

TOWNSHIP OF DERRY
BOARD OF SUPERVISORS MEETING MINUTES
OCTOBER 23, 2017

CALL TO ORDER

Chairman John W. Foley called the October 23, 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 Chairwoman-*arrived at 7:02*
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

Robert Demmel, Police Sergeant
Chuck Emerick, Director of Community Development
Thomas Clark, Director of Public Works
Matthew Mandia, Director of Parks and Recreation
Cheryl Lontz, Manager of Payroll & Employee
Laura O'Grady, Hershey Library
Lauren Zumbrun, Economic Development Manager
Eric Stump, HRG Engineer
Julie Echterling, Recorder

Public in Attendance:

The following were in attendance: Elvira Ebling, Charles Huth, Tom Mehaffie, Susan Kreider, Chris Baker, Robert Naeye, Phil Frederick, Kenny Hinebaugh, Christine Drexler, Anthony Porter, Jamie Kulasinsky, Katie McComb, Angie Dye, Charles Dye, Rich Zmuda, Todd Pagliarulo, Kelly Fedeli, Kathleen Grav, Ryan Hoal, Randy Fackler, Sheri Fackler, Thomas Searer, Melissa Weible, Chris Luttrell, Matt Luttrell, Kathleen Ryland and Ken Ryland

VISITOR/PUBLIC COMMENTS:

Ms. Jamie Kulasinsky read a letter for the Hershey Coralettes. The letter detailed the positive impact the program has on young women and the yearly program they have for the public. She spoke about the restricted time they have for the pool, which is two hours a week on a Sunday. The new center would offer additional options for their program including the potential to compete. She spoke about the current issue they have for their program with seating and asked the Board to consider additional seating for the Recreation Center.

Mrs. Kelly Fedeli, 311 Robin Road, read a statement to the Board as a former member of the Board. She spoke about the crossroads they are now at and to consider the current debt and yearly debt service payments. She asked them to consider what can be afforded. She stated the core responsibilities of local government are Public Safety and infrastructure and they can't be everything to everyone. She asked the Board to listen to the silent majority and the vocal minority. She wished them well in their decision.

Mrs. Susan Kreider, 1405 Woodhaven Dr, and Mrs. Chris Baker, 8 Plymouth Circle, spoke to the Board about the redistricting process. They are pleased Resolution 1522 is on the agenda and stated 133 other municipalities have passed it.

TOWNSHIP OF DERRY
BOARD OF SUPERVISORS MEETING MINUTES
OCTOBER 23, 2017

Mrs. Angie Dye, 405 Elm Ave, stated she is a registered dietician and works daily with those who are trying to better themselves. Some of her patients need to be able to exercise in the pool and can't get access. She said it is hard to put a number on your health and she would like to see a place where patients could come and concentrate on their health.

Mr. Robert Naeye, 1465 Jill Dr, agreed with the woman who spoke about Resolution 1522. He believes things are well governed in Derry Township but not at the state and federal level. He spoke about the issues with gerrymandering and he doesn't want to see Derry Township split like Susquehanna or Dauphin County did years ago.

Dr. Chip Dye, 405 Elm Ave, spoke about the new recreation center and the need for the pools. He believes user fees or partnering with a healthcare system could help with the costs.

Ms. Katie McComb stated she lived in Hershey and swam at the Recreation Center and how important it has been to her. She asked them to consider the new building with the extended pool option. She loves to swim and is a coach at Messiah College now.

APPROVAL OF MEETING MINUTES:

Vice Chairwoman Cort made a motion to approve the minutes from the October 10, 2017 Board of Supervisors Public Hearing. Supervisor Engle seconded the motion. **Motion carried 4-0-1.** Supervisor Weir abstained as he was absent.

Supervisor Engle made a motion to approve the minutes from the October 10, 2017 Board of Supervisors Public Hearing. Supervisor Moyer seconded the motion. **Motion carried 4-0-1.** Supervisor Weir abstained as he was absent.

Supervisor Moyer made a motion to approve the minutes from the October 10, 2017 Board of Supervisors Public Meeting. Vice Chairwoman Cort seconded the motion. **Motion carried 4-0-1.** Supervisor Weir abstained as he was absent.

