

**TOWNSHIP OF DERRY**  
**BOARD OF SUPERVISORS MEETING MINUTES**  
**SEPTEMBER 12, 2017**

**CALL TO ORDER**

Chairman John W. Foley, Jr., called the September 12, 2017 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 stated there was an executive session where land, legal and personnel issues were discussed. He advised that all public meetings are recorded for providing accurate notes. After the Pledge of Allegiance, a roll call was conducted.

**IN ATTENDANCE:**

**SUPERVISORS**

John W. Foley, Jr., Chairman  
Susan M. Cort, Vice Chairman  
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  
Garth Warner, Chief of Police  
Chuck Emerick, Director of Community Development  
Thomas Clark, Director of Public Works  
Laura O'Grady, Hershey Public Library  
Matthew Mandia, Director of Parks and Recreation  
Terry Weinhold, Manager of Accounts Payable & Receivables  
David Sassman, Hershey Fire Company  
Lauren Zumbrun, Economic Development Manager  
Randy Watts, HRG  
Julie Echterling, Recorder

**Public in Attendance:**

The following were in attendance: Elvira Ebling, Charles Huth, Stacy Longenecker, Dion Goolmon, Christine Drexler, Todd Pagliarulo, Marvin Smith, David Romanoski, Kathy and Craig Gunkel.

**VISITOR/PUBLIC COMMENTS:**

There were no public comments offered.

**APPROVAL OF MEETING MINUTES:**

Vice Chairwoman Cort made a motion to approve the minutes from the August 22, 2017 Board of Supervisors 6:00 p.m. Public Hearing. Supervisor Engle seconded the motion. **Motion carried 4-0-1.** Supervisor Moyer abstained as he was absent from the August 22<sup>nd</sup> meeting.

**NEW BUSINESS**

**RESOLUTION NO. 1519, APPOINTING MEMBERS TO THE DERRY TOWNSHIP IMPACT FEE ADVISORY COMMITTEE:**

Mr. Emerick stated Resolution No. 1516 was the first required step in establishing a Roadway Impact Fee program for the Township. This resolution enabled the creation of a Derry Township Impact Fee Advisory Committee (DTIFAC). The DTIFAC can have 7 to 15 members and serves in an advisory capacity. A minimum of 40% of the DTIFAC must be made up of real estate professionals, developers and building industry professionals that live or conduct business in the municipality. The remaining 60% must be residents. The members serve for a two-year term. He stated some of the primary functions would include developing the Land Use Assumptions Report, preparing the Roadway Sufficiency Analysis, and develop the Capital Improvements Plan based on the Land Use Assumptions Report and Roadway Sufficiency Analysis. He recommended the following nine persons for the Advisory Committee, all having been named in the Resolution #1519: Ken Gall, Michael Kushner, Tim Leh, Matthew Luttrell, Glenn Rowe, Don Santostefano, Mark Shrift, Marvin Smith, and Matt Tunnell.

**TOWNSHIP OF DERRY**  
**BOARD OF SUPERVISORS MEETING MINUTES**  
**SEPTEMBER 12, 2017**

He spoke of each of their backgrounds. Supervisor Moyer asked the scope of authority of the Committee. Mr. Emerick spoke about how the Committee would work and stated the Board of Supervisors would make the final decisions.

Supervisor Engle made motion to adopt Resolution #1519, appointing members to the Derry Township Impact Fee Advisory Committee created by Resolution #1516. Supervisor Weir seconded the motion. **Motion carried 5-0.**

**PLAN FOR 880 STAUFFERS CHURCH ROAD, PLAT NO. 1279:**

Mr. Emerick stated the plan contains 9.247 acres of land located on the southeast side of Staufferø Church Road, which crosses the Dauphin County/Lebanon County line. The tract is in the Conservation zoning district in Derry Township and in the Agricultural zoning district in South Londonderry Township. The applicants propose to subdivide the property into two lots, one containing an existing dwelling unit and the other as a lot reserved for future development. The applicant is proposing to install only a driveway and turn-around totaling less than 1,000 square feet of new impervious area.

Supervisor Weir made a motion to approve Preliminary/Final Subdivision Plan 880 Stauffers Church Road, Plat No. 1279 with the following waivers:

1. From Section 185-22.D.(2) ó Street widening along Stauffers Church Road.
2. From Section 185-13.E.(4).(a).[22] ó Dauphin County Conservation District approval letter.
3. From Section 185-22.E.(5) ó Curbs and from Section 185-34 ó Sidewalks, walkways, and bicycle paths. Curbing and sidewalk are DEFERRED, subject to the owners entering into an agreement with the Township that would allow the Township to require the installation of curbing, sidewalks, walkways, and/or bicycle paths in the future.

