

**TOWNSHIP OF DERRY  
BOARD OF SUPERVISORS MEETING MINUTES  
JULY 28, 2020**

**CALL TO ORDER**

*In order to ensure public safety during the COVID-19 crisis, the July 28, 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 July 28, 2020 Regular Meeting of the Township of Derry Board of Supervisors to order at 7:10 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 and is posted on the internet. After the Pledge of Allegiance, a roll call was performed. He announced there was no executive session held today.

**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  
David Sassaman, Hershey Volunteer Fire Department  
Zachary Jackson, Director of Parks and Recreation  
Cheryl Lontz, Manager of Payroll & Employee Benefits  
Laura O'Grady, Director of Hershey Public Library  
Lauren Zumbrun, Economic Development Manager  
Matt Bonanno, HRG Engineer  
Eric Stumpf, HRG Engineer  
Brian Blahusch, IT Manager  
Julie Echterling, Recorder

Supervisor Cort made a motion to move the Old Business to the beginning of the agenda to allow additional time for comments on the Greater Hershey Regional Transportation Study. Supervisor Zmuda seconded the motion. **Motion carried 5-0.**

**OLD BUSINESS:**

**GREATER HERSHEY REGIONAL TRANSPORTATION STUDY COMMENTS:**

Mr. Ray Manari stated he agreed with the comments made by homeowners on Governor Road. He stated his mom is a 92-year-old widow. She is asking what is going to happen to her as she has lived in her home for years. He asked if they would be notified of further developments and what the next steps will be for their road. He thanked them for their time.

Mr. Wayne Rivers, 815 Cypress Court, asked if they considered a slip road to bypass downtown or Governor Road. He is concerned with the safety of five lanes going into two lanes as it will cause drivers to speed up. He believes there are other options that could be considered for Middletown Road. He believes the businesses want the traffic downtown for their businesses. He asked what other alternatives were considered.

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Mrs. Zane Good-Mary Beth, 218 W. Governor Road, has lived in her home over 20 years. She is very worried about the plans for her road and that no one contacted her. She believes destroying these properties is a travesty. She hopes someone can calm her fears.

Supervisor Zmuda noted that the study is a living document subject to change. He noted it is 20-year plan contingent upon funding and can be used to help facilitate funding in the future. He asked if air pollution was considered in this study. Mr. Stumpf spoke about additional development and if traffic is not moving pollution increases versus flowing traffic. He noted many projects will involve federal funding which does an environmental study as part of the project.

Supervisor Cort spoke about the residents concerned about their homes. He asked Mr. Stumpf about the stakeholders involved. Mr. Stumpf spoke about the bicycle and pedestrian survey and relying on the stakeholders and noted the study is in the preliminary stage. He stated the maps and lines were estimates and not engineered lines. He noted some areas were tight and he would look at them. They have emails coming in and they will be working on the final report. The final report will be emailed to those who emailed their comments. They are hoping to have the final report done by August 31.

Vice Chairwoman Nutt thanked him for the study and presentation. She asked the time frames for short, mid, and long term. Mr. Stumpf stated short term could be in the first years as it may be signage. Midterm would be 8-12 years and long term would be 15-20 years. She agrees with trying to keep the village the way it is now, a small community. She is concerned with a road going through the area of Gramercy and Indian Road since it is largely agricultural. She believes this should be long range with the West End Project. **She would like Grammercy and Indian Roads' plans removed from the Transportation study or at least a minimum be moved to the long-range plan.** She spoke about sidewalks for the homes near Jill Road that could connect them to Waltonville and provide access to the trail. Mr. Stumpf noted that Wood and Middletown Roads would be signalized.

Supervisor Wyckoff thanked everyone involved for their work on the study. He believes it is a great proposal with the trails and pedestrian considerations. He noted the changes in the Township since the study started with businesses closing and other changes. He is concerned with Middletown Road and Waltonville and the increased amount of traffic. He believes the village should be protected but other areas need to be protected along with green spaces.

