

TOWNSHIP OF DERRY
BOARD OF SUPERVISORS MEETING MINUTES
AUGUST 14, 2018

CALL TO ORDER

Chairman Marc A. Moyer called the August 14, 2018 Regular Meeting of the Township of Derry Board of Supervisors to order at 7:00 pm in the meeting room of the Township of Derry Municipal Complex, 600 Clearwater Road, Hershey, PA. The Board met in Executive Session to discuss personnel and legal issues. Chairman Moyer advised that all public meetings are recorded for the purpose of providing accurate minutes. After the Pledge of Allegiance, a roll call was conducted.

IN ATTENDANCE:

SUPERVISORS

Marc A. Moyer, Chairman
Matthew A. Weir, Vice Chairman
Susan M. Cort
Richard D. Zmuda

ALSO PRESENT:

James N. Negley, Township Manager & Treasurer
Jill Henry, Assistant Township Manager
Jon A. Yost, Township Solicitor
Brandon Williams, Asst Director of Community Development
Robert Piccolo, Asst. Director of Public Works
Garth Warner, Police Chief
David Sassman, Hershey Fire
Paula Fastrich, Child Care Manager
Terry Weinhold, Manager of Accounts Payable & Receivables
Laura O'Grady, Director of Library Services
Lauren Zumbun, Economic Development Manager
Eric Stump, HRG Engineer

Public in Attendance:

The following were in attendance: Paula Fastrich, Dave Roeting, Jay Ziegler, Evan Diacou, Adam Keiper, Ryan Taggatt, Amanda Haffly, Massimo Rizrett, Al Fricke, Eric Spangler, Richard Zamels, and Tony Potter.

APPROVAL OF MEETING MINUTES:

Chairman Moyer made a motion to approve the minutes of the July 24, 2018 Public Meeting of the Board of Supervisors. Supervisor Zmuda seconded the motion. **Motion carried 4-0.**

VISITOR/PUBLIC COMMENTS:

Mr. David Roeting, Mayor of Hummelstown, introduced himself to the Board. He would like to see the good working relationship continue with Derry Township. He thanked everyone for the working relationship and he looks forward to the future.

Mr. Eric Spangler, 918 Hill church Road, stated he emailed the Board 17 questions about the Recreation Center and he would like to have answers. He asked when the vote on the Recreation Center would be and Chairman Moyer replied in September. He provided these questions to The Sun and a phone number for residents to call him. Any comments received will be emailed to the Board. He wants to make sure it is the Recreation Center project is fiscally responsible and believes this is proactive.

Mr. Rich Gamble asked the Board about the entertainment tax. He reached out and spoke to the state representative who is willing to sit down the with parties if needed. He asked the Board if they have called the entities. Chairman Moyer stated they are regularly speaking to the Hershey companies on issues, but they haven't planned a specific meeting to discuss the tax. Mr. Gamble plans on going to the School Board about this issue also.

TOWNSHIP OF DERRY
BOARD OF SUPERVISORS MEETING MINUTES
AUGUST 14, 2018

Mr. Jay Zeigler, 971 Bullfrog Valley Road, spoke about the conditions of Bullfrog Valley Road and the concern for public safety. He spoke about the promised repairs over the past few years and how the cost went from \$500,000 to \$2 million. He spoke about his frustration with the delays and budget process. He asked if we are a proactive versus reactive on road repairs. He asked the Board to become proactive with road repairs with the budget. He asked them to make changes to the process and budget.

Mr. Evan Diacou, 184 Jacobs Creek Dr, believes the Township should serve the needs of the community. He spoke about the need for child care programs in the Township. He stated 72% of the homes in Derry have parents working while the current Kids Club program license allows for 45 students. One of the justifications for the new Recreation program is the afterschool programs. However, no action has been taken to expand the program. He stated within 10 minutes of the opening of the registration for the afterschool program it was full. He has written to the administration about it. He would like a commitment from the Board and administration that they will expand this program.

Mrs. Amanda Haffley, 1415 East Derry Drive, spoke about the advantages of kid's club. She spoke about the staff and the program. She worries every year that she will not be able to get her kids into the program. She stated there is a need for the Kid's Club and it is a great program. She asked the Board to look to expand the program.

NEW BUSINESS

PLAN FOR FRANK T. ENGLISH-PLAT #1301:

Mr. Williams stated Plat #1301 affects two separately-owned properties. Lot No. 1 is proposed to contain 12.729 acres upon completion of this subdivision. Lot No. 2 is proposed to contain 5.0 acres. Both parcels are located along Church Road and are in the Conservation Zoning District. He discussed the waivers and conditions of the plan.

