

**TOWNSHIP OF DERRY
BOARD OF SUPERVISORS MEETING MINUTES
JUNE 23, 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 June 23, 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 June 23, 2020 Regular Meeting of the Township of Derry Board of Supervisors to order at 7:00 pm 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.

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
Scott Stein, Hershey Volunteer Fire Department
Matthew Mandia, Director of Parks and Recreation
Cheryl Lontz, Manager of Payroll & Employee Benefits
Laura O'Grady, Hershey Public Library Director
Lauren Zumbun, Economic Development Manager
Matt Bonanno, HRG Engineer
Brian Blahusch, IT Director
Julie Echterling, Recorder

BOARD STATEMENT:

VISITOR/PUBLIC COMMENTS:

Mrs. Colleen Stuart, 319 Laurel Dr., asked about body cameras for the Police. Chairman Abruzzo asked Chief Warner to provide an update during his update later in the meeting.

ADOPTION OF MINUTES

Supervisor Cort made a motion to adopt the minutes for the June 9, 2020 Board of Supervisors Regular Meeting. Supervisor Zmuda seconded the motion. **Motion carried 5-0.**

NEW BUSINESS:

UPDATE ON FY2020 BUDGET:

Mr. Christman highlighted the current situation for the Township since April with the COVID-19 virus. His presentation provided an update on the financials through May 2020. He spoke about the 11 funds the Township now utilizes and the 2020 budget. He stated 85% of the Township's revenues are from Act 511 Local Enabling Taxes (real estate transfer, earned income, local services, occupation, amusement, and parking taxes) and Real Estate Property Taxes. He stated \$2.3 million is budgeted in revenue for amusement and parking tax. He spoke about the entertainment taxes and the impact of the shortened season for Hersheypark which could create a 50% shortfall in revenues (\$1.1 million).

TOWNSHIP OF DERRY
BOARD OF SUPERVISORS MEETING MINUTES
JUNE 23, 2020

He went over the General Fund revenues and spoke about payments that would be coming in June. He spoke about the impact of lost revenues and the possibility of reducing services for the FY2021 budget. He discussed the Capital Reserve Fund and the projects for 2020. He stated they are taking the following steps:

- Continue to monitor all revenues
- Close revenue gaps with targeted cuts across the budget
- Immediate deferral of all non-essential capital projects -which they have done.
- Evaluate debt service restructuring to take advantage of the current low interest rate market
- Any current vacancies, beyond those needed for essential services are being frozen for 2020.
- Begin furloughing FT/PT employees in non-essential roles to reduce personnel costs.
- Reduce PT employee hours for all Township services.
- Eliminate non-essential contracts

He discussed the planning for the FY2021 budget. He spoke about the goal of holding the line on real estate taxes, with all departments being evaluated, eliminate services, and refocusing on building reserves. He stated the impact of this revenue shortage and COVID-19 will be felt for years to come.

Chairman Abruzzo asked where the Township was on reserves. Mr. Christman stated the reserves are at \$4.5 million and noted they need to continue furloughing, cutting overhead to narrow the gap. He noted they have made short-term cuts of \$430,000 to date. He stated they can't rely on the Fund Balance alone and that there needs to be a reduction in expenses. Supervisor Cort asked if the reduction in personnel would be in the FY2021 budget. Mr. Christman stated it could be both now and in 2021 budget. He spoke about furloughing employees now and looking at restructuring things for 2021. She asked if they could start earlier with the budget process. Mr. Christman stated they could include executive sessions to discuss personnel issues for 2021. The Board thanked him for the presentation.

RESOLUTION 2020-16-ADDING ANOTHER DEFERRED COMPENSATION PLAN:

a deferred compensation plan for eligible employees with ICMA-RC. Administration is requesting the Board consider adding an additional deferred compensation plan provider. These are voluntary retirement savings plans funded 100% by the employee. For the Township to offer deferred compensation plans to eligible employees, the Board of Supervisors must authorize the plan by resolution.

Supervisor Zmuda did some research on the proposed group and has some concerns with fees and for the employees. Supervisor Cort stated it would be up to the employees to do their research and its not mandatory. Mr. Christman noted this was suggested by employees and he has had good experiences with them. Discussion ensued.

Chairman Abruzzo made a motion to approve Resolution 2020-16, a resolution of the Township of Derry, Dauphin County, Commonwealth of Pennsylvania, amending and supplementing Resolution no. 354 by adding another deferred compensation plan and administrator for eligible employees and reestablishing the existing deferred compensation plan for the Township of Derry. Vice Chairwoman Nutt seconded the motion. **Motion carried 4-1.** Supervisor Zmuda was opposed.

