

**TOWNSHIP OF DERRY  
BOARD OF SUPERVISORS  
REORGANIZATION MEETING**

**Monday, January 7, 2008**  
600 Clearwater Road, Hershey, Pennsylvania 17033

**CALL TO ORDER**

The January 7, 2008 Reorganization Meeting of the Township of Derry Board of Supervisors was called to order at 7:05 p.m. by Supervisor, George W. Porter.

**PLEDGE OF ALLEGIENCE**

All present stood for the Pledge of Allegiance.

**INDUCTION OF NEW BOARD MEMBERS**

Supervisor Porter introduced Judge John Cherry, Dauphin County Court of Common Pleas. Judge Cherry commented that Mr. Abruzzo and Mrs. Fedeli are two tremendous people who take their public service seriously. Judge Cherry proceeded to give the oath to E. Christopher Abruzzo and Kelly C. Fedeli.

**ROLL CALL**

***Supervisors Present:***

E. Christopher Abruzzo  
Kelly C. Fedeli  
August (Skip) T. Memmi, Jr.  
George W. Porter, Township Secretary  
Michael H. W. Pries

***Also Present:***

Barbara S. Ellis – Director of Hershey Public Library  
Jill E. Horner – Assistant Township Manager  
Matthew J. Mandia – Director of Parks and Recreation  
James N. Negley - Township Manager/Township Treasurer  
Robert Piccolo – Public Works  
Edward L. Small –Asst. Director of Community Development  
William D. Smith – Chief of Police  
Terry Weinhold – Manager of Accounts Payables and Receivables  
Jon A. Yost - Township Solicitor

***Public Present:***

Donna L. Kreiser, Elvira Ebling, Todd Pagliarulo, Linda Pagliarulo, Eileen Clark, Paul Clark, Bruce Yerger, James Brandt

***Press Present:***

Jeff Werner - Hershey Chronicle  
Drew Weidman – The Sun

**EXECUTIVE SESSION**

Supervisor Pries reported that the Board of Supervisors met prior to this meeting in executive session to discuss legal, real estate, and personnel issues.

**VISITOR/PUBLIC COMMENT**

No one came forward.

**REORGANIZATION**

**A1 RESOLUTION NO. 1178:**

Supervisor Porter asked for a nomination for a Chairperson of the Board of Supervisors.

**SUPERVISOR PORTER NOMINATED** Michael H.W. Pries for Chairman of the Board of Supervisors for 2008. The nomination was seconded by Supervisor Abruzzo. With no further discussion, the motion carried, 5-0.

Mr. Pries then took over the Chairmanship and asked for a nomination for Vice-Chairman.

**SUPERVISOR ABRUZZO NOMINATED** George W. Porter for Vice-Chairman of the Board of Supervisors. The nomination was seconded by Supervisor Memmi. With no further discussion, the motion carried, 5-0.

**SUPERVISOR FEDELI NOMINATED** E. Christopher Abruzzo for Township Secretary. The nomination was seconded by Chairman Pries. With no further discussion, the motion carried, 5-0.

**SUPERVISOR ABRUZZO NOMINATED** James N. Negley for Township Assistant Secretary. The nomination was seconded by Vice-Chairman Porter. With no further discussion, the motion carried, 5-0.

**CHAIRMAN PRIES NOMINATED** James N. Negley for Township Treasurer. The nomination was seconded by Vice-Chairman Porter. With no further discussion, the motion carried, 5-0.

**SUPERVISOR MEMMI NOMINATED** Yost & Davidson for Township Solicitor. The nomination was seconded by Supervisor Kelly. With no further discussion, the motion carried, 5-0.

**VICE-CHAIRMAN PORTER NOMINATED** Herbert, Rowland & Grubic, Inc. (HRG) for Township Engineer.

A discussion was initiated by Supervisor Memmi. He commented on the good work of HRG, but suggested it would be good government to seek requests for proposals from other engineers. Supervisor Fedeli inquired into the attributes HRG brings to the Township.

