

TOWNSHIP OF DERRY BOARD OF SUPERVISORS MEETING

Tuesday, March 13, 2012
600 Clearwater Road, Hershey, Pennsylvania 17033

CALL TO ORDER

The March 13, 2012 Township of Derry Board of Supervisors meeting was called to order at 7:10 p.m. by Chairman E. Christopher Abruzzo.

ROLL CALL

Supervisors Present:

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

Also Present:

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

Public Present: Elvira Ebling, Skip Memmi, Rob Good, Colleen Hennessey, David Buffington, Tom Stang, Charleton Zimmerman, Joe Judge, Teri Judge, Guy Beneventano

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.

OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

Charleton Zimmerman, 119 N. Roosevelt Avenue, Hershey – Mr. Zimmerman made reference to the articles in the Patriot News and the Hummelstown Sun. He said he has given up with taxes because the elite get special privileges in Derry Township.

Mr. Zimmerman was notified by American Water that the Hershey system has no fluoride in the water. He called DEP Water Quality regarding who decided to take the fluoride out of the water. Mr. Zimmerman suggested the Board get with S. Hanover and American Water to see why they took the fluoridation out and did not notify the Township residents.

Skip Memmi, - Mr. Memmi introduced, Rob Good, representative of Keystone Collections Group, and Guy Beneventano, solicitor for the Tax Collection Committee (TCC). They are here to answer

any questions that the Board may have relative to the operations of the collection of the EIT taxes under a one collector system. A packet of information was provided to the Board and to the press.

Supervisor Moyer asked if Keystone Collections Group had their toll free number posted on the website. Mr. Good said they have a toll free number and he will make sure it gets on the website. Supervisor Moyer is concerned about information given out when you call in and speak to different people. He would like Keystone to ensure they re-educate their staff for the services they provide so that the same information is given out. Mr. Good agrees there should be standardization of the information given. He explained they went through a time when they were inundated with calls. Since then, they have added lines and additional employees to handle calls. He would appreciate it if the Board would call him personally if they should have any issues or questions and he would get back to them within 24 hours if not sooner.

Supervisor Moyer asked if Keystone is implementing an estimated tax system. Mr. Good said they are not.

Mr. Memmi said they will provide Asst. Manager Horner with the 800 number along with the address and the direct line to the Dauphin County office so that she can put it on the Township's website. He believes the inundation of calls came from the letters that went out that basically tried to explain that in 2012 the funds had to come to the Keystone Group for collection. They have been working to put together a list of businesses within the Township using the information that was provided by the Association. They now have a concise list of these businesses and hope that through this process we are able to improve the collection of the monies and the distribution in a timelier manner so that the funds flow back to all the taxing jurisdictions. There are 52 taxing jurisdictions in Dauphin County. One of the things that the County TCC implemented that is somewhat different than what a lot of jurisdictions do was establish a separate banking account for the funds that are collected within Dauphin County. The TCC, through our collector will have those funds coming in and going out as quickly as possible. If there is any interest income from the funds in the bank account (which is not the intention to have them sit there for any duration of time) they will be used to offset the operational costs for collection of the taxes through the TCC. He mentioned that the state offices (Governor's Office, House and Senate, etc.) EIT fund will flow through the Dauphin County Tax Collection Committee.

APPROVAL OF MINUTES

Chairman Abruzzo called for a motion to approve the Minutes of the February 28, 2012, Board of Supervisors Meeting. Supervisor Ballard made a motion to approve the Minutes as written. Supervisor Foley seconded. *The motion carried, 5-yes 0-no.*

NEW BUSINESS

A1-5 Approval of Mansion Road Culvert Repair Project.

Thomas Clark, Director of Public Works – Mansion Road and the culvert underneath it was severely damaged in 2011 as a result of the flood. HRG put together specifications and drawings to repair in accordance with what Federal Highway Administration and PennDOT were requiring. Bids were opened on March 5th for this work. Sixteen packets were sent out and six bids were received. The low bidder is Flyway Excavation of Lititz in the amount of \$152,500. The majority of the cost will be refunded by the Federal Highway Administration.

