

**TOWNSHIP OF DERRY**  
**BOARD OF SUPERVISORS MEETING MINUTES**  
**JULY 12, 2016**

**CALL TO ORDER**

Chairman Marc A. Moyer called the July 12, 2016, regular meeting of the Township of Derry Board of Supervisors to order at 7:00 pm 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, personnel and land 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 M. Cort

**ALSO PRESENT:**

James Negley, Township Manager  
Jill Henry, Assistant Manager  
Jon A. Yost, Township Solicitor  
Chuck Emerick, Director of Community Development  
Timothy Roche, Lieutenant with Police Department  
Bob DiLello, Hershey Volunteer Fire Company  
Zachary Jackson, Assistant Director of Parks and Recreation  
Terry Weinhold, Manager of Accounts Payable & Receivable  
Barbara Ellis, Director of Library Services  
Eric Stumpf, HRG Engineer  
Julie Echterling, Recorder

**Public in Attendance:**

The following were in attendance: Elvira Ebling, Charles Huth, Pat Leonard, Gordon Peters, Jason Gutshall, Susan Leitzell, Katherine Serfass, and Melanie Boehmer.

**VISITOR/PUBLIC COMMENTS:**

Mr. David Heidelberg, D & S Tree Services, spoke to the Board about his signs he picked up at the Township today that were taken out of yards over the weekend. He stated the signs were placed in customer's yards and were not on Township property or in the right of way. This has been a continuous problem for him and he would like to have an end to it. He spoke to Township staff and he couldn't get a straight answer. Solicitor Yost asked how long the signs are in a yard. He stated they can be there while the work is being performed, but after that it is advertising in a residential area. Mr. Heidelberg stated he leaves his signs in as long as he can get away with it. Mr. Clark stated his department wasn't in this weekend and didn't pick up the signs. Mr. Emerick stated his department does pick up signs but they weren't working this weekend. Chairman Moyer stated staff will look into this matter.

**APPROVAL OF MEETING MINUTES:**

Chairman Moyer made a motion to approve the minutes from the June 28, 2016 Board of Supervisors meeting. Vice Chairman Foley seconded the motion. **Motion carried 5-0.**

**NEW BUSINESS:**

**EMPLOYEE PERFORMANCE/ACKNOWLEDGEMENT**

**Performance Awards Presentation**

**Tom Brazell - Public Works:** Mr. Clark stated Mr. Brazell has worked for the Township for 22 years. He spoke about the great job he does keeping the Township clean in his job duties.

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**Marianne Faust - Parks and Recreation:** Mr. Jackson spoke about Mrs. Faust who opens the Recreation Center each morning at 5am. She is very dependable, reliable and willing to take on other tasks for the benefit of the Recreation Center and the residents.

**Andrew Condran-Police Department:** Lt.. Roche spoke about Officer Condran and his solid performance. He stated he has recently become the K-9 handler and is excelling at this new responsibility.

**Katherine Serfass-Library:** Mrs. Ellis spoke about the excellent job done by Ms. Serfass. She has encoded over 14,500 items, teaches classes, and has provided excellent customer service.

**Darrin Robinson-Community Development:** Mr. Emerick spoke about Mr. Robinson who was unable to attend the meeting tonight. He spoke about the eight certifications he has obtained since starting in 2012. He stated he did the job of two employees while a code enforcement officer position was filled.

**Gordon Peters-Hershey Volunteer Fire Company:** Chief Leonard spoke about Mr. Peters. He has completed his fire training and was the youngest and fastest to complete it in the Company. He stated he is very active in the company while holding two jobs.

**Years of Service Acknowledgement:**

The following employees were acknowledged for their years of service:

**5 Years of Service**

Andrew Condran – Police Department  
Cameron Robinson – Parks and Recreation  
Kristi Sale-Gentry – Child Care  
Dennis Swoyer – Public Works  
Jana Klinger – Police Department  
Andrew Herr – Police Department

**10 Years of Service**

Tricia Bruce – Parks and Recreation  
Wendy Burgwald – Police Department  
James Kessler, Jr. – Public Works

**15 Years of Service**

Anthony Bernardo – Police Department

**PLAN: MILTON HERSHEY SCHOOL SAFETY AND SECURITY FACILITY, PLAT NO. 1262:**

Mr. Emerick discussed the plan for the Milton Hershey School for approximately 4.8 acres. The focus of this land development plan is the Cloverdale Barn, which is located adjacent to the roundabout under construction at the intersection of Meadow Lane and Governor Road. The project involves renovations and additions to the existing barn, including access, parking, and stormwater management improvements. The facility is proposed to be used as the new 19,000 square foot Safety and Security Facility for the campus. The project will have a nominal impact on traffic in the area, as the facility already exists on the campus. The project has already received approval from the Dauphin County Conservation District by way of a revision to an existing NPDES permit. Stormwater management improvements will be addressed through a collection system that conveys the stormwater to a combined rain garden/stormwater basin.