Vice-Chairman Porter responded with several attributes. He relayed that HRG is willing to make as a condition to work only for this Township. He explained part of the function of an engineer is to review development plans that come into the Community Development Office. He indicated this year they will be relying on the engineer even more due to a recent retirement of the Director of Community Development. He commented on the good relationship HRG has with the community, they work well with the Township, they are listed as an engineer for the geographic information system which is vitally important, and their expertise with stormwater. Vice-Chairman Porter did say the Township could contract other engineers for the purpose of special projects. Supervisor Fedeli suggested including the condition the engineers work only for the Township as part of the appointment.

Vice-Chairman Porter amended his nomination to appoint Herbert, Rowland & Grubic, Inc. (HRG) for Township Engineer with the condition they will not accept work with developers in their Township. The nomination was seconded by Supervisor Abruzzo. With no further discussion, the motion carried, 4-0-1. Supervisor Memmi abstained.

**Motion:** Supervisor Abruzzo moved and was seconded by Vice-Chairman Porter to adopt Resolution No. 1178 in its entirety.

**Motion carried, 5-0.**

Chairman Pries reported on items of interest for 2008 to include emergency notification phone call system, work more closely with the elected School Board, upgrade the web site, more receptive to needs of residents; and Amusement Tax Issue. Hershey Entertainment Resorts and the Derry Township School District have agreed to meet with a representative from the Derry Township Board of Supervisors to begin discussions on the Amusement Tax.

### **ADDITIONAL REORGANIZATION**

#### **B1 APPOINTMENT OF AN EMERGENCY MANAGEMENT COORDINATOR AND TWO DEPUTY COORDINATORS FOR THE EMERGENCY MANAGEMENT AGENCY:**

A motion was made by Supervisor Memmi to appoint Lt. Holl as the Coordinator for a one-year term and Chuck Mouery and Ernie Sholly as Deputy Coordinators for one-year terms for the Emergency Management Agency; seconded by Supervisor Fedeli; motion carried unanimously with a vote of 5-0.

**C1 RESOLUTION #1179: BOND LIMIT FOR THE TOWNSHIP MANAGER/TREASURER FOR THE YEAR 2008:**

A motion was made by Vice-Chairman Porter to set the bond limit for the Township Manager/Treasurer to be not less than \$1,500,000 for the year 2008; seconded by Chairman Pries; motion carried unanimously with a vote of 5-0.

**D1 RESOLUTION #1180: APPOINTMENT OF A DELEGATE AND AN ALTERNATE DELEGATE TO THE 2008 STATE CONVENTION:**

A motion was made by Supervisor Memmi to appoint Chairman Michael Pries as delegate and Vice-Chairman George Porter as alternate delegate to the 2008 State Convention; seconded by Supervisor Fedeli; motion carried unanimously with a vote of 5-0.

**E1 RESOLUTION #1181: SELECTION OF DEPOSITORIES FOR THE FUNDS OF THE TOWNSHIP OF DERRY FOR THE YEAR 2008:**

A motion was made by Vice-Chairman Porter to select PNC Bank, Citizens Bank, Sovereign Bank, Pennsylvania Local Government Investment Trust, Northwest Savings, Fulton bank, Commerce Bank, Wachovia, M&T Bank, Susquehanna Banks, Hershey Trust, and Pennsylvania State Treasurers Invest Program as depositories for the funds of the Township of Derry for the year 2008; seconded by Supervisor Abruzzo; motion carried unanimously with a vote of 5-0.

**F1 RESOLUTION #1182: NAMING OF MONIES TO BE PAID TO THE HERSHEY FIREMAN'S RELIEF ASSOCIATION FOR THE YEAR 2008:**

A motion was made by Vice-Chairman Porter for the Township of Derry to pay over to the Hershey Fireman's Relief Association all monies received from Foreign Fire Insurance Tax for the year 2008; seconded by Supervisor Fedeli; motion carried 5-0.

**G1 APPOINTMENT OF ONE (1) MEMBER TO THE VACANCY BOARD FOR A ONE-YEAR TERM (EXPIRED TERM OF TODD PAGLIARULO):**

Vice-Chairman Porter moved to appoint Todd Pagliarulo to the Vacancy Board for a one-year term; seconded by Chairman Pries, motion carried, 5-0.

**H1-6 APPOINTMENT OF TWO (2) MEMBERS TO THE BOARD OF LIBRARY DIRECTORS FOR A THREE-YEAR TERM (EXPIRED TERM OF DANIELLE NARKIN):**

A motion was made by Chairman Pries to appoint Anne Reeves to a three-year term and Skip Becker to a one-year term to the Board of Library Directors; seconded by Supervisor Abruzzo, motion carried, 5-0.

