**CALL TO ORDER**

Chairman Marc A. Moyer. called the May 8, 2018 Regular Meeting of the Township of Derry Board of Supervisors to order at 7:06 p.m. in the meeting room of the Township of Derry Municipal Complex, 600 Clearwater Road, Hershey, PA. The Board met in executive session with PFM to discuss legal, land and personnel issues. He advised that all public meetings are recorded for providing accurate notes. After the Pledge of Allegiance, a roll call was conducted.

**IN ATTENDANCE:**

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| **SUPERVISORS** | **ALSO PRESENT:** |
| Marc A. Moyer, Chairman | James Negley, Township Manager |
| Matthew A. Weir, Vice Chairman | Jill Henry, Assistant Township Manager |
| Justin C. Engle, Secretary | Jon A. Yost, Township Solicitor |
| Susan M. Cort | Chuck Emerick, Director of Community Development |
| Richard D. Zmuda | Thomas Clark, Director of Public Works |
|  | Chief Garth Warner, Police Department |
|  | Scott Stein, Hershey Volunteer Fire Company |
|  | Matthew Mandia, Director of Parks and Recreation |
|  | Cheryl Lontz, Manager of Payroll and Employee |
|  | Laura O’Grady, Director of Hershey Public Library |
|  | Lauren Zumbrun, Economic Development Manager |
|  | Matt Bonanno, HRG Engineer |
|  | Julie Echterling, Recorder |

Public in Attendance:

The following were in attendance: Rich Gamble, Kevin Sipotch, Mae Reeder, Bob & Sharon Cravener, Teresa Peschel, Judy Shelley, Robert Naeye, Susan Kreider, Mark Ovsak, Sandra Ovsak, Maria Memmi, Rebecca Sweigart, David Minnich, Zach Jackson, Mike Larry, Lori Zerbe, John Zerbe, Jennette Mimy, Bill Noonan, Jay Care, Dan Clough, Crystal Oyerly, Dawn & Mason Dillon, Pam & Tom Measley, Greg Rasirich, Greg Koussis, Aaron Bricker, Jari Bishop, Gail Geyer, Shel Parker, Gary & Lorie DiClemental, Susan Copenhaver, David Edwards, Betsey DiMiller, Dave DiMiller, Judy Woodring, Bill Woodring, Barry & Toni Buck, Tom Stang, Annmarie Schipper, Emanuel Scharpf, Ursula Towfight, Kevin Ferguson, Ron & Martha Duquette, Kim Prinell, Christine Drexler, Sharon Mum, Erin Peda, Tom Wilson, Tim Winters, Nicole Paul, Mark Hackenberg, Kelly Fedeli, Shaune Fedeli, Pamela Ruddle, Leigh-Anne Dornberger, Collen Kadel, Angela Fitterer, Bob Yeingst, Holden Caufield, Elaine Maloy, Bonnie Chambers, Chris Luttrell, Bruce Fury and Marilyn Segrave.

**APPROVAL OF MEETING MINUTES:**

Supervisor Engle made a motion to approve the minutes of the April 24, 2018 Public Meeting of the Board of Supervisors. Vice Chairman Weir seconded the motion. **Motion carried 5-0.**

**VISITOR/PUBLIC COMMENTS:**

Mr. Rich Gamble, Hockersville Road, spoke about sending the Board an email about ways to increase amusement revenue for the Township. He thinks the $.85 per ticket from Hershey Park is low and should be revisited. The Board stated they are discussing ways to increase revenue for the Township.

Mr. Bill Noonan, Randall Circle, asked when there is a large ticket item why not have it as a referendum for the residents to vote on. He believes the taxpayers end up paying for the item. He asked the Board to please consider this and allow the residents to vote on it.

Mr. Barry Buck, Quarry Road, spoke about the increased recent tax burden put on senior citizens in the Township. He stated the 39% increase in taxes doesn’t match the increase in social security. He would like to see a limit/cap on the senior citizen taxes. He agrees with a referendum for the residents to vote on, but added it should be binding, not something the Board can change.