Supervisor Cort made a motion to approve the Preliminary/Final Subdivision Plan for Frank T. English, Jr., Plat #1301, subject to compliance with the following items:

1. The applicant reimburses the Township for costs incurred in reviewing the plan no later than September 14, 2018.
2. Monuments are installed and inspected no later than February 14, 2019, or that performance security is provided to guarantee the installation of monuments and the accompanying agreement is signed no later than February 14, 2019.
3. A CD of a DXF or AutoCAD digital file of the final plan is provided no later than February 14, 2019.
4. The Agreement for the Deferment of Installation of Curbing; Sidewalks, Walkways, and/or Bicycle Paths; and Cartway Widening is recorded concurrently with the plan.
5. The deed of dedication for right-of-way along Church Road is recorded concurrently with the plan.

It is also moved that the following waivers and deferments from the Subdivision and Land Waivers and deferments are approved:

1. Waivers from Sections 185-12.D.(3).(a).[21], [22], [23] and 185-13.E.(4).(a).[19], [20], [21]
2. Deferment from Section 185-18 – Monuments and markers.
3. Deferment from Section 185-22.D – Right-of-way and cartway widths.
4. Deferment from Section 185-22.E.(5) – Curbs.
5. Deferment from Section 185-34 – Sidewalks.

TOWNSHIP OF DERRY
BOARD OF SUPERVISORS MEETING MINUTES
AUGUST 14, 2018

6. Waiver from Section 185-12.D.(3).(a).[9] – The location of all existing structures, wooded areas, watercourses, rock outcrops, culverts, utilities above or below ground, fire hydrants, streets and their established grade and width, all within 200 feet of the tract of land to be subdivided or developed.

Chairman Moyer seconded the motion. **Motion carried 3-0-1.** Vice Chairman Weir abstained as he is an adjacent property owner.

PLAN- LSP INVESTMENTS, LLC - PLAT NO. 1300:

Mr. Williams stated Plat #1300 represents two existing lots along Sand Hill Road located in the R-1 Zoning District and the Sand Hill Road Overlay zoning district. The applicant proposes to join the lots together in order to create three lots. Once combined, the applicant will create one lot around the existing dwelling and two new building lots. The applicant received a variance from the Zoning Hearing Board to allow Lot 2 and Lot 3 to have a 36' minimum lot width. All lots are/will be served by public water and public sewer services. This development will add approximately 20 new trips per day to the road system. He discussed the Stormwater for the plan. A fee in lieu of dedication of parkland will be paid. He discussed the waivers and conditions for the plan.

Chairman Moyer made a motion to approve the Preliminary/Final Subdivision and Land Development Plan for LSP Investments, LLC, Plat #1300, is approved, subject to compliance:

1. The applicant reimburses the Township for costs incurred in reviewing the plan no later than September 14, 2018.
2. A performance security is provided to guarantee the installation of required improvements, and the accompanying agreement is signed no later than February 14, 2019.
3. Existing water and sewer service to the existing home is shown no later than February 14, 2019.
4. The proposed DTMA easement on Sheet eight of the plans is deleted no later than February 14, 2019.
5. The fee in lieu of open space dedication is provided no later than February 14, 2019.
6. Two originals of the signed and notarized Stormwater Best Management Practices Operation and Maintenance Agreement for the current property owner (Botticelli, LLC, not LSP Investments, LLC) are provided no later than February 14, 2019.
7. Two originals of each lot's signed and notarized Agreement for the Deferral of Curbing Installation; Sidewalks, Walkways, and/or Bicycle Paths Installation; Cartway Widening; and Right-of-Way Widening are provided no later than February 14, 2019.
8. The plans are signed and sealed no later than February 14, 2019.
9. A signed and executed maintenance and access agreement for the driveway is provided no later than February 14, 2019.
10. A CD of a DXF or AutoCAD digital file of the plan is provided no later than February 14, 2019.
11. The Stormwater Best Management Practices Operation and Maintenance Agreement is recorded concurrently with the plan.
12. The Agreements for the Deferral of Curbing Installation; Sidewalks, Walkways, and/or Bicycle Paths Installation; Cartway Widening; and Right-of-Way Widening are recorded concurrently with the plan.
13. The Deeds for Lots 1, 2, and 3 are recorded concurrently with the plan.
14. The deed(s) of dedication for right-of-way along Sand Hill Road are recorded concurrently with the plan.

TOWNSHIP OF DERRY
BOARD OF SUPERVISORS MEETING MINUTES
AUGUST 14, 2018

It is also moved that the following waivers and deferments from the Subdivision and Land Development Ordinance are granted:

1. Waivers from Sections 185-12.D.(2) and 185-13.E.(3) – Plan scale.
2. Waivers from Sections 185-12.D.(3).(a).[21], [22], [23] and 185-13.E.(4).(a).[19], [20], [21] – Stormwater, sanitary sewer, and water and gas plans and profiles.
3. Waivers from Sections 185-12.D.(3).(a).[21], [22], [23] and 185-13.E.(4).(a).[19], [20], [21] – Plan scale.
4. Deferment from Section 185-22.D.(2) – Street right-of-way and cartway widths.
5. Deferment from Section 185-34 – Sidewalks, walkways, and bicycle paths.
6. Deferment from Section 185-22.E.(5) – Curbs.

