCOUNTS PAYABLE (\$1,384,207.06) AND PAYROLL (\$300,173.30).

Supervisor Foley moved to approve accounts payable in the amount of \$1,384,207.06 and payroll in the amount of \$300,173.30. Supervisor Ballard seconded. *The motion carried, 5-yes 0-no.*

OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

Bill Fisher, 1354 Shopes Church Road, Hummelstown – Mr. Fisher updated the Board with all the improvements made to Koon’s field. It is amazing what has been done. The field has been cutout, but needs rolled down. Chairman Abruzzo suggested taking pictures of the field to put on the website to show the transformation.

ADJOURNMENT

Supervisor Ballard moved to adjourn the meeting at 7:45 p.m. Supervisor Foley seconded. ***The motion carried, 5-yes 0-no.***

SUBMITTED BY:

Marc A. Moyer
Township Secretary

Brenda Van Deursen
Recording Secretary