

**TOWNSHIP OF DERRY**  
**BOARD OF SUPERVISORS MEETING MINUTES**  
**MAY 26, 2020**

**CALL TO ORDER**

*On March 30, 2020, PA Governor Wolf put Dauphin County under a stay-at-home order. In order to ensure public safety during the COVID-19 crisis, the May 26, 2020 meeting was held by audio and video conferencing via a Zoom Virtual Webinar and shown live on YouTube on the Derry Township YouTube page.*

Chairman Abruzzo called the May 26, 2020 Regular Meeting of the Township of Derry Board of Supervisors to order at 7:07 p.m. via video conferencing with a Zoom Virtual Webinar through the on-line Meeting Room. He advised that all public meetings are recorded for providing accurate notes. After the Pledge of Allegiance, a roll call was performed. He announced that the Board met in Executive Session at 6:00 p.m. to discuss legal and personnel issues.

**IN ATTENDANCE:**

**SUPERVISORS**

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

**ALSO PRESENT:**

Christopher Christman, Township Manager  
Patrick Armstrong, Township Solicitor  
Chuck Emerick, Director of Community Development  
Thomas Clark, Director of Public Works  
Chief Garth Warner, Police Department  
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  
Matt Bonanno, HRG Engineer  
Brian Blahusch, IT Director  
Julie Echterling, Recorder

**VISITOR/PUBLIC COMMENTS:**

Mr. Lou Paioletti spoke about the Memorial Day event at the Hershey Italian Lodge. He thanked the Police Department and Mr. Mandia for helping ensure the tradition continued. He spoke in detail about the event and the changes that had to be made this year. He spoke about Mr. Cialon who cares for the landscaping of the memorial. He thanked everyone involved with the special event.

**ADOPTION OF MINUTES**

Supervisor Zmuda made a motion to adopt the minutes for the May 12, 2020 Board of Supervisors Regular Meeting. Vice Chairwoman Nutt seconded the motion. **Motion carried 5-0.**

**NEW BUSINESS:**

**PRESENTATION BY REP. THOMAS MEHAFFIE – COVID-19:**

Representative Mehaffie spoke about the progress on the state budget. He spoke about Derry Township doing well with grants. He noted that everything in the pipeline should be a go, but new items are on hold. He spoke about the struggle the COVID-19 has been for everyone and working to ensure a safe way for businesses to open. He stated they are working on a pandemic insurance, like crop insurance, to help with business interruptions. He knows HE&R is working toward opening the park. He noted there is a bill to remove the entertainment tax, which he is against because of the impact it would have on

**TOWNSHIP OF DERRY**  
**BOARD OF SUPERVISORS MEETING MINUTES**  
**MAY 26, 2020**

Derry Township. Chairman Abruzzo asked him to continue to push for the nonessential businesses to be able to open back up.

**ORDINANCE 2020-04-DTMA'S \$13.1 MILLION SERIES A BONDS-2020:**

Mr. Verdelli discussed the process for the bonds for DTMA. He will be part of a call Tuesday for the Township's credit rating. He noted the ordinance is written for \$13.1 million but DTMA will borrow closer to \$9.7 million. He spoke about the housekeeping item added to the ordinance to clean up the amount of debt listed as authorized to the state for the Recreation Center.

Chairman Abruzzo made a motion to adopt Ordinance 2020 No. 04 to Authorize and Direct the Incurrence of Non-Electoral Debt through the Issuance of General Obligation Bonds, Series A of 2020 in the Maximum Aggregate Principal amount of \$13,100,000 for the purpose of providing Funds to (1) finance certain Capital Projects of the Derry Township Municipal Authority and (2) paying the costs of Issuing the Bonds AND move the adoption of the Ninth Amendment to the Subsidy Agreement between the Derry Township Municipal Authority and the Township of Derry with respect to \$13,100,000 – Township of Derry General Obligation Bonds, Series A of 2020. Supervisor Zmuda seconded the motion. **Motion carried 5-0.**

**PLAT NO 1329-HERSHEY HIGH POINT PLAN:**

Mr. Emerick discussed the plan for the former Alpine Nursing Home, which closed in October 2003. The initial design was for 108 senior housing units and it was also designed to be organized as a condominium. The first revision (Plat 1183) was approved in August 2009 and made no physical changes to the development but did alter the style of its organization from a condominium to a planned community. The second revision (Plat 1188) removed the age restriction. He stated the present revision proposes 90 units with a planned 222 parking spaces. He discussed the waivers and conditions of the plan.

