

TOWNSHIP OF DERRY

BOARD OF SUPERVISORS MEETING

Tuesday, August 9, 2011
600 Clearwater Road, Hershey, Pennsylvania 17033

CALL TO ORDER

The August 9, 2011 Township of Derry Board of Supervisors meeting was called to order at 7:10 p.m. by Chairman E. Christopher Abruzzo.

ROLL CALL – all present.

E. Christopher Abruzzo, Chairman
Sandy A. Ballard
Kelly C. Fedeli, Vice-Chairman
Marc A. Moyer, Secretary
Todd Pagliarulo

Also Present:

Barbara S. Ellis – Director of Hershey Public Library
Don Fure – Community Development
Jill Horner – Assistant Township Manager
Matthew J. Mandia – Director of Parks and Recreation
James N. Negley - Township Manager/Township Treasurer
Patrick O'Rourke – Chief of Police
Robert Piccolo – Assistant Director of Public Works
Charles Smith – HRG, Township Engineer
Terry M. Weinhold – Manager of Accounts Payable & Accounts Receivable
Jon A. Yost - Township Solicitor
Brenda Van Deursen - Recorder

Public Present: Pete C., Elvira Ebling, Charleton Zimmerman, Stephen Shiflett, Rich Gamble, Vincent Collura, Bill Landis

Press Present: Elizabeth Krotz, Patriot News

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 issues.

VISITOR/PUBLIC COMMENT:

Charleton Zimmerman – N. Roosevelt Avenue, Palmdale – Mr. Zimmerman shared that he filed with the Dauphin County Board of Assessment Appeals to get his property tax assessment lowered to \$32,500 starting January of 2012.

Mr. Zimmerman mentioned there was a listing of delinquent taxes for 2009 in the August 3rd Patriot News. One of the properties is Derry Township's. He was told by Mr. Steve Howe of the Dauphin County Board of Assessment that Solicitor Yost had several properties on Lingle Avenue taken off, but #1840 was missed. Derry Township owes \$860.56 for 2009 and it is coming up for a tax sale. The paperwork must not have been completed for this property.

Solicitor Yost said a letter of request went out before the list was in the paper. He was advised by the executive secretary for the Assessment Office that it had been exempt, but they hadn't received the strike off letters which are issued by the Township and the County. The Township's letter was submitted. The County has acted on it, but he has not received a response yet. They have done it every time in the past and he anticipates they will do it in the future. It will not be up for sale.

Mr. Zimmerman asked who is in charge of making sure all of the paperwork goes through the Assessment Appeals Board. Solicitor Yost said staff who works for Mr. Howe handles the paperwork.

Mr. Zimmerman said he has had some problems with the Assessment Office for a while and on August 1st he had a meeting with Mr. Pries. He mentioned to Mr. Pries that they are not providing forms for people that have catastrophic loss to file for tax exemption or re-assessment. There is miscommunication between the Assessment Office and Derry Township. Chairman Abruzzo said he would call Mr. Pries to discuss.

APPROVAL OF MINUTES:

Chairman Abruzzo called for a motion to approve the Minutes of the July 26, 2011, Board of Supervisors Meeting. Supervisor Pagliarulo made a motion to approve the Minutes as written. Supervisor Ballard seconded. Vice Chairman Fedeli and Supervisor Moyer abstained from voting as they were absent from the meeting. ***The motion carried, 3-0.***

NEW BUSINESS:

A1-15 Adoption of a Cooperative Agreement and authorizing the Chairman or Vice Chairman and the Township Secretary or Assistant Secretary to execute this Cooperation Agreement between the Township of Derry and the Derry Township Municipal Authority for the Stormwater and Sanitary Sewer Project.

James N. Negley - Township Manager/Township Treasurer – The Cooperative Agreement provides a legal document between the Township of Derry and the Derry Township Municipal Authority (DTMA) to proceed with the combined stormwater and sanitary sewer project. The project was combined to achieve efficiencies and economies of scale and the DTMA has designed the storm and sanitary improvements so they can be constructed in one common contract. One provision in this agreement is to name a Board representative and a project manager on the behalf of the Township of Derry. Mgr. Negley suggested Ms. Fedeli as the Board representative and Mr. Thomas Clark as the project manager.

