

TOWNSHIP OF DERRY & HUMMELSTOWN BOROUGH
BOARD OF SUPERVISORS & BOROUGH
PUBLIC INFORMATION MEETING MINUTES
MAY 3, 2017 – 7:00 PM

CALL TO ORDER

Chairman John W. Foley, Jr., called the May 2, 2017 Public Information Meeting of the Township of Derry Board of Supervisors and Hummelstown Borough Council to order at 7:00 pm in the meeting room of the Township of Derry Municipal Complex, 600 Clearwater Road, Hershey, PA. He stated this meeting is being recorded for the purpose of accurate minutes.

IN ATTENDANCE FROM TOWNSHIP OF DERRY:

SUPERVISORS

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

ALSO PRESENT:

James N. Negley, Township Manager and Treasurer
Jill Henry, Assistant Township Manager
Jon A. Yost, Township Solicitor
Lt. Timothy Roche, Police Department
Julie Echterling, Recorder

Public Attendance:

Charles Huth, Brian Krause, Joyce Ohka, Tammy Nasy, Nancy Dermes, Todd Pagliarulo, J. Serssien, R.D. Zmuda, Barry & Toni Buck, Tiffani Miller, George Connor, Tom Mahaffie, Chuck Erdman, Mary Averill, Bruce Wolledi, Richard Alleynder, Carol Gisselquist, Kim Sullivan, Rick & Donna Eisenhaver, Charles McCorkey, Sherri Smith, Richard Gamble, Jena Ginder, Ashley Hupples, Daryl Valley, Angela Durantine, Kathleen Weber, Brian Foster, Robert Weber, Pete Dermartt, Terry Gawlas, Tom Gawlas, Steve Ramis, Dale Holte, Susan Cot, Steve Hershey, Ryan & Alyssa Johnson, Teresa Peschel, Loren Grindersle, Stephen Libhart, Erin O'Brien, Joelle Londrigan, Jessica Crosswea, Brenda Zeigler, Richard Stare, Kerrin Lutz, Randy Lutz, Ken Fenical-Posies, Eilenn Westley-Hetrick, Mike Klinger, Stevan Weaver, Ronald Dammer, Tim Reardon, Brenda Pera, Lola Lansch, Lorna Lausch, Arlene Lausch, Clayton Lausch, Dave Roeting, Betty D, John Payne, Deb Payne, Sean Senaller, James George, Jason McCullough, Barb Miller, Judy Moyer, Darrell Reider, Tom Murphy, Sharon Murphy, Dawn Dillon, Mike Molouly, Mike Halksin, Carol Halksin, Denese Dooney, Jodi Dooney, Mary Kepple, Jeff & Marge Cross, Kyle D'Angelo, Jason White, Scott Buchle, Sgt. Justin Hess, Dee VanGauree, Elizabeth Brewer, Lisa Sviben Miller, Kimberly Swartz, Chuck Emerick, Julie Neal, Joe McFarland, Mike Parker, Mike Torchia, William Schuck, Gary Trowbridge, Tony Potter, Jeanie Vey, Ben Kline, Heather Eckels, Wendel Dillinger, and Carol & Richard Delerl.

INTRODUCTION:

Derry Township Chairman Foley thanked everyone for coming to the meeting on such short notice. He introduced Hummelstown Borough Counsel member Dee VanGavree.

Mrs. VanGavree thanked Chairman Foley and Derry Township for hosting this meeting. She said it is great to have such a supportive neighbor. She stated this is a serious proposal before us. She asked everyone to consider this scenario as you are driving home on 322: a tractor trailer truck is going 60 mph, reading a text, and doesn't see the railroad crossing on 322 and plows through several cars and a chlorine filled gas train. What happens next? How do we evacuate residents, cars and get emergency vehicles into this area? This isn't just about a train crossing over 322, but dealing with what ifs.

Chairman Foley recognized the following individuals in attendance tonight: George Conner, Dauphin County, Tim Reardon ó Tri-County Regional Planning Commission, Steve Libhart ó Dauphin County

TOWNSHIP OF DERRY & HUMMELSTOWN BOROUGH
BOARD OF SUPERVISORS & BOROUGH
PUBLIC INFORMATION MEETING MINUTES
MAY 3, 2017 – 7:00 PM

EMA Director, Representative Tom Mehaffie, Chuck Erdman, Representative DiSantos Office. He stated the Township was informed the first week of April, through the Press, of the application submitted to the Governor for funding. He stated within weeks 2-3 weeks Derry Township, Hummelstown Borough and several stakeholders met to discuss and look at possible scenarios. This included evaluating the risks to businesses and residents.

