

TOWNSHIP OF DERRY BOARD OF SUPERVISORS

REORGANIZATION MEETING

Monday, January 4, 2010

600 Clearwater Road, Hershey, Pennsylvania 17033

CALL TO ORDER:

The January 4, 2010 Reorganization Meeting of the Township of Derry Board of Supervisors was called to order at 7:05 by Chairman Michael H. W. Pries.

PLEDGE OF ALLEGIANCE

All present stood for the Pledge of Allegiance.

INDUCTION OF NEW BOARD MEMBERS

Supervisor Pries introduced Justice J. Michael Eakin, Supreme Court of Pennsylvania. Justice Eakin gave oath of office to Marc A. Moyer to serve as a member of the Board of Supervisors.

Supervisor Pries introduced The Honorable Todd A. Hoover, Judge of Dauphin County. Judge Hoover proceeded to give the oath to Sandra Ballard to serve as a member of the Board of Supervisors. The two new Board members, Marc Moyer and Sandra Ballard, replace George Porter and Skip Memmi.

ROLL CALL

Supervisors Present:

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

Also Present:

Matt Bonanno – HRG
Jill E. Horner – Assistant Township Manager
Matthew J. Mandia – Director of Parks and Recreation
James N. Negley - Township Manager/Township Treasurer
Robert Piccolo – Public Works
Edward L. Small – Director of Community Development
William D. Smith – Chief of Police
Terry W. Weinhold – Manager of Accounts Payables and Receivables
Jon A. Yost - Township Solicitor
Brenda Van Deursen – Recording Secretary

Public Present: Marie McAndrews, James L. Brandt, Paul & Betty Zeiger, Elvira Ebling, Todd Hoover, Alyshia Moyer, Juliet Waldron, Richard W. Gamble, Sandy Cappelli, Victor Puarihia, Rich Cappelli, Charleton Zimmerman, Linda Pagliarulo, Todd Pagliarulo, Susan Moyer

Press Present: Drew Weidman, The Sun

VISITOR/PUBLIC COMMENTS (15 Minutes)

No one came forward.

REORGANIZATION

A1 Election of the Chairman of the Board of Supervisors (Resolution No. 1248)

A1 Election of the Vice-Chairman of the Board of Supervisors (Resolution No. 1248)

A1 Appointment of the Township Secretary (Resolution No. 1248)

A1 Appointment of the Township Assistant Secretary (Resolution No. 1248)

A1 Appointment of the Township Treasurer (Resolution No. 1248)

A1 Appointment of the Township Solicitor (Resolution No. 1248)

A1 Appointment of the Township Engineer (Resolution No. 1248)

MOTION (A1): Supervisor Fedeli made a motion to appoint **Michael H. W. Pries as Chairman, E. Christopher Abruzzo as Vice-Chairman, Kelly C. Fedeli as Township Secretary, James N. Negley as Township Assistant Secretary, James N. Negley as Township Treasurer, Yost & Davidson as the Township Solicitor, and Herbert, Rowland, Grubic as the Township Engineer.** The motion was seconded by Vice-Chairman Abruzzo. ***The motion carried, 5-0.***

B1 Appointment of an Emergency Management Coordinator and three Deputy Coordinators for one-year terms with the Emergency Management Agency

MOTION: A motion made by Vice-Chairman Abruzzo and seconded by Supervisor Fedeli to appoint Lt. Holl as the Emergency Coordinator for a one-year term and Chuck Mouery and Ernie Sholly as Deputy Coordinators for one-year terms is hereby approved. ***The motion carried, 5-0.***

C1 Establishment of the Manager's Bond Limit (Resolution No. 1249)

MOTION: A motion made by Vice-Chairman Abruzzo and seconded by Chairman Pries that the bond limit for the Township Manager and Treasurer shall not be less than \$1,500,000 for the year 2010 is hereby approved. ***The motion carried, 5-0.***

D1 Appointment of a Delegate and an Alternate Delegate to the State Convention (Resolution No. 1250)

