

TOWNSHIP OF DERRY

BOARD OF SUPERVISORS MEETING

Tuesday, March 9, 2010
600 Clearwater Road, Hershey, Pennsylvania 17033

CALL TO ORDER

The March 9, 2010 Township of Derry Board of Supervisors meeting was called to order at 7:15 p.m. by Chairman Michael H. W. Pries.

ROLL CALL

E. Christopher Abruzzo, Vice-Chairman
Sandy A. Ballard
Kelly C. Fedeli, Secretary
Marc A. Moyer
Michael H. W. Pries, Chairman

Also Present:

Matt Bonanno – HRG, Township Engineer
Jill E. Horner – Assistant Township Manager
Matthew J. Mandia – Director of Parks and Recreation
James N. Negley - Township Manager/Township Treasurer
Robert Piccolo – Assistant Director, Public Works
Donna Small – Hershey Public Library
Edward L. Small – Director of Community Development
William D. Smith – Chief of Police
Scott Stein – President, Fire Company
Terry M. Weinhold – Manager of Accounts Payable & Accounts Receivable
Jon A. Yost - Township Solicitor
Brenda Van Deursen - Recorder

Public Present: Charleton Zimmerman, Elvira Ebling, Skip Memmi, Michael Salvo, Seth Mendelsohn, Joe Woodward, Rich Gamble, Bob Larson, Carolyn Akers, Jim Ingalzo, Lou Paoletti, Matthew Weir, Pete Joyce, Robert Naegele

Press Present: Drew Weidman, The Sun

Executive Session:

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

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

VISITOR/PUBLIC COMMENT

Rich Gamble, Hockersville Road – Mr. Gamble asked the Board to consider the properties on Hockersville Road and not make it a business community. When a property is bought, the buyer needs to build within the guidelines of the Township.

APPROVAL OF MINUTES:

Chairman Pries called for a motion to approve the Minutes of the February 23, 2010 Board of Supervisors Meeting. Supervisor Ballard made a motion to approve the Minutes of the February 23, 2010 Board of Supervisors Meeting with one correction under Public Comment: change foreign based codes to form-based codes. Vice-Chairman Abruzzo seconded. *The motion carried 5-0.*

NEW BUSINESS:

Presentation of plaque to Scott Stephens, recognizing his retirement as Tax Office Manager. Introduction of Wendy Melhorn as new Manager of the Tax Office.

Chairman Pries presented Scott Stephens with a Retirement Award plaque recognizing his years of dedicated and loyal service from 1997 to 2010 as the Manager of the Tax Office.

Mr. Stephens thanked the Supervisors, Manager Negley and his staff for their support the past 12 ½ years. He introduced Wendy Melhorn as the new Manager of the Tax Office. She has been with the office for over 20 years. Chairman Pries said that Ms. Melhorn comes highly recommended by Mr. Stephens and the Township Manager.

A1-9 The Revised Preliminary/Final Land Development Plan for the Pennsylvania State University Milton S. Hershey Medical Center Support Services Building, Plat No. 1189.

Edward L. Small – Director of Community Development

Lots 1, 2, & 3 make up 375 of the 546 acres of the Hershey Medical Center Campus which contain the hospital, medical school, and related functions. The original land grant from the Hershey Trust Company is identified as Lot #1 and the acquired Lots #2 and #3 are integral to Lot #1 as some of the buildings are on the tract lines between the lots. The Planning Commission agreed that Lots 1, 2, and 3 be analyzed as one description. The plan now under construction is Phase 8, the Support Services Building. It will add 37,485 square feet of floor area to the buildings on the campus. Parking is provided to include 40 regular spaces, 5 accessible spaces, and 8 loading spaces. Stormwater analysis, traffic impact and sewage volumes have been addressed. Fire flows are consistent with the standards for a fully sprinklered building. Waivers include profiling gas and water lines, stormwater sewer and sanitary sewer system. The Planning Commission recommended approval subject to a number of items being satisfied. Most of the items are notational and would not stop the plan.

Supervisor Ballard referred to a suggestion made in the Minutes of the Planning Commission Meeting regarding a waiver for interior trees. Mr. Small said there was no request to do that.

