

TOWNSHIP OF DERRY
BOARD OF SUPERVISORS MEETING MINUTES
MAY 28, 2019

CALL TO ORDER

Chairwoman Cort called the May 28, 2019 Regular Meeting of the Township of Derry Board of Supervisors to order at 7:02 p.m. in the meeting room of the Township of Derry Municipal Complex, 600 Clearwater Road, Hershey, PA. She advised that all public meetings are recorded for providing accurate notes. After the Pledge of Allegiance, a roll call was conducted. She asked for a moment of silence for the passing of Mr. Paul Clark who was a member of the Board of Supervisors from 1991-2005.

IN ATTENDANCE:

SUPERVISORS

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

ALSO PRESENT:

Christopher Christman, Township Manager
Jill Henry, Assistant Township Manager
Jon A. Yost, Township Solicitor
Chuck Emerick, Director of Community Development
Lt. Timothy Roche, Derry Township Police
David Sassaman, Hershey Fire
Robert Piccolo, Assistant Director of Public Works
Cheryl Lontz, Manager of Payroll and Employee Benefits
Matthew Mandia, Director of Parks and Recreation
Laura O'Grady, Hershey Public Library Director
Matt Bonanno, HRG Engineer
Lauren Zumbrun, Economic Development Manager
Julie Echterling, Recorder

Public in Attendance:

The following were in attendance: Dennis Trout, Robert Naeye, Doug Nicotera, Crandall C & L, Tom Gifford, Wayne Rivers, C. Wyckoff, Richard Gamble and C. Duncan.

EXECUTIVE SESSION AND MEETINGS:

Chairwoman Cort announced that the Board of Supervisors met in executive session before the meeting to discuss land, legal and personnel issues. She stated in addition, members of the Board met on May 16th and 22nd in closed gatherings. She took a moment to explain the difference so members of the public and the news media understand what Boards must follow under the Sunshine Act. When the Board meets in executive session, three or more members of the Board (a quorum in a Board of five like ours) may meet to discuss land, legal and personnel matters. These meetings must be announced either before or after the meeting. A Board must not deliberate or make decisions at executive sessions because all decisions must be made in a public meeting. Boards are also allowed by the Sunshine Act to meeting in a closed meeting. Closed meetings are for the purpose of collecting information or educating members about an issue. Similarly, Boards may not deliberate or make decisions at a closed meeting as all decisions must be discussed and voted on at a public meeting. It's important to note that Boards are able to meet outside of public meetings. It would be impossible to conduct the business of a municipality without the ability to meet. It is not required that the Board take or provide meeting minutes at executive session or closed meetings. If anyone has questions about this, they are welcome to talk to any of our Board members, our Township Manager or Solicitor.

VISITOR/PUBLIC COMMENTS:

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Mr. Rich Gamble, 39 Hockersville Road, asked the Board to make sure the agenda is posted to the website for each meeting. The agenda for this meeting wasn't on the website.

ADOPTION OF MINUTES:

Supervisor Weir made a motion to approve the minutes for the April 23, 2019 Board of Supervisors Public Meeting Minutes. Vice Chairman Engle seconded the motion. **Motion carried 5-0.**

Chairwoman Cort made a motion to approve the minutes for the May 14, 2019 Board of Supervisors Public Meeting Minutes. Supervisor Zmuda seconded the motion. **Motion carried 5-0.**

NEW BUSINESS:

RESOLUTION NO. 1584 – SUBMISSION OF GRANT – HERSHEY COMMUNITY CENTER:

Ms. Zumbrun spoke about the Marcellus Legacy Fund which allocates funds to the Commonwealth Financing Authority. She spoke about the grant process and timing for submitting a grant for the Hershey Community Center project. The grant would be for the indoor/outdoor slide, indoor interactive play structure, and an accessible pool lift. The total cost is \$307,500. They are requesting a \$250,000 grant which has a 15% match.