NEW BUSINESS

REPRESENTATIVE THOMAS MEHAFFIE -PRESENT FLAG:

Representative Thomas Mehaffie stated this is his first term representing the district and that he has met with most of the Board. He spoke about great opportunities to work with the Board on transportation issues. He thanked them for their hard work and stated it makes a difference. He presented Chairman Foley with the flag that flew over the State House on January 29, 2017.

BOARD DISCUSSION ON PROPOSED RECREATION CENTER:

Chairman Foley stated there would be no decisions made tonight but rather a discussion about the process and input from the Board. He stated the Board engaged PFM to assess the value of the assets of the Township including DTMA. He stated the Township is ranked number six in municipalities in the state for the credit rating. The question is what level should the recreation center be built. He spoke about fulfilling the needs of the swimming community and the senior population. He stated the Township has taken on large initiatives in the past six years including downtown Hershey.

Supervisor Weir stated there needs to be a lot of soul searching. They have heard the ideas and now, how does it get paid for and how to approach the financing. He spoke about looking at what can be

TOWNSHIP OF DERRY
BOARD OF SUPERVISORS MEETING MINUTES
OCTOBER 23, 2017

afforded financially. Supervisor Moyer believes the next step is debt services and alternative funding. He spoke about being concerned about the future health and financial being for future generations. He believes they will be in a better situation when they have the debt options, and only then can residents evaluate the scenarios for the cost to build, ongoing maintenance, debt, and taxes. He spoke about concerns about moving forward knowing the Board of Supervisor is changing in a few weeks. He would hate to commit something, and the new Board would want something different.

Vice Chairwoman Cort spoke about meeting the needs of the residents in the future and about the options for financing the project. She stated renovating the current building would be kicking the can down the road for another Board to deal with versus doing something now. Supervisor Engle believes there are two processes. The first is what needs to be built and the second is the funding. He spoke about looking at the Township's assets, funding options, and a Capital campaign. They can't wait until all the finances are in a row because they may never be able to get started. He stated they need more information to start the capital campaign to be able to go out and show what they are building to solicit funds for the campaign.

Mr. Mandia stated the next step in this process, to be able to open in May 2020, is starting the schematic design. The total cost for the design is \$1.4 million but it can be done in phases with the first phase costing around \$300,000. He spoke about the importance of having the engineers and pool experts look at the plan and make determinations for the design. He stated each design step would come to the Board for approval. To stay on track for the May 2020 opening, the schematic design needs to start now or very soon. Discussion ensued. The Board agreed to put this on the agenda for next meeting for discussion.

HRG'S PROPOSAL-ROADWAY IMPACT FEE STUDY AND ORDINANCE:

Chairman Foley stated this was discussed in executive session and should be tabled. Supervisor Engle spoke about the meetings they have had with the Committee and how they are moving forward on a plan. Ms. Zumbrun stated the costs would be between \$60,000 to \$96,200. She spoke about the HATS program and funding. Mr. Emerick spoke about what the study would do for the Township. Mr. Stump spoke about the road analysis and the results would be a prioritized list with an implemental schedule which hasn't been done before for the Township. Representative Mehaffie spoke about the priority and how PennDOT is 10 years out planning. Mr. Negley stated the costs associated with this proposal are unbudgeted. He stated approximately \$190,000 is budgeted for the General Fund Reserves for 2018 and that could be lowered with this proposal being budgeted. He spoke about the policy for reserves and the tax increase in 2017 being for debt services. Discussion ensued.

Supervisor Engle made a motion to table action on the HRG's proposal for professional services related to the development of the Roadway Impact Fee study and ordinance. Vice Chairwoman Cort seconded the motion. **Motion carried 5-0.**

PRELIMINARY/FINAL SUBDIVISION PLAN FOR CRYSTAL A DRIVE, PLAT NO. 1283:

Mr. Emerick discussed the plan for the Hershey Corporate Office Campus. He stated the plan would subdivide the tract into three separate parcels. The first would be 52.33 acres for the 17,100-square foot Global Customer Insights Center Building. The second would be 50.9 acres for two corporate office buildings. Third tract would be 41.45 acres which would be left undeveloped. He spoke about the waivers and conditions of the plan. Supervisor Weir asked why they are doing this. Mr. Tim Lay,

TOWNSHIP OF DERRY
BOARD OF SUPERVISORS MEETING MINUTES
OCTOBER 23, 2017

Hershey, spoke about moving downtown and asking for some flexibility as they work on their master plan.

