

TOWNSHIP OF DERRY
BOARD OF SUPERVISORS MEETING
Tuesday, May 25, 2010
600 Clearwater Road, Hershey, Pennsylvania 17033

CALL TO ORDER

The May 25, 2010 Township of Derry Board of Supervisors meeting was called to order at 7:05 p.m. by Chairman Michael H. W. Pries.

ROLL CALL

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

Also Present:

Matt Bonanno – HRG, Township Engineer
Thomas R. Clark –Director, Public Works
Barbara S. Ellis – Director, Hershey Public Library
Charles Emerick - Assistant Director of Community Development
Jill E. Horner – Assistant Township Manager
Cheryl L. Lontz – Manager of Payroll & Employee Benefits
Matthew J. Mandia – Director of Parks and Recreation
William D. Smith – Chief of Police Department
Jon A. Yost - Township Solicitor
Brenda Van Deursen - Recorder

Public Present: Bob Larson, Elvira Ebling, Steve Todd, Don Isabella, Matt Weir, Rich Gamble

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

Doug Gelder – Mr. Gelder shared a few years ago he made PNC Bank an offer for the burnt property at Deer Run Commons. They did not take his offer. Recently, PNC Bank sent him a Letter of Intent in response to his offer of two years ago. Mr. Gelder's attorney is working with PNC's attorney on an agreement of sale. Mr. Gelder's plan is to demolish all the units once he has a clear title to the property. He is concerned how long it will take to get a free, marketable title. He further explained his plan for the area

once the burnt buildings are removed. Mr. Gelder expressed concern that it has been over 2 years and PNC has done nothing with the property.

Supervisor Moyer does not know why PNC Bank has not come forth to take care of the problem. The goal is to raise the buildings as quickly and efficiently as possible. He is concerned with more time passing to tear down the burnt buildings while waiting for a clear title. Mr. Gelder feels it is a civic responsibility of PNC Bank to take care of the property. He would prefer either the Township or PNC do the demolition of the buildings.

Chairman Pries asked Mr. Emerick what PNC Bank's response has been when contacted. Mr. Emerick said he contacted their agent, Barbara Cartwright, who has not yet gotten back to him.

Supervisor Moyer suggested Mr. Emerick contact someone else. Mr. Emerick said each of the letters he has sent has gone to Landholdings, LLC which is the landholding company for PNC, but he does not have a contact person there. He reported citations are ready to go out on Thursday and on Monday if the deadlines are not met. Chairman Pries said he would contact the president of PNC via e-mail.

APPROVAL OF MINUTES:

Chairman Pries called for a motion to approve the Minutes of the May 11, 2010 Board of Supervisors Meeting. Supervisor Ballard made a motion to approve the Minutes of the May 11, 2010 Board of Supervisors Meeting as written. Supervisor Moyer seconded.

Supervisor Fedeli abstained as she was absent from the meeting. ***The motion carried 3-0-1.***

NEW BUSINESS:

Presentation by Derry Environmental Action Committee - Tree Vitalize Grant Proposal

Supervisor Ballard reported the Derry Environmental Action Committee (DEAC) will prepare a grant application on behalf of the Township. This grant is for the purchase of 40 native trees to be planted along residential streets and public trails. This will help address the need for additional tree coverage. If any, the cost will be very minimal. Homeowners and the Township will be expected to water and maintain their trees during the first few years. In addition, two DEAC volunteers and two Township Public Works staff must attend one three-hour Tree Tender training session. The proposal is due July 1st and we should find out within a month if the funding is granted. If the funding is received, the trees will be purchased next year and planted during the Kiss Hershey Back event.

Supervisor Fedeli asked if this was a \$4,000 or \$6,000 grant. Supervisor Ballard answered \$4,000, but they request a match of \$2,000. DEAC will help the Township raise the match.

Motion: A motion made by Chairman Pries to submit a grant application to the Pennsylvania Department of Conservation and Natural Resources in the amount of \$4,000.00 to purchase 40 native trees. Supervisor Moyer seconded. ***The motion carried, 4-0.***

A1-4 Approval of rate increases for the waste collection services provided by York Waste Disposal as the result of an increase in tipping fees at the Harrisburg Incinerator.

Jill E. Horner – Assistant Township Manager

Asst. Mgr. Horner reported that York Waste Disposal is seeking an increase in the amount that is billed for residential and the multi-family dumpster service. The increase would be \$.13/month for residential and \$.08/cubic yard for the dumpster service. The reason for this increase is because Harrisburg Incinerator has announced effective June 1, 2010, they will have a per ton tipping fee increase. Our contract does allow for this with York Waste.

Don Isabella, York Waste Disposal – Mr. Isabella said the haulers do not have a choice where the trash goes...it must go to the Harrisburg Incinerator. The Authority with the approval of the County does an annual CPI increase. The increase was 1.72. The current contract with Derry Township includes an escalator that allowed a pass through of these costs, which is uncontrollable.

Motion: A motion made by Supervisor Ballard that a rate increase for the collection of waste by York Waste Disposal of \$.39 per quarter to \$57.91 for residential and the multi-family dumpster service of \$.08 per cubic yard is approved as a result in an increase in the Harrisburg Authority tipping fees, effective June 1, 2010. Supervisor Fedeli seconded. *The motion carried, 4-0.*

B1-2 Award of contract for a replacement air conditioning unit at the Hershey Public Library in the Data/Server Room.

