

**TOWNSHIP OF DERRY**  
**BOARD OF SUPERVISORS SPECIAL MEETING MINUTES**  
**FEBRUARY 11, 2020 6:00 P.M.**

**CALL TO ORDER**

Chairwoman Nutt called the February 11, 2020 Special Public Meeting of the Township of Derry Board of Supervisors to order at 6:03 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. A roll call was performed after the Pledge of Allegiance.

**IN ATTENDANCE:**

**SUPERVISORS**

Natalie L. Nutt, Chairwoman  
Carter E. Wyckoff, Secretary  
Susan M. Cort  
Richard D. Zmuda

**ALSO PRESENT:**

Christopher Christman Township Manager  
Jon A. Yost, Township Solicitor  
Marie Sirkot, Administrative Assistant  
Julie Echterling, Recorder

**Public in Attendance:**

Pamela Ruddle, Kathy Gioannilte, Brenda Berman, Sandy Cappelli, Robert Naeye, Chris Luttrell, Marilyn Ferguson, Mary Ann Kilpatrick, Gwendolyn & Ally Weller, Steve Marrai, Don Santostefano, Glendly Beitel, Sandy & Carl Pharma, Skip Becker, Clara Hess, Matt Luttrell, Scott Reilly, Kathy Sicher, Brian Klure, Ethan Stein, Linda & Chuck Crandall, Wayne Rivers, Judy Cooley, Nick Douty, Randy Fackler, John Crut, Linda & Dayne Eyer, Dale Holte, Jay M, Scott Stein, Beth Shaw, Ella Pedersen, Andrea & Chris Abruzzo, Lindsay Drew, Maria Memmi, D. Nicotera, Rich Gamble, Patrick Sheldon, Carol Nye

**INTRODUCTION:**

Chairwoman Nutt stated the Board met last Thursday, February 06, 2020 to interview and question candidates for the purpose of selecting and appointing a new Township Supervisor to fill the unexpired term of Marc Moyer, which terminates on December 31, 2021. At that meeting, the Board was unable to gain consensus on one candidate. Tonight, the Board will again try to gain consensus to select a candidate to fill the vacancy. Mr. Moyer tendered his resignation to the Township Manager on Friday, January 17, 2020, which set into motion a process for this Board to select his replacement. As per Section 407 (b)(1) of the Second-Class Township Code, the Board of Supervisors accepted Mr. Moyer's resignation at its regularly scheduled meeting on Tuesday, January 28, 2020. As per the Second-Class Township Code, Section 407, the Board of Supervisors has 30 days from the date of accepting the resignation with which to fill the vacancy. The end of this 30-day period is Thursday, February 27, 2020. If the Board of Supervisors has not filled the vacancy by that date, the Township shall advertise another public meeting to be convened to activate the Vacancy Board, as per Section 407(c) of the Second-Class Township Code, to fill the vacancy. The Vacancy Board must meet to appoint a candidate within 15 days of the end of the initial 30-day period. The 15<sup>th</sup> day for the Vacancy Board is Friday, March 13, 2020. If at that time, the Vacancy Board does not select a candidate to fill the vacancy, the members of the Vacancy Board shall petition the Dauphin County Court of Common Pleas to fill the vacancy, as per the Second-Class Township Code, Section 407(d). The vacancy was duly advertised and posted on the Township website for 15 days. The Township received letters of interest and resumes from prospective candidates through Monday, February 03, 2020.

Tonight, there are six (6) candidates interested in filling out the remainder of Mr. Moyer's term. Prior to this meeting, both Mr. Justin Engle and Ms. Amy Backenstose notified the Township that they would like their names removed from consideration. The remaining six (6) candidates are:

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E. Christopher Abruzzo, Esq.  
H. Robert "Skip" Becker  
John W. Foley, Jr.  
Ronald C. Furlan  
Beth J. Shaw, Ph.D.  
Joyce P. St. John

She thanked all of the candidates for their interest in serving our community. She stated they are not going to re-interview or question candidates this evening. The sole purpose of this meeting is to allow the Supervisors to put candidates into nomination to see if there is a consensus on a person to fill this vacancy.

She stated following the Public Comments, the floor will be opened for nominations. They would handle each candidate that is put into nomination as a separate action item. Members will need to place candidates in nomination with a Motion and a Second. Once candidates are in nomination, the Township Manager will conduct a Roll Call vote on the candidate in nomination. If a candidate receives a majority of the votes (3 or more), that individual shall be appointed to the position of Township Supervisor. She stated she would then declare the nominations closed. Once a Supervisor is selected, a notary public is available to administer the oath of office should the candidate wish to be sworn-in immediately. If, after several rounds of voting, and no candidate receives a majority of the votes, she will declare the Board at an impasse and nominations will be closed. The Board will adjourn until such time that another meeting can be advertised. If that cannot be accommodated in the initial 30-day window, the Township will look to advertise a meeting for the Vacancy Board to convene, as per Section 407(c) of the Second-Class Township Code.

