

TOWNSHIP OF DERRY
BOARD OF SUPERVISORS MEETING MINUTES
FEBRUARY 25, 2020

CALL TO ORDER

Chairman Abruzzo called the February 25, 2020 Regular Meeting of the Township of Derry Board of Supervisors to order at 7:15 p.m. in the meeting room of the Township of Derry Municipal Complex, 600 Clearwater Road, Hershey, PA. He advised that all public meetings are recorded for providing accurate notes. After the Pledge of Allegiance, he announced the Board of Supervisors met in executive session on Monday February 24, 2020 for the purpose of discussing a matter of litigation as it relates to Bear Creek Hotel II versus Derry Township Board of Supervisors with no action taken. He noted they also met before this meeting in executive session for the purpose of gathering information as it relates to the Derry Township Community Center Project with no action taken. A roll call was performed.

IN ATTENDANCE:

SUPERVISORS

E. Christopher Abruzzo, Chairman
Natalie L. Nutt, Vice Chairwoman
Carter E. Wyckoff, Secretary
Richard D. Zmuda

ABSENT:

Susan M. Cort

ALSO PRESENT:

Christopher S. Christman, Township Manager
Jon A. Yost, Township Solicitor
Chuck Emerick, Director of Community Development
Thomas Clark, Director of Public Works
Chief Garth Warner, Police Department *-left at 7:39pm*
David Sassaman, Hershey Volunteer Fire Company
Matthew Mandia, Director of Parks and Recreation
Cheryl Lontz, Manager of Accounts Payable & Receivable
Laura O'Grady, Director of Hershey Public Library
Lauren Zumbun, Economic Development Manager
Matt Bonanno, HRG Engineer
Julie Echterling, Recorder

Public in Attendance:

The following were in attendance: Emily J. Unn, Dave Buffington, Steve Maroni, Linda Eyer, Louis Verdelli Sr., Tom Stang, Skip Becker, Carol Nye, Christine Drexler, Ashley Zagaceta, Cliff Myers, Sue Myers, Kevin Ferguson, Rick Gamble, Hanh Camera, Chris Luttrell, Dave Weaver, Anthony Potter, Chris Dye

VISITOR/PUBLIC COMMENTS:

There were no public comments offered.

ADOPTION OF MINUTES

Supervisor Wyckoff made a motion to adopt the minutes for the February 6, 2020 Board of Supervisors Special Meeting. Supervisor Zmuda seconded the motion. **Motion carried 4-0.**

Vice Chairman Nutt made a motion to adopt the minutes for the February 11, 2020 Board of Supervisors 6 p.m. Special Meeting. Supervisor Zmuda seconded the motion. **Motion carried 4-0.**

Supervisor Zmuda made a motion to adopt the minutes for the February 11, 2020 Board of Supervisors Regular Meeting. Vice Chairman Nutt seconded the motion. **Motion carried 4-0.**

Vice Chairman Nutt made a motion to adopt the minutes for the February 18, 2020 Board of Supervisors Special Meeting Minutes. Supervisor Zmuda seconded the motion. **Motion carried 4-0.**

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NEW BUSINESS:

ORDINANCE 2020-03-\$11.5 MILLION GENERAL OBLIGATION BONDS:

Mr. Louis Verdelli, RBC, spoke about the refinancing for the Authority. He spoke about the low interest rates and potential savings of over \$250,000. He stated with the Board's approval and DTMA's approval last night, they will move to price the bonds on March 3 and close on April 3. Chairman Abruzzo noted this refinancing would not bring any new money to the Township. The Authority would be paying 100% of the obligation.

Supervisor Zmuda made a motion to adopt Ordinance 2020-03, an Ordinance for the Incurrence of Non-Electoral Debt through the issuance of General Obligation Bonds, Series of 2020 in the maximum principal amount of \$11,500,000 for the purpose of providing funds to (1) refund the Township's outstanding General Obligation Bonds, Series of 2015 and General Obligation Note, Series of 2016 and (2) pay the costs of issuing the bonds. Vice Chairwoman Nutt seconded the motion. **Motion carried 4-0.**

CONDITIONAL USE APP. NO. 2019-08 50 NORTHEAST DRIVE- CACAO WAY, LLC.:

Vice Chairwoman Nutt made a motion to TABLE action on Conditional Use App. No. 2019-08 - 50 Northeast Drive- Cacao Way, LLC. Supervisor Zmuda seconded the motion. **Motion carried 4-0.** This was done at the request of the applicant.

CONTRACT EXTENSION - WASTE MANAGEMENT:

Mr. Christman discussed the Waste Management contract. They collect and dispose of solid waste, yard waste and recyclables. He stated the net result of the contract extension is a \$1.42 increase in quarterly fees to the residential accounts. Mr. Thomas Stang, Waste Management, spoke about the increased costs with recycling worldwide. He noted there is an updated list of recyclable items, which will apply to all new contracts written.

Chairman Abruzzo made a motion to approve the first extension of the Contract with Waste Management of Pennsylvania, Inc. for the collection and disposal of solid waste, yard waste and the collection, processing and sale of recyclable materials for the period commencing on April 01, 2020 and terminating on March 31, 2021. Supervisor Zmuda seconded the motion. **Motion carried 3-0-1.** Vice Chairwoman Nutt abstained due to a business interest.

