

**TOWNSHIP OF DERRY
BOARD SUPERVISORS MEETING**

Tuesday, September 10, 2013
600 Clearwater Road, Hershey, Pennsylvania 17033

CALL TO ORDER

The September 10, 2013 Township of Derry Board of Supervisors meeting was called to order at 7:05 p.m. by E. Christopher Abruzzo, Chairman.

ROLL CALL

Supervisors Present:

E. Christopher Abruzzo, Chairman
Sandy A. Ballard
John Foley, Jr.
Marc A. Moyer, Secretary

Supervisors Absent:

Kelly C. Fedeli, Vice-Chairman

Also Present:

Matt Bonanno, HRG Engineer
Thomas R. Clark, Director of Public Works
Barbara S. Ellis, Director of Hershey Public Library
Charles W. Emerick, Director of Community Development
Matt J. Mandia, Director of Parks and Recreation
James N. Negley, Township Manager/Township Treasurer
Patrick O'Rourke, Chief of Police
Terry M. Weinhold, Manager of Accounts Payable & Receivable
Jon A. Yost, Township Solicitor
Brenda Van Deursen, Recorder

Public Present: Timothy Anderson, Elvira Ebling, B. Romberger, Frank Gilbert, Jessica Zercher, S. Hummer, Brian Shiflett, Matt Weir, Linda Pagliarulo, Todd Pagliarulo, Scott Stein, John Osmolinski, Rodney Sonderman, Josh Wyse, Kenton Whitebread, Sr., Chris Coble, Pat Leonard, Paul DeShong, Justin Lenker, Joshua Brunn, Shayon Conyers, Mathiew Sonderman, Daniel D., Rich Gamble.

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 matters.

OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

Brian Shiflett, 1565 Landvater Road – Mr. Shiflett read a letter to Manager Negley from Joseph McFarland, Acting Superintendent of Derry Township Public Schools. In the letter, Mr. McFarland, on behalf of the Derry Township School District, thanked him and his staff for their kindness, cooperation, time and energy given to assist them in assuring a clean campus for the start of their school year. Having the Township crew

go to the school with a street sweeper and clean up the sidewalks along with the curbing of the bus corrals and around the construction area was greatly appreciated and saved their building and grounds crew a tremendous amount of time. This allowed them to focus on getting the buildings ready to welcome their students back to school. Community partnerships like this are wonderful to have and hopefully are mutually beneficial. The School District initiated three major projects which involved the building and grounds crew and without the help of the Township, their crew would not have been able to get it all done.

Chairman Abruzzo asked Mr. Shiflett to convey the Board's thanks back to Mr. McFarland and the others on the School District Board.

APPROVAL OF MINUTES

Chairman Abruzzo called for a motion to approve the Minutes of the August 27, 2013 Board of Supervisors meeting.

Motion: Chairman Abruzzo called for a motion to approve the Minutes of the August 27, 2013 Board of Supervisors meeting. Supervisor Foley made a motion to approve the Minutes as written. Supervisor Ballard seconded. ***The motion carried, 4-yes 0-no***

NEW BUSINESS

A1-2 Recognition and awards to Emergency Responders, Hershey Entities, and Stakeholders in our Community who provided their professional services during the UGI Gas Leak on July 11, 2013.

John Foley, Jr., Supervisor - On July 11 in the early morning hours, the Derry Township Police Department received a call for a motor vehicle accident at Wood and Waltonville Roads. It was a one vehicle crash and it escalated rapidly to a strong odor of gas. Shortly after that, Dauphin County and Derry Township Police Department received multiple calls for a large explosion in the area. The calls were repetitive to both the County and to the Police Department. The Hershey Volunteer Fire Department was dispatched and our crews responded to the scene and experienced a large odor of gas. This rapidly escalated into a second alarm and a major evacuation. The sound of the gas leak was like a jet engine. The Emergency Management Agency was notified and an enormous amount of resources were deployed to assist. There were 980 red alert calls. Multiple fire departments knocked on numerous doors throughout the Oakmont community. Within minutes of a call to the security of the Hershey Entertainment & Resort asking if they had the ability to house several hundreds of people due to an emergency, the Hershey Lodge doors were opened to receive the residents. This gas leak involved a four inch gas main which was about 360 pounds of pressure. Over 104 personnel participated in this major incident.

Patrick O'Rourke, Chief of Police - Chief O'Rourke said this is the largest gas leak he ever experienced. He recorded the sound of the gas leak and shared via his phone what the gas leak sounded like almost a mile away. Chief O'Rourke gave a brief overview of their response and the events that occurred that night. When each of the teams executed their plans with ease, it all came together. There were few if any problems that evening.

Chief Pat Leonard – Chief Leonard said part of our success for the fire protection of Derry Township comes from the partnership of other companies that assist our residents. He commented on their relationship with the Police Department and the command post, the HE&R entities, the schools, etc. He is fortunate not only for his crew but for the partnership of the groups that are here tonight and appreciate all their help.

