

TOWNSHIP OF DERRY
BOARD OF SUPERVISORS MEETING MINUTES
APRIL 12, 2016

CALL TO ORDER

Chairman Marc A. Moyer called the April 12, 2016, regular meeting of the Township of Derry Board of Supervisors to order at 7:00 p.m. in the meeting room of the Township of Derry Municipal Complex, 600 Clearwater Road, Hershey, PA. He advised that all public meetings are recorded for the purpose of providing accurate notes. He announced the Board of Supervisors met in executive session to discuss legal and personnel issues before the meeting. After the pledge of Allegiance, a roll call was conducted.

IN ATTENDANCE:

SUPERVISORS

Marc A. Moyer, Chairman
John W. Foley, Jr., Vice Chairman
Justin C. Engle, Secretary
Matthew A. Weir
Susan Cort

ALSO PRESENT:

Jill Henry, Assistant Township Manager
Chuck Emerick, Director of Community Development
Garth Warner, Chief of Police
Bob DiLello, Hershey Volunteer Fire Company
Thomas Clark, Director of Public Works
Matthew Mandia, Director of Parks and Recreation
Lauren Zumbrun, Economic Development Manager
Terry Weinhold, Manager of Accounts Payable & Receivables
Matt Bonanno, HRG Engineer
Chris Brown, Derck & Edsom
Jon A. Yost, Township Solicitor
Julie Echterling, Recorder

Public in Attendance:

The following were in attendance: Elvira Ebling, Rich Gamble, Rich Cappelli, Sandy Cappelli, Dale Holte, Steve Roberts, Michael Milunic, Matthew Milunic, Deborah Smith, Talon Smith, Peter Barre, David Barto, Zach Conner, Beth Conner, Justin Zechman, Jen Zechman, Micah Fredrick, Dave Meow, Austin Pease, and Joe Nichols.

VISITOR/PUBLIC COMMENTS

Mr. Rich Gamble asked the Board if they could report on the Committees they are part of and give any updates from the meetings.

Mr. Steve Roberts, Derry Cares, stated they agree that something needs to be done with the property maintenance issues in the Township, but believe the solution needs more to it. He believes the codes department is professional, but needs to be empowered. He stated neighbor turning in neighbor doesn't produce harmony. He stated in the 2015 operating statement, the Library had \$30,000 in fines and property maintenance fines were \$500. He believes the solution resides in the Township and not an outside agency. He thanked the Board for their efforts and doesn't want to continue to bring this concern to the Board. Supervisor Engle asked them to continue to come to the Board and speak up. Vice Chairman Foley stated once they enter a property owner in to the judiciary system, it can cost a lot of taxpayer's money for a few houses. He stated sometimes they need to make an economic decision that is in the best interest of the Township for these issues because at times, the law isn't on their side.

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Michael Milunic, Derry Cares, provided their plan to the Board and Staff. They believe the reporting of neighbors is not an effective system. He questioned having an outside agency take care of foreclosures if there are only 46 of them in the Township.

APPROVAL OF MEETING NOTES:

Vice Chairman Foley made a motion to approve the minutes from the March 22, 2016 Board of Supervisors meeting. Supervisor Weir seconded the motion. **Motion carried 5-0.**

NEW BUSINESS

RESOLUTION 1467: DESIGNATING AN AGENT FINANCIAL FOR ASSISTANCE FROM THE PENNSYLVANIA EMERGENCY MANAGEMENT AGENCY:

Lieutenant Roche stated the Township will be submitting a Public Disaster Assistance Application and Agreement for Financial Assistance with the Pennsylvania Emergency Management Agency relative to the January 2016 Winter Storm Jonas. As part of the application process, the Township is required to adopt a resolution designating an agent who is authorized to execute all required forms and documents on behalf of the Township for the purpose of obtaining financial assistance. Township Manager James Negley will serve as the agent.

Vice Chairman Foley made a motion to adopt **Resolution 1467** designating Township Manager James Negley as the agent for the Township for an application of financial assistance from the Pennsylvania Emergency Management Agency. Supervisor Weir seconded the motion. **Motion carried 5-0.**

ORDINANCE NO. 676, ADDING CHAPTER 99 (FORECLOSED PROPERTY REGISTRATION) TO THE CODE OF THE TOWNSHIP OF DERRY:

Mr. Emerick stated this ordinance would establish the requirement that foreclosed real properties are registered, maintained, and secured by mortgages; and providing for penalties, enforcement, regulation, limitation, and reduction of foreclosed real property. He stated it would also allow Community Champions to assist the Township with creating a registration website and tracking system, and they would research all properties and contact banks. This program should produce revenue of approximately \$2,800-\$3,500 each year in addition to providing the same value of services at no cost to the Township.

Mr. Emerick explained an example of a foreclosed home that he started working with for high grass in 2009 and in April 2016 went for Sheriff sale, which is postponed until June 2016. He spoke about the complexity of this case including a recent court date.

Supervisor Weir asked if the Township codes are enforceable. Mr. Emerick said they are and many times a call or letter will take care of the problem. He stated in the fall, a property inspector will be hired and this is just one part of the solution. Chairman Moyer spoke about the legal remedies available but they can cause delays and are at times not cost effective for the solution. Discussion ensued.