And subject to compliance to the following conditions:

1. The applicant reimburses the Township for costs incurred in reviewing the plan no later than October 12, 2017.
2. A performance security is provided to guarantee the completion of required improvements, and the accompanying agreement is signed no later than March 12, 2018.
3. A DXF or AutoCAD digital file of the final plans is provided no later than March 12, 2018.
4. The fee in-lieu of the dedication of land for park, recreation, and open space use is provided no later than March 12, 2018.
5. The comments in the August 29, 2017 HRG letter (attached) are addressed no later than March 12, 2018.
6. The sidewalk and curbing installation is waived, the fee in lieu of sidewalk installation is paid no later than March 12, 2018.
7. The sidewalk and curbing deferment is granted, the signed and notarized Agreement for the Deferment of the Installation of Curbing, Sidewalks, Walkways, and/or Bicycle Paths is provided no later than March 12, 2018.
8. The deed of dedication for the additional right-of-way for Stauffers Church Road is recorded concurrently with the plan.
9. The sidewalk and curbing deferment is granted, the Agreement for the Deferment of the Installation of Curbing, Sidewalks, Walkways, and/or Bicycle Paths is recorded concurrently with the plan.

Vice Chairwoman Cort seconded the motion. **Motion carried 4-0.**

**TOWNSHIP OF DERRY**  
**BOARD OF SUPERVISORS MEETING MINUTES**  
**SEPTEMBER 12, 2017**

**RESOLUTION NO. 1520, UPDATING THE APPOINTMENT OF THE TOWNSHIP'S CIVILIAN HEARING OFFICER AND ASSOCIATED FEE FOR THE HEARINGS:**

Chief Warner stated in 1984, the Board of Supervisors appointed then Codes Enforcement Officer, David Waight, as the Township's Civilian Hearing Officer with respect to abandoned vehicles. As a result of a recent request for such a hearing to take place, we are asking the Board of Supervisors appoint by resolution, the Director of Community Development as the Civilian Hearing Officer for the Township of Derry. He recommended the fee for such hearings be updated from the 1984 fee of \$15 to a fee of \$35 per hearing.

Supervisor Weir made a motion to appoint by Resolution 1520 the Director of Community Development as the Township's Civilian Hearing Officer in accordance with the Pennsylvania Vehicle Code, Section 7305 and Pennsylvania Consolidated Statutes, Title 2, Chapter 5, subchapter B. Additionally, the resolution establishes the fee for any related hearings at \$35 per hearing. Vice Chairwoman Cort seconded the motion. **Motion carried 5-0.**

**TRANSPORTATION ALTERNATIVES SET-ASIDE PROGRAM FOR DOWNTOWN HERSHEY PEDESTRIAN IMPROVEMENTS:**

Ms. Zumbrun spoke about the Transportation Alternatives Set-Aside (TA Set-Aside) program, which provides funding for projects defined as transportation alternatives. The program uses federal funds managed by PennDOT and are funded at 100% of construction costs. The Township would be required to pay for pre-construction costs, including engineering, which HRG has estimated to be \$83,000. The proposed project would include sidewalk improvements on the south side of Chocolate Avenue between Valley Road and Linden Road, and on the north side of Chocolate Avenue between Valley Road and Ridge Road. Sidewalk improvements will include replacement of deficient sidewalk with a wider sidewalk with a decorative brick border. Also included in this project are high-visibility resin crosswalks at the intersections of Caracas Avenue with Valley Road, Ridge Road, and Linden Road, and ADA ramps at Valley Road and Ridge Road. HRG estimates that construction costs associated with these improvements are \$481,850. Supervisor Moyer asked if this is submitted is the Township then locked into the spending. Mrs. Zumbrun answered yes and said it is never good to ask for the monies and not take them. She stated there is a 4-5-year window for completing the project.

Vice Chairwoman Cort made a motion authorizing the submission of an application to the Pennsylvania Department of Transportation's TA Set-Aside program in an amount not to exceed \$481,850 for the Downtown Hershey Pedestrian Improvements project. Chairman Foley seconded the motion. **Motion carried 4-1.**

**AWARD A CONTRACT-APPLICATION OF SLURRY SEAL-GLEN ACRES DEVELOPMENT:**

On September 6, 2017, a bid opening was conducted in the Public Works facility for receiving bids for Slurry Seal on Evelena, Leearden, Highland, Mine, Sand and Sylvania Roads. Asphalt Maintenance Solutions LLC was the only bidder for this project with a bid of \$72,250.