Motion: A motion made by Supervisor Fedeli and seconded by Supervisor Ballard that the Revised Preliminary/Final Land Development Plan for the Pennsylvania State

University Milton S. Hershey Medical Center Support Services Building, Plat #1189, is approved subject to the following:

- a. That the applicant reimburse the Township for costs incurred in reviewing the plan no later than April 9, 2010.
- b. That performance security be provided no later than September 9, 2010 to guarantee the completion of required improvements.
- c. That a letter be provided from the Dauphin County Conservation District approving the erosion and sedimentation control plan no later than September 9, 2010.

It is further moved that the following waivers be granted from the Subdivision and Land Development regulations:

- a. From Section 185-13.E.(4).(a).[21] regarding providing profiles for existing gas lines and water lines located outside of the project area.
- b. From Section 185-13.E.(4).(a).[19] regarding providing profiles for existing storm sewers located outside of the project area.
- c. From Section 185-13.E.(4).(a).[20] regarding providing profiles for existing sanitary sewers located outside of the project area.

The motion carried, 5-0.

B1-4 Consideration of a partial release and acceptance of replacement performance security for the Preliminary/Final Subdivision Plan for Hills Property, Plat No. 1165.

Edward L. Small – Director of Community Development

The Township is holding security in the amount of \$19,234.33 in the form of cash. Following the recording of the plan, the property was sold. The seller supplied the security, but the buyer will complete the obligations under the performance security and will replace the cash with a Letter of Credit. HRG inspected the improvements and found them satisfactory in the amount of \$5,376.25 reducing the balance to \$13,858.08.

Motion: A motion made by Supervisor Ballard and seconded by Supervisor Moyer that the Township hereby releases \$5,376.25 from the originally required amount of performance security, namely \$19,234.33, supplied for the Preliminary/Final Subdivision Plan for Hills Property, Plat #1165, and accepts Letter of Credit No. 1006252 in the reduced amount of \$13,858.08 from Graystone Bank as replacement security; further, that the cash security of \$19,234.33 is released in full is approved. ***The motion carried, 5-0.***

C1-3 Consideration of the release of a portion of the performance security for the Preliminary/Final Lot Consolidation/Land Development Plan for Ronald McDonald House, Plat No. 1172.

Edward L. Small – Director of Community Development

This plan involves site improvements for the Ronald McDonald House. The Township is holding security in the amount of \$370,301.87. There have been no partial releases to date. Recent inspection by HRG recommended the release of \$159,061.10 for work

completed. In order to agree with the amount in the engineer's review, an additional \$0.13 should be released leaving a balance of \$211,240.77.

Motion: A motion made by Supervisor Moyer and seconded by Vice-Chairman Abruzzo that the Township releases \$159,061.23 from the performance security supplied as Letter of Credit No. 10006929854 by Susquehanna Bank in the amount of \$370,302.00 for the Preliminary/Final Lot Consolidation/Land Development Plan for Ronald McDonald House, Plat #1172, leaving a balance of \$211,240.77 is hereby approved. ***The motion carried, 5-0.***

D1-4 Resolution No. 1258, application for permit to install and operate traffic signals on Campus Drive at Centerview Drive on the Penn State Milton S. Hershey Medical Center Campus.

James N. Negley - Township Manager/Township Treasurer

Penn State Hershey Medical Center's engineer recently performed traffic studies which warrant a traffic signal on Campus Drive at Centerview Drive. This signal would be on the campus and Hershey Medical Center will pay for the erection, operation and maintenance of the signal.

Supervisor Fedeli asked what the main reasons were for this request. Carolyn Akers, HMC, explained that the intersection between the parking garage and the building is heavily used. Staff, visitors, med students, etc. are trying to cross the intersection. The construction of the Children's Hospital will cause even more congestion.

Motion: A motion made by Vice-Chairman Abruzzo and seconded by Supervisor Fedeli that Resolution No. 1258, application for permit to install and operate traffic signals on Campus Drive at Centerview Drive on the Penn State Milton S. Hershey Medical Center Campus is hereby approved. ***The motion carried, 5-0.***

E1-12 Authorization for the Chairman of the Board of Supervisors to execute a Grant Agreement for the Dauphin County Local Share Municipal Grant Program for the State Route 743 Relocation and Improvement Project.