MOTION: A motion made by Supervisor Fedeli and seconded by Supervisor Moyer that Chairman Pries be appointed as Delegate and Vice-Chairman Abruzzo as Alternate Delegate to the 2010 State Convention is hereby approved. *The motion carried, 5-0.*

E1 Selection of Depositories for Township Funds (Resolution No. 1251)

MOTION: A motion made by Vice-Chairman Abruzzo and seconded by Supervisor Ballard that PNC Bank, Citizens Bank, Sovereign Bank, Pennsylvania Local Government Investment Trust, Northwest Savings, Fulton Bank, Metro Bank, Wachovia, M&T Bank, Community Banks, Hershey Trust, and Pennsylvania State Treasurers Invest Program as depositories for the funds of the Township of Derry for the year 2010 and the Township Treasurer is further authorized to invest Township funds in any security as authorized in Act 102 of 1980 and is directed to deposit in said depositories all funds coming into the hands as Township Treasurer is hereby approved. *The motion carried, 5-0.*

F1 Naming of monies to be paid to the Hershey Fireman's Relief Association for the year 2010 (Resolution No. 1252)

MOTION: A motion made by Supervisor Fedeli and seconded by Vice-Chairman Abruzzo that the Township pay over to the Hershey Fireman's Relief Association all monies received from Foreign Fire Insurance Tax for the year 2010 is hereby approved. *The motion carried, 5-0.*

G1 Appointment of One (1) Member to the Vacancy Board for a one-year term (Expired term of Todd Pagliarulo)

MOTION: A motion made by Vice-Chairman Abruzzo and seconded by Supervisor Fedeli to appoint Todd Pagliarulo to the Vacancy Board for a one-year term is hereby approved. *The motion carried, 5-0.*

H1-11 Appointment of One (1) Member to the Planning Commission for a four-year term (Expired term of Silvan Lutkewitte)

Chairman Pries read the following names of candidates for the Planning Commission: Silvan Lutkewitte, Chris Dawson, Steve Todd, and Daniel Lauria.

ROLL CALL VOTE: The roll call votes were: Abruzzo, Fedeli, Moyer, Pries for Silvan Lutkewitte (4 votes); Ballard for Chris Dawson (1 vote). Silvan Lutkewitte is appointed as a member to the Planning Commission for a four-year term.

I1-2 Appointment of One (1) Member to the Parks and Recreation Advisory Board for a five-year term (Expired term of Bill Ray)

MOTION: A motion made by Vice-Chairman Abruzzo and seconded by Supervisor Moyer to appoint John Lutes to the Parks and Recreation Advisory Board for a five-year term is hereby approved. *The motion carried, 5-0.*

J1-12 Appointment of One (1) Member to the Zoning Hearing Board for a five-year term (Expired term of Charles Emerick)

Chairman Pries read the following names of candidates for the Zoning Hearing Board: Steve Todd, William Tafuto, Daniel Lauria.

ROLL CALL VOTE: The roll call votes were Ballard for Steve Todd (1 vote); Abruzzo, Fedeli, Moyer, Pries for William Tafuto (4 votes). William Tafuto is appointed as a member to the Zoning Hearing Board for a five-year term.

K1-6 Appointment of One (1) Member to the Design Review Board for a five-year term (Expired term of Daniel Sheffey)

Chairman Pries read the following names of candidates for the Design Review Board: Dan Sheffey, Marianne Friedman, Daniel Lauria.

ROLL CALL VOTE: The roll call votes were unanimous for Dan Sheffey. Dan Sheffey is appointed as a member to the Design Review Board for a five-year term.

L1 Appointment of One (1) Member to the Police Pension Advisory Board for a one-year term (Expired term of James Brandt)

MOTION: A motion made by Supervisor Fedeli and seconded by Supervisor Ballard to appoint James Brandt to the Police Pension Advisory Board for a one-year term is hereby approved. *The motion carried, 5-0.*

M1-4 Appointment of Two (2) Members to the General Authority Board for a five-year term and a two-year term (Expired terms of Bruce Smith and Chris Barrett)

Chairman Pries read the following names of candidates for the General Authority Board: Chris Barrett, Christopher Dawson, Joseph Judge.

