

# TOWNSHIP OF DERRY BOARD OF SUPERVISORS MEETING

Wednesday, April 25, 2012  
600 Clearwater Road, Hershey, Pennsylvania 17033

## CALL TO ORDER

The April 25, 2012 Township of Derry Board of Supervisors meeting was called to order at 7:00 p.m. by Vice-Chairman Kelly C. Fedeli.

## ROLL CALL

### ***Supervisors Present:***

Sandy A. Ballard  
Kelly C. Fedeli, Vice-Chairman  
John Foley, Jr.  
Marc A. Moyer, Secretary

### ***Supervisors Absent:***

E. Christopher Abruzzo, Chairman

### ***Also Present:***

Matt Bonanno, HRG, Township Engineer  
Thomas R. Clark, Director of Public Works  
Barbara S. Ellis, Director of Hershey Public Library  
Charles W. Emerick, Director of Community Development  
Jill Horner, Assistant Township Manager  
Cheryl L. Lontz, Manager of Payroll & Employee Benefits  
Matthew J. Mandia, Director of Parks & Recreation  
James N. Negley, Township Manager/Township Treasurer  
Patrick O'Rourke, Chief of Police  
Jon Yost, Township Solicitor  
Brenda Van Deursen, Recorder

***Public Present:*** Mike Leonard, Elvira Ebling, Colleen Hennessey, Brian Shiflett, Janene Park, Matt Weir, Rich Gamble

**Vice-Chairman Fedeli advised that all public meetings are recorded for providing accurate minutes.**

Vice-Chairman Fedeli announced that the Board of Supervisors met in executive session to discuss land, legal, and personnel issues.

## OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

**Mike Leonard, 66 Cedar Avenue** – Mr. Leonard expressed his concern regarding the safety officer position being eliminated at the school. He asked what the Township charges the school district for the year. Mgr. Negley answered \$80,000, which includes wages and benefits. Vice-Chairman Fedeli said the Board was approached by the School District with a proposal to share the cost of the safety officer. The Board asked the District to provide them

with additional information and they just provided this information yesterday. The Board will need time to review it.

Mr. Leonard mentioned the effect it would have on the police department if the safety officer is eliminated. Vice-Chairman Fedeli assured him it will be part of the discussion.

Mr. Leonard provided the School District with some options in redoing the tennis courts that were damaged by the storm. He encouraged the Board to look at his options and consider merging with the District to share the cost. Vice-Chairman Fedeli said the Board will need to discuss this further. Mr. Leonard provided the Board with a copy of his suggested options.

**Brian Shiflett, 1565 Landvater Road** – Mr. Shiflett is a Citizen Advisor of the General Service Committee of the School Board. He noted for record that his comments are his own opinions. Mr. Shiflett said that the tennis courts were damaged by Tropical Storm Lee and the insurance will pay out about \$60,000 to do the repairs. A bid of \$164,000 was received for the repairs. Mr. Shiflett asked the Board to send a letter by May 14 to the School Board asking them not to enter into a contract for the tennis court repairs until they have a discussion with each other. He is concerned about spending \$164,000 without considering a long term partnership with the Township. The tennis courts are a half mile from the school and sit in a low area. This area should be a storm basin and the courts relocated. The District is concerned about not having the courts ready to go for the fall season.

Supervisor Moyer applauded Mr. Leonard's proactive initiative. He stated that the Board cannot and will not consider anything that is not brought to their attention with adequate time to consider.

Supervisor Foley stated that more positive action will go a long way and that the Board needs to be in the game early. Vice-Chairman Fedeli said the Board will review all the information and respond accordingly.

## **APPROVAL OF MINUTES**

Vice-Chairman Fedeli called for a motion to approve the Minutes of the April 10, 2012, 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 Presentation by Tri-County Planning Commission on a new Education and Training Program.**

**James N. Negley, Township Manager/Township Treasurer** introduced Ms. Janine Park, from Tri-County Planning Commission who is here to present on training opportunities.

**Janine Park** – Ms. Park announced a new Education and Training program which started in 2012. The purpose of the program is to provide information to municipalities and others that will assist with the implementation of the Regional Growth Management Plan, the Regional Transportation Plan, as well as the Township's Comprehensive Plan. Ms. Park shared a handout outlining two upcoming education sessions: 1) Integrating Transportation & Land use in Comprehensive Plans, and 2) Course on Community Planning. To-date they already had four training sessions. They have a busy year ahead and this will be a continuing program at

Tri-County. She asked for any suggestions or training recommendations that would help the Township staff or municipal officials.

