

TOWNSHIP OF DERRY BOARD OF SUPERVISORS MEETING

Tuesday, March 25, 2014
600 Clearwater Road, Hershey, Pennsylvania 17033

CALL TO ORDER

The March 25, 2014 meeting of the Township of Derry Board of Supervisors was called to order at 7:00 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
Thomas Clark, Director of Public Works
Bob DiLello, Fire Company
Barbara S. Ellis, Director of Hershey Public Library
Charles W. Emerick, Director of Community Development
Jill E. Henry, Assistant Township Manager
Cheryl L. Lontz, Manager of Payroll and Employee Benefits
Matt J. Mandia, Director of Parks and Recreation
James N. Negley, Township Manager/Township Treasurer
Patrick O'Rourke, Chief of Police
Jon Yost, Solicitor
Brenda Van Deursen, Recorder

Public Present: Elvira Ebling, Ron Lucas, Rodney Sonderman, J. Chestnut, Ed Uravic, Scott Stein, Adam Cray, Penny Patterson Smith, Andy Smith, Ken Smith, Chris Fencel, Rich Gamble

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

Ed Uravic, 333 Cedar Avenue – Mr. Uravic thanked Manager Negley for receiving the comments that the Downtown Hershey Association provided to the Board regarding the proposed fire station project. At the Downtown Hershey Association Board meeting last week they discussed and commented about how or whether the proposed fire house plan contributes to

the revitalization of downtown or hinders the revitalization of the downtown or if it met their mission. Their mission is to enhance the beauty of the downtown, attracting businesses, and improve the quality of life for the community with a walkable, bikeable, safe place while respecting and preserving our heritage. They did not address any issues related to safety because that is not their task to do so. The Association will continue to have conversations with the Fire Company and will offer their design consultant to assist the Fire Company.

Rich Gamble, Hockersville Road – Mr. Gamble thanked Mr. Uravic for the update. In his update, one of the things he emphasized was the Association was not talking about safety. Mr. Gamble said while it is good to have nice buildings, etc., the safety of the community should be of utmost importance to the Township. He referred to the plans and the study that was done several years ago and the recommendation of having at least one additional fire station. The community has a right to safety and the decision should be based on safety and not in the redevelopment of the downtown.

APPROVAL OF MINUTES

Chairman Foley called for a motion to approve the Minutes of the March 11, 2014 Public Hearing. Supervisor Engle made a motion to approve the Minutes. Supervisor Ballard seconded. *The motion carried, 5-yes 0-no.*

Chairman Foley called for a motion to approve the Minutes of the March 11, 2014 Board of Supervisors meeting. Supervisor Ballard moved to approve the minutes with one correction. On page two before the Motion to agenda item 1, it should read – *Chairman Foley called on the public for any comment. No one came forward.* Vice-Chairman Moyer seconded. *The motion carried, 5-yes 0-no.*

NEW BUSINESS:

EMPLOYEE SERVICE RECOGNITION

Chairman Foley recognized the following individuals for their years of service to the Township:

5 Years of Service: Sean Sargen-Police; Barbara Clay-Library; Kathleen Roberts and Sylvia Bonalle-Parks & Recreation

10 Years of Service: Joy Burrell and Chris Gawron-Library

15 Years of Service: Heather Knott-Parks & Recreation; Eric Salley, Steve Bell, and Jeff Kawich-Public Works

20 Years of Service: Donna Small-Library; Terry Weinhold-Finance; Diane Leitner-Public Works

A1-8 Extension of conditional approval of the Preliminary/Final Land Development Plan for East Point Trade Center – Building C, Plat No. 1234.

Charles W. Emerick, Director of Community Development – This is an extension of the requirements of Chapter 185-13.22A of our Subdivision & Land Development Ordinance. It is the first time we have extended a subdivision plan in quite some time because of the Permit Extension Act. This plan was for an additional building at the General Mills facility known as East Point Trade Center and was approved with conditions on October 21, 2013. Two of the conditions have been addressed, but there are outstanding conditions that are to be addressed by April 21, 2014. An amendment made to the Permit Act on July 9, 2013 stated that any approvals granted after July 2, 2013 would run their normal course. That is where we are with this project. Projects that are approved now can be built when funding is in place up until July 2, 2016. The applicant is requesting they have until July 2, 2016 to meet the remaining obligations as noted in the original approval.

Motion: A motion made by Supervisor Engle and seconded by Supervisor Weir that the October 31, 2013 approval of the Preliminary/Final Land Development Plan for East Point Trade Center – Building C, Plat No. 1234, be extended and approved, subject to the following occurring no later than the date indicated and prior to the recording of the plan:

- a. That performance security be provided to guarantee the completion of required improvements, and that the accompanying agreement be signed no later than July 2, 2016.
- b. That a signed Operation and Maintenance Agreement be provided no later than July 2, 2016.
- c. That a signed agreement from the entity providing the street sweeping maintenance be provided no later than July 2, 2016.
- d. That a digital file of the final version of the plan be provided in AutoCAD or DXF format no later than July 2, 2016.
- e. That the plans be signed and sealed prior to plan recording.
- f. That the inter-municipal agreement related to impervious coverage limits on the property be recorded concurrently with the plan.
- g. That the Stormwater Best Management Practices Operation and Maintenance agreement and a revised property deed, listing the stormwater BMPs as a restrictive covenant, be recorded concurrently with the plan.