Vice Chairwoman Nutt made a motion to approve the Third Revised Final Land Development Plan for Hershey High Pointe, Plat 1329 subject to compliance with the following items:

1. The applicant reimburses the Township for costs incurring in reviewing the plan no later than June 26, 2020.
2. The performance security is provided to guarantee the completion of required improvements, and the accompanying Agreement to Provide Financial Security is signed no later than November 26, 2020.
3. The Site Plan Note 11 on Sheet 4 is revised no later than November 26, 2020 to correctly reflect which units have garages associated with them.
4. The comments in the May 15, 2020 HRG letter (attached) are addressed no later than November 26, 2020.

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

1. From Section 185-13.E.(1) regarding plan sheet size.
2. From Section 185-13.E.(4).(a).[9] regarding existing features within 200 feet.
3. From Sections 185-13.E.(4).(a).[19], [20], and [21] regarding plans and profiles of proposed and existing stormwater sewer, sanitary sewer, and gas and water systems at a scale of 1" = 50' horizontal and 1" = 5" vertical.

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

**TOWNSHIP OF DERRY**  
**BOARD OF SUPERVISORS MEETING MINUTES**  
**MAY 26, 2020**

**AUTHORIZATION FOR MANAGER TO APPROVE CHANGE ORDERS UP TO \$100,000**

Mr. Christman spoke about having authorization to approve change orders up to the maximum amount of \$100,000 per change order. This will keep the project moving. He noted waiting for the Board to approve these would be delayed because of the Board meeting schedules. Vice Chairwoman Nutt asked from where the change orders would be paid. He stated they would come out of the contingency fund. He noted that each change order would be reported to the Board and show up on all the reports. There was discussion.

Supervisor Cort made a motion to authorize the Township Manager to execute any and all change orders in an amount not to exceed \$100,000 per change order for the remainder of the project. Vice Chairwoman Nutt seconded the motion. **Motion carried 5-0.**

**RESOLUTION 2020-14-TWO-WAY RADIOS REPLACEMENT**

Lieutenant Roche stated the Township was recently awarded funding with the Dauphin County Local Share Municipal Grant program for the acquisition of replacement radios for the police and public works departments. He noted Motorola Solutions Credit Co. requires adoption of a municipal resolution recognizing the need for said equipment; the approval by the governing body to enter into the lease agreement; and the designation of an authorized agent to execute the lease documents.

Supervisor Zmuda made a motion to adopt Resolution 2020-14 recognizing the need for two-way radio replacement for both the police and public works departments and authorizing the Township to enter into a lease agreement with Motorola Solutions Credit Company while designating Township Manager Christopher Christman as the authorized agent to execute related lease documents on behalf of the Township of Derry. Supervisor Cort seconded the motion. **Motion carried 5-0.**

**LIFE ON CHOCOLATE EVENTS-ALCOHOLIC BEVERAGES:**

Ms. Zumbrun stated the Downtown Hershey Association has requested to have alcoholic beverages in ChocolateTown Square Park in conjunction with the DHA's Life on Chocolate event series. She spoke about this being a yearly request and the precautions that are taken to ensure the safety of all involved (RAMP & TIPS).

Supervisor Cort made a motion that the Township of Derry approves the request to allow alcoholic beverages to be on the property of ChocolateTown Square Park in conjunction with the Downtown Hershey Association's 2020 Life on Chocolate event series, including: Market on Chocolate, Saturdays, June through September, 2020, Music on Chocolate, Second Saturday of each month, July through September, 2020, Choctoberfest, October 17, 2020 and the Holiday Celebration, December 5, 2020. Chairman Abruzzo seconded the motion. **Motion carried 5-0.**

**RESTAURANT AND COMMERCIAL BUSINESSES SUPPORT PLANNING:**

Mr. Emerick spoke about the COVID-19 pandemic and the impact on lives and the businesses in the Township. He noted, at the present time, most retail, personal care, fitness and other establishments remain closed with restaurants limited to take out only. He stated some of the local restaurants have temporarily closed their doors with other restaurants regionally have permanently ceased operation. As

**TOWNSHIP OF DERRY  
BOARD OF SUPERVISORS MEETING MINUTES  
MAY 26, 2020**

Dauphin County advances to “yellow”, it appears that restaurants will still be limited to take-out offerings and rumors are that once Dauphin County is “green” restaurants will still be faced with restrictions on occupancy. It is important for Derry Township to do what is reasonable to support our local restaurant industry as well as the other commercial uses in the Township. He asked for support from the Board for himself, Lauren, Matt Mandia, and Garth Warner to seek stakeholder input, develop a program, and formulate a Resolution for adoption by the Board to implement aid to our commercial businesses. Chairman Abruzzo asked that they fast track this and asked them to remember to include businesses outside of the downtown area in their plan.