Mr. Tom Stang asked if video recordings of the meetings could be posted. He likes the audio recordings that are online and thought the video recordings would be nice. Chairman Moyer stated they have discussed it.

Mrs. Lori DiClemente, 542 Granada, is upset because residents weren’t contacted about the proposed hotel being built in their residential neighborhood. When she spoke to the Planning Commission, they told her they weren’t required to contact her. She doesn’t want the transient type of lifestyle in her neighborhood.

Mrs. Maria Memmi, 126 Java, spoke in opposition of the building of the Tru Hotel in her neighborhood. She spoke about the transient lifestyle of a hotel that will be in her neighborhood. She doesn’t like the quality or style of the hotel. She asked the Board to reconsider their decision on this hotel. She spoke about Milton Hershey’s high standards for the area and stated this hotel doesn’t match those standards. She left the Board with the question, in 50 years will they be proud of the hotel and how it was built.

Gary DiClemente, 542 Granada, stated he believes there are sink holes in the land proposed for the new hotel. He has lived there his whole life and believes there is a reason the land was never developed. He also believes the hotel is too high for the neighborhood.

**NEW BUSINESS:**

**SCHEMATIC DESIGN FOR COMMUNITY CENTER PROJECT:**

Mr. Mandia stated this presentation on the Community Center will be video recorded and available on the website. He spoke about the team behind the design. He spoke about the history of the Recreation Center. He spoke of the features and how the Township bought it for $1.00 in 1979. He discussed the programs offered in the Center including after school program and swimming. He stated the current Center can’t meet the recreation, social, cultural and aquatic needs of the Community. He outlined the timeline starting in 2014. He discussed the stakeholders including the School District, Mohler Center, HMC, Milton Hershey School, aquatic groups and citizens. Public meetings were held and the market analysis completed by Ballard King Associates. He discussed the benefits of the proposed Center including working with seniors, more aquatic events with the benefits of pools, expanding the Library initiatives, offering warm water therapy for patients of HMC and other benefits for the Community.

Mr. Aaron Bricker, RGS Engineering, discussed the elements of the campus, which include the school district and library. He stated connectivity of all three was the goal. They took into consideration the following items:

* Retain the current entrance and accessibility from Downtown.
* Access to the Library and School District – including a road connecting them.
* Pedestrian walkways to all locations. Maintaining the Cocoa Castle
* Developing larger swimming areas
* Parking – use existing and offsite with access to the school district parking.

He stated the current property doesn’t comply with the new zoning ordinances with pervious coverage and stated the Township will look to help with this issue. He spoke about stormwater including three basins, which will require the removal of two tennis courts.

Mr. Jim Bogrette, Kimmel Bogrette, thanked the Board for the trust and opportunity. He provided his background including growing up in Hershey. The materials to be used for the building will keep with the town’s design including simulated limestone, PVC for the roof and other types of building. He showed examples of the proposed design including aerial views of the proposed center. He showed the Board the schematic design, which including the following elements:

* Main Entrance area with community “living room” with fireplace and meeting area
* Administrative area for staff
* Flex meeting rooms, Senior Center, Teen room and Gym
* Child care area
* Indoor leisure and competition pool area – controlled points for entrance with 1,500 seating capacity and concession area.
* Outdoor pool including volleyball/basketball areas, splash pad, seating, and Pavilion meeting area
* Second floor workout rooms, walking track and access to seating for pools
* Outdoor Senior Garden, bike and handicap parking areas.

Mr. Greg Koussis, Capital Construction Management, spoke about his role in the project including maintaining the schedule and costs for the project. He spoke about the process of the design including the original estimate of $36 million, which was reduced to the budgeted $32 million. The square footage for the building will be 123,500. He stated the schedule proposed last fall hasn’t changed. He hopes to have construction start in March 2019 with a completion in May 2020. During this discussion Chairman Moyer left the meeting briefly and returned.