Chairman Abruzzo mentioned the mutual aid agreements and the partnerships we have not just in this community but outside the community who are willing to help each other. While we are proud of our Hershey Volunteer Fire Department and the sacrifices they make on behalf of the citizens of Derry Township, we are happy for them to assist and offer their expertise to other communities and, it is special when we also receive that assistance back. This was a major event and we want to recognize those who helped prevent a disaster.

Chairman Abruzzo presented the following with certificates:

- Dauphin County 911 and Emergency Management Agency
- Fire Companies: Bellegrave, Campbelltown, Chambers Hill, Hummelstown, Palmyra, Pennbrook, Linglestown, London Derry, Lower Swatara, Middletown, Union Deposit, Swatara, West Hanover
- South Central Task Force
- American Red Cross
- Hershey Entertainment & Resorts
- Hershey Lodge
- Rick Lenker
- Todd Pagliarulo
- Life Line EMS
- Derry Township Police Department
- Derry Emergency Management Agency
- Hershey Volunteer Fire Company

Chairman Abruzzo said the Board felt very strongly about recognizing these groups and thanked them for coming. It is pretty impressive what we were able to do with these partnerships to accommodate the families who had to evacuate. It is a great example how we take care of one another. Partners have responsibilities and we saw that come to life. You cannot measure the value of each other's support for one another.

B1-6 Request for a waiver from filing a land development plan, as requested by the Hershey Trust Company, Trustee for Milton Hershey School.

Charles W. Emerick, Director of Community Development – This request is related to the property of the Milton Hershey School known as tax parcel 24-047-009. It is a tract of land in excess of 2,600 acres. Since 2010, the school has removed two dwelling units and other support buildings from their properties. They presently have 29,054 square feet of new impervious area. Under our 2010 stormwater ordinance, Community Development tracks all the impervious area put down and taken up in the Township to enforce our ordinance. Additionally, these improvements proposed will be tied to public water and sewer and will be off a private road. The Municipal Planning Code considers the erection of more than a single family dwelling on a lot, no matter the size, to constitute a land development plan. In this case, had they proposed the demolition of Midvale and barn and a new dwelling at the same time, this plan would not be before the Board. Because of the time that has lapsed between the demolition and this proposal, he felt it necessary to seek a waiver. He has reviewed the various waivers of filing of land development plans that have occurred in the Township since 1979 and he does not find this action to set any precedence within the Township.

Supervisor Moyer asked what is currently in the area. John Osmolinski, Sr. Director of Facilities at Milton Hershey Schools said the property was once occupied by a student home and a barn, but was demolished

and converted to grass. Chairman Abruzzo pointed out that the Planning Commission recommended this waiver be granted.

Motion: A motion made by Supervisor Foley and seconded by Supervisor Moyer that a request for a waiver from Sections 185-5.A and 185-5.B of the Subdivision and Land Development Ordinance to not require the Hershey Trust Company, Trustee for the Milton Hershey School, to file a land development plan with Derry Township for the construction of a staff home on Crest Lane, with the condition that any further improvements to the campus will require the processing of a land development plan unless it is done seamlessly with the demolition and replacement of a structure, is hereby approved. ***The motion carried, 4-yes 0-no.***

C1-2 Authorization for a civic banner to be located along 322 in the area of the “Welcome to Hershey” billboard.

Charles Emerick, Director of Community Development – This area appears to be the new replacement spot for the banner that formerly hung across Chocolate Avenue. The applicant is the Hershey Partnership and they are promoting their 10th Annual Soup Cook-Off, an event held in October to benefit the Hershey Fire Company. The Partnership is still designing the banner as they weren’t aware they had to go through this process to get the banner up. This area is on the lands of the Trust. Mr. Emerick verified with Ken Gall that they had permission to erect the sign there.

Motion: A motion made by Supervisor Ballard and seconded by Supervisor Foley that the Hershey Partnership place a banner, promoting their 10th Annual Soup Cook-Off, near the “Welcome to Hershey” billboard located along Route 322 and the banner shall not exceed 5’ x 8’ in size, shall be installed no earlier than 2 weeks prior to the event, and shall be promptly removed the following day after the event, is hereby approved. ***The motion carried, 4-yes 0-no.***

D1 Establishing Thursday, October 31, 2013 from 6 p.m. to 8 p.m. as Trick-or-Treat night.

Patrick O’Rourke, Chief of Police - Each year Derry Township coordinates Trick or Treat Night for the children in our community and for those who wish to visit and participate as well. This year, Trick or Treat will take place on Thursday, October 31, 2013, between the hours of 6:00 p.m. and 8:00 p.m. This is the date universally chosen for the entire County.

Chairman Abruzzo asked if the Police Department experienced any higher crime on October 31. Chief O’Rourke said they have not.

