

TOWNSHIP OF DERRY

BOARD OF SUPERVISORS MEETING

Tuesday, July 12, 2011
600 Clearwater Road, Hershey, Pennsylvania 17033

CALL TO ORDER

The July 12, 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:

Matt Bonanno – HRG, Township Engineer
Thomas Clark – Director of Public Works
Barbara S. Ellis – Director of Hershey Public Library
Charles Emerick – Assistant Director of Community Development
John Foley – Representative for the Fire Company
Jill Horner – Assistant Township Manager
Matthew J. Mandia – Director of Parks and Recreation
Patrick O'Rourke – Chief of Police
Terry M. Weinhold – Manager of Accounts Payable & Accounts Receivable
Jon A. Yost - Township Solicitor
Brenda Van Deursen - Recorder

Public Present: Nick Molinsky, Elvira Ebling, Leonardo Branco, Lynn Woolcock

Press Present: Drew Weidman, The Sun and 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:

Leonardo Branco, 1426 Spring Hill Drive – Mr. Branco expressed a concern of speeding around Waltonview Road close to the bike path entrance to Shank Park. Waltonview Road is downhill from both sides and the bottom of the hill is at the entrance of Shank Park. There are many people crossing the street to go to the park. He is concerned there will be an accident. His suggestion is to assess the area and possibly place a stop sign or a crossing path in that area.

Chairman Abruzzo asked Chief O'Rourke to put a speed detail to help recondition the drivers in that area. Chief O'Rourke explained when they get complaints like this they log it in and assign a detail. He encouraged Mr. Branco in the future to call the Police Department and they would take care of it and he wouldn't have to wait for a meeting.

Supervisor Moyer asked if there was a sign for motorists indicating entrance to a bike path alerting them of pedestrian traffic. If there is not, would it be possible to put something there? Chief O'Rourke said there are no signs there. The problem is when you are coming down the hill from either side; you would be beyond it before you would see it.

Mr. Mandia said they have worked with at least one of the neighbors in terms of sight distance by trimming some of the shrubs, etc. He said he has some ideas and will work with Chief O'Rourke. Supervisor Ballard mentioned a safety study that was done involving this location and there might be some information to share.

Chairman Abruzzo asked Chief O'Rourke if he could take care of the complaint or does Mr. Branco need to report it directly to the Police Department. Chief O'Rourke said he would take care of getting a report generated and have speed detail placed in that area.

Mr. Branco asked about signage. Chairman Abruzzo said they would have to look at that. He thought maybe there should be signage on the path warning pedestrians, but we don't want to give drivers any reason to think it is the pedestrians' responsibility.

Lynn Woolcock, 207 Hamilton Street, Harrisburg – Mr. Woolcock said he was here on behalf of Phillip Guarino because Mr. Guarino is out of state. Mr. Guarino sent a letter to the Township regarding the vending downtown.

Supervisor Ballard asked Mr. Woolcock to summarize Mr. Guarino's concern. Mr. Woolcock said he is concerned with the downtown businesses and the view of those being present whether it could turn into a carnival atmosphere and where do we draw a line.

Mr. Emerick said the transient sales license comes from the Police Department so it does not become a zoning issue. Typically zoning doesn't go out into the right-of-way and the police do not go onto private property with their regulations. There is a little crossover in our zoning ordinance that prohibits sales in right-of-ways. To allow the continuation of vendor licensing, wording such as "unless otherwise permitted" should be added to the zoning ordinance. There is a section of our zoning ordinance that may have a conflict with the vending licensing; however, everything has been done according to regulation thus far.

Chairman Abruzzo asked if this is an issue the Board needs to take a look at. Mr. Emerick said we may want to more finitely define what a vendor is and if they can continue an operation like this one. I don't think the ordinance was intended to have transient business there month after month.

Vice-Chairman Fedeli asked how clearly the parameters are spelled out. Mr. Emerick said he believes the license is \$1/month if it is received 30 days in advance of its need. There are some step scales and you can get an annual license if you are doing something like balloons or selling encyclopedias.