**VISITOR/PUBLIC COMMENTS ON COMMUNITY CENTER PROJECT:**

Mr. Henry Susie heard about stakeholders tonight but asked where is their financial contribution for the project. The Mohler Center runs on a deficit which is concerning to him. If the Board votes no, then taxes don’t increase. If the Board votes yes then there is an unnecessary tax burden on the 90% of the residents who don’t use the Center. He understands the Center needs to be updated, but does it really need a 50-meter pool and walking track.

Mr. Bill Noonan asked the Board to consider a referendum for this. He asked the Board to reconsider a vote on this and let the residents vote on it. He can’t believe a Capital Reserve Fund hasn’t been started as they could have started one in 1979. He stated he reviewed the plan and noted there are no costs for IT planned which will increase the plan. He thinks there should be cost savings incentives in the plan. He has been a project manager over $200 million projects and volunteered his time for free to be part of the process to help.

Mr. David Edwards stated it would be $11 million for renovations to the current versus $32 million for the new center. He stated the $20 million difference is to fund the project for two organizations – the Mohler center and the swim clubs. This isn’t fair to the tax payers. He stated the increased taxes will probably reduce the number of memberships to the Center.

Mr. Rich Gamble believes the Center is being increased for a select few for the Mohler center and swim clubs. If these clubs want the Center they should be putting up the money and not move forward until this money is received. He believes HMC patients are going to use HMC’s Rehab Center not the Center’s pool. The Firehouse isn’t paid for yet and now we’re doing the Recreation Center. He believes the cost of the Center will be $46 million or higher once it is completely paid off.

Mr. Shane Fedeli asked the Board not to vote on the project because they aren’t sure how it will be paid for. He asked the Board what other municipality in the state has a Recreation Center like this and can maintain it. He wants to know how this is going to be funded before they vote.

Mr. Kevin Ferguson supports the project. He has heard only 90% of the Township residents belong to the Center now and believes that will increase with the additional services available in the new Center. There will be places for the kids to go during the winter months. He is concerned about the cost and believes the amusement tax, which is around $1.5 million is low. He believes there should be another $.85 per ticket tax added for the Township, which would bring in $1.5 million to cover debt services for the year. The original contract negotiated with Hershey Park is a terrible deal and should be redone.

Mrs. Teresa Peschel, Half Street, asked the Board how many regional meets will come to the new Recreation Center. She also asked the Board how long the new Taj Mahal Recreation Center will hold up, because as it ages, it will need maintenance. She asked if we would be in the same place in 20-40 years as we are right now.

Mr. Tom Stang asked the Board when residents ask questions when will they can get answers. Supervisor Engle stated the residents could contact the Board anytime and ask anything and they will respond. Sometimes the Board doesn’t have the answer yet, but they will respond.

Mrs. Kelly Fedeli, spoke about the role the Board plays in the community including being trustees of the Township and representing the people. She believes the Board is reaching on their ideas for the Center and paying for it. She believes the DTMA idea was a bad idea. She asked why are they moving forward. She believes it is premature to move on it – why not table a decision on the Center.

Mr. Barry Buck, Corey Road doesn’t believe a decision on this center would be fiscally responsible for the Board. He spoke emotionally about the history of Hershey and asked the Board to keep this in mind.

Mr. Rich Gamble asked the Board why they haven’t answered the questions asked tonight. He asked the Board to have a panel discussion on the matter and allow residents to ask questions with the Board answering them.

Mrs. Chris Luttrell loves the design and thinks it will affect families in a positive way. She is in favor of it and was thankful.