ORDINANCE 2020-02-RESTRICTING ENGINE BRAKE RETARDERS:

Chief Warner discussed a resident's complaint and PennDOT study which provided an approval of restricting engine brake retarders on Governor Road and on Middletown Road. He noted it was advertised appropriately and eight signs will be needed in this area.

Supervisor Zmuda made a motion to adopt Ordinance No. 2020-02, amending the Code of the Township of Derry (Ordinance No. 553) Chapter 210, Article III, Vehicle Restrictions, § 210-35.1, Engine Brake Retarder Prohibition by establishing restrictions for engine brake retarders on Governor Road (SR0322) between Homestead Road and Greenlea Road and on Middletown Road (SR2003) between Swatara Creek Road and the 322 Service Road (SR2034). Vice Chairwoman Nutt seconded the motion. **Motion carried 4-0.**

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AWARD A CONTRACT FOR THE REPLACEMENT OF HANDICAP ACCESSIBLE RAMPS, CURB AND SIDEWALK:

Mr. Clark discussed the road improvements needed on Briarcrest Drive from University Drive to Areba Avenue and sidewalk accessibility reconstruction that is needed prior to road construction. There was a public bidding process and Doug Lamb Construction, LLC was the only bidder for \$64,079.26.

Vice Chairwoman Nutt made a motion to authorize Township Staff to award the sidewalk and curb replacement project bid to Doug Lamp Construction, Inc. Supervisor Zmuda seconded the motion. **Motion carried 4-0.**

FINANCIAL SECURITY – 931 HILL CHURCH ROAD, S-2019-025:

Vice Chairwoman Nutt made a motion to accept cash financial security in the amount of \$14,381.00 and enter into the Agreement to Provide Financial Security with Kenneth Snee for the Stormwater Management Plan for 931 Hill Church Road, S-2019-025. Supervisor Zmuda seconded the motion. **Motion carried 4-0.**

AWARD A CONTRACT FOR SILT SOCK AT THE LANDFILL:

Mr. Clark discussed the four RFP's sent out for the silt sock at the landfill. Three were received with JPH Enterprises, LLC being the lowest bidder at \$25,207.30.

Supervisor Zmuda made a motion to authorize Township Staff to award the silt sock at the landfill project to JPH Enterprises, LLC as the lowest bidder. Vice Chairwoman Nutt seconded the motion. **Motion carried 4-0.**

CORRESPONDENCE BOARD/COMMITTEE INFORMATION:

Supervisor Zmuda attended the transportation meeting. He noted on July 29, August 11, August 16, and September 5, Hershey has large concerts planned and traffic will be a headache. HRG is looking to mitigate this traffic and will discuss at the next meeting. He noted the traffic study should be released next week and will be discussed in public. Fidler's Elbow bridge will be closed from the Fall 2020 to Spring 2021. Park Boulevard will have LED lighting installed in the Spring.

Vice Chairwoman Nutt and Supervisor Wyckoff thanked Mr. Clark for the tour of Public Works and the information about their shop. Supervisor Wyckoff attended the DTMA meeting last night and spoke about the grants, projects and credit they are working through. He noted they replaced their Solicitor. He thanked Mr. Sassaman for the tour of the Fire Company. He spoke about the needs of the Police Department and the leaking roof in the evidence room.

Chairman Abruzzo asked Mr. Christman about the Community Center. Mr. Christman stated they are scheduling a public meeting for an update on the Community Center for March 5 at 7 p.m.

REPORTS:

<u>Fire</u>	Mr. Sassaman spoke about the new truck, training and when it will be going into service.
<u>Public Works</u>	Mr. Clark noted they are working on small projects.
<u>Library</u>	Mrs. O'Grady spoke about upcoming authors coming to the Library.

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<u>Recreation</u>	Mr. Mandia stated the trial audit is on the website. He would like to hear feedback from the public.
<u>Economic Development</u>	Mrs. Zumbrun spoke about the Dauphin County Grants that were awarded. The Fire Company received \$60,000 and the Police and Public Works received \$148,000 for their radios. She and Chairman Abruzzo thanked Dauphin County for awarding these grants.

ACCOUNTS PAYABLE and PAYROLL:

Vice Chairwoman Nutt made a motion to approve accounts payable in the amount of \$435,766.21 and Payroll of \$313,468.46. Supervisor Zmuda seconded the motion. **Motion carried 4-0.**

VISITOR/PUBLIC COMMENTS:

Mr. Kevin Ferguson, Quail Hollow Road, wonders if discussions of the Community Center justifies or qualifies for executive session. He is glad to hear something is being done. He thinks the only thing that has been accomplished so far is another summer without a pool because of the delays. He noted the contracts were signed in December.

Mr. Rich Gamble, Hockersville Road, appreciates Mr. Ferguson's comments but believes the Board has a responsibility and they are keeping to their responsibility. He thanked them and believes it is time to move forward.

ADJOURNMENT:

Supervisor Zmuda made a motion to adjourn the meeting at 8:00 pm. Vice Chairwoman Nutt seconded the motion. **Motion carried 4-0.**

SUBMITTED BY:

Carter E. Wyckoff
Township Secretary