Vice Chairman Foley made a motion to approve the Preliminary/Final Land Development Plan for the Milton Hershey School Safety and Security Facility, Plat #1262, subject to the following:

- a. The applicant reimburses the Township for costs incurred in reviewing the plan no later than August 12, 2016.
- b. A performance security is provided to guarantee the completion of required improvements, and the accompanying agreement is signed no later than January 12, 2017.
- c. The applicant provides a letter from the Dauphin County Conservation District, approving the

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Erosion and Sedimentation Control Plan, no later than January 12, 2017.

- d. The applicant provides a copy of the NPDES permit approval no later than January 12, 2017.
- e. The executed Agreement for the Deferment of the Installation of Curbing and Sidewalk is provided no later than January 12, 2017.
- f. The Stormwater Best Management Practices Operation and Maintenance Agreement is recorded concurrently with the plan.
- g. A Declaration, listing the stormwater BMPs as a restrictive covenant, is recorded concurrently with the plan.
- h. The Agreement for the Deferment of the Installation of Curbing and Sidewalk is recorded concurrently with the plan.

It is further moved that the following waivers are granted from the Subdivision and Land Development Ordinance and the Stormwater Management Ordinance:

- a. From Sections 185-12.D.(3).(a).[4] and 185-13.E.(4).(a).[4] regarding the location plan scale.
- b. From Sections 185-12. D. (3). (a). [8] and 185-13. E. (4). (a). [8] regarding providing NAD 1983 Pennsylvania Coordinate System numbers for all points on the property boundary.
- c. From Sections 185-12. D. (3). (a). [9] and 185-13. E. (4). (a). [9] regarding providing all existing structures, wooded areas, watercourses, rock outcrops, culverts, utilities, fire hydrants, streets and their established grade and width, within 200 and 50 feet of the entire property.
- d. From Sections 185-12. D. (3). (a). [10] and 185-13. E. (4). (a). [10] regarding the location of sensitive environmental areas outside of the project area.
- e. From Sections 185-12. D. (3). (a). [12] and 185-13. E. (4). (a). [13] regarding providing adjacent owner information that is now older than one year for the areas within Dauphin County only. The Lebanon County information shall be updated.
- f. From Section 185-12. D. (3). (a). [15] regarding providing soil boundaries on the property.
- g. From Sections 185-12. D. (3). (a). [17] and 185-13. E. (4). (a). [15] regarding providing the names of existing and proposed streets and alleys.
- h. From Sections 185-12. D. (3). (a). [18] and 185-13. E. (4). (a). [16] regarding providing the width of existing streets, easements, and rights-of-way for the entire property.
- i. From Section 185-13. E. (4). (a). [18] regarding showing existing driveways on the entire property.
- j. From Sections 185-12. D. (3). (a). [21], [22], [23] and 185-13. E. (4). (a). [19], [20], [21] regarding profiles of existing stormwater sewer and conveyance systems, existing sanitary sewer systems, and existing gas and water systems for unaffected facilities only.
- k. From Sections 185-12. D. (3). (a). [35] and 185-13. E. (4). (a). [36] regarding providing contours at two foot intervals within 200 feet and 50 feet of the perimeter of the entire property.
- l. From Sections 185-12.0. (3). (a). [40] and 185-13. E. (4). (a). [43] regarding providing existing streets, name, cartway width, and right-of-way width for the entire property.
- m. From Sections 185-12. D. (3). (a). [47] and 185-13. E. (4). (a). [45] regarding providing the recording reference of recorded subdivision and land development plans of adjoining land with the stipulation that references to recorded locations of other plans of record for the campus are provided.
- n. From Sections 185-12. D. (3). (a). [51] and 185-13. E. (4). (a). [49] regarding providing the location of all existing and proposed monuments and markers.
- o. From Section 185-22. D regarding street right-of-way and cartway widths for all existing streets on the property.

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- p. From Section 185-22. E. (5) regarding curbing for all existing streets on the property and adjacent to the project. This waiver is granted as a deferment, with the stipulation that the property owner enters into an agreement with the Township that would allow the Township to require the installation of curbing in the future if deemed necessary.
- q. From Section 185-49 regarding a wetlands determination for the entire property.
- r. From Section 185-34. A. (1) regarding sidewalk installation. This waiver is granted as a deferment, with the stipulation that the property owner enters into an agreement with the Township that would allow the Township to require the installation of sidewalk in the future if deemed necessary.
- s. From Section 174-17. C. (15) of the Stormwater Management Ordinance regarding specifications for backfilling trenches.

Supervisor Cort seconded the motion. **Motion carried 5-0.**

**SECURITY RELEASE: HERSHEY SQUARE SHOPPING CENTER, PLAT NO. 1259:**

Vice Chairman Foley made a motion to approve the release of \$133,517.59 from the performance security held as People's United Bank Letter of Credit No. SB-2064 for the Preliminary/Final Land Development Plan for Hershey Square Shopping Center, Plat #1259, resulting in a new balance of \$14,835.29. Supervisor Engle seconded the motion. **Motion carried 5-0.**

**HRG PROPOSAL- PROJECT SERVICES FOR A BIKE/PEDESTRIAN CROSSING FOR ACCESS BETWEEN THE OAKMONT DEVELOPMENT AND THE JONATHAN ESHENOUR MEMORIAL TRAIL AT WOOD ROAD:**

The Board agreed to table this issue to clarify the scope and costs associated with the project until next meeting.

