

TOWNSHIP OF DERRY
BOARD OF SUPERVISORS MEETING MINUTES
JANUARY 6, 2020

CALL TO ORDER

Supervisor Susan Cort, called the January 6, 2020 Regular Meeting of the Township of Derry Board of Supervisors to order at 7:06 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. Before the pledge of Allegiance, she announced the Board of Supervisors met in executive session before the meeting to discuss land, legal and personnel issues.

IN ATTENDANCE:

SUPERVISORS

Marc A. Moyer, Chairman
Natalie L. Nutt, Vice Chairman
Carter E. Wyckoff, Secretary
Susan M. Cort
Richard D. Zmuda

ALSO PRESENT:

Christopher Christman, Township Manager
Jon A. Yost, Township Solicitor-*left meeting at 7:25pm*
Chuck Emerick, Director of Community Development
Thomas Clark, Director of Public Works
Chief Garth Warner, Police Department
David Sassaman, Hershey Volunteer Fire Company
Matthew Mandia, Director of Parks and Recreation
Cheryl Lontz, Manager of Payroll & Employee Benefits
Laura O'Grady, Director of Hershey Public Library
Lauren Zumbun, Economic Development Manager
Matthew Bonanno, HRG Engineer
Julie Echterling, Recorder

Public in Attendance:

The following were in attendance: Doug Nicotera, Tom Mehaffie, Don Cappetta, Steve Smith, Dave Fisher, Jay Carr, Bob Naeye, Craig Royner, Marvin Smith, C. Kostelac-Cherry, Honorable John F. Cherry, Wayne Rivers, Dale Holte, Steve Ramis, Chris Abruzzo, Andrea Abruzzo, Linda Eyer, Bob Smith, Dayne Eyer, Geoffrey Crout, Marty Stabley, Mary Colman, David Katz, Steve Seidl, Kelly Fedeli, Dan Wormer, Dan Tunnell, Tracy Brown, Julie Moore

SWEARING IN OF SUPERVISORS:

Judge John F. Cherry swore in Natalie Nutt and Carter Wyckoff.

MOMENT OF SILENCE – PASSING OF OFFICER MICHAEL L. HENRY

A moment of silence was observed in honor of the passing of Derry Township Officer Michael L. Henry last week. In addition to serving as a police officer for over 20 years, he was also a veteran. The Board sent their prayers and condolences to the family.

VISITOR/PUBLIC COMMENTS:

There were no public comments offered.

REORGANIZATION:

RESOLUTION 2020-01: BOARD OF SUPERVISORS:

Supervisor Wyckoff made a motion to appoint Supervisor Moyer as Chairman for the year 2020. Supervisor Nutt seconded the motion. **Motion carried 5-0.**

Supervisor Moyer made a motion to appoint Supervisor Nutt as Vice Chairwoman for the year 2020. Supervisor Wyckoff seconded the motion. **Motion carried 5-0.**

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Supervisor Moyer made a motion to appoint Supervisor Wyckoff as the Township Secretary for the year 2020. Supervisor Nutt seconded the motion. **Motion carried 5-0.**

Supervisor Moyer made a motion to appoint Mr. Christopher Christman as Township Assistant Secretary for the year 2020. Supervisor Cort seconded the motion. **Motion carried 5-0.**

Supervisor Moyer made a motion to appoint Mr. Christopher Christman as Township Treasurer for the year 2020. Supervisor Cort seconded the motion. **Motion carried 5-0.**

Supervisor Moyer made a motion to appoint Mr. Jon Yost as Township Solicitor for the year 2020, pending results of an RFP. Supervisor Cort seconded the motion. **Motion carried 5-0.**

Supervisor Moyer made a motion to appoint HRG as Township Engineer for the year 2020. Supervisor Wyckoff seconded the motion. **Motion carried 5-0.**

Supervisor Moyer made a motion to adopt **Resolution 2020-01** a resolution of the Township of Derry, Dauphin County, Commonwealth of Pennsylvania, appointing Supervisor Moyer as Chairman, Supervisor Nutt as Vice Chairwoman, Supervisor Wyckoff as Secretary, Mr. Christman as Assistant Secretary and Treasurer, Mr. Jon Yost as Township Solicitor, pending RFP, and HRG as Township Engineer for the year 2020. Supervisor Nutt seconded the motion. **Motion carried 5-0.**