**I1-10 APPOINTMENT OF ONE (1) MEMBER TO THE PLANNING COMMISSION FOR A FOUR-YEAR TERM (EXPIRED TERM OF TERRY LAFOUNTAIN AND ONE (1) MEMBER FOR A ONE-YEAR UNEXPIRED TERM (UNEXPIRED TERM OF KELLY FEDELI) :**

A motion was made by Supervisor Fedeli to appoint Dave Thomas to a four-year term and Pete Gleason to a one-year unexpired term to the Planning Commission; seconded by Supervisor Abruzzo, motion carried 5-0.

Vice-Chairman Porter thanked Terry LaFountain for his years of service and also he thanked Sandy Ballard for running for office.

**J1-8 APPOINTMENT OF ONE (1) MEMBER TO THE ZONING HEARING BOARD FOR A FIVE-YEAR TERM (EXPIRED TERM OF TY EBY):**

Mike Angello was appointed for a five-year term to the Zoning Hearing Board.

Vice-Chairman Porter thanked Ty Eby for his many years of service to the Zoning Board. He commented that there are very few people who know more about real estate in this town than Ty. Vice-Chairman Porter said he served the board admirably and with great confidence.

**K1 APPOINTMENT OF ONE (1) MEMBER TO THE POLICE PENSION ADVISORY BOARD FOR A ONE-YEAR TERM (EXPIRED TERM OF JAMES BRANDT):**

A motion was made by Vice-Chairman Porter to appoint James Brandt for a one-year term to the Police Pension Advisory Board; seconded by Supervisor Abruzzo, motion carried 5-0.

**L1-4 APPOINTMENT OF ONE (1) MEMBER TO THE TAX COLLECTION ASSOCIATION FOR A THREE-YEAR TERM (EXPIRED TERM OF CHRISTOPHER PAINTER):**

James Albrite was appointed for a three-year term to the Tax Collection Association.

**M1-6 APPOINTMENT OF TWO (2) MEMBERS TO THE MUNICIPAL AUTHORITY FOR THREE-YEAR TERMS (EXPIRED TERMS OF TERRY CONNER AND ROBERT DEFIORE):**

James Zugay and Justin Engle were each appointed for a three-year term to the Municipal Authority.

**N1 APPOINTMENT OF TWO (2) MEMBERS TO THE UNIFORM CONSTRUCTION CODE APPEALS BOARD FOR FIVE-YEAR TERMS (EXPIRED TERMS OF ROBERT WILEY AND JAMIE BASHORE):**

A motion was made by Vice-Chairman Porter to appoint Robert Wiley and Tom Dedonatis to five-year terms to the Uniform Construction Code Appeals Board; seconded by Supervisor Abruzzo, motion carried 5-0.

Chairman Pries explained the appointments that require an actual vote meaning multiple individuals going for one or two positions will be voted on in writing. If there is one person for one open spot, then we simply do a voice motion.

**O1-5 APPOINTMENT OF TWO (2) MEMBERS TO THE PARKS AND RECREATION ADVISORY BOARD FOR FIVE-YEAR TERMS (EXPIRED TERMS OF KENNETH BURD AND MARK KURZENKNABE):**

Kenneth Burd and Michael Corado were each appointed to a five-year term to the Parks and Recreation Advisory Board.

**P1-5 APPOINTMENT OF ONE (1) MEMBER TO THE DESIGN REVIEW BOARD FOR A SEVEN-YEAR TERM (EXPIRED TERM OF ROBERT ERWIN):**

Philip Guarno was appointed for a seven-year term to the Design Review Board.

Vice-Chairman Porter thanked Robert Erwin for his years of service to the community.

**Q1-5 APPOINTMENT OF TWO (2) MEMBERS TO THE GENERAL AUTHORITY FOR A TWO-YEAR TERM (EXPIRED TERM OF JAMES ZUGAY):**

Chris Barrett was appointed for a two-year term to the General Authority.