**HRG - SERVICES FOR A BIKE/PEDESTRIAN CROSSING ON MIDDLETOWN ROAD:**

The Board agreed to table this issue to clarify the scope and costs associated with the project until next meeting.

**SECURITY RELEASE - APPLE RETAIL PROPERTIES (CHIPOTLE), PLAT NO. 1233:**

Vice Chairman Foley made a motion to approve the release of maintenance security in the amount of \$4,750.80, provided as cash for the Preliminary/Final Land Development Plan for Apple Retail Properties (Chipotle), Plat #1233. Supervisor Engle seconded the motion. **Motion carried 5-0.** Mr. Emerick left the meeting at 7:36 p.m.

**ORDINANCE NO. 680, AMENDING THE CODE OF THE TOWNSHIP OF DERRY (ORDINANCE NO. 553) RELATED TO PARKING RESTRICTIONS:**

Lieutenant Roche stated crosswalks were recently installed at the intersection of East Caracas Avenue at the intersection with East Granada Avenue and Ceylon Avenue. In order to facilitate additional parking in this area near the Hershey Theatre and other businesses, yet maintain corner sight distance at the intersection, it is proposed to start the parking restriction from the northwest and southwest corners of the intersection, to a point thirty-nine (39) feet west of the intersection along the north and south sides of East Caracas Avenue. This modification will allow for some limited additional parking, but not encroach upon the twenty (20) foot minimum parking regulation in PA Title 75.

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Supervisor Engle made a motion to approve Ordinance No. 680 amending the Code of the Township of Derry (Ordinance No. 553) Chapter 210 § 210-38, parking prohibited at all times in certain locations by amending parking restrictions on the first block of East Caracas Avenue at the intersection with East Granada Avenue and Ceylon Avenue. Vice Chairman Foley seconded the motion. **Motion carried 5-0.**

**RESOLUTION NO. 1473, RENAMING PARK BOULEVARD TO SIR PAUL MCCARTNEY AVE:**

Supervisor Cort made a motion to approve Resolution Number 1473, renaming Park Boulevard as Sir Paul McCartney Avenue for a period of twenty-four hours on July 19, 2016. Vice Chairman Foley seconded the motion. **Motion carried 5-0.**

**CORRESPONDENCE BOARD/COMMITTEE INFORMATION:**

Supervisor Cort spoke about the email the Board received about concerns on Locust Avenue and the recent rains. Supervisor Weir attended a DTMA meeting, People Movers luncheon, public meeting on the zoning ordinance, and a demonstration of new software for the Township. Vice Chairman Foley attended the People Movers luncheon, DTMA meeting, transportation meetings with Hershey Company, Milton Hershey School, and HE&R. He stated he is continuing to work with the Fire Company on the Capital Campaign. Manager Negley discussed the 50<sup>th</sup> anniversary gathering of retirees of the Police Department. He thanked the Police Department for hosting the well-attended event.

Vice Chairman Foley made a motion to move forward with the Conditional Use Request No. 2016-01 as filed by the Escape Room Hershey for 251 and 253 West Chocolate Avenue. Supervisor Weir seconded the motion. **Motion carried 5-0.**

**REPORTS:**

- Fire Mr. DiLello spoke about the tours and getting ready for the National Night Out event.
- Public Works Mr. Clark stated he is in working with HRG on the Locust Avenue issue. He discussed the Township's situation with not being able to take electronics at the recycling center. He stated they have informed residents with signs and on the website that items can be taken to the Dauphin County Recycling Center.
- Library Mrs. Ellis discussed the summer programs and the upcoming book sale on August 6-11<sup>th</sup>.
- Recreation Mr. Jackson spoke about the Cocoa Castle fundraising which is \$40,000 short. He spoke about a fundraiser for the project being run by the day camp kids on July 20<sup>th</sup>.
- Economic Development Mrs. Zumbrun discussed the July 20<sup>th</sup> Townies picnic, which is open to the public. She discussed some local street closings for the picnic.

**ACCOUNTS PAYABLE and PAYROLL:**

Vice Chairman Foley made a motion to approve accounts payable in the amount of \$1,058,651.94 and Payroll of \$376,826.54. Chairman Moyer seconded the motion. **Motion carried 5-0.**

**VISITOR/PUBLIC COMMENTS:**

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Richard Rigor, Boy Scout Troop 65, spoke about the three boy scouts in attendance at the meeting working on their Citizenship badge. He spoke about some of their outreach projects in the community.

**ADJOURNMENT:**

Chairman Moyer made a motion to adjourn the meeting at 7:54 pm. Chairman Moyer seconded the motion. **Motion carried 5-0.**

**SUBMITTED BY:**

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Justin C. Engle  
Township Secretary

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Julie Echterling  
Recorder