Mrs. Christine Drexler held up petitions signed by hundreds of people eight years ago about changes needed for the Recreation Center. She stated eight years ago the estimate for the new Center was $15 million. She stated this Center is for the Community and children. She spoke of a program she started in 2015 for children who don’t have enough food. She spoke of foster children who are at the Recreation Center until 8 p.m. waiting for their parents to pick them up after work and how the program and Center help these families. She spoke about how people complain about everything done for the tourists in the area, however this Center is for the community. She is 100% in favor of this center and will fight for it.

Mrs. Betsy DiMiller, Sandhill Road, thanked everyone for their work on the design. At first, she was against a $31 million-dollar recreation center. But now that she has seen the design she is for it, just like she felt about the fire house. However, she stated petitions and motions don’t pay the bills. She believes the swim community needs to raise money and now is the opportunity to step up. She thanked the Board and is thankful to be living in Hershey.

Mrs. Pam Ruddle is for the project. She has faith in the Board and believes many will be part of the Capital Campaign.

Mrs. Maria Memmi is upset when she discovered that the Mohler Center stated they are running a deficit each year and are partners in this Recreation Center. She believes the new Center brings together two demographics that get forgotten, the kids and elderly. The School Board hears that kids have nowhere to go a lot.

Supervisor Cort thanked everyone for coming and stated this is a difficult issue. They know some won’t be happy about the decision. She spoke about the countless hours spent on the project and how they feel comfortable about the decision. She asked everyone to email them or go to the website for more information as some concerns expressed may not be correct.

Chairman Moyer stated the Board met with PFM to discuss the financing. He stated they are still getting input from them and haven’t had a public meeting to discuss it with residents. He can’t see making a decision now. The tax burdens for the residents and potential financial risks have not been clearly communicated to the public. He would like to have a public transparent meeting for the residents where everything is discussed so that residents understand the financing and their tax burden. This would give residents a time for public input on the project. He believes this is owed to the residents before a decision is made. He believes a decision on the Center and moving forward should be tabled until a public meeting on the financing is held.

Supervisor Engle discussed bringing in PFM in 2015 to help with financial planning and models. He disagreed with Chairman Moyer. He believes in 2-4 weeks they will have all the information and is very comfortable with moving forward. He stated a tax increase is not wanted, but needed. He spoke about the great team assembled for the project. He stated there are some avenues they can’t talk about yet with the financing. Vice Chairman Weir hopes everyone has looked at the facts of the project. He spoke of the original building being built in the middle of a corn field in the depression. The Township has enjoyed 70 years of a free Recreation Center/Building.

Chairman Moyer made a motion to table action on the schematic design for the Community Center pending final report from PFM and a public meeting. There was no second on the motion. **Motion failed.**

**DESIGN DEVELOPMENT PHASE OF THE COMMUNITY CENTER:**

Mr. Mandia stated the Board had taken action to establish a $1.4 million line of credit for funding design services for the Community Center. An initial draw down was done for the schematic design. The design development phase will need $720,000 to be drawn down to continue. This money will be used for the architect/engineering to prepare drawings to finalize the plan for architectural, electrical, mechanical and structural systems for the Center. This phase would proceed through September.

Supervisor Cort made a motion to authorize proceeding to the design development for the Community Center Project an amount not to exceed $720,000. Supervisor Zmuda seconded the motion**. Motion carried 4-1.**

**MEMO OF UNDERSTANDING FOR PARKING WITH SCHOOL DISTRICT:**

Mr. Negley spoke about the Community Center and the anticipated additional parking needed. The Memo of Understanding with the School District would establish a written understanding for potential shared parking to further proceed with the project.

Chairman Moyer made a motion to execute a memorandum of understanding between the Township of Derry and the Derry Township School District. Supervisor Engle seconded the motion.

**Motion carried 5-0.**

**COOPERATION WITH TAX COLLECTION AND SCHOOL DISTRICT:**

Chairman Moyer made a motion to approve entering into an Agreement of Cooperation among the Derry Township Tax Collection Association, The Township of Derry, the Derry Township School District, and the Tax Collector, Louis Paioletti until December 31, 2021. Supervisor Zmuda seconded the motion.

