

**TOWNSHIP OF DERRY**  
**BOARD OF SUPERVISORS MEETING MINUTES**  
**JANUARY 24, 2017**

**CALL TO ORDER**

Chairman John W. Foley, Jr., called the January 24, 2017 Regular Meeting of the Township of Derry Board of Supervisors to order at 7:04 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 to provide accurate minutes. He announced the Board of Supervisors met in executive session to discuss land, legal and personnel issues before the meeting. After the Pledge of Allegiance, a roll call was conducted.

**IN ATTENDANCE:**

**SUPERVISORS**

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

**ALSO PRESENT:**

James Negley, Township Manager  
Jill Henry, Assistant Township Manager  
Jon A. Yost, Township Solicitor  
Chuck Emerick, Director of Community Development  
Thomas Clark, Director of Public Works  
Police Chief Garth Warner, Police Department  
David Sassman, Hershey Fire  
Matthew Mandia, Director of Parks and Recreation  
Lauren Zumbrun, Economic Development Manager  
Cheryl L. Lontz, Manager of Payroll and Employee  
Barbara Ellis, Director of Library Services  
Matt Bonanno, HRG Engineer  
Julie Echterling, Recorder

**Public in Attendance:**

The following were in attendance: Elvira Ebling, Teresa Pechel, Patrick Rudisill, Dave Sassaman, Dave and Wendy Melhorn, Tom and Nan Beagel, Mike Jarman, Jay Ziegler, Charles Huth and Rich Gamble.

**VISITOR/PUBLIC COMMENTS:**

There were no comments.

**APPROVAL OF MEETING MINUTES:**

Supervisor Engle made a motion to approve the minutes from the January 3, 2017 Board of Supervisors meeting. Vice Chairwoman Cort seconded the motion. **Motion carried 5-0.**

**NEW BUSINESS:**

**EMPLOYEE RECOGNITION**

Chairman Foley acknowledged the following employees for their awards and years of service:

- Retirement Awards - David Melhorn, Police and Michael Brazell, Public Works. Both employees were in attendance and received their award.

Employee Service Awards (July to December, 2016)

- 5 Years of Service Dawn Renner, Library
- 10 Years of Service - Jeffrey Cothren, Library; Kim O'Connell, Parks and Recreation; Marie Sirkot, Administration; Barbara Ries, Library; Glenn Rauchut, Police Communication
- 15 Years of Service- Dennis Eckenrode and Kenneth Shank, Police; Jonathan Cooper, Public Works
- 20 Years of Service - Rita Hunt-Smith, Library

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- 25 Years of Service - Linda Walker, Police

**CONDITIONAL USE REQUEST NO. 2016-02 - THE VISTA FOUNDATION:**

Mr. Emerick stated the public hearing earlier this evening, was for the conditional use application filed by the Vista Foundation. Supervisor Engle asked about the fence mentioned during the hearing. Mr. Mike Jarman, Vista Foundation, spoke about the safety of the residents and neighborhood. He stated they would be more than willing to install a fence if asked. He spoke about the concerns with the residents of the home with elopement. He spoke about the card system they installed and the constant supervisor provided at the home. Discussion ensued. The Board agreed to reserve the right to request a fence at a later date as part of the conditional use decision.

Supervisor Weir made a motion to approve Conditional Use Decision No. 2016-02 to include reserving the right to request the installation of a fence. Vice Chairwoman Cort seconded the motion. **Motion carried 5-0.**

**WEST CARACAS AVENUE PUBLIC PARKING LOT - UTILITY POLE REMOVAL AND ACQUISITION:**

Ms. Zumbrun discussed the grant award of \$200,000 through the Pennsylvania DEP Local Stormwater BMP Implementation Grant Program for the West Caracas Avenue Public Parking Lot Stormwater BMP project. The Township's match is \$235,325. HRG is finalizing the design and bid documents and anticipates bidding the project in the next month. The parking lot reconstruction will occur in the spring of 2017. She discussed the parcel of land owned by the Hershey Trust Company, and the removal of three utility poles and the associated burying of lines, as identified in conjunction with the Fire station construction project. These projects are anticipated to cost \$130,000 and \$150,000 respectively. If the Board decides to move forward with the pole removal, this work should occur in advance of the parking lot reconstruction and through a separate contract. She stated the Township is working with Lou Verdelli to pursuing financing for the remainder of project funds, which will ultimately reimburse the general fund.

Supervisor Moyer asked about the parcel of land. Ms. Zumbrun stated the eastern part is owned by the Township and the western side is owned by the Hershey Trust. The land is approximately .34 acres and the price is \$130,000. Supervisor Moyer stated the project would be approximately \$540,000, plus about \$100,000 in finance charges. He asked if we vote to move forward we would be agreeing to borrow \$540,000. She stated the final borrowing documents and approval would be later. He asked if the parking lot would be for the fire operations. Chairman Foley stated it would include fire operations, part of the shared parking agreement and part of the downtown plan.