Barbara S. Ellis – Director, Hershey Public Library

Ms. Ellis said there are currently 11 servers, 5 switches, the UPS, and other necessary equipment to fund the operation of the computers in the library as well as some across the Township. The current air units are not sufficient to keep the room cool and they are also failing. Money has been budgeted for this. Bids were submitted and the lowest bidder was Eshenaur Fuels Inc. at \$7,365.00.

Supervisor Ballard asked if the bids were less than what was budgeted. Ms. Ellis said they were.

Supervisor Moyer inquired about the age of the servers and if it would be possible to replace the servers with one more efficient server and possibly not need the replacement air conditioners. Ms. Ellis said they will look at a more efficient server once the current servers need replaced. Some of the servers are new. Right now, they need to assure the servers are kept at the appropriate temperature to assure proper function.

Motion: A motion made by Supervisor Fedeli and seconded by Supervisor Ballard that the award of the air conditioning bid replacement at Hershey Public Library to Eshenaur Fuels, Inc. in the amount of \$7,365.00 is hereby approved. *The motion carried, 4-0.*

C1-2 Request from Hersheypark to hold a fireworks display on July 4, 2010.

Jill E. Horner – Assistant Township Manager

Asst. Township Manager Horner received a request from Hersheypark to hold their annual fireworks display on Sunday, July 4, 2010. They will provide the necessary certificate of insurance as required. The rain date is scheduled for July 5, 2010.

Motion: A motion made by Supervisor Ballard and seconded by Supervisor Fedeli that the request from Hersheypark to conduct a fireworks display on July 4, 2010 is hereby approved. *The motion carried, 4-0.*

D1-2 Request from Milton Hershey School to hold a fireworks display on June 16, 2010.

Jill E. Horner – Assistant Township Manager

Asst. Township Manager Horner received a request from the Milton Hershey School to hold a fireworks display for a student event on June 16, 2010 at Henry Hershey Field at 8:45. They will also provide the required certificate of insurance.

Supervisor Moyer asked if \$1 million was standard for the insurance. Ms. Horner said it was. This is for businesses and individuals.

Motion: A motion made by Supervisor Moyer and seconded by Supervisor Ballard that the request from the Milton Hershey School to conduct a fireworks display on June 16, 2010 is hereby approved. *The motion carried, 4-0.*

CORRESPONDENCE

There was no correspondence to report.

BOARD/COMMITTEE INFORMATION

Supervisor Fedeli announced that on Thursday, May 27th, there will be a public event held at the Township Building. The House Transportation Committee is holding hearings regarding the transportation funding situation in Pennsylvania. The Chairman of the Transportation Committee will be here.

Supervisor Fedeli mentioned the Memorial Day Parade and encouraged all to participate in the parade.

REPORTS

Thomas R. Clark - Director, Public Works

Mr. Clark reported the paperwork to FEMA has been completed for the reimbursement of costs involved with the snow storm in February. The amount submitted was slightly over \$50,000.

Chairman Pries said it was noted that PennDOT was preparing for work that Rep. Payne talked about recently on Hockersville Road. Mr. Clark said they are doing base repair prior to the overlay.

Chairman Pries thanked Mr. Clark for handling Mr. Gamble's concern regarding the hill in front of the old Police Station.

Supervisor Ballard shared she received positive feedback from the Shred-it event.

Chairman Pries said he received positive comments for Public Works and the Police Department for their response to storm related damages near Linden Road and Elm Avenue.

Barbara Ellis – Director of Hershey Public Library

Ms. Ellis said a request for proposal went out to 5 design companies for the library redesign project. She hopes to have a decision by June 22nd.

Ms. Ellis announced the Summer Reading Program for adults and teens will begin June 1, 2010. The following week the reading program will begin for children.

Cheryl L. Lontz – Manager of Payroll & Employee Benefits

Ms. Lontz reported that they received \$1.5 million PIB loan. She also reported revenues are looking good.

Matthew J. Mandia – Director of Parks and Recreation

Mr. Mandia said they are finishing up preparations for opening day at the Hershey Recreation Center. They have begun putting water in the outdoor pool and installed some new water features.

Mr. Mandia reminded everyone of the Memorial Day Parade and encouraged all to attend.

Supervisor Ballard asked Mr. Bonanno for re-clarification on the stream bank restoration at the Library. Mr. Bonanno said it does not include the strip of bank in front of the library. He offered to show Supervisor Ballard the plan.

APPROVAL OF ACCOUNTS PAYABLE (\$367,494.43) AND PAYROLL (\$283,843.19).

Supervisor Fedeli moved to approve accounts payable in the amount of \$367,494.43 and payroll in the amount of \$283,843.19. Supervisor Moyer seconded. ***The motion carried, 4-0.***

VISITOR/PUBLIC COMMENTS

No one came forward.

ADJOURNMENT

Supervisor Ballard moved to adjourn the meeting at 7:40 p.m. Supervisor Moyer seconded. ***The motion carried, 4-0.***

SUBMITTED BY:

Kelly C. Fedeli
Secretary

Brenda Van Deursen
Recorder