

TOWNSHIP OF DERRY
BOARD OF SUPERVISORS MEETING MINUTES
MARCH 22, 2016

CALL TO ORDER

Chairman Marc A. Moyer called the March 22, 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. After the pledge of Allegiance, a roll call was conducted.

IN ATTENDANCE:

SUPERVISORS

Marc A. Moyer, Chairman
John W. Foley, Jr., Vice Chairman
Matthew A. Weir
Susan Cort

ALSO PRESENT:

James Negley, Township Manager
Chuck Emerick, Director of Community Development
Garth Warner, Chief of Police
Robert Piccolo, Assistant Director of Public Works
Matthew Mandia, Assistant Director of Parks and Recreation
Lauren Zumbrun, Economic Development Manager
Cheryl Lontz, Manager of Payroll and Employees
Barbara Ellis, Director of Hershey Public Library
Matt Bonanno, HRG Engineer
Jon A. Yost, Township Solicitor
Julie Echterling, Recorder

ABSENT:

Justin C. Engle, Secretary

Public in Attendance:

The following were in attendance: Elvira Ebling, Rich Gamble, Rich Cappelli, Sandy Cappelli, Craig Smith, Wayne Schutz, Steve Roberts, Dominic Camicate, and James Camicate.

VISITOR/PUBLIC COMMENTS:

There were no public comments.

APPROVAL OF MEETING NOTES:

Vice Chairman Foley Supervisor made a motion to approve the minutes from the March 8, 2016 Board of Supervisors meeting. Chairman Moyer seconded the motion. **Motion carried 4-0.**

NEW BUSINESS

ORDINANCE NO. 679 – REFINANCING OF SERIES 2011 BONDS

Mr. Lou Verdelli, RBC Capital Markets, provided an update on the DTMA refinancing. He discussed the prior Guaranteed Sewer Revenue Bonds, Series of 2009. He stated the refinancing for the bond would be a Series of 2016 bonds issued by the DTMA of \$8,850,00 with an interest rate of 1.62%, resulting in a savings of \$835,000. He stated settlement would be on March 29th. He discussed the current General Obligation Bonds, Series 2011. He stated the refinancing for these bonds would be a Series of 2016 note issued by Township of Derry for \$3,105,000 with a savings of \$182,789. He stated the settlement date would be May 18th. Discussion ensued.

Chairman Moyer made a motion to approve Ordinance Number 679 to enact an Ordinance authorizing (i) the issuance of the Township's General Obligation Note, Series of 2016, for purchase by Fulton Bank, N.A., the proceeds of which will be used by the Township to undertake the current refunding of the Township's General

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Obligation Bonds, Series of 2011 (the "2011 Bonds"), (ii) the acceptance of the Fulton Bank, N.A. proposal to accomplish the current refinancing; and (iii) the current refunding of the 2011 Bonds. Supervisor Weir seconded the motion. **Motion carried 4-0.**

FINAL SUBDIVISION AND LAND DEVELOPMENT FOR THE POINT:

Mr. Emerick discussed the Revised Final Subdivision and Land Development Plan for The Point, Plat No. 1265. He stated since the Board meeting in November 2015, the original owners have decided to not retain the Stover farmhouse. As a result, the developer has decided to demolish the farmhouse and create two new lots in its place. The revised plan shows the modification as well as some grading changes in the area west of the Buck Drive/Red Fox Drive intersection. Mr. Emerick stated other than the above modifications, the plan is substantially the same as what was previously approved. He stated the waivers were previously approved.

Supervisor Cort asked about the farmhouse being part of historical preservation and asked if anything can be preserved and photographed. Discussion ensued.

Vice Chairman Foley made a motion to approve the Revised Final Subdivision and Land Development Plan for The Point, Plat #1265, is approved subject to the following:

- a. The applicant reimburses the Township for costs incurred in reviewing the plan no later than April 22, 2016.
- b. The United States Surety Company Bond No. 1001047705 is amended to refer to Plat #1265, that the balance is adjusted as necessary, and that the accompanying amended performance security agreement is signed no later than September 22, 2016.
- c. The full disclosure statement is revised to reflect the increase in lots no later than September 22, 2016. Section 185-13.E. (5).(d) of the Subdivision and Land Development Ordinance.
- d. A letter is provided by the Dauphin County Conservation District no later than September 22, 2016, approving the revised erosion and sedimentation control plan.
- e. A copy of the revised NPDES permit is provided no later than September 22, 2016.
- ~~f. The developer signs the Post-Construction Stormwater Management Plan no later than September 22, 2016. This has been addressed.~~
- g. The Amendment to Access Easement Agreement is signed by DSG Development Corporation and recorded no later than September 22, 2016.
- ~~h. The executed Revised Stormwater Best Management Practices Operation and Maintenance Agreement is provided no later than September 22, 2016. This has been addressed.~~
- i. The fee in lieu of open space dedication for the additional lot is provided no later than September 22, 2016.
- j. An additional traffic contribution in the amount of \$641.00 is provided no later than September 22, 2016.
- k. The Revised Stormwater Best Management Practices Operation and Maintenance Agreement is recorded concurrently with the plan.