PRESENTATION ON SAFETY ISSUES

Lt. Tim Roche stated the proposal to use dormant railroad tracks through this area is alarming. He provided copies of his PowerPoint presentation to the public and went over it during his presentation. He stated the M&H Railroad goes through Derry Township and Hummelstown and Middletown Boroughs. It is approximately 6 miles in length and has tracks going over 322. M&H Railroad provides two types of trains. One is for freight with a warehouse in Middletown in which they store and transfer loads for other rails. The second is passenger, which includes historical and Christmas entertainment. He showed on a map how the train would proceed and go through the residential areas of Hummelstown and where it would cross over 322. He explained where the six crossings were located. At each crossing, he showed a video of the approaching the crossing and going over the railroad tracks. Five of the six crossings do not have lights/gates/ or bars for crossing. In one of the videos, it appears the train is so close to a house that they could touch a tanker car as it goes by. In another video, a child was on the railroad with earphones in his ears and would never have heard a train approaching.

He stated the funding requested by M&H was for a \$220,500 grant for infrastructure upgrades and improvements. The grant doesn't apply to gates/warning system for the tracks. He stated currently they are allowed up to 12 times a year to use this route and the last time it was used was in 2014. Their proposal is for 360 trips a year. In 2006, there was a derailment of a chlorine tanker which didn't leak. He stated they are required by law to have two flagmen present to stop traffic manually on 322 and once traffic is stopped, the train can go pass. He stated an article in the Central Penn Business Journal stated 375 jobs would be created and on the grant application M&H indicated the grant would create two jobs. On the grant application, they stated 99% of the trains would be hazardous materials.

He spoke about local concerns with summer traffic and the site distance approaching 322 with stopped traffic and a train. He stated currently, the 322 railroad tracks are exempt which means busses, tankers, and hazmat trucks do not have to stop on them. If train traffic is allowed, the tracks would become non-exempt which means every bus, commercial bus, and hazmat vehicle would have to stop.

He spoke about concerns with Public Safety with the crossings. He spoke about the following concerns:

- Inbound EMS to Hershey Medical Center.
- Isolation of Derry Township and Hummelstown Borough from critical public safety assets.
- Limitation of public safety response to the west.
- HMC critical support staffing.
- HAZMAT commodity

In addition, he spoke about the overall disruption of entertainment, manufacturing and healthcare industries. He spoke about the large number of employees who work in Hershey who could be disrupted compared to the two jobs being added through this grant with M&H.

TOWNSHIP OF DERRY & HUMMELSTOWN BOROUGH
BOARD OF SUPERVISORS & BOROUGH
PUBLIC INFORMATION MEETING MINUTES
MAY 3, 2017 – 7:00 PM

Two traffic studies were performed recently on 322. Below are the results

- West bound from Monday to Wednesday (April 10th 11:55 am to April 12th 9:40 am)
 - 47,811 vehicles traveled this 55-mph road.
 - 85th percentile speed for the study was 66 mph. Maximum speed of a driver of 95 mph.
- Eastbound from Sunday to Monday (April 9th 12:58 pm to April 10th 11:43 am)
 - 18,630 vehicles traveled this 55-mph road.
 - 85th percentile speed for the study was 65 mph. Maximum speed of a driver of 89 mph.

He concluded by saying M&H sees this as economic development while he worries about the potential what ifs that could happen. He asked are we prepared and is this is best for the community.

COMMENTS FROM ELECTED OFFICIALS

Mr. George Conner stated it was a great presentation from Lt. Roche. He stated there is no question that this project should not happen, they oppose this, and they are here to do whatever needs to be done to stop it.

Mr. Tim Reardon said it is great to see the turnout tonight. He stated this is not a positive aspect for this area. Dauphin County Planning Commission had different information in January and has sent a letter to Governor Wolf yesterday indicating their displeasure on the way the information was presented to them. They are opposed to this, the number of trips, and against hazard materials crossing 322. He believes there needs to be a lot of conversation before this crossing.

Mr. Libhart agreed with his Dauphin County peers. He stated there were some omissions in their information provided. From a public safety aspect, he can't support these types of trains crossing in this area. He stated he asked for a meeting with the stakeholders and everyone agreed except the railroads.