James N. Negley - Township Manager/Township Treasurer

The Township was very fortunate to receive \$618,900 in grant money specifically earmarked for engineer fees and utility relocation for the Route 743 project. In order for the funds to be released, a grant agreement must be executed.

Motion: A motion made by Vice-Chairman Abruzzo and seconded by Supervisor Moyer that the authorization for the Chairman of the Board of Supervisors to execute a Grant Agreement for the Dauphin County Local Share Municipal Grant Program for the State Route 743 Relocation and Improvement Project is hereby approved. ***The motion carried, 5-0.***

Discussion: Chairman Pries thanked Skip Memmi for the countless hours he spent since 2004 on this project. He also thanked him for his part in the 422 Lingle Avenue project which will start this summer.

F1-3 Authorization to advertise an ordinance amending the Code of the Township of Derry (Ordinance No. 553), Chapter 11, Article III, Section 11-21 to amend the Park Rules and Regulations.

Matthew J. Mandia – Director of Parks and Recreation

The Parks Rules and Regulations are being amended to address areas of the ordinance that either are no longer applicable or sections that need further clarification. Mr. Mandia mentioned that some of the changes include prohibiting parking on the grass, open fires restricted to camp fire rings only, prohibit outside trash or refuse to be deposited in the park system receptacles, and care of the athletic fields.

Supervisor Moyer noted grammar errors in the Parks Rules and Regulations and asked that they be corrected.

Chairman Abruzzo emphasized the guidelines for using the athletic fields. The fields are destroyed at times causing thousand of dollars in repairs.

Motion: A motion made by Vice-Chairman Abruzzo and seconded by Supervisor Moyer that authorization to advertise an ordinance amending the Code of the Township of Derry (Ordinance No. 553), Chapter 11, (Boards, Committees, and Commissions), Article III, (Parks and Recreation Advisory Board) Section 11-21 Rules and Regulations; Violations and Penalties, Appendix A. Park Rules and Regulations is hereby approved.
The motion carried, 5-0.

G1-5 Authorization to advertise an ordinance amending the Code of the Township of Derry (Ordinance No. 553), Chapter 132, Article I, Section 132-3 to amend the Bicycle and Pedestrian Trail Rules and Regulations.

Matthew J. Mandia – Director of Parks and Recreation

The Bicycle and Pedestrian Trail Rules and Regulations are being amended to address areas of the ordinance that are not longer relevant and/or sections that need further classification. Three main items are: 1) Use of roadways when bike lanes exist, 2) Disposal of pet waste; and 3) Trails located adjacent to roadways.

Motion: A motion made by Vice-Chairman Abruzzo and seconded by Supervisor Fedeli that the authorization to advertise an ordinance amending the Code of the Township of Derry (Ordinance No. 553), Chapter 132, (Parks and Recreation) Article I, (Bicycle and Pedestrian Trail) Section 132-3 Rules and Regulations as presented is hereby approved.
The motion carried, 5-0.

H1-6 Consideration by the Board of Supervisors to authorize and execute a collaborative agreement between the Derry Township Police Department and the Victim/Witness Assistance Program of Dauphin County.

William D. Smith – Chief of Police

This request is to extend the service contract with the Victim/Witness Assistance Program for another year. The Police Department would be responsible to pay them \$20,000 for 2010.

Vice-Chairman Abruzzo commended Chief Smith for his foresight with this project. It is a great investment for our community. He abstained from voting because he is the Chairman of the Victim/Witness Assistance Program.

Motion: A motion made by Supervisor Moyer and seconded by Supervisor Ballard that the Board of Supervisors enter into a collaborative/contractual agreement with the Victim/Witness Assistance Program for the contract service of a Victim/Witness Advocate for a one (1) year period is hereby approved. *The motion carried, 4-0-1.*

I1-4 Ordinance No. 592, amending the Code of the Township of Derry (Ordinance No. 553) Chapter 210, Article II, Section 210-24, by establishing a stop sign on Quail Hollow Road, southbound, a stop sign on Quail Hollow Road, northbound, a stop sign at Stoney Run Road, westbound. In addition, the deletion of a right-turn signal at Quail Hollow Road.