**VISITOR/PUBLIC COMMENTS:**

She asked that visitor/public comments be limited to tonight's agenda item only.

Mr. Jon Christ, 226 W. Chocolate Ave., stated he represents AIS Insurance. He spoke about the candidates and their voting records. He doesn't believe the Board read the whole 257-page ordinance which allowed Bear Creek to submit a plan. He spoke about Mr. Abruzzo and Mrs. St. John and their vote on the ordinance. He doesn't believe they should be considered and should be excluded based on their voting record and results to the Township.

Mr. Dave Weaver, 214 Java Ave., thinks Supervisor Wyckoff dropped the ball last week as he didn't ask any questions of the candidates. He said it indicated Supervisor Wyckoff already made his decision.

Mr. Rich Gamble, Hockersville Road, urged the supervisors to work as a united Board and not cast blame. He noted this is becoming the laughingstock of the community and asked them to look at the facts tonight when they vote.

Mr. Matt Luttrell, 254 Cedar Ave., said he was disheartened after last week's meeting as there were good candidates. He felt the decision was made ahead of time. He noted there was no effort to discuss the candidates among the Board members. He questions Mr. Moyer's timeline and wonders if he knew. He encouraged them to deliberate before casting a decision.

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Mrs. Lindsay Drew, 73 Carousel, quoted some of the campaign promises of transparency from the Nutt/Wyckoff campaign. She spoke about the Sunshine Act and independence. She asked them to keep their promise to the public. She asked them to please appoint someone and to compromise and work together. She believes Mrs. Shaw would be a good candidate. She asked them to show leadership and do the right thing. She provided a written letter from James Carter who supports Mrs. Shaw.

Mrs. Christine Drexler spoke about the 10 years of working toward a new Recreation Center. She spoke about “we the people” and the community. She spoke of the 4 years of meetings for the Center. She told the Board they are responsible for picking a candidate to work with them to move forward. She noted the plan for the Rec Center was approved and should move forward. She stated in 4 days they received 900 signatures on their petition to move forward on the Rec Center.

Mr. Wayne Rivers, 815 Cypress Court, has residents reaching out to him. He is aware of the petition and spoke about the referendum they refused to do for the 17,500 residents. He noted not everyone supports the Center. He said we need to find a way to pay for the new Center.

Mrs. Linda Eyer, 2321 Raleigh Road, reminded the Board that there may be 900 people who signed a petition, but 2,300 people voted for them based on their beliefs and promises.

Mrs. Andrea Abruzzo stated she supports the pool project.

**NEW BUSINESS**

**Selection and Appointment of a Township Supervisor to Fill the Unexpired Term of Marc A. Moyer:**  
Chairman Nutt noted that each candidate would have an opportunity to speak and then the Supervisors will have the opportunity to ask questions.

**VOTING:**

Chairwoman Nutt asked the Board for a motion for a Supervisor.

Supervisor Wyckoff made a motion to appoint Chris Abruzzo as Supervisor to fill the unexpired term of Mr. Marc Moyer expiring 12/31/2021. Chairwoman Nutt seconded the motion.

Supervisor Cort thanked everyone for coming. She spoke of trying to come to a consensus. She spoke of how many want it to go to the Vacancy Board and how it would delay the process of having a full Board. She spoke of the Recreation Center and how the project has been delayed through this process. She spoke of the hard decision that needs to be made as a Supervisor. She said those who know her, know she is objective and wants to make the best decision. She noted tonight’s vote isn’t a political one and isn’t against the Rec Center. She noted that Mr. Abruzzo stated he isn’t about cancelling the Rec Center contracts.

Mr. Christman performed a roll call vote.

<b><u>Roll Call Vote:</u></b>	Chairwoman Nutt	- Aye
	Supervisor Wyckoff	- Aye
	Supervisor Zmuda	- Nay
	Supervisor Cort	- Aye

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**Motion carried 3-1.**

**ADJOURNMENT:**

Supervisor Wyckoff made a motion to adjourn this Special Meeting of the Board of Supervisors at 6:32 p.m. Chairwoman Nutt seconded the motion. **Motion carried 4-0.**

**SUBMITTED BY:**

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Carter E. Wyckoff  
Township Secretary