Vice Chairman Fedeli said this contract clearly outlines the joint stormwater project because there are stormwater drainage systems within the Township and sanitary sewer systems that are also involved in this project. It is clearly explained how things will be

both working together as well as separately. There will be a project manager from DTMA and a project manager for the Township because of the different functions in these systems. It also outlines how the grant money will be spent between the Township and DTMA.

Motion: A motion made by Vice-Chairman Fedeli and seconded by Supervisor Ballard that adoption of a Cooperative Agreement and authorizing the Chairman or Vice Chairman and the Township Secretary or Assistant Secretary to execute this Cooperation Agreement between the Township of Derry and the Derry Township Municipal Authority for the Stormwater and Sanitary Sewer Project, is hereby approved. **Motion carried, 5-0.**

B1-9 Completion of Section Q of Component 2 of the Sewage Facilities Planning Module and execution of an Operation and Maintenance (O&M) Agreement between the Township of Derry and the Hershey Trust Company for the proposed conversion of the former Milton Hershey School Glenview student home, located at 10 Boathouse Road, into an apartment building.

Don Fure - Community Development – The project was granted authorization by the Board on October 25, 2010, #2010-01 as a four unit building and then by Resolution No. 1306 adopted June 14, 2011 revising our Sewage Facilities Plan as approved by the Pennsylvania Department of Environmental Protection (DEP). The original septic system design was to serve 1200 gallons per day. The demand for the 4-unit apartment building is 1600 gallons per day. DEP will not allow existing septic systems to be expanded due to the Best Technical Guidance Standards used when originally constructed. Testing was done for a second septic system to handle the additional 400 gallons per day as required. The Planning Module also details the alternate means to address future sewage needs. In this case, the applicant has chosen to use small flow treatment facility due to the limitations of soils, slope and suitable area on a property. After review of the Module, DEP has requested an executed Operation and Maintenance (O&M) Agreement and requested that section Q of the Module be completed. The O&M Agreement provides conditions related to the future use, installation and costs associated with the Small Flow Treatment Facility. It requires Hershey Trust Company burden all costs for the installation, maintenance, and inspections of the facilities and provide reports to the Township annually. Section Q of the Planning Module has been completed and now needs to be signed. This will have no impact on the Township's budget.

Motion: A motion made by Supervisor Ballard and seconded by Vice-Chairman Fedeli that the Board sign Section Q of Component 2 of the Sewage Facilities Planning Module for the proposed conversion of the former Milton Hershey School Glenview student home, and execute the Operation and Maintenance (O&M) Agreement between the Township and the Hershey Trust Company pending completion of the Solicitor's review, is hereby approved. **Motion carried, 5-0.**

C1 Amending the automobile mileage rate from 51 cents to 55.5 cents a mile

James N. Negley - Township Manager/Township Treasurer – At the Reorganization Meeting this year, the Township established the mileage rate to be 51 cents for those employees using private vehicles. We received notification from the IRS effective July 1,

2011, the rate was increased to 55.5 cents. We are following the IRS guidelines. Mgr. Negley added the use of individual vehicles is very minimal. There are enough Township vehicles to provide to employees when needed.

Motion: A motion made by Supervisor Pagliarulo and seconded by Supervisor Moyer that the Township amend the automobile mileage rate from 51 cents to 55.5 cents a mile, is hereby approved. ***Motion carried, 5-0.***

CORRESPONDENCE – Ms. Ballard reported that the Hershey Lions Club made a generous contribution in Memory of Ron Troutman who was a member of the Club. Mr. Troutman passed away and his wife requested that memorials for him be sent to the Lions Club. The Lions Club and Mrs. Troutman decided to donate all the money that was collected (\$1,180) to the Tree Vitalize effort in Mr. Troutman’s memory. Mr. Troutman had gone to the Tree Vitalize Tree Trainers Program at State College to help support our tree planting effort. It is a wonderful tribute to a man who had donated so much of his time to support the trees. With that generous gift we have raised the amount of the match this year and are working towards planting 40 to 50 more trees this Spring.

BOARD/COMMITTEE INFORMATION – Vice Chairman Fedeli acknowledged an article in The Patriot News featuring Barbara Ellis and the Kindles and Nooks that the Hershey Library will loan out. It is nice to see our library on the cutting edge of this technology. She commended Ms. Ellis and her staff for keeping ahead of the curve.