Vice Chairman Foley made a motion to adopt **Ordinance No. 676** adding Chapter 99 (Foreclosed property registration) to the code of the Township of Derry. Supervisor Weir seconded the motion. **Motion carried 5-0.**

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RESOLUTION NO. 1466, ESTABLISH FEES FOR THE ADMINISTRATION OF CHAPTER 99 (FORECLOSED PROPERTY REGISTRATION) OF THE CODE OF THE TOWNSHIP OF DERRY.:

Mr. Emerick stated this resolution would establish a \$200 registration fee of which \$100 of the fee would go to the Township.

Vice Chairman Foley made a motion to adopt **Resolution No. 1466**, a supplement to the Community Development fee schedule as established by Resolution No. 1455, to establish fees for the administration of Chapter 99 (Foreclosed Property Registration) of the Code of the Township of Derry. Chairman Moyer seconded the motion. **Motion carried 5-0.**

PROFESSIONAL CONSULTING AGREEMENT WITH COMMUNITY CHAMPIONS:

Vice Chairman Foley made a motion to approve the execution of a professional consulting agreement with Community Champions, to provide professional services in association with Chapter 99 (Foreclosed Property Registration) of the Township Code. Supervisor Weir seconded the motion. **Motion carried 5-0.**

SECURITY RELEASE: 11 AND 19 EAST CHOCOLATE AVENUE, PLAT #1238:

Vice Chairman Foley made a motion to approve the release of the remaining balance (\$71,115.14) of the performance security held as Travelers Casualty and Surety Company of America Bond No. 106008846 for the Preliminary/Final Subdivision and Stormwater Management Site Plan for 11 and 19 East Chocolate Avenue, Plat #1238. Supervisor Cort seconded the motion. **Motion carried 5-0.**

SECURITY RELEASE: MHS SPRINGBOARD ACADEMY AND INNOVATIONS LAB, PLAT #1089.:

Vice Chairman Foley made a motion to approve the release of maintenance security in the amount of \$1,644.26, supplied as PNC Bank Letter of Credit No. 18124531-00-000, for the Preliminary/Final Land Development Plan for the Milton Hershey School Springboard Academy and Innovations Lab, Plat #1089. Supervisor Cort seconded the motion. **Motion carried 5-0.**

SECURITY RELEASE: 565 EAST CHOCOLATE AVENUE, PLAT #1090

Vice Chairman Foley made a motion to approve the release of performance security in the amount of \$21,374.71, provided as Integrity Bank Letter of Credit No. 1176 for the Preliminary/Final Land Development Plan for 565 East Chocolate Avenue, Plat #1090. Chairman Moyer seconded the motion. **Motion carried 5-0.**

INDUSTRIAL AND COMMERCIAL DEVELOPMENT AUTHORITY APPOINTMENT:

Vice Chairman Foley made a motion to appoint Thomas Fowlston to the Township of Derry Industrial and Commercial Development Authority for a four-year term which expires on 12/31/2019. Supervisor Cort seconded the motion. **Motion carried 5-0.**

ANNUAL MEMORIAL DAY PARADE:

Vice Chairman Foley made a motion to approve the 2016 Memorial Day Parade including allowing the required road closures for the parade. Supervisor Engle seconded the motion. **Motion carried 5-0.**

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2016 SUMMER PROGRAMS AT CHOCOLATETOWN PARK:

Mr. Mandia announced that eight Paint and Create classes will be held in Chocolatetown Park throughout the summer. These events will have between 10-15 participants. This program also includes a BYOB provision and requires Board approval.

Vice Chairman Foley made a motion to approve the Paint and Create classes within Chocolatetown Park during the Summer of 2016. Supervisor Weir seconded the motion. **Motion carried 5-0.**

"LIFE ON CHOCOLATE" CIVIC BANNERS ALONG WEST CHOCOLATE AVENUE:

Vice Chairman Foley made a motion to approve the "Life on Chocolate" civic banners to be located along West Chocolate Avenue. Supervisor Cort seconded the motion. **Motion carried 5-0.**

COCOA CASTLE BANNERS ALONG COCOA AVENUE:

Mr. Emerick discussed a request for banners for fundraising and sponsorship of the Cocoa Castle Project. The Parks and Recreation Department is proposing two 3' x 8' banners to be placed on the chain link fence along Cocoa Avenue until the project is completed.