Supervisor Moyer confirmed that the removing the poles would be approximately \$150,000. He asked if there was a functional reason for the moving the poles. Chairman Foley stated the building of the fire company included the removing of the poles. Supervisor Engle stated he believes the removing of the poles was more aesthetics/town proud. He stated the Fire Company needed to have a specific look with the location and the park. Supervisor Moyer stated he understands the urgency of the project. He would prefer the \$540,000 folded into the capital expenditure with the other projects and then evaluate it. He believes the projects need to be prioritized with keeping in mind a new Recreation Center to ensure there are revenues to cover the debts. Supervisor Engle stated this project is in the 2017 budget. Supervisor Moyer noted other projects in the Township with their estimated costs. He stated because we budgeted it doesn't mean we should spend those monies. He spoke about the budget process and the tax increase

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this year to help pay the debt. He stated the Board will be judged in the future with what we know now. He mentioned projects on the horizon that are budgeted, but stated there are capital items not in the future budget and he is concerned about the debt services. He asked for a long-term capital/debt plan.

Supervisor Engle made a motion to move forward with the utility pole removal and parking lot acquisition in conjunction with the West Caracas Avenue Public Parking Lot Stormwater BMP project. Chairman Foley seconded the motion. Member Weir and Moyer voted against the motion. Vice Chairwoman Cort said that she had questions before she will vote.

Vice Chairwoman Cort asked Mr. Negley about the planning. Mr. Negley spoke about the streetscape, Route 322 project, the funding and DCID. She asked Supervisor Moyer what he is looking for and why it hasn't been done in the past. Supervisor Moyer spoke about the PFM presentation. He believes all capital projects should be put together and an open discussion should take place. Mrs. Lontz spoke about the 2017 budget. She stated nothing has been entered for the 2018 capital budget. She stated the PFM tool allows them to have an idea of the debt once it is entered in the model.

Ms. Zumbrun spoke about the timeline for this project and the desire to have the parking lot done prior to the Downtown Hershey events. She stated HRG has been working on the design and finalizing the project and said it would be hard to put the brakes on it. She stated it would be more timely and costly to stop the project and start over. Supervisor Weir stated he knows the poles are ugly but asked if it would be worth the cost and asked if the Hershey Trust would partner with us on this project. Supervisor Foley spoke about the 3-4-year process and this is the last component. Supervisor Engle stated this project has been desired by the residents who have been asking for years about the downtown. Vice Chairwoman Cort expressed concern about not having a consensus on this project. She asked if a small group could get together before the next meeting and do some planning. The other Board members expressed those decisions and planning are the Board's responsibility. She stated she doesn't want to see it stop and would like to see it move forward but understands Supervisor Moyer's concern with costs. Extensive discussion ensued.

Chairman Foley asked Vice Chairwoman Cort for her vote and she voted in favor of the motion.

Supervisor Engle made a motion to move forward with the utility pole removal and parking lot acquisition in conjunction with the West Caracas Avenue Public Parking Lot Stormwater BMP project. Chairman Foley seconded the motion. **Motion carried 3-2.**

**COMMUNITY SURVEY - TOWNSHIP INITIATIVES AND PRIORITY PROJECTS:**

Ms. Zumbrun spoke about an opportunity for the Board to discuss moving forward with finalizing and conducting a community survey. The Township conducted the Derry Vision Survey in the Fall of 2011 in conjunction with the preparation of the update to the Comprehensive Plan. In addition to collecting basic demographic information and opinions about the issues and assets associated with living in Derry Township, the survey asked people to indicate preferences for certain public improvements and transportation priorities. Commissioner Moyer would like the survey to include the question if the residents are willing to pay more for the requested services.

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Supervisor Weir made a motion for staff to prepare and conduct a survey to collect information regarding residents' preferences for various Township projects and initiatives. Vice Chairwoman Cort seconded the motion. **Motion carried 5-0.**

**DISPOSAL COSTS-SUSQUEHANNA RESOURCE MANAGEMENT COMPLEX:**

Mr. Clark discussed the increase is \$5.00 per ton effective January 1, 2017. This increase equates to an estimated increase of approximately \$6,420.00 per quarter. Waste Management will absorb the cost increase for residential customers for the first quarter. However, the multi-family commercial dumpster properties will see an increase of \$0.25 per cubic yard. This increase will not be absorbed by Waste Management and will be passed on to the property owners.

Supervisor Engle made a motion to approve the rate increase for disposal of Solid Waste at the Susquehanna Resource Management Complex. Supervisor Weir seconded the motion. **Motion carried 5-0.**

**FACILITY MAINTENANCE TECHNICIAN JOB DESCRIPTION:**

Mr. Clark stated there is a person dedicated to indoor repairs and maintenance of day to day items in all facilities. As the facilities have aged, the requirements of his time and attention require more attention. This is not creating additional personnel and it will not result in a pay increase.