REPORTS

Patrick O’Rourke – Chief of Police – Chief O’Rourke reported that last Tuesday evening they ran their first ever National Night Out program and had a nice turnout. It goes along with our annual Children’s Festival which we hold every June. It is another way of meeting our community policing objectives.

Robert Piccolo - Director of Public Works – Mr. Piccolo reported the black topping on Alyshia Lane is almost complete. All that is left to do is some sign work and grading the shoulder. He also reported they are hoping to pave another section of Caracas, but it is weather depending. He mentioned some stormwater issues this week. There are approximately 1300 storm drains in the Township. If someone sees a clogged drain, he encourages them to remove the debris.

Barbara Ellis, Hershey Public Library – Ms. Ellis reported the Friends of the Library annual book sale started Friday. They have exceeded their income each day over what was earned last year each day. She recognized the Police Department, Public Works, and Parks & Rec for their help in getting ready for the book sale.

Terry M. Weinhold – Manager of Accounts Payable & Accounts Receivable – Ms. Weinhold announced the 2010 audit is to be presented to them tomorrow. It is way ahead of schedule.

Matthew J. Mandia – Director of Parks and Recreation – Mr. Mandia reported they are preparing for their annual two week shut down of the upper pool. The Dome will be closing on Monday, August 22nd. They will be taking care of maintenance issues during

that time as well as having the UV system installed. It should reopen the Tuesday after Labor Day and be ready to go for the fall/winter season.

Chairman Abruzzo mentioned that at the last meeting the Board authorized the advertisement of an ordinance prohibiting parking at the Rec Center, Founders Park, and the Library, unless people were using those facilities. They thought this was being done in conjunction with the School District issuing parking permits for students at the high school. He is hearing from people that in the past students had parked at those locations because there wasn't enough on-campus parking for students who want to park. But then he has been told there are plenty of parking spaces. He asked Matt and the Chief to meet with the School District.

Charles Smith – HRG, Township Engineer – Mr. Smith reported that on August 1st, written correspondence was received from DTMA supporting the project bid, which is one of the milestones in the Cooperation Agreement. He also reported that on July 27th, HRG emailed the Notice of Intent to Award letter as well as the performance bond, the payment bond, and the agreement to the contractor. We should see something back from them in the next few days.

Don Fure – Community Development – Mr. Fure updated the Board on Mr. Petrina's property. Mr. Petrina applied for his building permit yesterday, as ordered. Today, we received an engineer report indicating corrections that needed to be made to the property. It is the intent that Mr. Petrina will have all the corrections done within the next 60 days.

Jill Horner – Assistant Township Manager – Asst. Mgr. Horner said she will be looking at several different companies that will help us shop the market for electricity. Hopefully, in late fall she will have a contract for less than what we are currently paying.

Supervisor Ballard thanked Ms. Horner for the great work she has been doing with the Comprehensive Plan working group. She received an email from Ms. Horner on Friday letting her know the Community survey using the survey monkey is now live on the home page of the website. Ms. Horner issued a press release announcing that Pulitzer Prize winning author, Tom Hilton will be our kick off speaker on September 12th to promote some energy around the survey and encourage people to complete the survey. Chairman Abruzzo, on behalf of the Board, thanked Jill for all her hard work on this and other projects.

James N. Negley - Township Manager/Township Treasurer – Mgr. Negley said last week the Chief and he had an opportunity to tour the new 95,000 square foot Troegs Building...a really nice facility.

APPROVAL OF ACCOUNTS PAYABLE (\$1,451,340.99) AND PAYROLL (\$328,539.87). Supervisor Ballard moved to approve accounts payable in the amount of \$1,451,340.99 and payroll in the amount of \$328,539.87. Supervisor Moyer seconded. ***The motion carried, 5-0.***

VISITOR/PUBLIC COMMENTS

Rich Gamble, Hockersville Road – Mr. Gamble thanked the Board and the supporting departments for bringing closure regarding the blighted properties on Hockersville Road that have been an issue for several years. This Board has taken a proactive approach within the guidelines.

ADJOURNMENT

Supervisor Ballard moved to adjourn the meeting at 7:40 p.m. Supervisor Pagliarulo seconded. ***The motion carried, 5-0.***

SUBMITTED BY:

Marc A. Moyer
Township Secretary

Brenda Van Deursen
Recording Secretary