**R1-3 APPOINTMENT OF ONE (1) MEMBER TO THE INDUSTRIAL COMMERCIAL DEVELOPMENT AUTHORITY FOR A TWO-YEAR TERM (EXPIRED TERM OF TODD PAGLIARULO) AND ONE (1) MEMBER FOR A FOUR-YEAR TERM (EXPIRED TERM OF RICHARD LENKER):**

A motion was made by Vice-Chairman Porter to appoint Todd Pagliarulo for a four-year term and James Ingalzo to a two-year term to the Industrial

Commercial Development Authority; seconded by Supervisor Fedeli; motion carried 5-0.

**BOARD OF SUPERVISORS APPOINTMENTS:**

**S1 APPOINTMENT OF TWO (2) MEMBERS OF THE BOARD OF SUPERVISORS TO THE POLICE PENSION ADVISORY BOARD FOR ONE-YEAR TERMS (EXPIRED TERMS OF FRANK O'CONNELL AND GEORGE PORTER):**

A motion was made by Supervisor Memmi to appoint Vice-Chairman George Porter and Supervisor Kelly Fedeli for a one-year term to the Police Pension Advisory Board; seconded by Chairman Pries, motion carried 5-0.

**T1 APPOINTMENT OF ONE (1) MEMBER OF THE BOARD OF SUPERVISORS TO THE TAX COLLECTION ASSOCIATION BOARD OF DIRECTORS FOR A TWO-YEAR TERM (EXPIRED TERM OF RICHARD LENKER):**

A motion was made by Supervisor Abruzzo to appoint Chairman Michael Pries for a two-year term to the Tax Collection Association Board of Directors; seconded by Vice-Chairman Porter, motion carried 5-0.

**U1 APPOINTMENT OF ONE (1) MEMBER OF THE BOARD OF SUPERVISORS AS THE EMERGENCY SERVICES LIAISON FOR A ONE-YEAR TERM (EXPIRED TERM OF FRANK O'CONNELL):**

A motion was made by Vice-Chairman Porter to appoint Supervisor Christopher Abruzzo for a one-year term as Liaison to the Emergency Services; seconded by Supervisor Fedeli, motion carried 5-0.

**V1 APPOINTMENT OF ONE (1) MEMBER OF THE BOARD OF SUPERVISORS AS THE TRANSPORTATION LIAISON FOR A ONE-YEAR TERM (EXPIRED TERM OF SKIP MEMMI):**

A motion was made by Supervisor Fedeli to appoint Supervisor Skip Memmi for a one-year term as Transportation Liaison; seconded by Supervisor Abruzzo, motion carried 5-0.

**W1 APPOINTMENT OF ONE (1) MEMBER TO THE LIBRARY ENDOWMENT TRUST FOR A ONE-YEAR TERM (EXPIRED TERM OF GEORGE PORTER):**

A motion was made by Supervisor Memmi to re-appoint Vice-Chairman George Porter for a one-year term to the Library Endowment Trust; seconded by Chairman Pries, motion carried 5-0.

**X1 APPOINTMENT OF ONE (1) MEMBER TO THE MUNICIPAL AUTHORITY FOR A THREE -YEAR UNEXPIRED TERM (UNEXPIRED TERM OF RICHARD LENKER):**

A motion was made by Chairman Pries to appoint Supervisor Christopher Abruzzo to a three-year unexpired term to the Municipal Authority; seconded by Vice-Chairman Porter; motion carried 5-0.

**Y1 APPOINTMENT OF ONE (1) MEMBER TO THE PARKS AND RECREATION ADVISORY BOARD FOR A THREE-YEAR UNEXPIRED TERM (EXPIRED TERM OF FRANK O'CONNELL):**

A motion was made by Supervisor Fedeli to appoint Supervisor Christopher Abruzzo for a three-year unexpired term to the Parks and Recreation Advisory Board; seconded by Chairman Pries, motion carried 5-0.

**Z1 APPOINTMENT OF ONE (1) MEMBER TO THE BOARD OF LIBRARY DIRECTORS FOR A THREE-YEAR TERM (EXPIRED TERM OF Mike Pries):**

A motion was made by Chairman Pries to appoint Supervisor Kelly Fedeli for a three-year term to the Board of Library Directors; seconded by Vice-Chairman Porter, motion carried 5-0.