Chairman Abruzzo asked Chief O'Rourke and Mr. Emerick to draft a plan in terms of where we want to go in the future and get back to the Board.

APPROVAL OF MINUTES:

Chairman Abruzzo called for a motion to approve the Minutes of the June 28, 2011, Board of Supervisors Meeting. Supervisor Ballard suggested one correction be made to the minutes. The correction is on page 3 under Agenda Item D1-3 regarding the parking. The line should read: During these events, adequate parking **does** exist at Founder's Park and on the School District property. The word "not" should be removed. Supervisor Moyer made a motion to approve the Minutes with the correction. Vice-Chairman Fedeli seconded. Chairman Abruzzo and Supervisor Ballard abstained as they were not present at the meeting. *The motion carried, 3-0.*

NEW BUSINESS:

A1-21 Consideration of participation with Hummelstown Borough to seek funding through the Regional Connections Grant for a study of the Hersheypark Drive/Walton Avenue Intersection.

Charles Emerick – Assistant Director of Community Development – This is an opportunity to join forces with an adjacent municipality to obtain some work at an intersection. It would be intermunicipal cooperation.

Supervisor Ballard thanked Mr. Emerick for his work and effort in coordinating this.

Motion: A motion made by Supervisor Pagliarulo and seconded by Vice-Chairman Fedeli that the Board executes the applications for the Hersheypark Drive/Walton Avenue project to seek the funding and authorize Solicitor Jon Yost to prepare an intermunicipal agreement to document the same, is hereby approved. *Motion carried, 5-0.*

B1-2 Authorization to award a contract for the supply and installation of an Ultraviolet Water Sterilization System at the Hershey Recreation Center.

Matthew J. Mandia – Director of Parks and Recreation – Mr. Mandia said over the past year we have been researching Ultraviolet (UV) purification systems for the indoor pool at the Recreation Center. The main reasons for the project are to further reduce chloramine levels and our overall chemical usage. We will still have to use chlorine, but it will be reduced somewhere between 30 to 50%.

Matt Mandia said that after a year of research, it became pretty evident that UV technology has come a long way and there are a lot of systems available that could do a very good job. We looked at what the best fit would be for us such as the filter room and the maintenance of that unit. It was determined that the Safeguard Low Pressure UV System was the best fit for our facility. We did a site visit at the Pottstown YMCA to look at their five Safeguard units in operation in different operational capacities...different size pools...different installations. One that was of interest was an

"L-shape cylinder" which allows you to install this unit in the ceiling, which was attractive to us because of the tight confines we have at the Recreation Center. We specified this brand in the Bid Documents and we received three bids for this proposal.

The first bid was received from Main Line Commercial Pools out of King of Prussia in the amount of \$18,000. They submitted a substitute unit, Chlorcking Century Unit. We were actually familiar with that brand as we were researching UV units and opted for the Safeguard unit because of UV dosages. It has a limited monitoring of the UV system and they do not carry an L-shape configuration. The closest site visit is in New Jersey and we opted not to do that.

The second bid was received from Patriot Distribution Group out of Maple Glen in the amount of \$20,500 for a Safeguard unit. The Group came to the sight and did a prebid onsite visit. We feel the number is pretty accurate in terms of actual installation at the Rec Center.

The third bid, in the amount of \$24,900, was received from Stoneridge Aquatic Construction out of Feasterville. They also bid on the specified Safeguard unit.

We are recommending the award to Patriot Distribution Group for the Safeguard unit. Two-thirds of the cost of this project would be covered by reallocated funds that we budgeted in Parks & Rec capital funds this year for the replacement of our outdoor main pool pump. Knowing this project was coming, we ended up refurbishing the pump and feel it will get through the remainder of the summer. Funds to replace the pump will be included in the 2012 Capital Budget. The Hershey Aquatic Club has also agreed to pay the remaining one-third of the cost and understands the equipment will be the Township's equipment after it is installed.