RESOLUTION 2020-02 - MANAGER'S BOND LIMIT:

Chairman Moyer made a motion to approve **Resolution 2020-02** a resolution of the Township of Derry Dauphin County, Commonwealth of Pennsylvania, setting the bond limit for the Township Manager and Treasurer shall be not less than \$1,500,000 for the year 2020. Supervisor Cort seconded the motion. **Motion carried 5-0.**

RESOLUTION 2020-03-DELEGATES TO STATE CONVENTION:

Chairman Moyer made a motion to approve **Resolution 2020-03** electing Supervisor Wyckoff as the voting delegate to the 2020 State Convention with Mr. Christopher Christman as the alternate delegate. Vice Chairwoman Nutt seconded the motion. **Motion carried 5-0.**

RESOLUTION 2020-04-DEPOSITORIES FOR TOWNSHIP FUNDS:

Chairman Moyer made a motion to approve **Resolution 2020-04** that PNC Bank, Santander Bank, Pennsylvania Local Government Investment Trust, Northwest Bank, Fulton Bank, Wells Fargo, M&T Bank, Branch Banking & Trust Company, Members 1st Federal Credit Union, Hershey Federal Credit Union, Bryn Mawr Bank Corp. (Hershey Trust), and Pennsylvania Treasury Invest Program are selected as depositories for the funds of the Township of Derry for the year 2020, and the Township Treasurer is further authorized to invest Township funds in any security as authorized in Act 102 of 1980; and that the Township Treasurer, who has been duly elected as Township Treasurer by the Board of Supervisors, is directed to deposit in said depositories all funds coming into his hands as Township Treasurer AND be it further resolved and enacted, that after any such funds have been deposited in said regular designated depositories by the Township Treasurer, the Township Treasurer and his surety or sureties shall thereafter be relieved of all liability occasioned by the failure or insolvency of said depositories. Supervisor Zmuda seconded the motion. **Motion carried 5-0.**

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RESOLUTION 2020-05- HERSHEY FIREMAN'S RELIEF ASSOCIATION:

Chairman Moyer made a motion to approve **Resolution 2020-05** a resolution to be resolved and enacted, and it is hereby resolved and enacted by the Board of Supervisors of the Township of Derry, Dauphin County, Pennsylvania, as follows: whereas, the Township of Derry has been afforded protection by the Hershey Volunteer Fire Company, which has a fireman's relief association, now, therefore, be it resolved and enacted, that the Township of Derry will pay over to the Hershey Fireman's Relief Association all monies received from Foreign Fire Insurance Tax for the year 2020. Supervisor Cort seconded the motion. **Motion carried 5-0.**

BOARD OF SUPERVISOR APPOINTMENTS:

Board of Library Directors:

Chairman Moyer made a motion to appoint Vice Chairwoman Nutt of the Board of Supervisors to the Board of Library Directors for a three-year term. Supervisor Cort seconded the motion. **Motion carried 5-0.**

Library Endowment Trust:

Supervisor Cort made a motion appointing Chairman Moyer to the Library Endowment Trust for a one-year term. Supervisor Wyckoff seconded the motion. **Motion carried 5-0.**

Downtown Core Design Board:

Chairman Moyer made a motion appointing Supervisor Cort to the Downtown Core Design Board for an unexpired five-year term. Supervisor Zmuda seconded the motion. **Motion carried 5-0.**

General Authority:

Chairman Moyer made a motion appointing Supervisor Wyckoff to the General Authority for a four-year term. Supervisor Cort seconded the motion. **Motion carried 5-0.**

Supervisor Wyckoff made a motion appointing Chairman Moyer to a five-year term to the General Authority. Vice Chairwoman Nutt seconded the motion. **Motion carried 5-0.**

Industrial and Commercial Development Authority:

Chairman Moyer made a motion appointing Vice Chairwoman Nutt to the Industrial and Commercial Development Authority to a five-year term. Supervisor Wyckoff seconded the motion. **Motion carried 5-0.**