**Aa1 APPOINTMENT OF ONE (1) MEMBER TO THE GENERAL AUTHORITY FOR A FOUR-YEAR TERM (EXPIRED TERM OF RICHARD LENKER):**

A motion was made by Supervisor Memmi to appoint Supervisor Kelly Fedeli for a four-year term to the General Authority; seconded by Chairman Pries, motion carried 5-0.

**Bb1-2 APPOINTMENT OF ONE (1) MEMBER TO THE TRI-COUNTY REGIONAL PLANNING COMMISSION FOR A ONE-YEAR TERM:**

A motion was made by Supervisor Abruzzo to appoint Chairman Michael Pries for a one-year term to the Tri-County Regional Planning Commission; seconded by Vice-Chairman Porter, motion carried 5-0.

Assistant Township Manager, Jill Horner asked the Chairman to make a motion on the appointments made by written ballot.

Vice-Chairman Porter moved and was seconded by Supervisor Abruzzo to accept all appointments to various Boards as mentioned above and made by written ballot. Motion carried, 5-0.



## **APPROVAL OF MINUTES**

***Motion:*** Supervisor Memmi moved and was seconded by Vice-Chairman Porter to approve the Minutes from the December 18, 2007 Board of Supervisors meeting.

Supervisor Abruzzo and Supervisor Fedeli abstained.

***Motion carried, 3-0-2.***

## **A-1 ORDINANCE NUMBER 569, REFUNDING AND CONSOLIDATION OF SERIES 2001, 2002, 2002a, AND 2003 (REMAINING PORTION) BONDS.**

Mr. Lou Verdelli, RBC Capital Markets - Mr. Verdelli distributed a booklet on the Township's Series Of 2008 Bond Refinancing. He explained due to the swap, the Township has saved a total of approximately \$264,000. Part of the savings included \$30,000 that would have been spent on bond insurance; however the Township has a double A2 rating and therefore, no bond insurance was needed. Because the Township took RBC's advice in December to move quickly, the Township was the first issuer in Pennsylvania to sell bonds in 2008. He further explained why Moody rates Derry Township AA2. Supervisor Abruzzo commended Mr. Verdelli for his goodwill on looking out for the Board and saving the Township money. Vice-Chairman Porter thanked Jim Negley as well as Mr. Verdelli for his advice regarding the bonds.

***Motion:*** Vice-Chairman Porter moved and was seconded by Supervisor Memmi to adopt Ordinance Number 569 directing the Financing Team to proceed toward refunding the Township's Series 2001, 2002, 2002A, and 2003 (remaining portion) Bonds is hereby approved.

***Motion carried, 5-0.***

## **B1-2 ADOPTION OF RESOLUTION #1186 ESTABLISHING THE CONTRIBUTION RATE FOR THE POLICE PENSION FUND FOR 2008 AT 2% OF WAGES:**

***Motion:*** Supervisor Memmi moved and was seconded by Supervisor Fedeli to adopt Resolution #1186 establishing the contribution rate for the Police Pension Fund for 2008 at 2% of wages is hereby approved.

***Motion carried, 5-0.***

## **C1-2 ADOPTION OF RESOLUTION #1185 APPOINTING A FIRM OF CERTIFIED PUBLIC ACCOUNTANTS TO AUDIT ALL OF THE ACCOUNTS OF THE TOWNSHIP OF DERRY FOR THE 2007 FISCAL YEAR.**

**Motion:** Vice-Chairman Porter moved and was seconded by Supervisor Abruzzo to adopt Resolution #1185 appointing Hamilton & Musser to examine and audit the accounts of the Township of Derry for the 2007 fiscal year for the sum of \$12,900 is hereby approved.

**Motion carried, 5-0.**

**D1-3 ADOPTION OF RESOLUTION NO. 1187 DESIGNATING THE TOWNSHIP OF DERRY'S INTENT TO SUSPEND BANNERS ACROSS SR 0422 ANNOUNCING VARIOUS EVENTS.**

**Motion:** Supervisor Memmi moved and was seconded by Supervisor Fedeli to adopt Resolution No. 1187 designating the Township of Derry's intent to suspend banners across SR 0422 announcing various events is hereby approved.

**Motion carried, 5-0.**

**CORRESPONDENCE**

No discussion on correspondence.