Supervisor Weir made a motion to approve the preliminary/final subdivision plan for Crystal A Drive, Plat No. 1283 with the following waivers:

1. From Sections 185-12.D.(2) and 185-13.E.(3) ó Plan scale.
2. From Sections 185-12.D.(3).(a).[7] and 185-13.E.(4).(a).[7]. ó Metes and bounds of street rights-of-way, centerlines, and easements.
3. From Sections 185-12.D.(3).(a).[21] and 185-13.E.(4).(a).[19] ó Stormwater profiles.
4. From Sections 185-12.D.(3).(a).[22] and 185-13.E.(4).(a).[20] ó Sanitary profiles.
5. From Sections 185-12.D.(3).(a).[23] and 185-13.E.(4).(a).[21] ó Utility profiles.
6. From Section 185-22.D.(3) ó Additional street right-of-way (Sand Beach Road) and roadway widening (Sand Beach Road and Kieffer Road).
7. From Section 185-22.E.(5) ó Curbing (along Hersheypark Drive, Sand Beach Road, and Kieffer Road).
8. From Section 185-34 ó Sidewalks, Walkways, and Bicycle Paths (along Hersheypark Drive, Sand Beach Road, and Kieffer Road).

Subject to the following conditions:

1. The applicant reimburses the Township for costs incurred in reviewing the plan no later than November 23, 2017.
2. The performance security is provided to guarantee the installation of concrete monuments, and the accompanying agreement is signed no later than April 23, 2018.
3. A letter from the Department of Environmental Protection approving the sewage facilities planning module waiver is provided no later than April 23, 2018.
4. The legal description and accompanying exhibit for the right-of-way dedication along Kieffer Road is provided for approval by the Township no later than April 23, 2018.
5. Two originals of the signed and notarized Agreement for the Deferment of the Installation of Curbing, Sidewalks, Walkways, and/or Bicycle Paths are provided no later than April 23, 2018.
6. The Agreement for the Deferment of the Installation of Curbing, Sidewalks, Walkways, and/or Bicycle Paths is recorded concurrently with the plan.
7. The deed of dedication for right-of-way along Kieffer Road is recorded concurrently with the plan.

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

ORDINANCE NO. 695 - AMENDING TOWNSHIP OCCUPATION TAX:

Supervisor Weir made a motion to adopt Ordinance No. 695 Amending Township Occupation Tax Ordinance by increasing the Annual Income Exemption Level from \$10,000 to \$12,000. Vice Chairwoman Cort seconded the motion. **Motion carried 5-0.**

RESOLUTION 1521 – STREET LIGHT ASSESSMENTS:

Supervisor Moyer made a motion to adopt Resolution No. 1521, providing for the assessment of the cost and expense of the maintenance of street lights within the Township of Derry, pursuant to Section 2003 (a) of the Second-Class Township Code, as amended, and providing for the collection thereof. Vice Chairwoman Cort seconded the motion. **Motion carried 5-0.**

ADVERTISE – ORDINANCE-COUNTY INFRASTRUCTURE BANK LOAN:

TOWNSHIP OF DERRY
BOARD OF SUPERVISORS MEETING MINUTES
OCTOBER 23, 2017

Ms. Zumbrun spoke about the ordinance and the \$2,843,000 Dauphin County Infrastructure Bank Loan for the Downtown Hershey Streetscape Improvements, US 322 Corridor, and Staufferø Church Road Culvert replacement project. The Board can consider this Ordinance for action on November 14th.