Supervisor Zmuda made a motion to adopt Resolution 1584 authorizing the submission of an application to the Commonwealth Financing Authority's Greenways, Trails, and Recreation Program for the Hershey Community Center Project and authorize the Chairman and Secretary to execute all document and agreements between the Township and the CFA. Supervisor Weir seconded the motion. **Motion carried 5-0.**

FIREWORKS-HERSHEYPARK -FOURTH OF JULY:

Vice Chairman Engle made a motion to grant the request from Hersheypark dated April 17, 2019 to hold and conduct its annual Fourth of July Fireworks display on Thursday July 4, 2019 beginning at 10:15 p.m. with a rain date on Friday July 5, 2019 at the same time. Supervisor Moyer seconded the motion. **Motion carried 5-0.**

PERFORMANCE SECURITY – WOODLAND HILLS:

Chairwoman Cort made a motion authorizing the release of \$7,779.75 from the performance security provided in the form of People's Bank Letter of Credit No.500015014 for the Preliminary/Final Subdivision Plan for Woodland Hills, Plat #1203, resulting in a new balance of \$90,806.13. Vice Chairman Engle seconded the motion. **Motion carried 5-0.**

ROAD CLOSURE – JUNE 5TH – GRADUATION-1ST BLOCK E CARACAS AVE:

Supervisor Weir made a motion to approve the request from the Derry Township School District to close the 1st block of E Caracas Avenue on Wednesday June 5, 2019 from 1pm until 10pm for graduation activities. Supervisor Moyer seconded the motion. **Motion carried 5-0.**

5K TROEG'S HOP DASH – OCTOBER 5TH:

Chairwoman Cort made a motion to approve the request to hold the Troeg's Hop Dash 5k Run on Saturday, October 5, 2019 starting at 9:00 a.m. Supervisor Zmuda seconded the motion. **Motion carried 5-0.**

CORRESPONDENCE BOARD/COMMITTEE INFORMATION:

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Chairwoman Cort spoke about the Memorial Day Parade and how it was a great event. She spoke about the mobile tour, "Check Your Blind Spots" of the Hershey All Things Diversity happening on June 3rd at the Hershey Theatre from 11:00 a.m. to 3:00 p.m.

REPORTS:

<u>Public Works:</u>	Mr. Piccolo stated Bullfrog Valley Road construction should start June 12 th . There are message boards up notifying residents of the upcoming construction.
<u>Library</u>	Mrs. O'Grady stated the circulation desk is completed. June 7 th the summer program will start.
<u>Recreation:</u>	Mr. Mandia thanked everyone for helping for the Memorial Day parade, especially Lt. Roche with his speech.
<u>Economic Development</u>	Ms. Zumbrun stated the Downtown Hershey Association meeting will be postponed to June 18 th . She spoke about the Art show and thanked everyone for their help as they had 5,000-7,000 attendees. She stated the streetscape turning lane should be started in June.
<u>Manager</u>	Mr. Christman thanked everyone involved in the Memorial Day Parade.

ACCOUNTS PAYABLE and PAYROLL:

Chairwoman Cort made a motion to approve accounts payable in the amount of \$215,717.29 and a Payroll totaling \$327,353.95. Supervisor Zmuda seconded the motion. **Motion carried 5-0.**

VISITOR/PUBLIC COMMENTS:

Mr. Dennis Trout, 2010 Locust Lane, provided the Board with information to let them know what was missing from documents on the Hershey Community Center. He thanked them for posting the audio of the meetings, but asked if they could post written documents and email on the website for full disclosure on the agenda items. He will wait to hear from the Board on what he provided them.

Mr. Wayne Rivers asked the Board to consider Mr. Becker's request about including the candidates for the Board of Supervisors in their discussions. He spoke about allowing them to hit the ground running when they are elected with these types of discussions. Chairwoman Cort stated it is the policy to, once elected, include them in the executive sessions in November and December.

ADJOURNMENT:

Chairwoman Cort made a motion to adjourn the meeting at 7:24 p.m. Supervisor Moyer seconded the motion. **Motion carried 5-0.**

SUBMITTED BY:

 Richard D. Zmuda
 Township Secretary