Motion: A motion made by Vice-Chairman Fedeli and seconded by Supervisor Foley that the Board accept the bid from Flyway Excavation, Inc., in the amount of \$152,500 for repairs to the Mansion Road culvert, is hereby approved. *The motion carried, 5-yes 0-no.*

B1-12 Award of bids for the 1990 Spartan Gladiator Swab and the 1992 Spartan Gladiator Darley Fire Trucks.

James N. Negley, Township Manager/Township Treasurer – Manager Negley stated that as a result of the Hershey Fire Company getting new apparatus, Derry Township has three pieces of fire apparatus for sale. A bid opening was held in December 2011 and we were fortunate to sell the 1996 Spartan in the amount of \$30,000. There were no bids received for the other two apparatus. The Township rebid the Swab and Darley fire trucks on February 1, 2012 and two bids were received for each apparatus. The high bidder for the 1990 Spartan Gladiator/Swab was Brindlee Mountain Fire Apparatus in the amount of \$15,000 and the high bidder for the 1992 Spartan Gladiator Darley was Mt. Gretna Community Volunteer Fire Company in the amount of \$20,105. Our original target for the three pieces of apparatus was \$60,000. If we accept these two bids, we will have received a total of \$65,105 for the three pieces of apparatus, which is \$5,105 more than we had anticipated.

Motion: A motion made by Supervisor Moyer and seconded by Supervisor Ballard that the bid Award from Brindlee Mountaine Fire Apparatus in the amount of \$15,000 for the 1990 Spartan Gladiator Swab Fire Truck and Mt. Gretna Fire Company's bid of \$20,105 for the 1992 Spartan Gladiator Darley Fire Truck, is hereby approved. *The motion carried, 5-yes 0-no.*

C1-2 Approval to fill the vacancy on the Township of Derry Tax Association Board.

James N. Negley, Township Manager/Township Treasurer – Manager Negley reported that Mr. Ken Patrick served the community very well in the capacity of a Tax Association member and Treasurer for the Association. Unfortunately, Mr. Patrick has moved out of town and we need to fill the vacancy. We have one candidate, Mr. Richard R. Polignone. Mr. Polignone has volunteered to serve not only as member at large, but to fill the Treasurer's position.

Chairman Abruzzo asked if this vacancy was advertised. Manager Negley explained that at a Tax Association meeting they first sought a CPA firm to serve as treasurer and have another member at large. However, our tax collector, Mr. Lou Paoletti thought there might be an interest of Mr. Polignone to serve in this position. And because he is a retired CPA, he would be a valued source and also serve as treasurer.

Motion: A motion made by Supervisor Ballard and seconded by Vice-Chairman Fedeli that Mr. Richard R. Polignone be appointed as a Member-at-Large on the Derry Township Tax Association Board, is hereby approved. *The motion carried, 5-yes 0-no.*

D1 Authorization to utilize the Hershey Special Fire Police, the Lebanon Auxiliary Patrol, Inc., and on special occasions, other Special Fire Police from surrounding municipal fire companies for traffic control and direction during various months in 2012.

Patrick M. O'Rourke, Chief of Police – Chief O'Rourke said the Special Fire Police will be utilized from January 1, 2012 to December 31, 2012 for various events throughout the Township. Since the Special Fire Police are volunteers, there will be no cost to the Township.

Motion: A motion made by Supervisor Foley and seconded by Supervisor Ballard that the request to utilize the personnel of the Hershey Special Fire Police, the Lebanon Auxiliary Patrol, Inc., and on special occasions, other Special Fire Police from surrounding municipal fire companies to assist the Derry Township Police Department with traffic control and direction during various months in 2012, is hereby approved. *The motion carried, 5-yes 0-no.*

CORRESPONDENCE – No correspondence to report.

BOARD/COMMITTEE INFORMATION – No information to report.

REPORTS

Patrick M. O'Rourke, Chief of Police – Chief O'Rourke reported they are making great progress in the basement and first floor of the Police Department subsequent to all the flood damage they sustained. He commended Lt. Roche for handling all the storm follow-up on behalf of the Police Department. He also reported that on March 19th, 20th, 21st they will have an on-site assessment taking place for their re-accreditation through CLEA. There will be three police chiefs from various jurisdictions across the nation that will evaluate the department on our policies and procedures, administration operations, and special services.

