

TOWNSHIP OF DERRY
BOARD OF SUPERVISORS MEETING MINUTES
AUGUST 13, 2019

CALL TO ORDER

Chairwoman Cort called the August 13, 2019 Regular Meeting of the Township of Derry Board of Supervisors to order at 7:02 pm 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. She announced the Board of Supervisors met in executive session before the meeting to discuss land, legal and personnel issues. After the pledge of Allegiance, a roll call was conducted.

IN ATTENDANCE:

SUPERVISORS

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

ALSO PRESENT:

Christopher Christman, Township Manager
Jill Henry, Assistant Township Manager
Jon A. Yost, Township Solicitor
Chuck Emerick, Director of Community Development
Chief Garth Warner, Derry Township Police
David Sassaman, Hershey Fire
Robert Piccolo, Assistant Director of Public Works
Cheryl Lontz, Manager of Payroll and Employees
Zachary Jackson, Assistant Director of Parks and Recreation
Laura O'Grady, Director of Hershey Public Library
Matt Bonanno, HRG Engineer
Lauren Zumbrun, Economic Development Manager
Julie Echterling, Recorder

MEMBER ABSENT:

Matthew A. Weir

Public in Attendance:

The following were in attendance: Carol Ann Velerio, Janie Schmolke, Skip Becker, Robert Naeye, Linda Eyer, Linda Crandall, Amanda Shearer, Tarryd Moyer, Doug Nicotera, Bill Woodring, Judy Woodring, M. L. Kizzs, Wayne Rivers, Rich Gamble, Tracy Brown, Allen Curt, John Foley, Dennis Trout, Tom Cuba, Steve Seidl, Charles Duncan

VISITOR/PUBLIC COMMENTS:

Mr. Skip Becker, 79 Almond Drive asked the Board to exempt 501C companies making less than \$1,000 from the Amusement tax.

Mr. Rich Gamble, Hockersville Road, asked for an update on any discussions on the entertainment tax, any meetings, who attended, when and who participated.

Mr. Steve Seidl, 450 Granada Avenue, spoke about the sidewalk across from Hershey Heights. He spoke about his concerns with the bike path and Middletown Road and asked the Board to work on a connection for the road.

Mr. Nevin Yost, 534 West Areba Avenue, stated he recently moved here. He is concerned about his street being used as a bypass to Chocolate Avenue. He spoke about the speed of the cars, which is scary, and asked if it could be addressed. Chief Warner will look into his concern.

TOWNSHIP OF DERRY
BOARD OF SUPERVISORS MEETING MINUTES
AUGUST 13, 2019

ADOPTION OF MINUTES:

Chairwoman Cort made a motion to adopt the minutes from the July 23, 2019 6:00 p.m. Public Hearing and Board of Supervisors Meeting. Supervisor Zmuda seconded the motion. **Motion carried 3-0-1.** Supervisor Moyer abstained.

NEW BUSINESS:

POLICE DEPARTMENT AWARDS:

Police Chief Warner discussed police encounters and recognizing the officers for their actions. He noted some were recognized at the last meeting and the remaining officers tonight.

- Officers Mowery and Klinger (not present), along with officers J. Rode and Leadbetter (present at July 23 meeting) were recognized for their actions that resulted in the arrest of an impaired motorist, the recovery of a stolen vehicle, development of theft suspect information and potential lifesaving action.
- Officer Keister worked on a \$45,000 theft from Zales. The Officer's action and investigation lead to the arrest of the suspect.
- In March, 2019, Officer Shearer responded to a fire. He was able to clear the location of residents and pets and put out the fire.
- Officer Condran responded to a cardiac arrest of a student at MHS. He helped stabilize the situation, perform CPR, and helped EMS prepare for transport.
- Officers Henise, Eckenrode and Sergeant Grubb were recognized for their teamwork, which enabled a violent suspect who was in the midst of an active burglary with a knife to a victim's throat. He was arrested and victims were saved from harm.
- CSO Cuba was recognized for his work to free a discarded dog that was stuck in the mud and saved its life.

Chief introduced Officer Clements and his new partner K-9 Ares. He spoke about private donations they received allowing the funding needed to purchase and train the dog.

RESOLUTION NO. 1588 -HOP APPLICATION NO. 190264 FOR HERSHEY WEST END:

Mr. Emerick stated Resolution No. 1588 will authorize his signature, on the HOP application for the installation of a traffic signal at the intersection of Waltonville Road and US Route 322 Westbound Offramp in conjunction with the Hershey West End development. The traffic signal has been designed on behalf of, and will be installed by, the developer for Hershey West End. An agreement with Hershey Trust Company has been done, binding them to standards to be practiced throughout the completion of work approved under the HOP. The agreement also states that Hershey Trust Company is financially responsible for the installation of the traffic signal and all other improvements required under the HOP. He spoke about the Memorandum of (MOU) with Hershey Trust Company regarding design of grade, alignment, and connection of a connector road, connecting Middletown Road to Street "G" of the West End development. Vice Chairman Engle asked about the plan and sidewalks. Supervisor Moyer asked about the borders of Derry Township with others. Discussion ensued. Mr. Emerick agreed to bring the plans to the next meeting.