**BOARD/COMMITTEE INFORMATION**

Vice-Chairman Porter acknowledged and welcomed back Barbara Ellis who is the Director of Library Services.

**REPORTS:**

William D. Smith – Chief of Police - Chief Smith requested authorization to utilize the Derry Township Special Fire Police, the Lebanon Auxiliary Patrol, Inc., and other Special Fire Police from surrounding municipal fire companies, for traffic control during various months in 2008.

**Motion:** Supervisor Memmi moved and was seconded by Chairman to utilize personnel of the Derry Township Special Fire Police, the Lebanon Auxiliary Patrol, Inc., and other Special Fire Police from surrounding municipal fire companies, to assist Derry Township Police Department with traffic control and direction during 2008 is hereby approved.

**Motion carried, 5-0.**

William D. Smith – Chief of Police - Chief Smith asked for authorization to advertise an ordinance amending the Township's Motor Vehicle and Traffic Ordinance No. 553. This request is from the results of a traffic study that was conducted to facilitate the safe and efficient movement of mass transit through the facility and surrounding roadways.

**Motion:** Supervisor Abruzzo moved and was seconded by Vice-Chairman Porter to advertise an ordinance amending the Township's Motor Vehicle and Traffic Ordinance No. 553 is hereby approved.

**Motion carried, 5-0.**

Vice-Chairman Porter asked Chief Smith about the accident during the ice storm that involved a truck hitting into an electric pole outside an elementary school. He wanted to know if the accident report was available. Chief Smith explained that simply a truck went on the curb and hit a pole. Vice-Chairman Porter asked for a copy of the accident report to be sent to the Board of Supervisors.

Chairman Pries thanked the Chief and his department, Public Works and Administration for their work on December 31<sup>st</sup> for the 3<sup>rd</sup> annual New Year's Eve event. He shared there were approximately 12,000 people in attendance.

Barbara S. Ellis – Director of Hershey Public Library - Mrs. Ellis said she was thankful to be back to work. She should have a report to the Board at the end of the month.

Matthew J. Mandia – Director of Parks and Recreation - Mr. Mandia said he is looking forward to another great year. They will begin work on revising their department's Master Plan.

Supervisor Memmi referred to correspondence in their packet relevant to the request for the traffic study that was to be conducted at Hershey Park Drive, Walton Avenue intersection. The report indicated the best result we can get is to request PennDot to adjust the timing for the intersection. This potentially should relieve the northbound queuing backing out onto Hershey Park Drive.

**Motion:** Supervisor Memmi moved and was seconded by Vice-Chairman Porter to direct the Township staff to work with the engineer to formulate the letter necessary to send to PennDot requesting the timing change.

**Motion carried, 5-0.**

Chairman Pries asked Mr. Memmi for the status of the SAMI traffic signal improvements throughout the Township. Supervisor Memmi shared that PennDot has evaluated the software and hardware. One of the issues that is outstanding that has to be addressed is the telephone connection into the Public Works department. It seems the existing telephone line won't support the interconnectivity of the system into the computer. The Director of Public Works and the Township Manager are working with the telephone company to resolve this issue. Supervisor Memmi reported that once the system is up and running there will be an improvement with the flow of traffic on 322, 422, and Hershey Park Drive. The system will allow traffic to flow in a more uniform method.

**APPROVAL OF ACCOUNTS PAYABLE (\$91,004.73) AND PAYROLL (\$262,640.07).**

***Motion:*** Vice-Chairman Porter moved and was seconded by Supervisor Abruzzo to approve Accounts Payable (\$91,004.73) and Payroll totaling (\$262,640.07).

***Motion carried, 5-0.***

**VISITOR/PUBLIC COMMENT:**

No one came forward.

Chairman Pries congratulated Supervisor Fedeli and Supervisor Abruzzo for their appointment to the Board. He commented on their honesty and integrity during the campaign and the tremendous amount of work they did.

**ADJOURNMENT:**

***Motion:*** Supervisor Memmi moved and was seconded by Vice-Chairman Porter to adjourn the meeting at 8:15 p.m.

***Motion carried, 5-0.***

**SUBMITTED BY:**

\_\_\_\_\_  
E. Christopher Abruzzo  
Township Secretary

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Brenda L. Van Deursen  
Recording Secretary