Supervisor Ballard noticed on the website the speaker scheduled for May 3 is a strong component of Smart Growth. She also acknowledged the leadership Tri-County is taking.

Vice-Chairman Fedeli asked Mr. Emerick if he had a copy of the training opportunities. Mr. Emerick said he gave information to our Planning Commission and Zoning Board on the upcoming events.

**B1-4 Consideration of releasing the remaining performance security and entering the maintenance security period for the Preliminary/Final Land Development Plan for West Chocolate Avenue Medical Park, Plat No. 1168.**

**MOTION:** A motion made by Supervisor Foley and seconded by Supervisor Ballard that the Township hereby releases the remaining performance security in the amount of \$50,484.24, supplied as JP Morgan Chase Bank Letter of Credit No. TPTS-762850, provided that maintenance security in the amount of \$8,156.55 is supplied in acceptable form and the standard Maintenance Security Agreement is executed for the Preliminary/Final Land Development Plan for West Chocolate Avenue Medical Park, Plat No. 1168, is hereby approved. *The motion carried, 4-yes 0-no.*

**C1-3 Authorization to approve Ordinance No. 622 to amend the Code of the Township of Derry (Ordinance No. 553), Chapter 10 (Vehicles and Traffic), Article II (Traffic Regulations), Section 210-18 (One-way streets established) by designating 1) "I" Street from W. Caracas Avenue to S. 1<sup>st</sup> Street as a one-way roadway northbound; 2) S. 1<sup>st</sup> Street from "I" Street to Linden Road as a one-way roadway westbound and by deleting from this section the designation of "I" Street from West Chocolate Avenue to First Street, as a one-way roadway southbound.**

**Patrick M. O'Rourke, Chief of Police** – The ordinance amendments must be approved by the Board of Supervisors. On March 27, 2012, the BOS authorized the advertisement of this ordinance amendment, which appeared in The Sun on April 5, 2012. Historically, the north/south alley that ran on the east side of the Fire Department is now eliminated due to the reconstruction and the new roadway engineering. As you go west on Caracas and get to the Fire Department, they are making that right-turn in the old alley one-way to alleviate two-way traffic in a narrow area.

**MOTION:** A motion made by Supervisor Foley and seconded by Supervisor Moyer that authorization to approve Ordinance No. 622 to amend the Code of the Township of Derry (Ordinance No. 553), Chapter 10 (Vehicles and Traffic), Article II (Traffic Regulations), Section 210-18 (One-way streets established) by designating 1. "I" Street from W. Caracas Avenue to S. 1<sup>st</sup> Street as a one-way roadway northbound; 2. S. 1<sup>st</sup> Street from "I" Street to Linden Road as a one-way roadway westbound and by deleting from this section the designation of "I" Street from West Chocolate Avenue to First Street, as a one-way roadway southbound, is hereby approved. *The motion carried, 4-yes 0-no.*

**D1-2 Permission to hold fireworks displays at Hersheypark on Wednesday evening, July 4, 2012.**

**James N. Negley, Township Manager/Township Treasurer** – Manager Negley said this is our annual request from Hersheypark to have fireworks on July 4<sup>th</sup>. They will provide us with a certificate of insurance naming the Township as an additional insured.

**MOTION:** A motion made by Supervisor Ballard and seconded by Supervisor Foley that permission to hold fireworks displays at Hersheypark on Wednesday evening, July 4, 2012, rain date July 5, 2012, is hereby approved. *The motion carried, 4-yes 0-no.*

**E1-5 Request to conduct the Hershey Company/Children’s Miracle Network 5K run scheduled for Saturday, June 16, 2012, starting at 8:00 a.m. on both State and Township roadways.**

**Patrick M. O’Rourke, Chief of Police** – The Hershey Company is planning a 5K Run to benefit the Children’s Miracle Network on Saturday, June 16, 2012, at 8:00 A.M. The race route this year is the same as last year and it will be easily managed. Due to the nature of the event, both State and Township roadways will need to be closed off and only local residential traffic permitted while the event is going on. Any expense incurred will be reimbursed by The Hershey Company.