Motion: A motion made by Chairman Abruzzo and seconded by Supervisor Ballard that establishing Thursday, October 31, 2013 from 6 p.m. to 8 p.m. as Trick-or-Treat, is hereby approved. ***The motion carried, 4-yes 0-no.***

CORRESPONDENCE – No correspondence to report.

BOARD/COMMITTEE INFORMATION – Supervisor Ballard reported that the Comprehensive Plan efforts are still underway. She mentioned that Mr. Emerick and Brandon Williams organized a listening session. We are in a contest to get \$500 to help offset the costs for additional public benches downtown. We are trying to make our community more walkable.

Supervisor Ballard also reported that the School District is having a walking audit done which will help make our community more walkable and accessible for the children coming to and from school. This will be held in September for two days.

Supervisor Ballard mentioned October 9 is International Walk to School Day and we will promote and encourage students to walk. The Police Department will be present to help assure safety.

Supervisor Ballard thanked Mr. Clark and his crew for the installation of the new crosswalks and the yield lines that were added on Chocolate Avenue. Chairman Abruzzo also thanked Mr. Clark and his department for all the work they are completing in the Township.

REPORTS

Patrick O'Rourke, Chief of Police – Chief O'Rourke asked that everybody in the community take a moment tomorrow to remember those that were killed in the 911 attack. There were approximately 1500 children left behind for just police and firefighters alone.

Barbara Ellis, Hershey Public Library – project section – Mrs. Ellis said there will be a new projection system in the Hershey Room. The renovation continues and by the end of October there will be new furniture. She announced that our Friends of the Library are celebrating their 50th anniversary this year. Also, Ms. Ellis, staff and Manager Negley nominated the Friends of the Library to the Pennsylvania Citizens of Better Libraries, a statewide organization of Friends, for an award. They have been selected as the Friends Group of the Year and will receive an award in October. Chairman Abruzzo would like to recognize the Friends of the Library at a future meeting.

Terry Weinhold – Mrs. Weinhold reported the preliminary report for August looks good.

Matt Mandia, Director of Parks & Recreation – Mr. Mandia reported this afternoon the contractor finished the second phase of clearing out the swale around the parking lot at the Recreation Center. It will help the heavy water flow more freely. He shared that he has received positive comments on the indoor pool project that was just completed.

Matt Bonanno, HRG Township Engineer – Mr. Bonanno reported:

- One crew is still on Cherry Drive towards 322. They hit rock which is the reason for the delay.
- The curb and sidewalk restoration is pretty much complete for all the disturbed areas. The wall and bushes on Peach Street have been completed.
- Paving on 422 should be done this Friday.

Charles W. Emerick, Director of Community Development – Mr. Emerick said that Supervisor Ballard helped with the listening session as well. He asked The Sun to pick up that if you go to the Community Matters Facebook Page and vote for their presentation, one of 16, the top four will be awarded \$500 each.

Mr. Emerick said at the last Planning Commission meeting, they moved forward with the recommendation for the Chocolate Avenue Preservation Overlay District expansion. He is looking to schedule a public hearing for October 21st at 6:00. This affects 88 properties, but none of the properties are zoned for residential use only. The Board agreed to the date and time.

Mr. Emerick and Mr. Williams prepared a Request for Proposal (RFP) for professional services to complete the Comprehensive Plan and then to move into the Zoning Ordinance. He would like the Board's

permission to submit the RFPs. Chairman Abruzzo instructed the Board to direct any questions they have to Manager Negley and Mr. Emerick by tomorrow night. If they don't receive any major concerns, then Mr. Emerick should move ahead.

Chairman Abruzzo shared that he checked with Dauphin County regarding the grants that we applied for federal funding to fix the flooding issues on Java and Locust Avenue. He was told that we stand a good chance to get the grant money, but the decision won't be made until the next couple of months, but before the end of this year.

James N. Negley, Township Manager/Township Treasurer – Manager Negley reported that the Auditor General's office is still here going through our police pension and non-uniform pension. Everything appears to be in order.

APPROVAL OF ACCOUNTS PAYABLE (\$1,014,934.29) AND PAYROLL (\$318,068.40).

Supervisor Foley moved to approve accounts payable in the amount of \$1,014,934.29 and payroll in the amount of \$318,068.40. Supervisor Ballard seconded. ***The motion carried, 4-yes 0-no.***

OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

Elvira Ebling, League of Women Voters – Mrs. Ebling said the Candidates' Forum for Derry Township Supervisors will be held on Wednesday, September 25 at 7:00.

Chairman Abruzzo acknowledged the passing of Rick Rudisill. Many of us worked with him on various Fire Company and Township projects over the years. He was a scholar, historian, and a true gentleman. The Township lost a good person.

ADJOURNMENT

Supervisor Foley moved to adjourn the meeting at 8:00 p.m. Supervisor Ballard seconded. ***The motion carried, 4-yes 0-no.***

SUBMITTED BY:

Marc A. Moyer
Township Secretary

Brenda Van Deursen
Recording Secretary