Chairman Moyer seconded the motion. **Motion carried 4-0.**

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SECURITY RELEASE – HILTON GARDEN INN -PLAT NO. 1244 HERSHEY:

Vice Chairman Foley made a motion to approve the release of the remaining balance (\$18,115.05) of the performance security provided as cash for the Preliminary/Final Land Development Plan for the Hilton Garden Inn Hershey 6 Building Addition, Plat #1244. Supervisor Cort seconded the motion. **Motion carried 4-0.**

SECURITY RELEASE –CARTERS -PLAT NO. 1174:

Supervisor Weir made a motion that the Township hereby releases performance security in the amount of \$25,217.14, provided as M&T Bank Letter of Credit No. SB1749950001 for the Preliminary/Final Subdivision Plan for Ian and Heather Carter, Plat #1174. Chairman Moyer seconded the motion. **Motion carried 4-0.**

CIVIC BANNER REQUEST:

Mr. Emerick discussed a request for a civic banner to be located in the grass area adjacent to The Hershey Company Technical Center building along Route 422, as well as in front of the 14 East Chocolate Avenue building.

Vice Chairman Foley made a motion to authorize the 13th Annual Hershey Miracle 5K Race banner to be placed in the grass area adjacent to The Hershey Company Technical Center building along Route 422, as well as in front of the 14 East Chocolate Avenue building. Supervisor Cort seconded the motion. **Motion carried 4-0.**

SHANK PARK ADOPTION:

Mr. Mandia discussed a request for the Shank Park Adoption through the Keep Pennsylvania Beautiful Program. He stated the Lancaster Mennonite School-Hershey Campus expressed interest in adopting Shank Park. He stated they would participate in two clean up days per year and assist with any projects coordinated with the Department of Parks and Recreation.

Chairman Moyer made a motion to approve the adoption of Shank Park as outlined within this agenda item between the Township and the Lancaster Mennonite School- Hershey Campus. Supervisor Weir seconded the motion. **Motion carried 4-0.**

CORRESPONDENCE BOARD/COMMITTEE INFORMATION:

Vice Chairman Foley spoke about the open house at the new Fire Station on April 23rd.

Chairman Moyer spoke about the Taste of Hershey over the weekend. He stated it was very successful and well attended.

REPORTS:

Police Chief Warner spoke about the construction starting on Rt. 743.

Fire Mr. DiLello stated they are slowly breaking in the fire station and are excited about the open house.

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Public Works Mr. Piccolo spoke about the crosswalks put in at the intersection on Granada Avenue near Power Train.

Library Mrs. Ellis discussed the final stages of their new security system being implemented. She spoke about the first Local Authors Festival to be held on April 2nd at the Library.

Recreation Mr. Mandia spoke about the Cocoa Castle fundraising which is going well.

Engineer Mr. Bonanno stated road work would start tomorrow on the Java project. He stated he is looking into options for the crosswalk for Oakmont to the trail and will have something for the next meeting.

Community Development Mr. Emerick stated the zoning ordinance has been provided to the Planning Commission for comments and questions. He stated there would be an August 23rd Public Hearing prior to the Board of Supervisorø meeting for the zoning ordinance.

He spoke about articles he has written on zoning permitting and rentals for the Township eNews to inform the public of regulations. He stated he would like action on the Community Champions to help the Township with foreclosures in April if possible.

ACCOUNTS PAYABLE and PAYROLL:

Vice Chairman Foley made a motion to approve accounts payable in the amount of \$506,979.98 and Payroll of \$300,954.34. Chairman Moyer seconded the motion. **Motion carried 4-0.**

VISITOR/PUBLIC COMMENTS:

Mr. Steve Roberts, Hershey Cares, thanked Mr. Emerick for working with their organization. He stated they were hoping to be part of the solution and feel they arenø right now. He stated they have some ideas and would like to contribute. Mr. Emerick stated he is down an inspector and hasnø been able to engage them. Discussion ensued.

Mr. Dominic Camicate, Boy Scouts Troup 108, stated he was working on his citizenship badge, which requires he attend a meeting. Chairman Moyer thanked him for attending the meeting.

ADJOURNMENT:

Supervisor Weir made a motion to adjourn the meeting at 7:42 pm. Vice Chairman Foley seconded the motion. **Motion carried 4-0.**

SUBMITTED BY:

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Justin C. Engle
Township Secretary

Julie Echterling
Recorder