Vice Chairwoman Cort made a motion to approve advertising for an Ordinance authorizing the incurrence of non-electoral debt for the Downtown Hershey Streetscape Improvements project, the US 322 Corridor Improvements project, and the Stauffers Church Road Culvert Replacement project and applicable costs of issuance, relating to the Dauphin County Infrastructure Bank loan from the County. Chairman Foley seconded the motion. **Motion carried 5-0.**

RESOLUTION 1522-SUPPORT CITIZEN'S COMMISSION:

Mr. Negley spoke about Resolution 1522, which supports a Citizenø Commission for Legislative and Congressional Redistricting. Vice Chairwoman Cort feels like they are represented well, but wants to protect it. Supervisor Weir said that 30% of registered voters vote in elections and he would like to see this increase. Supervisor Moyer agrees with the concern about such little turnout of registered voters. He spoke about the respect he has for those who have fought for our freedom and our right to vote and how it should be exercised. He spoke about three current court cases, including the US Supreme Court, on gerrymandering. He believes this resolution is premature pending the outcome of the cases. He doesn't think it is the role of the local legislators to apply pressure and to speak on behalf of all the citizens of Derry Township on this issue. He is concerned about where the line is drawn on issues. He believes the Board members can write their local legislators about concerns versus the Board passing a resolution about it.

Vice Chairwoman Cort made a motion to approve Resolution 1522, a resolution by the Township of Derry, in support of a Citizen's Commission for Legislative and Congressional Redistricting. Supervisor Weir seconded the motion. **Motion carried 4-0-1.** Supervisor Moyer abstained for the reasons stated.

COMMUNITY EVENT BANNERS -HERSHEY SEVENTH-DAY ADVENTIST CHURCH:

Vice Chairwoman Cort made a motion to approve two community event banners to be placed at 610 West Chocolate Avenue, one on the west end of the Seventh-Day Adventist church building and the other on the east end of the church building at the corner of West Chocolate Avenue and Hillcrest Road. Supervisor Engle seconded the motion. **Motion carried 5-0.**

ORDINANCE 696-PARKING PROHIBITED -ST JOAN OF ARCH SCHOOL:

Supervisor Engle made a motion to approve Ordinance No. 696 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:

The Board thanked those who were part of the Halloween Parade this year. Vice Chairwoman Cort attended a joint school board meeting last week. Chairman Foley thanked those involved with the downtown events.

REPORTS:

TOWNSHIP OF DERRY
BOARD OF SUPERVISORS MEETING MINUTES
OCTOBER 23, 2017

Public Works

Mr. Clark stated they received the certificate of completion for the W. Caracas parking lot. He stated they received a great price on salt this year with COG.

Economic Development

Ms. Zumbrun thanked everyone for their help with Choctoberfest.

ACCOUNTS PAYABLE and PAYROLL:

Supervisor Engle made a motion to approve accounts payable in the amount of \$3,333,023.67 and Payroll of \$322,362.01. Supervisor Weir seconded the motion. **Motion carried 5-0.**

VISITOR/PUBLIC COMMENTS:

Mrs. Elvira Ebling spoke about the debates this week for the candidates for the Board of Supervisors and School Board. She invited everyone and encouraged them to come and ask questions.

Mr. Randy Fackler, Hummelstown, spoke to the Board about the options for the recreation center. He stated the 50-meter pool would bring events into the Township which would help local business and hotels. He spoke about the recovery rate with revenues as discussed last Monday. He thinks the projected revenues would be higher if these events were hosted at the new center. He spoke about the group moving downtown and their potential impact.

Mrs. Susan Kreider thanked the Board for passing the resolution and respects Supervisor Moyer for his comments.

Mr. Robert Naeye is glad the resolution passed and respects Supervisor Moyer's comments on the subject. He stated he wrote the Board about the current Recreation Center not meeting the needs of the residents. He believes they need to build something new to meet those needs versus trying to fix the old. He respects the Board and the process they are going through for this center.

Mr. Ken Robinson, Old Trail Road, believes there should be a plan and go out for funding. He understands Supervisor Moyer's comments, but believes the plan could change if you can't receive the funding for it. He would be happy to help on a capital campaign and doesn't believe fixing the old is the answer. He asked them what number are they happy with funding and then see what is left for finding other funding options. He stated if the Board changes direction with people changing there could be a waste of monies spent on design. Supervisor Engle stated they are looking to do one step at a time but not changing the direction.

ADJOURNMENT:

Supervisor Engle made a motion to adjourn the meeting at 8:30 pm. Vice Chairwoman Cort seconded the motion. **Motion carried 5-0.**

SUBMITTED BY:

Justin C. Engle
Township Secretary