Mr. Mehaffie stated M&H railroad came out to see him early this year. He asked them to speak to Hummelstown. He stated this a problem for his whole district including Middletown, Swatara and Lower Swatara. He reached out to Representative Payne and he stated he had not been contacted about this proposal and there was no support for this. He believes this is a quality of life issue for the residents and stated there will be no support out of his office for this proposal.

Mr. Erdman stated Representative DiSantos wanted to be here tonight, but had a prior engagement. He stated he is a personal stakeholder with children in the school district and crosses 322 a lot. He thinks it is great that they have brought this to the forefront. He stated their office has significant concerns about the proposal and wants to hear from M&H and get some answers. They will continue to monitor the progress of this issue and stated there will be PUC hearings and they will stay engaged on this issue.

COMMENTS FROM STAKEHOLDERS

Hershey Medical Center

Mr. Alan Breckbill, HMC, stated they have 11,000 employees at the medical center. HMC is a level one trauma hospital for adults and pediatrics. He stated having an ambulance stopped on 322 could have dire consequences. Mr. Scott Eckly, HMC EMS, spoke about the 911 dispatch and the number of ambulances dispatched. He spoke about the mutual aid they provide including Middletown and Lebanon. He stated ambulances with patients who called 911 averages about 20 a day coming down

TOWNSHIP OF DERRY & HUMMELSTOWN BOROUGH
BOARD OF SUPERVISORS & BOROUGH
PUBLIC INFORMATION MEETING MINUTES
MAY 3, 2017 – 7:00 PM

322 on their way to HMC. He stated there are numerous other ambulance services transporting to HMC using 322 as their route. In addition, there are non-emergency patients coming for radiation, chemo, private vans and ambulances bringing patients into the hospital for appointments and care. He spoke about concern with hazardous materials with traffic accidents and higher speed accidents. He stated they have the health and safety of the community in mind. Mr. Breckbill stated the HMC and College of Medicine have grave concerns about this issue.

Lower Dauphin School District

Mrs. Sherry Smith, Superintendent, stated she has a lot of concerns for the students. She is scared for the students using electronics and walking to school. She stated the school district has 50 busses and 20 vans that will need to stop for the crossings. She spoke about the issues with the buses having to stop at each crossing and concerns about 322 with private school transportation and internship students. She spoke about the athletic events coming into their district. She believes this situation is a huge liability to the school district to get the kids to the school safely.

Hershey Entertainment and Resorts

Mr. Gary Callick thanked the Board, County, Public Safety employees and others for bring this forward to everyone. He is concerned about how far this made it down the road so fast with so little knowing about it. He stated they are very concerned about the changes. He stated it could have a negative impact on commerce, businesses and guests. M&H having unlimited access to 322 traffic, which is already heavily traveled, could have a dire consequence on the area and business if there was a derail. He stated the economic impact of consumer spending and potential loss of jobs could outweigh real or imagined benefits. They employ 8,000 employees, 6 million people visit, accommodate 6,300 buses and on average 900,000 vehicles. He spoke about concerns for serious injury, traffic accidents, mandatory stoppages over railroads, and the impact on EMS for this proposal. He urges the PUC and PennDOT to stop this. They are in opposition to this.

Indian Echo Caverns

Mrs. Kimberly Swartz spoke about the potential impact on their business. She spoke about business dealings she has had with M&H. She spoke about combined tickets they used to offer with M&H until they stopped paying them. She spoke about the tracks that go through their property and her cousin's and how deplorable condition they are kept in. She is concerned about a potential hazardous materials that could dump into the Swatara Creek, which would affect her property and would be devastating.

M&H Railroad

Wendel Dillinger, President of M&H, wanted to clarify a few things he heard tonight. Below are the comments he spoke about:

- Comment- you could touch the train from the house.
 - He stated there is a right of way of 30 feet and this wouldn't be possible.
- Comment M&H would be crossing Railroad Street for connection with Norfolk Southern.
 - He stated Norfolk would deliver the cars west of Landis Street. M&H will not be operating across Railroad Street.
- Comment of 360 crossings of trains a year.

