

TOWNSHIP OF DERRY
BOARD OF SUPERVISORS MEETING MINUTES
AUGUST 27, 2019

CALL TO ORDER

Chairwoman Cort called the August 27, 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
Matthew Weir

ALSO PRESENT:

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

Public in Attendance:

The following were in attendance: Erica Koser, Michael Kautz, Leann Easterwood, Scott Easterwood, Rodney Sonderman, John Foley, Robert Naeye, Jack Harlacker, Jarryd Moyer, Kirsten Yurich, Devan Sprenkle, Kristen Argento, Mike Frentz, Doug Nicotora, Chuck Kray, Lisa Sviben Miller, Skip Becker, James Carter, Bill & Judy Woodring, Pamra Bowser, Rich Gamble, Linda Eyer, Andrea Prats, Mike Correll, Kim O'Connell, Carter Wycoff, Natalie Nutt, and Tracy Brown.

VISITOR/PUBLIC COMMENTS:

Mr. Scott Easterwood, 160 Maple Ave, spoke about the traffic issues associated with his neighborhood and Ridge Road. The increased traffic is from the new entrance to Hershey Park and the phone applications showing a short cut through their neighborhood. He is concerned with safety as he has seen people drive on the wrong side of the road to take a side street because of traffic. He attended the transportation meeting today and know they are aware of the situation. He is asking for short-term and long-term solutions as there are three concerts this weekend. Mr. Christman stated they are aware of it and are working with the Police and HE&R on collecting data this weekend to help with solutions. The Police are aware and will be in the area this weekend.

Mr. Rich Gamble, Hockersville Road, agrees with Mr. Easterwood and noted that Hockersville Road also gets backed up with the factories and HMC employees. He is concerned about the \$95,000 spent on UDA's study for zoning. He asked what the Township really received from spending this money. He doesn't agree with tearing down the Staples and making more housing. He would have rather seen Mr. Emerick have a full-time employee in Community Development than spend more money on consultants.

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NEW BUSINESS:

POLICE DEPARTMENT:

Chairwoman Cort swore in Officer Darren C. Cotton to the position of Sergeant.

LETTER OF INTENT-POWER TRAIN-COMMUNITY CENTER:

Mr. Christman stated it has been determined by the Township's community center business advisors, Sports Facilities Advisory (SFA), that a general fitness component within the community center is necessary to provide a revenue stream to help off-set ongoing operational and capital costs. He noted there are two options of working with Power Train or managing and running the fitness ourselves.

Mr. Evan Eleff, SFA joined the meeting by phone. He noted that any facility that has a large water component needs a subsidiary to help offset the losses from the water portion. He stated the fitness portion is that component with fitness-based memberships. He stated the Township can either partner with Power Train or go into competition with them. Either way, both will lose members to the other. He detailed the options with competition versus partnership. He provided a five-year comparison of the operating losses with Power Train running the fitness portion and the Township in competition. He noted that though the Center is projected to have yearly operating losses. With Power Train, it would be \$2.3 million less than competing with them. He noted that some of the fitness-based members using the Center could result in additional revenue with use of other offerings such as the pool and basketball. He spoke about the industry levels for fitness-based membership as being 78,000 within a 12-15-minute drive to the Center. He stated there aren't enough people in the area to fully support the financial goals of both Power Train and the Center.

Supervisor Moyer asked what the Center would provide over Planet Fitness and Gold's Gym. Mr. Eleff noted the Center offers classes, recreation pool, and group exercise classes which the others do not offer. Supervisor Moyer asked a few questions about membership and the stability of those numbers in the next five years. Mr. Eleff stated that industry average is 70% keep their memberships. Supervisor Moyer noted he has more questions. Chairwoman Cort agreed and noted that the action tonight is a non-binding Letter of Intent with Power Train to explore a relationship.

Supervisor Zmuda made a motion to approve a Letter of Intent between Power Train and the Township of Derry for the provision of Fitness Management Services for the Derry Township Community Center. Supervisor Weir seconded the motion. **Motion carried 5-0.**

ADOPTION OF MINUTES:

Chairwoman Cort made a motion to adopt the minutes from the August 13, 2019 Board of Supervisors Meeting. Vice Chairman Engle seconded the motion. **Motion carried 4-0-1.** Supervisor Weir abstained.