**MOTION:** A motion made by Supervisor Moyer and seconded by Supervisor Moyer that a request to conduct the Hershey Company/Children’s Miracle Network 5K run scheduled for Saturday, June 16, 2012, starting at 8:00 a.m. on both State and Township roadways on a route approved by the Derry Township Police Department, is hereby approved. *The motion carried, 4-yes 0-no.*

**CORRESPONDENCE** – No correspondence to report.

**BOARD/COMMITTEE INFORMATION** – No Board/Committee information to report.

## **REPORTS**

**Patrick M. O’Rourke, Chief of Police** – Chief O’Rourke shared that they continue to see great success with their foot patrols. Last weekend there was an event in town and three separate foot patrols were initiated, resulting in six arrests for narcotic possession and one drunk driving.

**Thomas Clark, Director of Public Works** – Mr. Clark reported the repair on Mansion Road started on Monday. The pickup of York Waste containers is almost completed.

**Tom Stang, Waste Management** - Supervisor Foley acknowledged that Sunday night it was storming and raining and he did not get his trash cans out. However, Waste Management picked them up by his garage.

Supervisor Ballard mentioned that a couple of people indicated to her that they want to continue to use the blue tubs and wondered how that will work when the automation begins. Mr. Stang explained the bidding requirements were done on 64 gallon carts and service operation with automated equipment. Part of the numbers that were put together was with using the carts. Initially, this was what the Township requested and Mr. Stang is encouraging the residents to try the new carts. When automated trucks are in place, we will take a look at those still using the blue tubs. Mr. Stang reported that there are 98 removals left to do and 113 deliveries.

Vice-Chairman Fedeli commented on behalf of Chairman Abruzzo regarding the roll out of the new program. We were originally told we would receive the bin the same day as our trash day. That did not happen. If it is going to take a couple of weeks, then that is what should have been shared.

**Barbara Ellis, Hershey Public Library** – Ms. Ellis reported they served approximately 80 people at the Volunteer Appreciation luncheon on April 20. There were 14 teenagers who attended the event in the evening. She acknowledged the local businesses that assisted with gifts to give to volunteers.

An Eagle Scout is creating a memorial garden at the Library. This past week the scout sent a flyer out as a fund raiser to purchase memorial bricks (\$100/brick). He raised over \$2,000 so far. Any money left over will go to the Library as a donation.

**Matthew J. Mandia, Director of Parks and Recreation** – Mr. Mandia reported that they finalized the Youth Athletic Association schedules. He also reported they are working with FEMA and the Army Corp for repairs to the pond and also working with FEMA for the funding of the bicycle/pedestrian trail. Mr. Mandia is working on final preparations for the Memorial Day Parade and getting the recreation center ready for opening day.

**Matt Bonanno, Township Engineer** – Mr. Bonanno reported they are working on the permitting for Bullfrog Valley area repairs and construction on Mansion Road has started. They are continuing to work on sanitary sewer this week. Vice-Chairman Fedeli asked if the church is up to-date on closures, etc. Mr. Bonanno said there were two changes to the detour plan and the church is aware of them.

**Chuck Emerick, Director of Community Development** – Mr. Emerick said he has been reviewing other transient ordinances to see what they are doing. Some limit the size of the cart, limit streets, etc. He will develop recommendations from best practices of other communities and provide feedback for the Board to review.

**Jill Horner, Assistant Township Manager** – Asst. Manager Horner reported there was an audit performed on our Workers' Compensation insurance resulting in a refund of \$7,700. That is attributed to the good estimates that Cheryl Lontz provided to our insurance company.

**James N. Negley, Township Manager/Township Treasurer** – Mgr. Negley announced that this Saturday, the Police Department is hosting a drug take back program at the Library.

**APPROVAL OF ACCOUNTS PAYABLE (\$249,393.04) AND PAYROLL (\$275,376.41).** Supervisor Ballard moved to approve accounts payable in the amount of \$249,393.04 and payroll in the amount of \$275,376.41. Supervisor Foley seconded. ***The motion carried, 4-yes 0-no.***

#### **OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD**

**Rich Gamble, Hockesville Road** – Mr. Gamble referred to the lack of communication between the School Board and the Township. He recommended a representative from the School Board be appointed to attend this meeting as an at large member and the Board have a member at large to attend the School Board meeting.

#### **ADJOURNMENT**

Supervisor Ballard moved to adjourn the meeting at 7:50. Supervisor Foley seconded. ***The motion carried, 4-yes 0-no.***

SUBMITTED BY:

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Marc A. Moyer  
Township Secretary

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Brenda Van Deursen  
Recording Secretary