ROLL CALL VOTE: The roll call votes were unanimous for Christopher Dawson; Abruzzo, Fedeli, Moyer, Pries for Chris Barrett (4 votes); and Ballard for Joseph Judge (1 vote). Christopher Dawson is appointed for a five-year term and Chris Barrett is appointed for a two-year term to the General Authority Board.

N1-13 Appointment of Two (2) Members to the Industrial Commercial Development Authority for a five-year term and a two-year term (Expired terms of Domenick Argento and James Ingalzo)

Chairman Pries read the following names of candidates for the Industrial Commercial Development Authority: Domenick Argento, James Ingalzo, Chris Dawson, Bob Agarwal, William Martin, Daniel Lauria.

ROLL CALL VOTE FOR A 5-YEAR TERM: The roll call votes were unanimous for James Ingalzo. James Ingalzo is appointed as a member to the Industrial Commercial Development Authority for a five-year term.

ROLL CALL VOTE FOR A 2-YEAR TERM: The roll call votes were Abruzzo, Fedeli, Moyer, Pries for Domenick Argento (4 votes); and Ballard for Bob Agarwal (1 vote). Domenick Argento is appointed as a member to the Industrial Commercial Development Authority for a two-year term.

01-10 Appointment of two (2) Members to the Board of Library Directors for three-year terms (Expired terms of Rosemary Marino and Michele Taylor)

Chairman Pries read the following names of candidates for the Board of Library Directors: Rosemary Marino, Michele Taylor, Susan Barto, Gregory Neuhauser, Nidia Werner, Susan Foxx. It was noted that both members with expired terms expressed an interest in reappointment.

ROLL CALL VOTE: The roll call votes were unanimous for Rosemary Marino; Abruzzo, Fedeli, Pries for Michele Taylor (3 votes); and Ballard, Moyer for Susan Foxx (2 votes). Rosemary Marino and Michele Taylor are appointed as members of the Board of Library Directors for three-year terms.

P1 Appointment of One (1) Member to the Tax Collection Association for a three-year term (Expired term of Kenneth Patrick)

MOTION: A motion made by Vice-Chairman Abruzzo and seconded by Supervisor Moyer to appoint Kenneth Patrick to the Tax Collection Association for a three-year term is hereby approved. *The motion carried, 5-0.*

MOTION: A motion made by Supervisor Fedeli and seconded by Vice-Chairman Abruzzo to accept appointments addressed in B1 through P1 that were elected through roll call is hereby approved. *The motion carried, 5-0.*

Board of Supervisors Appointments

- Q1 Appointment of One (1) Member to the Library Endowment Trust for a one-year term (Expired term of George Porter)
- R1 Appointment of One (1) Member of the Board of Supervisors as the Emergency Services Liaison for a one-year term (Expired term of Chris Abruzzo)
- S1 Appointment of One (1) member to the Tri-County Regional Planning Commission for a one-year term (Expired term of Mike Pries)
- T1 Appointment of Two (2) Members to the General Authority for a five-year term (Expired term of Mike Pries) and a two-year term (Unexpired term of Skip Memmi)

- U1 Appointment of Two (2) Members to the Industrial Commercial Development Authority for a five-year term (Expired term of Mike Pries) and a two-year term (Unexpired term of Skip Memmi)
- V1 Appointment of Two (2) Members of the Board of Supervisors to the Police Pension Advisory Board for one-year terms (Expired terms of Kelly Fedeli and George Porter)
- W1 Appointment of Two (2) Members of the Board of Supervisors to the Tax Collection Association Board of Directors for a two-year term (Expired term of Mike Pries) and a one-year unexpired term (Unexpired term of Skip Memmi)
- X1 Appointment of One (1) Member of the Board of Supervisors as the Transportation Liaison for a one-year term (Expired term of Skip Memmi)
- Y1 Appointment of One (1) member to the Board of Library Directors for a three-year term (Unexpired term of George Porter)

MOTION: A motion was made by Chairman Pries and seconded by Vice-Chairman Abruzzo to appoint the following for Q1-AA1 above:

Q1 - Marc Moyer to the Library Endowment Trust for a one-year term;

R1 - Chris Abruzzo as the Emergency Services Liaison for a one-year term;

S1 - Sandy Ballard to the Tri-County Regional Planning Commission for a one-year term;

T1 - Marc Moyer for a five-year term and Mike Pries for a two-year term to the General Authority;

U1 - Mike Pries for a five-year term and Chris Abruzzo for a two-year term to the Industrial Commercial Development Authority;

V1 – Kelly Fedeli and Marc Moyer to the Police Pension Advisory Board for one-year terms;

W1 – Sandy Ballard for a two-year term and Marc Moyer for a one-year term to the Tax Collection Association Board of Directors;

X1 – Mike Pries as the Transportation Liaison for a one-year term;

Y1 – Mike Pries to the Board of Library Directors for a three-year term;

Z1 – Kelly Fedeli to the Municipal Authority for a five-year term; and

AA1 – Chris Abruzzo to the Capital Region Council of Governments for a one-year term.

The motion carried unanimously with a vote of 5-0.

APPROVAL OF MINUTES

Chairman Pries called for a motion to approve the Minutes of the December 15, 2009 Board of Supervisors Meeting. Supervisor Fedeli made a motion to approve the Minutes as written. Vice-Chairman Abruzzo seconded. ***The motion carried 3-0-2.***

NEW BUSINESS

A1-2 Approval of Resolution No. 1254 appointing a firm of certified public accountants to audit all of the accounts of the Township of Derry for the 2009 fiscal year.

James N. Negley - Township Manager/Township Treasurer

Hamilton and Musser, PC was approved by the Board of Supervisor on October 26, 2009 to conduct the financial audit of the Township for the year ending December 31, 2009. A resolution is required by the second class Township code to confirm this appointment.

Motion: A motion made by Vice-Chairman Abruzzo and seconded by Supervisor Moyer that Resolution No. 1254, appointing Hamilton and Musser, PC to examine and audit the accounts of the Township of Derry for the 2009 fiscal year for a sum of \$13,500.00, is hereby approved. ***The motion carried, 5-0.***

B1-2 Approval of Resolution No. 1255 establishing the contribution rate for the police pension fund for 2010 at 2% of wages.

James N. Negley - Township Manager/Township Treasurer

A resolution is required to set member contribution rates to the police pension plan for each year. The 2010 contribution rate was previously voted on by the Board of Supervisors. The 2010 MMO for the police pension plan is \$629,851.00. The Township is required to allocate enough State Aid to cover this amount in addition to member contributions of 2% of wages.

Motion: A motion made by Supervisor Moyer and seconded by Supervisor Ballard that Resolution No. 1255 establishing the contribution rate for the police pension fund for 2010 at 2% of the wages is hereby approved. ***The motion carried, 5-0.***

C1-3 Consideration of the release of the performance security for the Revised Preliminary/Final Land Development Plan for the Pennsylvania State University Milton S. Hershey Medical Center Cancer Institute, Plat No. 1138.

Edward L. Small – Director of Community Development

The amount of performance security remaining for this plan is \$101,478.30. HRG inspected the work remaining to be completed under the revised plan and found it to be satisfactory and recommended that the balance remaining be released.

Motion: A motion made by Vice-Chairman Abruzzo and seconded by Supervisor Ballard that the Township release the entire remaining performance security of \$101,478.30 for the Revised Preliminary/Final Land Development Plan for the Pennsylvania State University Milton S. Hershey Medical Center Cancer Institute, Plat #1138, supplied as PNC Bank Letter of Credit No. 18109022-00-000 is hereby approved. ***The motion carried, 5-0.***

D1-5 Consideration of the release of a portion of the performance security for the Preliminary/Final Lot Consolidation and Land Development Plan for 848 Old West Chocolate Avenue, Plat No. 1150.