Municipal Authority:

Chairman Moyer made a motion appointing Supervisor Wyckoff to the Municipal Authority for a five-year term. Vice Chairman Nutt seconded the motion. **Motion carried 5-0.**

Police Pension Advisory Board:

Chairman Moyer made a motion to appoint Supervisors Cort & Wyckoff to the Police Pension Advisory Board for a one-year term. Vice Chairman Nutt seconded the motion. **Motion carried 5-0.**

Shade Tree Commission:

Chairman Moyer made a motion to TABLE appointments to the Shade Tree Commission for further discussions. Supervisor Cort seconded the motion. **Motion carried 5-0.**

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Subdivision and Land Development Plan Preapplication Review Committee:

Supervisor Cort made a motion to appoint Supervisor Zmuda to the Subdivision and Land Development Plan Preapplication Review Committee for one-year term. Chairman Moyer seconded the motion. **Motion carried 5-0.**

Tax Collection Association:

Chairman Moyer made a motion to appoint Supervisors Zmuda and Nutt to the Tax Collection Association for two-year terms. Supervisor Wyckoff seconded the motion. **Motion carried 5-0.**

Transportation Liaisons:

Chairman Moyer made a motion to TABLE appointments as Transportation Liaisons for further discussions. Supervisor Wyckoff seconded the motion. **Motion carried 5-0.**

APPOINTMENTS TO AUTHORITIES, BOARDS AND COMMITTEES

Vacancy Board:

The Board voted by ballot and Kelly Fedeli was appointed to the Vacancy Board for a one-year term.

Board of Library Directors:

The Board voted by ballot and Geoffrey Crout was appointed to the Board of Library Directors for a three-year term.

Downtown Core Design Board:

The Board voted by ballot and Jim George was reappointed to the Downtown Core Design Board for a five-year term.

General Authority Board:

Chairman Moyer made a motion to reappoint Thomas Fowlston to a five-year term, and Geoffrey Crout was appointed to a two-year term on the General Authority Board. Supervisor Cort seconded the motion. **Motion carried 5-0.**

Industrial and Commercial Development Authority:

The Board voted by ballot and James Ingalzo was reappointed to a two-year term, Todd Shaffer was appointed to a four-year term and Christopher Abruzzo was appointed to a five-year term to the Industrial and Commercial Development Authority.

Parks and Recreation Advisory Board:

The Board voted by ballot and Paul Latham was appointed to a five-year term to the Parks and Recreation Advisory Board.

Planning Commission:

The Board voted by ballot and Donald Santostefano was reappointed to a four-year term to the Planning Commission.

Police Pension Authority Board:

Chairman Moyer made a motion to reappoint Louis Verdelli to the Police Pension Authority Board for a one-year term. Supervisor Cort seconded the motion. **Motion carried 5-0.**

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Shade Tree Commission:

Supervisor Cort made a motion to TABLE appointments to the Shade Tree Commission for further discussion. Chairman Moyer seconded the motion. **Motion carried 5-0.**

Tax Collection Association:

The Board voted by ballot and Wayne Rivers was appointed to the Tax Collection Association for a three-year term.

Zoning Hearing Board:

The Board voted by ballot and Steve Seidl was appointed to a five-year term to the Zoning Hearing Board.

STAFF APPOINTMENTS:

Emergency Management Coordinator & Deputy Coordinators:

Chairman Moyer made a motion to reappoint Lt. Tim Roche as the Emergency Management Coordinator to a one-year term and reappoint Steve Beard and Todd Pagliarulo as Deputy Coordinators to a one-year term for the Emergency Management Agency. Supervisor Cort seconded the motion. **Motion carried 5-0.**

Tri-County Regional Planning:

Chairman Moyer made a motion to reappoint Mr. Christopher Christman to the Tri-County Regional Planning Commission for a one-year term. Vice Chairwoman Nutt seconded the motion. **Motion carried 5-0.**

Capital Region Council of Governments:

Chairman Moyer made a motion to reappoint Tom Clark to the Capital Region Council of Governments for a one-year term and reappoint Christopher Christman as an alternate. Supervisor Cort seconded the motion. **Motion carried 5-0.**

ADOPTION OF MINUTES

Supervisor Zmuda made a motion to adopt the December 17, 2019 Board of Supervisors Meeting Minutes. Supervisor Cort seconded the motion. **Motion carried 3-0-2.** Vice Chairwoman Nutt and Supervisor Wyckoff abstained as new board members.