TOWNSHIP OF DERRY & HUMMELSTOWN BOROUGH
BOARD OF SUPERVISORS & BOROUGH
PUBLIC INFORMATION MEETING MINUTES
MAY 3, 2017 – 7:00 PM

- He stated that isn't realistic. He stated they asked for unlimited because they believe the PUC has no authority over this issue. He stated probably they would be receiving/delivering to Norfolk 2-3 days a week maybe 4 days.
- Comment of 99% hazardous materials.
 - He stated that isn't true. Only 60% of their business is hazardous materials the other 40% is plastics.
- Comment about speeds of trains through Hummelstown.
 - He stated Norfolk Southern goes about 50-60 mph. M&H goes 10 mph which is regulated. He stated Norfolk Southern already takes hazardous cars through Hummelstown today.
- Comments about potential derailments.
 - He stated it's hard to derail going 5-10 mph. They have had two derailments in 41 years and no damage was done as they didn't tip over.
- Comment about rebuilding M&H rail track.
 - He stated he doesn't know where the idea of rebuilding the whole M&H railroad came from. He stated the grant was for redoing the wye in Hummelstown that was damaged by Conrail and isn't for the whole line.
- Comments/concerns about blocking 322.
 - He stated it wouldn't be blocked for more than a minute. He stated there would be maybe 2-3 cars to 6-9 cars.

He stated as far as the speed the cars are going on 322, he believes the Police Department should be giving tickets and it isn't up to M&H to do something about. He spoke about the reasoning for reopening the line through Hummelstown and 322. He spoke about Norfolk Southern and the delay in getting M&H customer's products to them including issues with the Enola and Lancaster yards. He spoke about how the delays affect his customers and business. Norfolk stated if they want better service, the cars need to go through Hummelstown. He believes this is the only remedy for them to serve their customers better.

PUBLIC COMMENTS

Mrs. Brenda Perra, 403 Birch Lane, Hummelstown, stated she has had problems with M&H since she moved there in 2012. She stated they are not good stewards of their tracks. When she has called about them cutting the grass, they have told her they are just a bunch of old men running a railroad. She asked how they could be trusted as good stewards of our safety.

Mr. Pete Dermarch, 133 Middletown Road, stated their railroad runs behind his house and he agrees with Mrs. Perra. He believes their request has nothing to do with Norfolk Southern, but money to move products through intramodal versus trains.

Mr. Barry Buck, Hummelstown, stated he has heard about misrepresentation on applications. He asked if when M&H signed the grant if it has the phrase about what the consequences are for lying on application like criminal charges. He stated they seem desperate and are risking lives over profit.

Mrs. Toni Buck, Hummelstown, spoke about the physical, emotionally and mental damage TMI had on their area which still lingers. TMI was said to never happen here and it did. She can't sit back and say nothing about this as another this could never happen here.

TOWNSHIP OF DERRY & HUMMELSTOWN BOROUGH
BOARD OF SUPERVISORS & BOROUGH
PUBLIC INFORMATION MEETING MINUTES
MAY 3, 2017 – 7:00 PM

Mr. Jeff Gross, Middletown, stated he took the M&H train years ago and it was hit by a truck.

Lt. Roche asked to speak and refute some of the things Mr. Dillinger said. He asked everyone to reference the grant application available tonight to the public. He stated the following items from the grant application

- Page 1 - Selected Authorization states "Upgrade of the main line from FRA class 1 to class 2, from the Hummelstown interchange with Norfolk Southern Corp, to the Route 230 crossing in the borough of Middletown."
- Page 2 " Question 6 "Are hazardous materials (materials that post a risk to health, safety, and property) transported through the Project area?" M&H answered "Yes"
- Page 2 " Question 6.1. "If hazardous materials are transported through the Project area, enter comments explaining the type of materials." M&H answered, "Ninety-nine percent of the car loadings that move over the M&H are hazardous materials."
- Page 3 - under site location 1 the total miles was 5.25, which is more than the Y in Hummelstown.

Mrs. Angela Durantine, 133 South Walnut, stated this seems like a no brainer and asked what citizens could do and who to contact.

Chairman Foley stated they will continue to work against this and may engage lobbyists to help them in this issue. He stated the next step is the PUC approval and stated their address is on the website. Residents can contact the PA Department of Transportation and Governor's office. He stated this seems to have momentum behind it and he isn't sure why. They are going to do everything they can to protect our Community. He told residents to watch the website. Derry Township Vice Chairwoman Cort stated the recording of this meeting would be posted to the website. She thanked everyone for coming out to the meeting. Representative Mehaffie has a meeting with the Governor tomorrow and this will be one of the first things discussed.

Chairman Foley thanked Lt. Roche for his presentation and both Derry Township and Hummelstown Borough's managers.

ADJOURNMENT:

Derry Township Chairman Foley adjourned the meeting at 8:19 pm.

SUBMITTED BY:

Justin C. Engle
Township Secretary