**Motion carried 5-0.**

**ICDA AND TOWNSHIP AGREEMENT FOR GRANT – HERSHEY TOWNE SQUARE PROJECT:**

Ms. Zumbrun spoke about the grant through Redevelopment Assistance Capital Program (RACP) applied for by the ICDA and awarded. The grant is for $750,000. She stated an agreement is needed between the Township and the ICDA for the grant to be used for the Hershey Towne Square Project.

Chairman Moyer made a motion to approve the execution of a cooperative agreement with the ICDA for the grant. Supervisor Cort seconded the motion. **Motion carried 5-0.**

**SCHOOL DISTRICT GRADUATION-CARACAS AVENUE CLOSURE-JUNE 6, 2018:**

Supervisor Cort made a motion to approve the request from Derry Township School District to close the first block of East Caracas Avenue on Wednesday June 6th, 2018 from 2PM until 9PM for graduation activities. Supervisor Zmuda seconded the motion. **Motion carried 5-0.**

**HE&R COLOR RUN JUNE 9:**

Supervisor Cort made a motion to approve the request to hold the Color Run on Hershey Entertainment & Resorts properties on June 9th, 2018, along with the associated road closure of North Hockersville Road. Supervisor Engle seconded the motion. **Motion carried 5-0.**

**2018 CULTUREFEST ON JUNE 23RD :**

Chairman Moyer made a motion to approve the request to hold the 2018 Culturefest on Saturday, June 23, 2018. Supervisor Zmuda seconded the motion. **Motion carried 5-0.**

**MAY 2018 – PREECLAMPSIA AWARENESS MONTH:**

Chairman Moyer made a motion to proclaim May 2018 Preeclampsia Awareness Month in Derry Township. Supervisor Cort seconded the motion. **Motion carried 5-0.**

**CORRESPONDENCE BOARD/COMMITTEE INFORMATION:**

Supervisor Zmuda spoke about the hard work the Board has put into the Recreation Center and how they and Staff have the best interest of the residents in mind. Supervisor Cort thanked Mr. Mandia and staff for their work with the Fishing Derby. The last diversity meeting of this season will be held on May 21st.

**REPORTS:**

Police – Chief Warner states next week is Peace Officer’s remembrance observation. So far this year, there have been 51 police officer deaths.

Fire – Mr. Scott Stein spoke about celebrating International Firefighter’s day. He spoke about their junior program which is growing and thanked the Board for their support.

Library – Mrs. O’Grady thanked Public Works and Parks Staff for their help.

Economic Development – Ms. Zumbrun stated they will honor the volunteers on May 15th at ChocolateTown Square Park.

**ACCOUNTS PAYABLE and PAYROLL:**

Supervisor Engle made a motion to approve accounts payable in the amount of $310,622.25 and Payroll of $332,464.34. Chairman Moyer seconded the motion. **Motion carried 5-0.**

**VISITOR/PUBLIC COMMENTS:**

Mr. Dave Weaver stated the Board took a big step tonight. He asked before they spend any more money if they could pave Limerick as it is the worst. He would like an email when they will be paving it.

Mr. Rich Gamble spoke about concern with foster children being at the Recreation Center until 8 p.m., receiving food and babysitting while the parents are paid to care for the children. He believes it should be reported. He asked Supervisor Engle about communication and then saying you can’t talk about it. Supervisor Cort stated they can’t speak about funding until it is approved, but as soon as they can they will share. Mr. Gamble asked if it was too late to get this on the November ballot as a referendum. Supervisor Engle asked to keep in mind from a Township of approximately 25,000 residents, about 4,000 votes. Chairman Moyer stated they will take it under advisement.

**ADJOURNMENT:**

Chairman Moyer made a motion to adjourn the meeting at 9:16 p.m. Supervisor Cort seconded the motion. **Motion carried 5-0**.

**SUBMITTED BY:**

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Justin C. Engle

Township Secretary