NEW BUSINESS:

Plan - Penn State Health Milton S. Hershey Medical Center Lots 4, 6, 7, and 8 Consolidation and New Academic Support Building Lot 9, Plat 1321:

Mr. Emerick stated the Penn State Health Milton S. Hershey Medical Center campus consists of 552 acres. He spoke about the eight lots and the buildings/land on each one. He stated this plan submission is for the purposes of redefining the lot lines on 169 acres. Zoning relief had been granted for past expansions and improvements on the property. The applicant sought and received "perpetual" relief to have Lots 1, 2, and 3 considered as a single property for application of all zoning matters. This plan proposes no new buildings or other such improvements and therefore does not require stormwater controls or traffic considerations.

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Chairman Moyer made a motion to approve the Preliminary/Final Subdivision Plan for Penn State Health Milton S. Hershey Medical Center Lots 4, 6, 7, and 8 Consolidation and New Academic Support Building Lot 9, Plat 1321, subject to compliance to the following conditions:

1. The applicant reimburses the Township for costs incurred in reviewing the plan no later than February 6, 2020.
2. A performance security is provided to guarantee the installation of concrete monuments and iron pins, and the accompanying Agreement is signed no later than July 6, 2020.
3. A CD of a DXF or AutoCAD digital file of the final plan is provided no later than July 6, 2020.
4. The outstanding comments in the December 30, 2019 HRG letter are addressed no later than July 6, 2020.
5. The deed of dedication for right-of-way along Cherry Drive is recorded concurrently with the plan.

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

1. From Sections 185-12.D.(3).(a).[9] and 185-13.E.(4).(a).[9] regarding showing existing features within 200' (for a preliminary plan) and 50' (for a final plan) of the tract.
2. From Sections 185-12.D.(3).(a).[10] and 185-13.E.(4).(a).[10] regarding showing the location of various sensitive environmental areas.
3. From Section 185-12.D.(3).(a).[16] regarding showing the location of known sinkholes.
4. From Sections 185-12.D.(3).(a).[21] and Section 185-13.E.(4).(a).[19] regarding showing profiles of existing stormwater sewers.
5. From Sections 185-12.D.(3).(a).[22] and 185-13.E.(4).(a).[20] regarding showing profiles of existing sanitary sewers.
6. From Sections 185-12.D.(3).(a).[23] and 185-13.E.(4).(a).[21] regarding showing profiles of existing gas and water systems.
7. From Sections 185-12.D.(3).(a).[35] and 185-13.E.(4).(a).[36] regarding showing topographic land contours within 200' (for a preliminary plan) and 50' (for a final plan) of the perimeter.
8. From Sections 185-12.D.(3).(a).[38] and 185-13.E.(4).(a).[42] regarding providing the purpose of existing rights-of-way and easements.
9. From Section 185-12.D.(3).(a).[39] regarding providing a statement from utilities indicating conditions attached to easements and rights-of-way.
10. From Section 185-13.E.(4).(a).[7] regarding providing metes and bounds for street centerlines, easements, and other rights-of-way.
11. From Sections 185-18.C and D regarding setting iron pins or nails in locations where it is not feasible to set monuments.
12. From Sections 185-12.D.(2) and 185-13.E.(3) regarding the plans being prepared at a scale not smaller than 1"=50'.
13. From Sections 185-12.D.(4).(b) and 185-13.E.(5).(b) regarding DEP approval of a sewer planning module waiver.

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

PERFORMANCE SECURITY – MILLER ORAL SURGERY -PLAT 1294:

Chairman Moyer made a motion authorizing the release of \$167,315.00 from the performance security provided as Fulton Bank Letter of Credit No. D007658 for the Preliminary/Final Subdivision/Land Development Plan for Miller Oral Surgery, Plat 1294, resulting in a new balance of \$32,491.00.