Supervisor Ballard thanked Chief O'Rourke for his additional cost savings methods and improved services. It was noted with the warm weather there will be increased pedestrian traffic and the police department will be on top of that.

Thomas Clark, Director of Public Works – Mr. Clark reported that the work on Church and Hill Top Roads is completed and the deadline for 100% reimbursement was met. They began work on the parks and some landscape beds. Mr. Clark also reported a savings of approximately \$218,000 for salt and overtime over the last winter. He mentioned that Ms. Horner, Mr. Negley and he met with Mr. Stang to draft a letter regarding the changeover of services. The letter was sent out via e-mail and will be distributed through regular mail the end of the week.

Chairman Abruzzo asked about changing from the big can to pay as you go and if this letter contains the instructions to do this. Mr. Stang said it does. He also said that however the resident was originally set up by York Waste is how we are going to set them up. If you want to switch, you need to contact Waste Management.

Chairman Abruzzo asked if someone can use another container for recycling if the regular recycle can is full. Mr. Stang said they would accept it, but would suggest they request a second cart. We are going to purchase automated trucks that will be picking up the carts and dumping them. There will be no additional charge for a second recycling cart.

Supervisor Ballard noticed in the email anyone currently doing the one can option will automatically go to the three can option. Mr. Stang explained they needed to default the one can option to something just to eliminate everyone having to call in. There is only a minor difference of a \$1.50, but if a resident still wants to go to the pay as you throw option, they will just need to call to make the change.

Mr. Clark commented on the smooth transition relative to transfer of information between York Waste and Waste Management.

Supervisor Ballard asked about enforcement letters on trees and she mentioned an example of a six foot high tree stump that is an eye sore to the community. Mr. Clark said they do send out letters to the homeowners and the Solicitor is copied.

Barbara Ellis, Hershey Public Library – Ms. Ellis reported the library has been very busy. In February, all the statistics are up including attendance. With a short month and shorten hours, they are over about 2,000 in attendance compared to previous February's. They continue to plan for their 100 year anniversary.

Terry M. Weinhold, Manager of Accounts Payable & Accounts Receivable – Ms. Weinhold reported year end 2011 still continues to look good. The preliminary audit work will be starting soon. Expenses and revenue are both coming in under budget for February.

Matthew J. Mandia, Director of Parks and Recreation – Mr. Mandia reported he met with DEP regarding Bullfrog Valley to Shank Park to discuss the permitting requirements for those repairs. He spoke with Mr. Emerick and they are going to ask HRG to meet with the representatives from DEP to

come up with a plan for submitting those permits. Mr. Mandia also reported that they are finalizing the FEMA submissions. In addition, he is working on bid specifications for this work so when he receives the letter saying our projects are funded, they will have the specs ready to go.

Charles Smith, HRG Township Engineer – Mr. Smith reported the stormwater project is underway at the school. There is some utility test pitting by Verizon in the Village Area.

Chuck Emerick, Assistant Director – Mr. Emerick reported that the former Chocolate plant – 19 East, has submitted a request to change the zoning of a portion of that building. Our 45 day period for comments from adjacent municipalities ends on April 8th. The public hearing should occur directly thereafter. The Board approved April 25th at 6:30 for the public hearing.

Mr. Emerick shared that the Hazard Mitigation Grant Program application for the Scott property on Cocoa Avenue was submitted last Friday.

James N. Negley, Township Manager/Township Treasurer – Manager Negley reported that Asst. Manager Horner, Ms. Lontz, and he met with Gallagher Benefits Corporation out of Johnstown, PA and they are going to evaluate our health benefits and see if they can find some economy in costs.

APPROVAL OF ACCOUNTS PAYABLE (\$209,322.40) AND PAYROLL (\$287,002.30).

Supervisor Foley moved to approve accounts payable in the amount of \$209,322.40 and payroll in the amount of \$287,002.30. Supervisor Ballard seconded. ***The motion carried, 5-yes 0-no.***

OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

No one came forward.

ADJOURNMENT

Supervisor Moyer moved to adjourn the meeting at 8:05 p.m. Supervisor Ballard seconded. ***The motion carried, 5-yes 0-no.***

SUBMITTED BY:

Marc A. Moyer
Township Secretary

Brenda Van Deursen
Recording Secretary