Chairwoman Cort made a motion to **TABLE** action on Resolution 1588 authorizing the execution of documents required for the PennDOT HOP application #190264 for the Hershey West End. Supervisor Moyer seconded the motion. **Motion carried 4-0.**

TOWNSHIP OF DERRY
BOARD OF SUPERVISORS MEETING MINUTES
AUGUST 13, 2019

SIDEWALK - ACROSS FROM HERSHEY HEIGHTS ON MIDDLETOWN ROAD:

Mr. Emerick stated the Township has been negotiating with Jeff King of Wabank Associates for a considerable amount of time to obtain an easement to provide for the continuation of the Jonathan Eshenour Memorial Trail to a point where a signalized pedestrian crossing can be provided. Those negotiations were unsuccessful, so in 2018, they looked to find an alternative path to serve the residents of the area. He spoke about calling in the deferment for a segment and requiring the work be completed. However, the work was never completed. He asked the Board to direct Wabank Associates to design, permit, and install the sidewalk along Middletown Road with a requirement to complete by October 15, 2020. The Board discussed the history of this issue and the timing of the proposed letter and that no action has been taken on the previous letter. The Board agreed further discussions with Solicitor Yost should take place prior to any action.

Vice Chairman Engle made a motion to **TABLE** action on the requirement of sidewalk along the frontage of the property located across from Hershey Heights on Middletown Road, Tax Parcel No. 24-055-103. Supervisor Moyer seconded the motion. **Motion carried 4-0.**

PYROTECHNIC DISPLAY AT KISS CONCERT-AUG 21 – HERSHEY STADIUM:

Chairwoman Cort made a motion to grant the request from FFP Effects, Inc. to conduct a pyrotechnic display at the KISS “End of the Road Tour-2019” Concert at Hersheypark Stadium on Wednesday, August 21, 2019. Supervisor Zmuda seconded the motion. **Motion carried 4-0.**

RESOLUTION NO.1560-TRAFFIC SIGNAL-HOMESTEAD RD & E. CHOCOLATE AVE:

Vice Chairman Engle made a motion to adopt Resolution No. 1560 authorizing the Township Manager to sign the PennDOT application for traffic signal approval for improvements to the intersection of Homestead Road and East Chocolate Avenue. Chairwoman Cort seconded the motion. **Motion carried 4-0.**

RACP - \$2 MILLION AWARD-HERSHEY COMMUNITY CENTER:

Mrs. Zumbrun discussed the release of \$2 million in Redevelopment Assistance Capital Program (RACP) funding for the Hershey Community Center. She thanked Representative Mehaffie and Senator DiSanto for their support of this project. She spoke about the notification requirements and having six months to prepare a full RACP application and demonstrate that matching funds are secured.

Chairwoman Cort made a motion for the Township of Derry to agree to formally accept the \$2 million Redevelopment Assistance Capital Program award for the Hershey Community Center. Supervisor Zmuda seconded the motion. **Motion carried 4-0.**

PERFORMANCE SECURITY: PLAN FOR MILL RESTAURANT, PLAT #1267:

Chairwoman Cort made a motion to authorize the release of maintenance security in the amount of \$1,540.50, provided as cash for the Preliminary/Final Subdivision and Land Development Plan for The Mill Restaurant, Plat #1267. Vice Chairman Engle seconded the motion. **Motion carried 4-0.**

PERFORMANCE SECURITY- PLAN TRU HOTEL, PLAT #1295:

Chairwoman Cort made a motion authorizing the release of \$579,982.00 from the performance security provided as Bryn Mawr Trust Company Letter of Credit No. 1044 for the Preliminary/Final

TOWNSHIP OF DERRY
BOARD OF SUPERVISORS MEETING MINUTES
AUGUST 13, 2019

Subdivision/Land Development Plan for TRU Hotel, Plat #1295, resulting in a new balance of \$75,017.00. Supervisor Zmuda seconded the motion. **Motion carried 4-0.**

CORRESPONDENCE BOARD/COMMITTEE INFORMATION:

Tonight is Assistant Township Manager Jill Henry’s last meeting. She is retiring this week after 25 years with the Township. Each of the Supervisors and staff members spoke highly of her work, thanked her and wished her well in retirement.

REPORTS:

<u>Police</u>	Chief Warner spoke about the Dauphin County Chiefs and trick or treat night. He noted they chose Thursday October 24 th , while Derry has gone with October 31 st . He asked the Board to consider a day for trick or treat night in Derry Township for the next meeting.
<u>Fire:</u>	Mr. Sassaman stated National Night Out was a success.
<u>Public Works:</u>	Mr. Piccolo shared the work on Sand Hill Road will be starting tomorrow.
<u>Library</u>	Mrs. O’Grady spoke about the successful book sale. She stated the library project is out to bid and they hope to present an award at the next meeting.
<u>Recreation:</u>	Mr. Mandia spoke about the dog’s day of the summer and the event for dogs on Saturday.
<u>Economic Development</u>	Mrs. Zumbrun thanked all the volunteers for Music on Chocolate. She stated the signal poles are being shipped this week. She spoke about the Downtown meeting being held on October 20 at 6:30 p.m. at the Hershey Story.
<u>Assistant Manager</u>	Mrs. Henry stated the 2018 audit is completed and the Fall Newsletter is going out this week. She thanked everyone for their kind words and was grateful for her time at the Township. She hopes she made a difference to the residents.

ACCOUNTS PAYABLE and PAYROLL:

Vice Chairman Engle made a motion to approve accounts payable in the amount of \$436,082.66 and two payrolls totaling \$737,642.39. Chairman Cort seconded the motion. **Motion carried 4-0.**

VISITOR/PUBLIC COMMENTS:

Mr. Dennis Trout, 2010 Locust, spoke about the sidewalk for Middletown Road. He is concerned that if it is put in, there are plans for widening Middletown Road. He spoke about rights-of-way and easements. He stated Middletown Road is a problem and will continue to be a problem.

ADJOURNMENT:

Chairwoman Cort made a motion to adjourn the meeting at 8:01 pm. Supervisor Zmuda seconded the motion. **Motion carried 4-0.**

SUBMITTED BY:

Richard D. Zmuda, Secretary