William D. Smith – Chief of Police

This amendment came about by concerns relating to the traffic posting configuration at the intersection of Quail Hollow Road and Stoney Run Road. A traffic study was done by HRG and the findings warranted stop signs to be placed at the intersection.

Motion: A motion made by Supervisor Ballard and seconded by Supervisor Fedeli to approve Ordinance No. 592, amending the Code of the Township of Derry (Ordinance No. 553) Chapter 210, (Vehicles and Traffic), Article II, (Traffic Regulations), Section 210-24. Stop intersections established, by establishing a stop sign on 1) Quail Hollow Road, southbound, as it intersects with Stoney Run Rd., 2) a stop sign at the intersection of Quail Hollow Road, northbound, as it intersects with Stoney Run Rd., and 3) a stop sign at Stoney Run Road, westbound, as it intersects with Quail Hollow Rd; and the deletion of a right-turn signal at Quail Hollow Road, northbound as it intersects with Stoney Run Road. *The motion carried, 5-0.*

Supervisor Ballard thanked the Chief, the Township engineer, and other staff for their quick response in getting this resolved.

CORRESPONDENCE

No correspondence to report.

BOARD/COMMITTEE INFORMATION

No Board information to report.

REPORTS

Robert Piccolo – Assistant Director of Public Works

Mr. Piccolo announced that Kiss Hershey Back is April 17th at 9:00. Three trees have been donated and will be planted on Wood Road along the bike path. He said that they are getting the Park System and athletic fields ready for opening day.

Donna Small - Hershey Public Library

Mrs. Small mentioned the Springtime in the Park event which gives a child a chance to read their way to a free ticket to Hersheypark. Also on April 2nd and 3rd, there will be Storytimes at Hersheypark.

Terry M. Weinhold – Manager of Accounts Payable & Accounts Receivable

Ms. Weinhold was pleased to announce that they received the \$492,000 a month earlier than normal.

Matthew J. Mandia – Director of Parks and Recreation

Mr. Mandia said that there will be a new board to display the Parks Rules and Regulations.

Jill E. Horner – Assistant Township Manager

Asst. Mgr. Horner announced that the electronic newsletter will go out next week. She will send a draft copy to the Board tomorrow for final review. She also mentioned that any resident who has not signed up on the web site, can go to the home page to add their e-mail address.

APPROVAL OF ACCOUNTS PAYABLE (\$321,858.30) AND PAYROLL (\$299,510.10).

Supervisor Moyer moved to approve accounts payable in the amount of \$321,858.30 and payroll in the amount of \$299,510.10. Vice-Chairman Abruzzo seconded. ***The motion carried, 5-0.***

VISITOR/PUBLIC COMMENTS

Seth Mendelsohn, 800 W. Hershey Park Drive – Mr. Mendelsohn is from American PA Water. He shares the concerns regarding West Caracas Avenue. The current problem on West Caracas is not being addressed and he would like to meet with the Board to find solutions.

Chairman Pries said that the Township has reached out to American PA Water to meet and discuss solutions. He suggested they meet with Mgr. Negley and the solicitor.

Chairman Pries asked if a date in April has been scheduled for fixing the pipes in the roadway. Mr. Mendelsohn said they are bidding work out this month and into next month for work on West Caracas and the surrounding area.

Skip Memmi – Mr. Memmi reported that the Tax Collection Committee has retained a solicitor. Once the bylaws for the organization are established, they will put together proposals to meet the deadline in November of this year. Sandy Ballard is an alternate delegate on this Committee.

ADJOURNMENT

Vice-Chairman Abruzzo moved to adjourn the meeting at 8:20 p.m. Supervisor Ballard seconded. ***The motion carried, 5-0.***

SUBMITTED BY:

Kelly C. Fedeli
Township Secretary

Brenda Van Deursen
Recording Secretary