Edward L. Small – Director of Community Development

This Plan was approved by the Board on October 27, 2008. Following the approval, the applicant satisfied all conditions of the motion before the six-month limit. Included was the provision of performance security in the amount of \$19,944.59. There have been no partial releases to date. HRG inspected the area and found improvements totaling \$16,402.59 to be satisfactory. Mr. Small said the remaining balance will not need to be held for long.

Motion: A motion made by Supervisor Fedeli and seconded by Supervisor Ballard that the Township release \$16,402.59 from the performance security supplied by Mid Penn Bank in the form of Letter of Credit No. 454 for the Preliminary/Final Log Consolidation and Land Development Plan for 848 Old West Chocolate Avenue, Plat #1150, leaving a balance of \$3,542.00 is hereby approved. *The motion carried, 5-0.*

CORRESPONDENCE

There was no correspondence to report.

BOARD/COMMITTEE INFORMATION

Vice-Chairman Abruzzo reported that the Municipal Authority was awarded \$500,000 from DEP to convert excess methane gas into electrical energy to continue to supply the municipal electricity.

Chairman Pries acknowledged Supervisors Ballard and Moyer's appointment to the Tax Collection Association. The current manager for the Tax Association, Scott Stephens has retired. They currently received over 80 applications for the position.

REPORTS

William D. Smith, Chief of Police – Chief Smith announced that Fred Carpenter, dispatcher, has retired after 30 years.

Robert Piccolo, Public Works – Mr. Piccolo reported that they have begun picking up Christmas trees and will do so through the month of January. He also reported that the last storm has depleted half of their salt building.

Chairman Pries thanked the Police Department and Public Works for their outstanding work at the New Year's Eve Celebration.

Terry W. Weinhold, Manager of Accounts Payables and Receivables – Ms. Weinhold reported that revenues are down slightly and expenses slightly over. However, they are still posting through February and hopefully the accounts will balance out.

Matthew J. Mandia, Director of Parks and Recreation – Mr. Mandia said he is looking for another productive and exciting year in Parks & Rec.

Edward L. Small, Director of Community Development – Mr. Small introduced Chuck Emerick, the new Assistant Director of Community Development. He mentioned that Mr. Emerick has served on our Zoning Hearing Board for nine years and was a consultant for Light-Heigel & Associates.

Chairman Pries said that Mr. Emerick's resume was impeccable and he comes highly recommended. He thanked Mr. Emerick for his years of service on the Zoning Hearing Board.

Jill E. Horner, Assistant Township Manager – Ms. Horner announced that the Township's website won first place and the newsletter and annual report won 3rd place in the Pennsylvania State Association of Township Supervisors Communication contest. The Township also received the overall communication award. Chairman Abruzzo thanked Ms. Horner, Supervisor Fedeli and Vice-Chairman Abruzzo for their diligence in updating the website.

Chairman Pries mentioned that the Township website has a link to HRG website. He also mentioned a few projects going on in the Township including infrastructure improvements to bridges, roadways, intersections and stormwater. Supervisor Fedeli said they will continue to keep the community informed and welcome suggestions.

APPROVAL OF ACCOUNTS PAYABLE (\$200,062.16) & PAYROLL (\$274,227.52)

Vice-Chairman Abruzzo moved to approve accounts payable in the amount of \$200,062.16 and payroll in the amount of \$274,227.52. Supervisor Fedeli seconded. ***The motion carried, 5-0.***

VISITOR/PUBLIC COMMENTS

Rich Gamble – Mr. Gamble congratulated the new Board members. He noted that there were new names running for different Boards but that many of the old members were reappointed. He said that it is important to get new people involved.

Vice-Chairman Abruzzo shared that two years ago they removed a number of supervisors from Boards in order to add more people from the community. Some reappointments were made because they were in the middle of projects.

Chairman Pries said that he is looking forward to serving with the two new Board members. Both Vice-Chairman Abruzzo and Supervisor Fedeli agreed.

ADJOURNMENT

Vice-Chairman Abruzzo moved to adjourn the meeting at 8:00 p.m. Supervisor Ballard seconded. ***The motion carried, 5-0.***

SUBMITTED BY:

Kelly C. Fedeli
Township Secretary

Brenda L. Van Deursen
Recording Secretary