Chairman Foley made a motion to enter into a contract with Asphalt Maintenance Solutions LLC for the application of Slurry Seal on Evelena, Leearden, Highland, Mine, Sand and Sylvania Roads in the amount of \$72,250. Supervisor Engle seconded the motion. **Motion carried 5-0.**

**TOWNSHIP OF DERRY**  
**BOARD OF SUPERVISORS MEETING MINUTES**  
**SEPTEMBER 12, 2017**

**FIREWORKS DISPLAY - THIRTEENTH ANNUAL NEW YEAR'S EVE CELEBRATION**

Vice Chairwoman Cort made a granting permission for a firework display at 12:01 a.m., January 1, 2018. Supervisor Weir seconded the motion. **Motion carried 5-0.**

**ROAD CLOSURES FOR 11<sup>TH</sup> ANNUAL PIAA CROSS COUNTRY INVITATIONAL:**

Vice Chairwoman Cort made a motion to approve the request to close N. Hockersville Rd. (SR2011) from Old West Chocolate Ave. to Hersheypark Dr. from 7:00 a.m. to 4:00 p.m. on Saturday, September 23, 2017 for the 11th Annual PIAA Cross Country Invitational being held on the grounds of the Hershey Entertainment Complex. Supervisor Engle seconded the motion. **Motion carried 5-0.**

**ADVERTISING OF CHANGES TO ORDINANCE FOR PARKING:**

Chief Warner spoke about proposed changes requested by and for the St. Joan of Arc School. They requested deleting time restricted parking regulations on Valley Road north of W. Areba Avenue.

Supervisor Engle made a motion authorizing the advertising of the ordinance amending the Code of the Township of Derry (Ordinance No. 553) Part II, Chapter 210 § 210-39 Parking prohibited in certain locations, certain days and hours, by deleting time restricted parking regulations on Valley Road north of W. Areba Avenue on the west side, which were created to facilitate a bus stop. Vice Chairwoman Cort seconded the motion. **Motion carried 5-0.**

**CORRESPONDANCE BOARD/COMMITTEE INFORMATION:**

Supervisor Moyer spoke about a meeting about Grove Street and the flooding.

**REPORTS:**

Police

Chief provided copies of the Police community survey results to the Board. He stated 560 responses were received versus 140 for last survey.

Fire

Mr. Sassman stated there were 73 calls in August. He stated September is preparedness month.

Public Works

Mr. Clark spoke about the paving of the Caracas Avenue parking lot.

Recreation

Mr. Mandia stated the bids are due for the repairs of the trail near Stony Road and Shank Park. He asked to set the public meeting for the Recreation report with Ballard Associates for October 16<sup>th</sup> at 5:30 p.m. The Board agreed.

Engineer

Mr. Watts provided an update on Caracas which should be completed by October 7<sup>th</sup>.

**TOWNSHIP OF DERRY**  
**BOARD OF SUPERVISORS MEETING MINUTES**  
**SEPTEMBER 12, 2017**

Economic Development

Ms. Zumbrun provided an update on the bike share initiative with Hershey Medical Center. She spoke about the potential areas for the bike share stations and the three-year sponsorship for each station.

**ACCOUNTS PAYABLE and PAYROLL:**

Supervisor Engle made a motion to approve accounts payable in the amount of \$345,807.44 and two (2) payrolls \$688,190.00. Supervisor Weir seconded the motion. **Motion carried 5-0.**

**VISITOR/PUBLIC COMMENTS:**

Mrs. Kathy Gunkle, Glen Acres, showed the Board a bag of stones she picked up from her road. She asked about the road and if it was done. Mr. Clark spoke about the process of sealing it and the bid awarded tonight for the slurry to fix the road. He spoke about the curbing and the options available for the road. Chairman Foley spoke about the situation and how the bidding process delayed a fix until now. Mrs. Mary Manlove, 174 Mine Road, asked about the projected time of the project versus actual. She spoke about the tar and stones in her tires she has even after waiting three days to drive on it. Mr. Clark spoke about the process and how it was done on another street in the Township and how it fixed the issue. He will notify the residents when it will be done.

**ADJOURNMENT:**

Supervisor Engle made a motion to adjourn the meeting at 7:57 pm. Chairman Foley seconded the motion. **Motion carried 5-0.**

**SUBMITTED BY:**

---

Justin C. Engle  
Township Secretary

---

Julie Echterling  
Recorder