Vice Chairman Foley made a motion to approve the Cocoa Castle banners to be located along Cocoa Avenue. Supervisor Weir seconded the motion. **Motion carried 5-0.**

ANNUAL COLOR RUN ON HE&R PROPERTIES:

Vice Chairman Foley made a motion to approve the 2016 Color Run on Hershey Entertainment & Resorts properties on June 4th and June 5th, 2016, along with allowing the associated road closing. Supervisor Cort seconded the motion. **Motion carried 5-0.**

WALK CELEBRATING THE FEAST OF CORPUS CHRISTI:

Vice Chairman Foley made a motion to approve the request to conduct a walk celebrating the feast of Corpus Christi requested by the Saint Joan of Arc Parish on Sunday May 29, 2016 starting at 1:00 p.m. on various Township roadways. Supervisor Cort seconded the motion. **Motion carried 5-0.**

APRIL 29, 2016 THE OBSERVANCE OF ARBOR DAY:

Supervisor Engle made a motion to approve the proclamation establishing April 29, 2016 as the day of Arbor Day observance within the Township of Derry. Supervisor Weir seconded the motion. **Motion carried 5-0.**

INTER-MUNICIPAL WOOD WASTE DISPOSAL AGREEMENT:

Supervisor Engle made a motion to approve the Inter-Municipal Wood Waste Disposal Agreement, between the Township of Derry and The Township of South Hanover. Supervisor Weir seconded the motion. **Motion carried 5-0.**

CORRESPONDENCE BOARD/COMMITTEE INFORMATION:

Supervisor Engle discussed a meeting he attended with HRG which provided updates on the Township projects. He asked about the crossing for Oakmont. Mr. Bonanno showed the Board the proposed crosswalk location on the map/screen. He stated they suggested a raised crosswalk which should slow

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down traffic and recommended ADA sidewalk for additional safety for the Township. Chairman Moyer asked Mr. Clark if there would be issues with plowing with the raised crosswalk and Mr. Clark said no. Supervisor Engle stated the cost estimates are \$25,000-\$30,000. He stated the Board should think about it and would like to review the plan. He stated it should be on the agenda so residents can know about it.

Supervisor Engle spoke about the Recreation stakeholder's meeting held in March for the Recreation Center and Aquatic Center. He stated there was not an ICDA meeting in March.

Supervisor Cort spoke about an award the Downtown Hershey received and a \$5,000 grant to go along with the award. She spoke about the upcoming public meeting about stormwater on April 18, 2016 at 6pm at the Library.

Vice Chairman Foley stated he attended a luncheon with PPL to discuss the changes in lines and how they are doing upgrades. He stated he attended 3-4 meetings on behalf of the ICDA for the firehouse project. He spoke about the CTE synopsis he attended at the Milton Hershey School. He also attended a meeting on the Park Boulevard and lighting. He attended the meeting with HRG to discuss the projects in the Township.

Supervisor Weir spoke about the DTMA meeting on stormwater and the upcoming public meeting. He spoke about the Swatara Meeting he attended.

Chairman Moyer recognized the Boy Scouts from Troup 203 in the audience who are working on their badge. He also spoke about a letter he received from residents who are concerned about the PPL replacement lines and how it will affect them. He asked Mrs. Henry to be proactive on this and provide timely updates from PPL to the residents.

REPORTS:

Police Chief Warner spoke about active shooter training the Police, EMS and Fire completed.

Fire Mr. DiLello stated the Fire Station open house will be on April 23rd from 10:00 a.m. to 2:00 p.m. He presented a plaque to the Board from the Hershey Volunteer Fire Company in appreciation for their support.

Recreation Mr. Mandia spoke about pickle ball starting on two outdoor courts at the Hershey Recreation Center. He stated he has a meeting next week with a donor who is funding a disc golf course. He is looking to have the course installed in Shank Park by the summer.

Planner Mr. Brown stated the TIF meetings are on hold since there aren't projects to be considered. He spoke about working on lights at the park. He stated they had a good meeting about this and are considering different types of lights and he will have more information to follow.

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Engineer Mr. Bonanno stated he received PennDOT's comments back on the Middletown Road bike path and is waiting on an easement. He provided an update on the Java project and stated the contractors are doing a great job.

Community Development Mr. Emerick stated he took pictures at the Stoverdale property and provided them to the Historical Society. He stated he is working on the official map. He stated he would be in court tomorrow regarding a property issue.

Economic Development Mrs. Zumbun stated the Downtown Hershey Association has launched a new website with activities and what to do in Hershey. She spoke about the volunteers (Hershey Townies) support and a kickoff meeting for them.

Assistant Manager Mrs. Henry stated that a representative of Municipal Publication is selling advertisements to fund the printing of the Community Map and Guide.

ACCOUNTS PAYABLE and PAYROLL:

Chairman Moyer made a motion to approve accounts payable in the amount of \$599,920.55 and Payroll of \$654,794.50. Supervisor Cort seconded the motion. **Motion carried 5-0.**

VISITOR/PUBLIC COMMENTS:

Mr. Steve Roberts, 1223 Limerick Court, expressed his concern about the raised crosswalk for Oakmont. He stated he is concerned with the speed some vehicles go down that road, that they could be airborne. He spoke about possible electronic flashing warning signs.

Mr. Rich Gamble, thanked the Board for their updates from the Committees they are on. He asked if they could consider a left lane turning arrow for downtown for Linden. He believes it is a dangerous intersection. He asked if there was a timeline for the post office. Supervisor Engle stated no.

ADJOURNMENT:

Vice Chairman Foley made a motion to adjourn the meeting at 8:42 p.m. Supervisor Cort seconded the motion. **Motion carried 5-0.**

SUBMITTED BY:

Justin C. Engle
Township Secretary

Julie Echterling
Recorder