**HOLD HARMLESS AGREEMENT-SHANK PARK-VIRTUAL 2020 GRADUATION:**

Mr. Mandia discussed a plan for a virtual 2020 graduation for the students of Hershey High School created by a group of parents. They are requesting to hold a driving procession starting at the Spring Creek Church of the Brethren and ending at Shank Park. He spoke about the virtual graduation ceremony and all the precautions to adhere to the state guidelines for social distancing. He noted each participant will need to register for the event and sign the hold harmless agreement and event rules.

Chairman Abruzzo made a motion to approve the Hold Harmless Agreement and use of Shank Park for Activities related to the 2020 Hershey High Graduating Class as described within the agenda item. Supervisor Cort seconded the motion. **Motion carried 5-0.**

**CORRESPONDENCE BOARD/COMMITTEE INFORMATION:**

Supervisor Zmuda stated the Ridge Road study will be doing some public outreach. He noted the Greater Regional Hershey study will be out to the public by June 15 with HRG making a presentation to the public about the study. He spoke about an article in the PA Township News that outlined several municipalities adopting decorum policies for public meetings. He noted last year he made a motion to do so and it did not moved forward. Discussion ensued. Mr. Christman will provide the Board a copy of what was discussed last year for the Board to review and discuss at the next meeting.

Supervisor Cort spoke about the future of the Downtown events. She noted All Things Diversity will have their September and November meetings virtually. She noted the Downtown Design Board met through Zoom. Vice Chairwoman Nutt attended the Library Board meeting. Supervisor Wyckoff thanked those who have served in the military. Chairman Abruzzo spoke about the good job Mrs. O’Grady is doing with the library being closed and the Library Board meeting. He spoke about an email he received about concerns with political rallies held in Hershey and the costs. Supervisor Cort spoke about this issue being discussed last year and how HE&R will let the Board know prior to these events happening. He spoke about the Memorial Day events including the Italian Lodge and Country Meadows.

**REPORTS:**

<u>Police:</u>	Chief Warner spoke about the Police department participating in Memorial Day events including the Country Meadows and Italian Lodge. They will be part of the virtual graduation parade.
<u>Public Works</u>	Mr. Clark spoke about an issue on Bull Frog Road, which will be worked on tomorrow morning. He invited anyone who wants to see the landfill work to stop by and see it. They did a great job capping it.

**TOWNSHIP OF DERRY**  
**BOARD OF SUPERVISORS MEETING MINUTES**  
**MAY 26, 2020**

<u>Library</u>	Mrs. O’Grady stated construction work is wrapping up and they are working on plans for when the County goes into the green phase.
<u>Recreation</u>	Mr. Mandia stated demolition started and the memorial will be moved. He stated they are working on programming and will share with the public and Board. He noted when they go to the yellow phase, the tennis courts and pavilions will be available with first come first served. When the County goes green, they will open the basketball, fields, rentals, and playgrounds with the guidelines set by the state.
<u>Community Development</u>	Mr. Emerick spoke about the way the Township handles foreclosed homes. At the next meeting, he will bring an amendment to include the registration of vacant properties.
<u>Economic Development</u>	Ms. Zumbrun spoke about some possible funding available through HATS with \$1 million per county with a 20% match.

**ACCOUNTS PAYABLE and PAYROLL:**

Supervisor Cort made a motion to approve accounts payable in the amount of \$373,122.99 and payroll of \$310,915.57. Supervisor Zmuda seconded the motion. **Motion carried 5-0.**

**VISITOR/PUBLIC COMMENTS:**

There were no public comments offered during the meeting.

**ADJOURNMENT:**

Supervisor Cort made a motion to adjourn the meeting at 8:52 p.m. Supervisor Zmuda seconded the motion. **Motion carried 5-0.**

**SUBMITTED BY:**

---

Carter E. Wyckoff  
Township Secretary

Below is the public comment received by email prior to the meeting:

-----Original Message-----

From: Harry Susi <[susi1970@verizon.net](mailto:susi1970@verizon.net)>

Sent: Tuesday, May 26, 2020 2:17 PM

To: Christopher Christman <[cchristman@derrytownship.org](mailto:cchristman@derrytownship.org)>

Subject: Rental Property

With rental properties increase in the township I think it’s time to set a new ordinance addressing the issue of rental property owners not taking care of their properties both inside and out. This also could deal with abandon properties that are increasing due to not being rented or property owners waiting for a market increase in property values. Renters and neighbors of rental properties need a quick and efficient way to deal with this issue. The present method I think is cumbersome and inefficient and the ordinance needs to be updated and strengthen.

Thank you.

Harry Susi

86 Ridgeview Road, Hummelstown PA 17036, Derry Township, Sent from my iPhone