Supervisor Cort approved the job description for a Facility Maintenance Technician. Supervisor Weir seconded the motion. **Motion carried 5-0.**

**SECURITY RELEASE FOR THE MILL RESTAURANT, PLAT NO. 1267:**

Chairman Foley made a motion to authorize the release of \$194,780.28 from the performance security held as BB&T Letter of Credit No. 9551362423-00001 for the Preliminary/Final Subdivision and Land Development Plan for The Mill Restaurant, Plat #1267, resulting in a new balance of \$21,642.25. Supervisor Moyer seconded the motion. **Motion carried 5-0.**

**ADVERTISE AN ORDINANCE AMENDING THE CODE CHAPTER 210 § 210-24 - STOP INTERSECTIONS - BY ESTABLISHING A MULTI-WAY (3-WAY) STOP SIGN- AT THE INTERSECTION OF CHERRY DRIVE AND HOPE DRIVE:**

Chief Warner discussed the request to advertise the ordinance for establishing a multi-way stop sign at the intersection of Cherry and Hope Drive. He spoke about the HRG study which included conducting an evaluation of an all-way stop controlled intersection at Cherry Drive and Hope Drive. The study found that warrants were met for the establishment of a multi-way stop intersection at the intersection of Cherry Drive and Hope Drive. He stated this is the first step of a long-term plan to ease traffic.

Supervisor Engle made a motion authorizing the advertise an ordinance amending the Code of the Township of Derry (Ordinance No. 553) Chapter 210 § 210-24. Stop intersections established by establishing a multi-way (3-way) stop sign controlled intersection at the intersection of Cherry Dr. and Hope Dr. be hereby approved. Vice Chairman Cort seconded the motion. **Motion carried 5-0.**

**CORRESPONDENCE BOARD/COMMITTEE INFORMATION:**

Supervisor Weir spoke about the Derry Township Municipal Authority and stormwater project. He stated bills will be going out this week. Chairman Foley stated he met with the Fire Company and their

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new leadership. Vice Chairwoman Cort spoke about the Parks and Recreation meeting. She spoke about a concern some residents had with President Trump visiting Hershey and the costs incurred for the visit. Mr. Negley stated the Secret Service asked to partner with our police for his visit. He stated they have partnered with them before with President Carter, Bush, and Governor Wolf visits to Hershey. Derry Police partner with any law enforcement when necessary. Supervisor Engle stated the ICDA settled before Christmas and removed the Township as a guarantor for the \$7 million debt on the intermodal facility.

**REPORTS:**

<u>Police</u>	Chief Warner spoke about the Coffee with a Cop program they are rolling out starting February 9 <sup>th</sup> .
<u>Fire</u>	Mr. David Sassman introduced himself as the new liaison for the Fire Company. He thanked the Board for their support. He stated in December the Fire Company responded to 73 calls with a total of 790 calls for the year. He will provide a year-end report to the Board.
<u>Library</u>	Mrs. Ellis spoke about the article in The Sun about the library. She spoke about their new logo.
<u>Recreation</u>	Mr. Mandia spoke about the Cocoa Castle and Shank Park Disc Golf projects and their opening in the spring. He stated the website has the spring lineup.
<u>Engineer</u>	Mr. Bonanno stated they are working on the parking lot design and preparing the bids for review. He commented on the Middletown Road Crossing. Chris Brown reached out, as did Mr. Mandia requesting more information. He stated Mr. Anderson was sent a draft amendment to be reviewed on the Oakmont crossing.
<u>Community Development</u>	Mr. Emerick stated since the official map has changed so much, it needs to go back to the planning process. He stated the Public Hearing will be April 11 <sup>th</sup> or 25 <sup>th</sup> . He stated the Board will see it before it is sent out and he will hit all the media sources for getting the information out.
<u>Economic Development</u>	Ms. Zumbrun stated there was a TIFF meeting on January 17 <sup>th</sup> . There will be another meeting coming up, but hasn't been planned. She spoke about the premier award for downtown.

**ACCOUNTS PAYABLE and PAYROLL:**

Supervisor Engle made a motion to approve accounts payable in the amount of \$609,241.11 and Payroll of \$336,181.46. Vice Chairwoman Cort seconded the motion. **Motion carried 5-0.**

**VISITOR/PUBLIC COMMENTS:**

Mr. Jay Ziegler, 917 Bullfrog Valley Road, asked about rewording the ordinance with words like taking land. Mr. Emerick stated the ordinance needs to be written a certain way. He asked about the repaving of Bullfrog Valley Road. Mr. Clark stated they are looking to redo the road.

Mr. Rich Gamble asked about the parking spaces with the project. He stated these projects kept moving though the money didn't, without a tax increase. He agrees with Supervisor Moyer about other things that could be done. He asked about the TIFF meeting minutes. Chairman Foley stated there would be minutes. He spoke about the downtown which included conflicts of interest. He thinks questions like

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the downtown should on a referendum and asked during an election. He stated he hasn't heard Chairman Foley vote against anything dealing with Hershey. He stated the word on the street is how much more can we be taxed and he believes the downtown development should slow down. He agrees with Supervisor Weir with asking the Trust to partner with us on the parking lot. The Board thanked him for his comments.

**ADJOURNMENT:**

Supervisor Engle made a motion to adjourn the meeting at 8:41 p.m. Vice Chairwoman Cort 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