

**TOWNSHIP OF DERRY**  
**BOARD OF SUPERVISORS MEETING MINUTES**  
**JULY 24, 2018**

**CALL TO ORDER**

Chairman Marc A. Moyer called the July 24, 2018 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. The Board met in Executive Session to discuss land 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:**

**SUPERVISORS**

Marc A. Moyer, Chairman  
Matthew A. Weir, Vice Chairman  
Justin C. Engle, Secretary  
Richard D. Zmuda  
Susan M. Cort

**ALSO PRESENT:**

James N. Negley, Township Manager and Treasurer  
Jon A. Yost, Township Solicitor  
Brandon Williams, Asst Director of Community Development  
Thomas Clark, Director of Public Works  
Chief Garth Warner, Police Department  
Cheryl Lontz, Manager of Payroll and Employees  
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: Isaac Ray, William Fredericks, David Tshudy, Todd Pagliarulo, Greg Koussis, Ken Gall and Rich Gamble.

**APPROVAL OF MEETING MINUTES:**

Supervisor Cort made a motion to approve the minutes of the July 10, 2018 ó 6:00 p.m. Public Hearing of the Board of Supervisors. Supervisor Zmuda seconded the motion. **Motion carried 5-0.**  
Chairman Moyer made a motion to approve the minutes of the July 10, 2018 - 6:15 p.m. Public Hearing of the Board of Supervisors. Vice Chairman Weir seconded the motion. **Motion carried 5-0.**  
Chairman Moyer made a motion to approve the minutes of the July 10, 2018 Public Meeting of the Board of Supervisors. Supervisor Engle seconded the motion. **Motion carried 5-0.**

**VISITOR/PUBLIC COMMENTS:**

There were no public comments offered.

**NEW BUSINESS:**

**PLAN FOR ENGLEWOOD BARN, PLAT NO. 1297:**

Mr. Williams discussed the plan for the Englewood Barn which will be developed as a condominium tract within the HCAR development. The plan includes renovations and additions being constructed to the existing barn for a restaurant facility containing 160 indoor seats and 226 outdoor seats. There is also a brewery slated for a future expansion area of the barn. Based on the traffic evaluation letter, the increased trips do not meet the threshold that would require a full traffic impact study. He discussed the 2016 traffic study with regard to UGRO. The applicant has agreed to adjust the signaling and would be obligated by the Township for such adjustments. He discussed the landscaping plan including the planting of 450 trees. He stated 171 parking spaces are required with 134 new spaces being provided within the condominium tract and the remaining provided in a shared lot with the Medical Research

**TOWNSHIP OF DERRY**  
**BOARD OF SUPERVISORS MEETING MINUTES**  
**JULY 24, 2018**

Facility. He spoke about stormwater management and stated they have addressed all of the comments from DTMA. He discussed the requested waivers and conditions for approval of the plan. Discussion ensued.

Chairman Moyer made a motion to approve the Preliminary/Final Land Development Plan for Englewood Barn, Plat #1297, subject to compliance with the following:

1. The applicant reimburses the Township for costs incurred in reviewing the plan no later than August 24, 2018.
2. A performance security is provided to guarantee the installation of required improvements, and the accompanying agreement is signed no later than January 24, 2019.
3. Copies of the draft language for the Condominium Agreements are provided for review and approval no later than January 24, 2019.
4. A letter is provided from the Dauphin County Conservation District approving the erosion and sedimentation control plan no later than January 24, 2019.
5. A copy of the NPDES permit is provided no later than January 24, 2019.
6. The Stormwater Best Management Practices Operation and Maintenance Agreement is recorded concurrently with the plan.
7. The Declaration referencing the Stormwater Best Management Practices Operation and Maintenance Agreement is recorded concurrently with the plan.