ORDINANCE NO. 717-BONDS- \$6.75 MILLION FOR DTMA & AMENDMENT:

Mr. Christman stated Ordinance No. 717 is for the issuance of General Obligation Bonds, Series A of 2019, in the maximum aggregate principal amount of \$6,750,000 on behalf of the Derry Township Municipal Authority and execution of Seventh Amendment to Subsidy Agreement. Derry Township Municipal Authority's interest savings from this transaction is approximately \$150,000. He noted that this issuance would not affect the Township's credit.

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Mr. Lou Verdelli, RBC Capital Markets, spoke about the low interest rates and how the savings could be over \$235,000 now. He noted this would not add new debt to the Authority, but rather save them interest. He spoke about the schedule including locking the interest rate tomorrow, with the Board's approval and closing on September 30. He noted the Township's credit rating was reviewed and is still at AA Stable rating.

Chairwoman Cort made a motion to adopt Ordinance No. 717 for the issuance of General Obligation Bonds, Series A of 2019, in the maximum aggregate principal amount of \$6,750,000 on behalf of the Derry Township Municipal Authority and execution of Seventh Amendment to Subsidy Agreement. Vice Chairman Engle seconded the motion. **Motion carried 5-0.**

DAUPHIN COUNTY LOCAL SHARE MUNICIPAL GRANT PROGRAM APPLICANTS:

Mrs. Zumbrun spoke about the Dauphin County Local Share Municipal Grant program and the Township's involvement. She noted that the total amount requested is over \$1.1 million and the typical award has been \$310,000. She stated there are five groups interested in applying. Below are the groups and their request for funds:

1. Derry Township. A request for funding of \$148,000 for the first year of a lease to purchase arrangement for radio replacements for the Police Department and Public Works Department. Officer Roche spoke in detail about the outdated radios and the need for additional radios to support Police and Public Works. If this is not funded through this grant, it will be requested in the budget. There are eight new radios in the capital budget each year. They would be able to purchase 25 through their request for this grant if it is approved by the County.
2. Hershey Volunteer Fire Company. A \$250,000 request for funding for the Fire Station Construction Debt Reduction. The original request was \$1,350,000 over five years. This is the sixth year of the annual request and \$60,000 left to achieve the remaining \$1,350,000. However, the Department is requesting \$250,000 based on current fundraising efforts. Deputy Chief Sonderman spoke about the request and how in the past five years they have received less than requested. He noted at the Gaming Board's request, they are submitting a request for the grant again this year.
3. The Vista School. A request for funding for the Safety and Security Improvements project of \$87,630, with this being the second year a request is being made for this project. Mrs. Kirsten Yurich, CEO, went over a presentation on their request. She spoke about active situations and how their students react to those situations and the need for additional security measures to keep them safe. She spoke about the changes they have made and the ones they would like to purchase including cameras, video surveillance, real-time communications for Staff and a School Safety Officer.
4. Derry Township School District. A request of \$250,000 for Building Security Improvements. Mr. Mike Frentz, Business Manager, spoke about the security assessment they had done, and the areas of improvement needed for security of the schools. The cost of this project is \$2.5 million. The school is delaying other Capital projects to keep the schools safe. They are requesting this money to help with this project.

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5. Hershey American Legion. A request of \$43,290 for the Main Building and Rental House Roof Replacement project. Mr. Michael Kautz, Commander, spoke about the roofing project. He spoke about how the Legion donates 60% of their profits to groups like the Boy Scouts, K-9 Group, and the Food Bank. He spoke about the building being historical and asking for the grant to help with this project.

6. Kray Real Estate, LLC. A request of \$350,000 for the Sand Hill Road Relocation project. Mr. Charles Kray spoke about the project and the gridlock traffic. He spoke about the money secured toward the project and is asking for additional money to help with the project to help alleviate traffic in this area.

Chairwoman Cort made a motion that the Township of Derry agrees to sponsor as a co-applicant, the request for funding from the Dauphin County Local Share Municipal Grant program for all the applicants this year. Vice Chairman Engle seconded the motion. **Motion carried 5-0.**

RESOLUTION 1591 TO 1596 - DAUPHIN COUNTY LOCAL SHARE MUNICIPAL GRANT:

Chairwoman Cort made a motion to adopt the following resolutions:

Resolution No. 1591 – A resolution authorizing the submission of the Township of Derry’s request for funding for police and public works radio replacements to the Dauphin County Local Share Municipal Grant Program as Priority Number ONE.