Supervisor Moyer asked Mr. Mandia if the purpose of the UV system is to reduce the present amount of chlorine used. Mr. Mandia said that was correct. We will still have to use chlorine but not as much.

Supervisor Moyer asked if this will result in cost savings. Mr. Mandia said his understanding is 30 to 50% reduction in chlorine, which roughly estimates to \$8,000 to \$9,000 savings a year, will be realized.

Supervisor Moyer noted it would take approximately 3 to 4 years to recapture the total cost of the unit if we were funding the entire unit.

Supervisor Moyer asked about the life expectancy of the UV system. Mr. Mandia said approximately 15-20 years. There are four bulbs in the unit and each bulb costs approximately \$300. Each bulb should only have to be changed once a year. Mr. Mandia added there really isn't much else to maintain in the system. It is a PVC cylinder and the bulbs are housed in a quartz sleeve and water just runs through the chamber.

Chairman Abruzzo noted that we primarily are moving to the UV system because of the complaints of headaches and respiratory issues we received from the swimmers. We worked closely with them debating the various systems to improve the quality of the health of those swimming there. The Aquatic Club stepped up and contributed to the

cost because of how important this issue was to their swimmers. He thanked Matt for his work on this for the past two years.

Motion: A motion made by Chairman Abruzzo and seconded by Supervisor Moyer that authorization to award the installation of the UV System at the Hershey Recreation Center to Patriot Distribution Group in the amount of \$20,500 as specified in the bid with the understanding the Township will be responsible for two-thirds of the cost and the Hershey Aquatic Club would be responsible for one-third of the cost, is hereby approved. *Motion carried, 5-0.*

CORRESPONDENCE – No correspondence to report.

BOARD/COMMITTEE INFORMATION

Supervisor Ballard reported on the following:

- Design Review Committee – One of their suggestions is to notify the property owners that are affected by the design review regarding the Chocolate Avenue corridor. The Committee felt it is important that each property owner has a copy of the rules that they have to abide by. Possibly send them out periodically as a reminder. The approximate cost would be \$110 and it could result in being over budget by that amount. Mr. Emerick said a draft letter was completed today and it will be sent to the Design Review Board for review.
- Comprehensive Plan - One of the first steps of updating and reviewing our Comprehensive Plan was to do a community survey. Supervisor Ballard thanked the staff for their hard work. Mr. Small, Mr. Emerick and Ms. Horner have worked hard in putting together the survey. We will be using Survey Monkey and encourage people to do the survey online as much as possible. Ms. Horner has prepared the August Newsletter to include a copy of the survey to be completed and returned. Ms. Ballard said there is a graduate student who is studying project management and she has volunteered to do this as her project.

Vice-Chairman Fedeli said she reviewed the survey and has a couple of suggestions to offer. She asked to meet with Supervisor Ballard after the meeting to discuss the survey.

Supervisor Pagliarulo acknowledged Supervisor Ballard's leadership regarding this project. Chairman Abruzzo also noted Supervisor Ballard's leadership related to the project. He asked her to keep it moving and to continue to keep the Board updated.

Vice-Chairman Fedeli reported the Derry Township Municipal Authority has undergone their annual financial audit. They had a very successful audit. DTMA is a well run operation and the staff are very competent.

REPORTS

Patrick O'Rourke – Chief of Police – Chief O'Rourke said as of 7/13, the Police Department will be executing their fourth concert detail within 10 days. The concert season is in full swing now. We have implemented a total systems review which relates to the manner in which we staff our concert details and execute the incident command

system. We have identified 9 essential positions and have eliminated the need for multiple administrative support positions. This is resulting in the greater efficiency overall of the detail and is directly impacting the overall overtime expenditures.

John Foley – Representative of the Fire Company- Mr. Foley reported on behalf of the Fire Company. On July 18th, the new Engine 48 will go into service. Rescue 48 is to be delivered to Hershey on August 8th. It will probably undergo 4 to 6 weeks of additional work that will be done on-site. He reported the Hershey Fire Department was the busiest department year to date this year in Dauphin County. The equipment is well needed.