The motion carried, 5-yes 0-no.

B1-16 Approval of Resolution No. 1388, authorizing Township of Derry to join with other authorities as a member of the Pennsylvania Municipal Health Insurance Cooperative (PMHIC) and to enter into an intergovernmental agreement for the purpose of joining the PMHIC and to participate as a member of the PMHIC.

James N. Negley, Township Manager/Township Treasurer - Benecon was appointed as the Township's healthcare provider beginning January 1, 2014 and we have been satisfied with the coverage that they are providing. The cost of our health coverage should be less beginning in 2015. This agreement is to join with other Authority's as a member of PMHIC.

Motion: A motion made by Supervisor Ballard and seconded by Chairman Foley that Resolution No. 1388, authorizing Township of Derry to join with other authorities as a member

of the Pennsylvania Municipal Health Insurance Cooperative (PMHIC) and to enter into an intergovernmental agreement for the purpose of joining the PMHIC and to participate as a member of the PMHIC, is hereby approved. *The motion carried, 5-yes 0-no.*

C1-3 Consideration of release of the maintenance security provided for the Final Subdivision and Lot Consolidation Plan and Phase 1 Final Land Development Plan for Southpoint Meadows 2, Plat No. 1123.

Motion: A motion made by Chairman Foley and seconded by Supervisor Weir that the Township hereby releases Arch Insurance Company Bond No. SU1031732M, in the amount of \$8,254.05, provided as maintenance security for the Final Subdivision and Lot Consolidation Plan and Phase 1 Final Land Development Plan for Southpoint Meadows 2, Plate #1123, is hereby approved. *The motion carried, 5-yes 0-no.*

D1-2 Permission to hold fireworks display at Hersheypark on Friday evening, July 4, 2014.

James N. Negley, Township Manager/Township Treasurer – Hersheypark has requested to perform fireworks on July 4 with a rain date of July 5.

Motion: A motion made by Vice-Chairman Moyer and seconded by Supervisor Ballard that permission to hold fireworks display at Hersheypark on Friday evening, July 4, 2014, is hereby approved. *The motion carried, 5-yes 0-no.*

Correspondence – No correspondence to report.

Board & Committee Information – No information to share.

REPORTS

Patrick O'Rourke, Chief of Police – Chief O'Rourke reported that they held their joint venture with the Hershey Lions Club with a dinner and the annual K9 sports memorabilia silent auction on Sunday. Many of the people from the community supported both causes.

Thomas Clark, Director of Public Works – Vice-Chairman Moyer said he heard from a number of people asking what to do with the debris from the storms. Mr. Clark reported the routine brush and roadway collection will start the first full week of April with Waste Management. However, since the storm occurred the brush pile has been opened five days a week from 7 to 5.

Barbara Ellis, Director of Hershey Public Library – On March 22, the Library convened a strategic planning summit. There were 20 people in attendance. They came out with some great ideas for planning the next 3 to 5 years. In April, in conjunction with the Friends Film Festival, the library will be showing four films that are being provided to us through a national grant.

Matt J. Mandia, Director of Parks and Recreation – Mr. Mandia reported they are finalizing the design and the costs for the playground at Cocoa Castle. They plan to present a resolution to

the Board at the next meeting for authorization to submit a grant to DC&R to assist with the funding of this project.

Matt Bonanno, HRG Engineer – Mr. Bonanno reported that the contractor submitted the asphalt drawings for the stormwater project for Areas 1, 2 and 3. HRG reviewed those on behalf of the Township and DTMA.

APPROVAL OF ACCOUNTS PAYABLE (\$362,489.70) AND PAYROLL (\$317,187.48). Supervisor Engle moved to approve accounts payable in the amount of \$362,489.70 and payroll in the amount of \$317,187.48. Supervisor Ballard seconded. *The motion carried, 5-yes 0-no.*

OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

Chairman Foley gave an update on the following:

- Issues related to larger concerts – Mr. Foley has been in discussion with HE&R regarding this and will continue discussions. HE&R has been proactive in trying to resolve some of the concerns keeping in mind this is an entertainment venue.
- Road Races/Runs in the Township – The Township is working with HE&R, other sponsors, and the Hershey Ministerium as it relates to coordinating and scheduling of road closures and time and day of the week these events occur.
- Proposed New Fire Station – There is a 30-day public comment period with regard to the proposed new fire station. There are 2 days left until the 30-day window has expired. At the next meeting, there will be more comments from the Board as they continue to meet with the leadership of the Fire Company for this initiative.

Rich Gamble, Hockersville Road – In the Hummelstown Sun, there were quite a few comments regarding a new fire station. Mr. Gamble wanted to emphasize the importance fire safety is for the community. We need to expand with an additional station as more and more homes are moving further out as well as all the traffic that presents itself in the summer.

Chairman Foley recognized and welcomed the scouts in attendance. Ben Spangler, Hummelstown, Troop 203 introduced himself and said he was working on the Citizenship and Community badge.

ADJOURNMENT

Supervisor Engle moved to adjourn the meeting at 7:30p.m. Vice-Chairman Moyer seconded. *The motion carried, 5-yes 0-no.*

SUBMITTED BY:

Justin C. Engle
Township Secretary

Brenda Van Deursen
Recording Secretary