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

Chairman Moyer made a motion to approve the following waivers for the Preliminary/Final Land Development Plan for Englewood Barn, Plat #1297:

1. From Sections 185-12.D.(2) and 185-13.E.(3) ó Plan scale.
2. From Sections 185-12.D.(3).(a).[9] and 185-13.E.(4).(a).[9] ó Existing features within 200øand 50ø
3. From Sections 185-12.D.(3).(a).[35] and 185-13.E.(4).(a).[36] ó Existing contours within 200ø and 50ø
4. From Sections 185-12.D.(3).(a).[21], [22], [23] and 185-13.E.(4).(a).[19], [20], [21] ó Profiles of existing utilities.
5. From Section 174-17.C.(6) ó Inlet drop.

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

**SECURITY RELEASE: THE ENCLAVE IN DERRY PLAN, PLAT NO. 1158:**

Chairman Moyer made a motion to authorize the release of maintenance security in the amount of \$17,614.80, provided as cash for the Preliminary/Final Subdivision Plan for The Enclave in Derry, Plat #1158. Supervisor Cort seconded them motion. **Motion carried 5-0.**

**BID: VOLUNTARY SIDEWALK AND CURB RECONSTRUCTION AND CONSTRUCTION AND INSTALLATION OF HANDICAP ACCESSIBLE RAMPS:**

Mr. Clark spoke about the voluntary sidewalk and curb reconstruction project. There are 38 property owners included in the project this year. A mandatory pre-bid meeting was held on July 16<sup>th</sup> with three contractors in attendance. The lowest bid was with Doug Lamb Construction.

Chairman Moyer made a motion authorize township staff to award the sidewalk and curb replacement project bid to Doug Lamb Construction as the lowest bidder. Supervisor Cort seconded them motion. **Motion carried 5-0.**

**TOWNSHIP OF DERRY**  
**BOARD OF SUPERVISORS MEETING MINUTES**  
**JULY 24, 2018**

**GLOW RUN 5K - AUGUST 11, 2018 STARTING AT 9:30 PM ON TOWNSHIP ROADWAYS:**

Chief Warner discussed the request for the Glow Run 5k on August 11<sup>th</sup>. He spoke about the roads that would be used for the run and the need for traffic to be stopped. Chairman Moyer expressed concerns about the night time run with traffic and safety. Chief Warner stated they would also have emergency lighting to help see the runners. Mr. Todd Pagliarulo stated they have done this run before and work with a contractor to ensure the paths are lighted for the runners and the runners wear lights.

Chairman Moyer made a motion to approve the request to conduct the Glow Run 5K scheduled for Saturday August 11, 2018 starting at 2130 hours on Township roadways. Supervisor Engle seconded the motion. **Motion carried 5-0.**

**CORRESPONDENCE BOARD/COMMITTEE INFORMATION:**

Vice Chairman Weir spoke about the Bike/Pedestrian meeting held last week.

**REPORTS:**

<u>Police</u>	Chief Warner spoke about the flooding and the closing of Route 39.
<u>Public Works</u>	Mr. Clark stated Oakmont is completed.
<u>Library</u>	Mrs. O'Grady spoke about the Friends of the Library book sale
<u>Engineer</u>	Mr. Bonanno discussed the DTMA piping bid opening.
<u>Economic Development</u>	Ms. Zumbrun spoke about the bike share program, music on Chocolate, and the sponsorship grant requests which will be presented on August 28 <sup>th</sup> .

**ACCOUNTS PAYABLE and PAYROLL:**

Chairman Moyer made a motion to approve accounts payable in the amount of \$556,735.92 and Payroll of \$406,037.66 Supervisor Zmuda seconded the motion. **Motion carried 5-0.**

**VISITOR/PUBLIC COMMENTS:**

Mr. Rich Gamble stated he looked for an entertainment tax ordinance and couldn't find one. He spoke about the new development and thinks there needs to be an entertainment tax. He stated Pennsylvania allows for 10% and most have 5%. He believes there should be an ordinance for an entertainment tax for entertainment including places like the Escape Room. He stated he is going to bring this up every meeting.

**ADJOURNMENT:**

Supervisor Engle made a motion to adjourn the meeting at 7:46 pm. Chairman Moyer seconded the motion. **Motion carried 5-0.**

**SUBMITTED BY:**

\_\_\_\_\_  
Justin C. Engle  
Township Secretary