Chairman Abruzzo requested the Board and public would like to see the truck at the next meeting. Mr. Foley said that was already being planned.

Supervisor Moyer thanked Mr. Foley for representing the Fire Company and hopes representation at the meetings will continue.

Thomas Clark – Director of Public Works – Mr. Clark reported they have been working on Boathouse Road on a couple of pipe and inlet failures as a result of the heavy rains earlier this spring. We are planning to pave Caracas at the end of the month. The connection has been made at Caracas and went well. The islands on Chocolate were removed today. Chairman Abruzzo thanked Chief O'Rourke and Mr. Clark for their coordination with the project downtown.

Barbara Ellis, Hershey Public Library – Ms. Ellis reported that a crew from Public Works assisted with removing some furniture from the library. They will be dismantling several things in the library and by Friday the large reference desk will be gone. Some of the larger units in the redesign are coming in starting tomorrow. The summer programming is going very well.

Terry M. Weinhold – Manager of Accounts Payable & Accounts Receivable – Ms. Weinhold reported both revenue and expenses are coming in under budget, but they are still working on the June reports.

Supervisor Ballard asked if the Township audit was completed. Ms. Weinhold said the auditors are working very diligently. Hopefully, we will be ahead of pace of prior years and we will have a report by the end of September.

Supervisor Ballard thanked Ms. Weinhold for the revenue and expenditures by department report.

Matthew J. Mandia – Director of Parks and Recreation – Mr. Mandia reported this Sunday, from 2:00-5:00 p.m. there will be another pool party with a DJ, games, and activities for the kids. The last drive-in movie is scheduled for August 5th & 6th at Shank Park.

Chairman Abruzzo asked about the pool and summer memberships. Mr. Mandia reported that memberships are up this year. We implemented a member appreciation program where each member receives 5 guest passes. It is good PR and lets the

members know we appreciate them. Chairman Abruzzo said he immediately received very positive feedback.

Chairman Abruzzo mentioned the difficulty in hearing music at the pool when it becomes crowded. Matt will check into this.

Matt Bonanno, Township Engineer – Mr. Bonanno reported the stormwater project bid opening is Monday, July 18th at 2:00 at the Township Building. Twenty (20) contractors purchased the bidding documents and 14 of those contractors were new. There are about five contractors that have been in contact with questions and interest.

Supervisor Ballard inquired about the property on Hockersville Road. The target date was July 5th. Mr. Emerick said as he looked into the property maintenance code, he found that we don't file anything. We have to hire a contractor and then turn that assessment back to the owner. Solicitor Yost is trying to avoid this by reaching out to the owner and to keep the pressure on.

Supervisor Ballard referred to a list of property owners with delinquent taxes and the new blight law. She asked how we would go about using the blight law. Solicitor Yost said he is not sure right now and will be taking a look at it. It would be better to adopt an ordinance or at least a resolution establishing a policy. Mr. Emerick said Jodi from his office has information that she can share with Solicitor Yost.

Supervisor Moyer asked if we had a mechanism to screen permit applications to make sure they are paying taxes. Mr. Emerick said he would have to find out how to do that. Solicitor Yost said we have a tax list of delinquents by the property tax number, which is how the permits are listed. Once a permit comes in, you can look at the property tax number and compare with the tax delinquent list.

APPROVAL OF ACCOUNTS PAYABLE (\$207,766.01) AND PAYROLL (\$326,965.94).

Vice-Chairman Fedeli moved to approve accounts payable in the amount of \$207,766.01 and payroll in the amount of \$326,965.94. Supervisor Ballard seconded. ***The motion carried, 5-0.***

VISITOR/PUBLIC COMMENTS – No one came forward.

Chairman Abruzzo offered his condolences to Supervisor Ballard for the passing of her mother.

ADJOURNMENT

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

SUBMITTED BY:

Marc A. Moyer
Township Secretary

Brenda Van Deursen
Recording Secretary