Resolution No. 1592 – A resolution sponsoring and supporting the Township of Derry and the Hershey Volunteer Fire Company’s Fire Station Construction Debt Reduction project for submission to the Dauphin County Local Share Municipal Grant Program as Priority Number TWO.

Resolution No. 1593 – A resolution sponsoring and supporting the Township of Derry and the Vista School’s request for funding of Safety and Security Improvements project for submission to the Dauphin County Local Share Municipal Grant Program as Priority Number FOUR.

Resolution No. 1594 – A resolution sponsoring and supporting the Township of Derry and the Derry Township School District’s request for funding of Building Security Improvements for submission to the Dauphin County Local Share Municipal Grant Program as Priority Number FIVE.

Resolution No. 1595 – A resolution sponsoring and supporting the Township of Derry and the Hershey American Legion’s request for funding for Main Building and Rental House Roof Replacement for submission to the Dauphin County Local Share Municipal Grant Program as Priority Number SIX.

Resolution No. 1596 – A resolution sponsoring and supporting the Township of Derry and Kray Real Estate LLC’s request for funding for the Sand Hill Road Relocation project for submission to the Dauphin County Local Share Municipal Grant Program as Priority Number THREE.

Vice Chairman Engle seconded them motion. **Motion carried 5-0.**

EXTENSION-PLAN FOR GEORGE CVIJIC, PLAT NO. 1163:

Mr. Emerick discussed the request for an extension of conditional approval of the Preliminary/Final Subdivision Plan for George Cvijic, Plat No. 1163. Plat #1163 proposes the subdivision of a 5.408-acre tract of land located at the southeast corner of the intersection of Felty Mill Road and Bachmanville Road, into three lots. The applicant is not in a financial position to address the condition of plan approval regarding the completion of required improvements. However, he is still interested in proceeding with the plan and has requested another 1-year extension of time in which to address the remaining conditions

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of approval. The extension request proposes no changes to the details of the previously approved plan or to the waivers. The proposed subdivision is in substantial compliance with the 2017 Zoning Ordinance.

Chairwoman Cort made a motion extend the approval of Plat #1163 for one additional year (until January 2, 2021), subject to the following:

1. A performance security is provided to guarantee the completion of required improvements and the Agreement to Provide Financial Security is signed no later than November 20, 2020; OR, that the required improvements are installed to the satisfaction of the Township no later than November 20, 2020. If the applicant chooses to provide performance security, an updated cost estimate will be required.
2. The applicant applies for and receives a new NPDES permit from the Dauphin County Conservation District no later than November 20, 2020.
3. The applicant ensures the renewal of any other expired approvals or permits originally required for the project no later than November 20, 2020.
4. The right-of-way Deed of Dedication is recorded concurrently with the plan.
5. The curb and sidewalk agreement is recorded concurrently with the plan.
6. The Stormwater Best Management Practices Operation and Maintenance Agreement is recorded concurrently with the plan.

Vice Chairman Engle seconded the motion. **Motion carried 5-0.**

BIDS-LIBRARY REDESIGN:

Mrs. O'Grady stated in 2018 Hershey Public Library was awarded a Keystone Grant for Public Library Facilities to redesign the children's and teen wing of the library and add a new ADA accessible entrance. In coordination with the Hershey Library Endowment Trust, Chris Dawson Architect, was hired to prepare construction drawings and bid documents for public bidding. On August 5th documents were made available on PennBid and on August 22 at 2 PM the bids were due and made public. Vice Chairman Engle asked who would be monitoring the construction. Mrs. O'Grady stated it would be the Architect. He expressed concerns about who would be representing the owners as the building is owned by the Township. Discussion ensued. It was determined that the Board could hire someone to oversee the construction after accepting the bids.