TOWNSHIP OF DERRY
BOARD OF SUPERVISORS MEETING MINUTES
JUNE 23, 2020

CONDITIONAL USE APP NO. 2020-03-1630 EAST CHOCOLATE AVENUE-AMIT JAIN:

Mr. Emerick stated there was a public hearing earlier tonight for operating a short-term rental on the property located at 1630 East Chocolate Avenue. The Derry Township Planning Commission, at their June meeting, recommended that the Conditional Use authorization be granted, with conditions. He noted that the conditions were read during the hearing and agreed upon by the applicant.

Supervisor Cort made a motion to adopt Conditional Use Application No. 2020-03 to establish a Short-Term Rental on the property at 1630 East Chocolate Avenue, Hershey, Pennsylvania, with four parking spaces versus five proposed, and subject to the following conditions:

1. The establishment of the Short-Term Rental shall be in substantial compliance with the information presented with the Conditional Use Application and the testimony during the June 23, 2020 Board of Supervisors public hearing.
2. If, in the future, the applicant proposes to increase the number of bedrooms in the dwelling beyond the existing three, they must apply for further approval from the Township.
3. The operation of the Short-Term Rental must at all times comply with the requirements of Sections 225-501.20.B through O of Chapter 225 (Zoning) of the Code of the Township of Derry.
4. Notwithstanding any lesser restriction required by the Township's Property Maintenance Code, Chapter 143 of the Code of the Township of Derry, no more than two individuals (excluding children under the age of three) may occupy any bedroom.
5. The granting of approval of the Conditional Use request shall not relieve the applicant from filing and having the Township approve any permit, land development, subdivision, or site plan that may be required by other Township regulations or from otherwise complying with all applicable Township regulations.
6. The granting of approval of the Conditional Use shall expire if a zoning permit, building permit, or certificate of use and occupancy is not obtained within 12 months from the date of the grant of approval of the Conditional Use.
7. The Short-Term Rental shall meet all other requirements of the Township that may apply.
8. The granting of approval of the Conditional Use shall not relieve the applicant from complying with any future requirement of the Township regarding the location (proximity) of the person responsible for the security and maintenance of the property.

Vice Chairwoman Nutt seconded the motion. **Motion carried 5-0.**

IMPLEMENT A TEMPORARY COVID-19 EMPLOYEE RETURN TO WORK PLAN:

Mr. Mandia stated as Dauphin County moves into the Green Phase of the Governors recovery plan, the remainder of the Township's workforce is heading back to work. This temporary policy provides some guidelines and other reminders to assist in keeping with both CDC and Department of Health workplace protocols as employees head back to the office environment. The main emphasis of the plan is centered around sanitizing individual workstations, wearing a mask when near other employees or the public, and practicing social distancing always. This plan is not intended to replace, modify, or otherwise alter any existing employer/employee contracts that are in place, rather, provide helpful guidance on increasing awareness and promoting a healthy work environment. If this policy is approved, it will be in place until July 31, 2020. The Township may terminate it prior to that date or extend it past that date as required. Solicitor Armstrong has reviewed the document.

**TOWNSHIP OF DERRY
BOARD OF SUPERVISORS MEETING MINUTES
JUNE 23, 2020**

Supervisor Cort made a motion to approve the implementation of the Temporary COVID-19 Return to Work Plan. Supervisor Zmuda seconded the motion. **Motion carried 5-0.**

ORDINANCE NO. 2020-05, AMENDING CHAPTER 99 (FORECLOSED PROPERTY REGISTRATION):

Mr. Emerick spoke about Ordinance No. 2020-05, which amend Chapter 99 (Foreclosed Property Registration) of the Code of the Township of Derry. This amendment will require foreclosed properties to register semi-annually and vacant properties to register annually. Prochamps (previously Community Champions) will continue to assist the Township with the challenges of working with lending institutions on foreclosed properties.

Solicitor Armstrong opened the public hearing for Ordinance No 2020-05 amending Chapter 99 code of ordinance of Derry Township which has been advertised for a public hearing. He asked if there were any comments for this Ordinance from the public. There were no comments from the public. Solicitor Armstrong asked if there were any comments from the Board. There were no comments from the Board. He closed the Public Hearing.

Supervisor Zmuda made a motion to adopt Ordinance No. 2020-05. Supervisor Cort seconded the motion. **Motion carried 5-0.**

PERFORMANCE SECURITY-PLAT 1298-PLAN FOR HERSHEY PARK 2020 ATTRACTION:

Supervisor Cort made a motion to authorize the release of \$2,423,515.00 from the performance security provided as PNC Bank Letter of Credit No. 18130893-00-000 for the required site improvements represented by the Preliminary/Final Subdivision and Land Development Plan for Hersheypark 2020 Attraction, Plat 1298, resulting in a new balance of \$1,147,482.00. Vice Chairwoman Nutt seconded the motion. **Motion carried 5-0.**

FINANCIAL SECURITY: S-2019-018- HERSHEY IDP PARTNERS, LLC:

Vice Chairwoman Nutt made a motion to accept a financial security in the amount of \$239,506.00 in the form of Members 1st Federal Credit Union Letter of Credit No. 940644-0003 and enter into the Agreement to Provide Financial Security between Hershey IDP Partners, LLC and the Township for the Stormwater Management Plan for Hershey High Pointe, S-2019-018. Chairman Abruzzo seconded the motion. **Motion carried 5-0.**

SECURITY: S-2019-020-HERSHEY WEST END MEDICAL OFFICE PARKING EXPANSION:

Chairman Abruzzo made a motion to accept a financial security in the amount of \$3,545,785.00 in the form of Hershey Trust Company Letter of Credit No. 2020-01 and enter into the Agreement to Provide Financial Security between Hershey Trust Company, Trustee for Milton Hershey School and the Township for the Stormwater Management Plan for Hershey West End Medical Office Parking Expansion, S-2019-020. Vice Chairwoman Nutt seconded the motion. **Motion carried 5-0.**

CORRESPONDENCE BOARD/COMMITTEE INFORMATION:

Supervisor Zmuda attended the Transportation meeting where they discussed the Ridge Road and the Greater Hershey Transportation Study. Supervisor Cort spoke about the All Things Diversity held on June 10. She stated it was a good meeting, which is available on YouTube and thanked Chief Warner for speaking. Vice Chairwoman Nutt has received updates for the ICDA Board and noted there has been

TOWNSHIP OF DERRY
BOARD OF SUPERVISORS MEETING MINUTES
JUNE 23, 2020

a reduction in hotel taxes. Supervisor Wykoff spoke about his DTMA meeting. Chairman Abruzzo received correspondence on the costs of the political rallies that come to the area. He is working with HE&R and making progress as they discuss costs to the Township and how to recoup those costs. He will continue to work with them on this concern.

REPORTS:

<u>Police:</u>	Chief Warner spoke about the positive support they are receiving from the Community. He spoke about body cameras and looking at the options with manufacturing companies who can integrate into their current systems. He stated they are evaluating which camera system will work best for their needs. He stated one camera system costs \$1,200 and they need 20 cameras. They will be looking for grants while they watch to see if the legislation may pass something to ease the financial burden. He spoke about the vast storage of the videos that would also be required. These are some of the considerations and costs as they move toward a system and body cameras.
<u>Accounting</u>	Mrs. Lontz thanked the Board for the accounting software as the old system was 25 years old. She spoke about the new system which will allow departments to enter their own budget into the system and how much easier the process will be moving forward.
<u>Library</u>	Mrs. O'Grady spoke about their opening June 29. She spoke about all the precautions they will be taking, the summer program, and how they will not be accepting book donations at this time.
<u>Recreation</u>	Mr. Mandia stated the demolition should be continuing for the next 30-45 days. He spoke about the next steps of grading, digging the outdoor pool and stormwater work.
<u>Economic Development</u>	Mrs. Zumbrun stated public comments are being accepted for the Greater Hershey Transportation Study. She stated HRG will do a presentation on the study at the July 28 BOS meeting. She is working on the County local share funding which will be ranked in August by the Board. She spoke about the Downtown virtual 5k. She spoke about grants they have opened for the Downtown business and applications are due on July 6.
<u>Manager</u>	Mr. Christman spoke about the sale of the Hershey Fire apparatus on Municipal Bidding, which was not successful. He will be looking into other options.

ACCOUNTS PAYABLE and PAYROLL:

Supervisor Cort made a motion to approve accounts payable in the amount of \$942,002.52 and payroll of \$352,415.35. Supervisor Zmuda seconded the motion. **Motion carried 5-0.**

VISITOR/PUBLIC COMMENTS:

Mrs. Linda Eyer, 2321 Raleigh Road, appreciates the financial information provided. She asked about the furloughs discussed as the approved payroll doesn't appear to have changed. Chairman Abruzzo stated they did furlough some seasonal part-time employees and some regular part-time employees. They will be furloughing full-time employees soon.

Mr. Dave Weaver, 214 Java Ave., asked if the furloughs haven't been implemented, what are they waiting for. He stated it has been 12-14 weeks since the COVID-19 with no definitive actions taken. He doesn't think it is responsible to have waited. He believes employee salary cuts should be considered.

TOWNSHIP OF DERRY
BOARD OF SUPERVISORS MEETING MINUTES
JUNE 23, 2020

ADJOURNMENT:

Supervisor Cort made a motion to adjourn the meeting at 8:37 pm. Supervisor Zmuda seconded the motion. **Motion carried 5-0.**

SUBMITTED BY:

A handwritten signature in black ink, appearing to read "Carter Wyckoff", written over a horizontal line.

Carter E. Wyckoff
Township Secretary