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

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SECURITY – 1439 SAND HILL ROAD, S-2019-022:

Chairman Moyer made a motion to accept a cash financial security in the amount of \$5,983.00 and enter into the Agreement to Provide Financial Security with Raymond and Debra Umberger for the Stormwater Management Site Plan for 1439 Sand Hill Road, S-2019-022. Vice Chairwoman Nutt seconded the motion. **Motion carried 5-0.**

ASSISTANCE TO DTPD WITH TRAFFIC CONTROL:

Chairman Moyer made a motion to approve the request to utilize the personnel of the Hershey Special Fire Police, the Lebanon Auxiliary Patrol, Inc., and other Special Fire Police from surrounding municipal fire companies, to assist the Derry Township Police Department with traffic control and direction during the 2020 calendar year. Supervisor Cort seconded the motion. **Motion carried 5-0.**

CORRESPONDENCE BOARD/COMMITTEE INFORMATION:

The Board and Staff welcomed Supervisors Wyckoff and Nutt to the Board and look forward to working with them this year.

Supervisor Zmuda offered his condolences to the Derry Township Police Department and his family. He spoke about the great turnout and event for New Year's Eve. Supervisor Cort stated the next Hershey Diversity meeting will be held on Wednesday, January 15. The topic will be the state of poverty in Hershey and will be held at the Hershey Middle School beginning at 5:30 p.m.

Vice Chairwoman Nutt spoke about looking forward to the future serving on the board. She asked to open discussion about the possibility of opening the pool this summer. She spoke about a potential cost of \$3,000 and asked what was needed. Supervisor Cort asked Mr. Mandia about timeframes and schedules with the possibility of opening the pool for the summer. Mr. Mandia explained how he needs to know as soon as possible about putting water in the pool for the summer. He spoke about items that needed to be completed to open the pool this summer. Supervisor Cort asked him to complete a timetable with the tasks so the Board can decide. Mr. Mandia stated he would get that to the Board in the next couple of days. Discussion ensued.

Vice Chairman Nutt made a motion to put water in the pool for opening the pool this summer with a maximum cost of \$3,000. Supervisor Wyckoff seconded the motion. **Motion carried 5-0.**

Supervisor Wyckoff said he is honored to serve the residents of the Township in this new role. He asked about the Solicitor. Discussion ensued. The Board authorized the administration to advertise for RFPs for a Township Solicitor and agreed to ask Mr. Yost to submit one. Supervisor Cort asked what should be in the RFP and what the Board is looking for in a Township Solicitor. Mr. Christman will work with the Board on the requirements for the RFP.

REPORTS:

<u>Police</u>	Chief Warner thanked the departments and Staff for helping with the New Year's Eve Event. He thanked Staff for their support with the loss of Officer Henry. He spoke about the trading cards program of each officer and information will be available tomorrow. He detailed the program and businesses that are participating.
<u>Fire</u>	Mr. Sassaman stated the new truck is being equipped and lettered and should be in service in 60 days.

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<u>Library</u>	Mrs. O’Grady spoke about the construction in the library. The library will be closed for one day on January 21 during the construction.
<u>Economic Development</u>	Mrs. Zumbrun stated that the Township will need to submit a resolution for the RACP money at a meeting in February to meet the deadline.
<u>Manager</u>	Mr. Christman stated he met with the Fire Company and will be working with them to advertise and sell their apparatus through a municipal bid. He will have something for the Board to approve at the next meeting.

ACCOUNTS PAYABLE and PAYROLL:

Chairman Moyer made a motion to approve accounts payable in the amount of \$581,377.09 and Payroll of \$330,231.54. Supervisor Cort seconded the motion. **Motion carried 5-0.**

VISITOR/PUBLIC COMMENTS:

There were no public comments.

ADJOURNMENT:

Chairman Moyer made a motion to adjourn the meeting at 8:10 pm. Supervisor Zmuda seconded the motion. **Motion carried 5-0.**

SUBMITTED BY:

Carter E. Wyckoff
Township Secretary