Supervisor Moyer made a motion to award Eci Construction, LLC the contract for General Construction in the Youth Services redesign in the amount of \$888,000. Vice Chairman Engle seconded the motion. **Motion carried 5-0.**

Chairwoman Cort made a motion to award A.N. Lynch Co Inc. the contract for Electrical Construction in the Youth Services redesign in the amount of \$121,500. Vice Chairman Engle seconded the motion. **Motion carried 5-0.**

Chairwoman Cort made a motion to award Eci Construction, LLC the contract for power floor repair in the amount of \$41,800 and award Garden Spot Mechanical the contract for Mechanical Construction in the Youth Services redesign in the amount of \$32,800. Supervisor Moyer seconded the motion. **Motion carried 5-0.**

OCTOBER 31, 2019 – HALLOWEEN TRICK OR TREAT DAY:

Supervisor Zmuda made a motion to permanently establish October 31 as the date and time of 6-8 p.m. for the Halloween Trick-or-Treat activities for Derry Township. Chairwoman Cort seconded the motion. **Motion carried 5-0.**

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SECURITY- STORMWATER MANAGEMENT PLAN FOR 238 ELM AVENUE, S-2019-003:

Chairwoman Cort made a motion authorizing the release of \$3,807.00 from the cash performance security provided for the Stormwater Management Plan for 238 Elm Avenue, S2019-003, resulting in a new balance of \$1,291.00. Supervisor Weir seconded the motion. **Motion carried 5-0.**

CORRESPONDENCE BOARD/COMMITTEE INFORMATION:

Chairwoman Cort noted that they will be having quarterly meetings with the School District.

REPORTS:

<u>Fire:</u>	Mr. Sassaman spoke about having their truck back after 8 months.
<u>Recreation:</u>	Mr. Mandia stated they are wrapping up their audit of the John Eshenour trail and will have the results to the Board soon.
<u>Engineer:</u>	Mr. Bonanno stated he is meeting with the State Police at their museum to discuss stormwater issues on behalf of DTMA.
<u>Community Development</u>	Mr. Emerick noted that UDA has completed Phase II. Phase III includes summaries and zoning adjustments to come. He spoke about the proposed schedule including a presentation to this Board on 11/26 with a hearing. Consideration and approval of the changes are in the December to February timeframe.
<u>Economic Development</u>	Mrs. Zumbrun spoke about the UDA process and hopes to have their information on the website this week. She noted the poles arrived for the 322/422 project which should resume next week and wrap up in October (322 portion). The State Police Museum has asked for Local Gaming Grant funding sponsorship from South Hanover Twp. and would like a letter of support from this Board. The Board agreed.
<u>Manager</u>	<p>Mr. Christman spoke about \$2,000 that was spent on the HRG sketch for a roundabout on Route 422. Now they would like to request more money. \$3,000, for HRG to complete the roundabout documents for the purpose of applying for potential funding options. Vice Chairman Engle spoke about the issues with the Township and the railroad. He sees this as an opportunity. Supervisor Moyer asked if this could wait until the new Board comes on. Discussion ensued.</p> <p>Vice Chairman Engle made a motion authorizing the Administration to move forward with the review of the 422-project including the spending of the allocated \$3,000. Supervisor Zmuda seconded the motion. Motion carried 4-1.</p> <p>Mr. Christman spoke about the upcoming census and how concern was expressed that Derry Township was under reported. He spoke about the advantages of an accurate count and if anyone wants to help, volunteer, or work for the census to please let him know.</p>

ACCOUNTS PAYABLE and PAYROLL:

Chairman Cort made a motion to approve accounts payable in the amount of \$1,013,429.12 and Payroll totaling \$351,574.41. Supervisor Weir seconded the motion. **Motion carried 5-0.**

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VISITOR/PUBLIC COMMENTS:

Mr. James Carter, Raleigh Road, was concerned that the Silver Sneakers program would not be accepted at the new Center. Mr. Mandia stated his expectation is that the program will be accepted at the new Center. Mr. Carter was taken back by the Board vote on the Local Gaming grant. The order they chose. He believes after the Police and Fire; the schools should have been the next priority above the others.

Mrs. Linda Eyers, 2321 Raleigh Road, had some questions about the membership numbers discussed tonight. Chairwoman Cort encouraged her to contact Mr. Christman with her specific questions.

ADJOURNMENT:

Chairwoman Cort made a motion to adjourn the meeting at 9:20 pm. Supervisor Zmuda seconded the motion. **Motion carried 5-0.**

SUBMITTED BY:

Richard D. Zmuda
Township Secretary