Supervisor Zmuda seconded the motion. **Motion carried 4-0.**

TIME EXTENSION-HERSHEYTOWNE SQUARE PROPERTY :

Chairman Moyer made a motion to grant an extension of the deadline until November 30, 2018 for Hershey DTC, LP to remove the temporary structure or obtain approval for a land development plan for the retention of temporary structure on the Hershey Towne Square site. Vice Chairman Weir seconded the motion. **Motion carried 4-0.**

2019 DAUPHIN COUNTY GYPSY MOTH SUPPRESSION PROGRAM:

Mr. Williams discussed the annual program. He stated Dauphin County will not be funding it this year. However, Dauphin County Commissioners asked if we want to participate, as we are required to notify the Dauphin County Conservation District in writing by August 24, 2018 of our intent to participate. In previous years the cost of spraying had been a 50-50 cost share between Dauphin County and the Township; however, for 2019 it is currently unknown if the cost sharing will be applicable. Supervisor Zmuda asked questions about the program and how it worked. Mr. Williams explained the program.

Chairman Moyer made a motion to notify the Dauphin County Conservation District of the Township's intent to participate in the 2019 Dauphin County Gypsy Moth Suppression Program. Supervisor Zmuda seconded the motion. **Motion carried 4-0.**

2018 BEN & TIM DAY 5K RACE ON SATURDAY, AUGUST 25, 2018

Chairman Moyer made a motion approving the request to conduct the 2018 Ben & Tim Day 5K race on Saturday, August the 25, 2018 starting at 9:00 am, over various Township roadways on a route approved by the Derry Township Police Department. Supervisor Cort seconded the motion. **Motion carried 4-0.**

CORRESPONDENCE BOARD/COMMITTEE INFORMATION:

Supervisor Zmuda spoke highly of the job the Police and Fire did for the National Night Out, and about the success of the Music on Chocolate event. He mentioned the red reflectors that are being put on the stop signs to bring attention to them. Supervisor Cort agreed about National Night out and Music on Chocolate. She spoke about the next Hershey All Things Diversity session to be held on September 12th. Chairman Moyer said that he attended an eagle scout ceremony for Ryan Shirato with Troop 203. He was honored to participate in the ceremony and see the high standards these boys reach.

REPORTS:

<u>Police</u>	Chief Warner thanked everyone for a great National Night Out. He thanked EMS and Fire.
---------------	--

TOWNSHIP OF DERRY
BOARD OF SUPERVISORS MEETING MINUTES
AUGUST 14, 2018

<u>Fire</u>	Mr. Sassman spoke about the National Night Out. He spoke about the training and drills they have been doing.
<u>Public Works</u>	Mr. Piccolo reported that the Hanover Bridge is closed due to flooding on the other side.
<u>Library</u>	Mrs. O’Grady Friends of the Library sale went well and she thanked everyone who helped. She spoke about a new program to bring monks to the library to create a sand structure.
<u>Economic Development</u>	Ms. Zumbrun thanked Supervisor Zmuda and the volunteers who helped clean up after Music on Chocolate.

ACCOUNTS PAYABLE and PAYROLL:

Chairman Moyer made a motion to approve accounts payable in the amount of \$1,080,431.08 and 2 Payrolls of \$780,411.09. Supervisor Zmuda seconded the motion. **Motion carried 4-0.**

VISITOR/PUBLIC COMMENTS:

Mr. Jay Ziegler asked how the cost for the road repair increased from \$1 million to \$2 million. Mr. Piccolo spoke about the process planned for the roads, which would account for the additional costs. He spoke about DTMA having to do work on the roads. Mr. Ziegler hopes this gets done next year.

Mr. Eric Spangler spoke about the bikers that use Bullfrog Valley Road. He spoke about the width of the road and the bikers. He asked about a bike lane for the road.

Mr. Evan Diacou asked about the efforts to expand the child care and the correspondence he has sent. Supervisor Cort stated it isn’t the lack of interest, it is hard to find people to work shifts for the program. She stated it isn’t up to the Township to provide child care for all of the children in the Township. He is looking for a commitment to expand the program and asking for action on the issue. Chairman Moyer invited him to attend meetings and educate himself on how the meetings are done and how decisions are made in the Township. He stated they take his comments very seriously. He stated they acknowledge his concern and asked for latitude and time to see how to address this issue.

Mr. Rich Gamble asked for a clarification about the responsibility of the Township to provide those services. Supervisor Cort stated the Township isn’t responsibility to provide before and aftercare for every student. She is in favor of finding solutions, but it isn’t written as an obligation for the Township. Mr. Gamble stated it isn’t the Township responsibility to build aquatics swimming pool for the Township either. He thinks that they should try and improve the program.

ADJOURNMENT:

Chairman Moyer made a motion to adjourn the meeting at 7:55 p.m. Supervisor Zmuda seconded the motion. **Motion carried 4-0.**

SUBMITTED BY:

 Justin C. Engle
 Township Secretary