Chairman Abruzzo asked if they have done a study on why the traffic has increased in the Township and where the traffic is going. Mr. Stumpf noted they did not do an origin study but did have an idea of the number coming to HersheyPark and the Medical Center. He is concerned about the goals of the study. He noted they know why they have traffic in the village, especially in the summer. He doesn't want to fix the village at the expense of the rest of the Township. Increasing the size of the roads creates greater opportunities for development and great traffic. He agrees with some of the projects and others he isn't sure a Board would agree to in the future. He noted any project needs to come to the Board for approval and the importance of this Board. He is concerned that the majority of the traffic coming into the Township daily, not just the summer, is for one employer. He is glad this employer is here. But before he would agree to widening roads and taking residents' properties, he would have to see ride sharing programs for the employer. He believes the stakeholders should be more creative and keep in mind the charm of our community. He would like to see the small business owners' input versus employers as stakeholders. Also, he noted residents should be involved as stakeholders. He stated HRG did a great job but believes they missed the goals. He has concerns with employers being partners and not just

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relying on the Township and residents. He asked that all emails sent in on the study are incorporated into the study. He is okay with the August 7 deadline for comments. He encouraged residents to submit their comments and reminded everyone this is just a study.

**VISITOR/PUBLIC COMMENTS:**

Mr. Rich Gamble, 39 Hockersville Road, thanked the Board. He spoke of prior boards in the 1970s where they were "company boards" and agreed to tear down structures in the Township. He hopes they don't revert to a company board who looks out for companies versus the residents. He stated voters need to keep this in mind and ask do they work for Hershey or HMC. He said our future depends on the Board and their decisions.

Dave Weaver read a statement about the Java residents and roads. *The Residents of Java Avenue met recently to review and discuss the proposed improvement concepts contained in the Greater Hershey Regional Transportation Study (GHRTS) and the implications of those concepts on the Avenue and our homes. Java Avenue is one of the most historic and iconic Avenues in Hershey. Its nine homes are some of the most historic, unique and notable homes on our town. The Historic Society has designated seven of the homes with Preservation Awards and the other two could easily be considered and qualify for such designation. As such, the proposed "Java Avenue Removal" shown on page 37 should be automatically removed from any consideration. The proposed "Java Avenue One Way" has some merit however the problematic Java Avenue/Arba Avenue intersection remains in this proposal. I think it is safe to say, an intersection like this would not be permitted under current roadway construction codes. We would like to offer the following thoughts and ideas for consideration:*

- *While the residents feel strongly about maintaining some sort of vehicular access to the front of our homes, we also feel that parking spaces are not necessarily needed. Currently residents are afforded parking in a rear parking lot. As long as a parking option in the rear is maintained, parking in the front is not a critical need. Improvements to E Street in the rear would also enhance parking options. This street is currently in very poor condition.*
- *Java Avenue could be designated a "limited use" road...Available for use as needed for deliveries, service vehicles, and emergency vehicles. Assuming the Caracas egress onto Homestead Road is completed as shown in the proposals, a small cul-de-sac could be constructed at the north end of Java Avenue. As a limited use road, the surface could be constructed using cobblestones, brick, or pavers, fitting with the historic nature of the roadway. These products would also be permeable, alleviating some of the storm water management problems that have occurred in this area in the past. Some cost savings could be realized because additional frontage, enhanced median, and the construction of steps and ramps (and associated maintenance), would not need to be constructed.*
- *We believe other Hershey entities have a vested interest in a historic Java Avenue being a limited use road. As mentioned above, the Historic Society recognizes the uniqueness of Java and its homes. Through its Trolley Tours, HERCO recognizes the importance of this area. A limited use road that permits access to this tourism component will enhance the Tours. A limited use road would permit the Trolley to stop for folks to get a more up-close look at this neighborhood. A cul-de-sac would provide an opportunity for the Bowman Trust to beautify this area like they do so many other areas in the Township*
- *"Java Avenue One Way" shows proposed parking on the west side of Java. At the very least we would suggest reconfiguring the one-way entry so that parking would be moved to the east side of the street.*



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*We are passionate about our street and our neighborhood. We appreciate you taking the time to address and consider our thoughts. We hope that we will be consulted and fully engaged before any project or improvements are approved by the Board of Supervisors or any other governing body of Derry Township.*

Mrs. Corrine Edris spoke about the concerns with the five-lane highway proposed with West Governor Road. She reviewed the study and did some measurements. There are two lanes now which measure 38 feet across. She noted the five lanes would be 70 feet across with shoulders. She noted they are a community that is passionate about their homes and friends in their neighborhood.

**ADOPTION OF MINUTES**

Supervisor Zmuda made a motion to adopt the minutes for the July 14, 2020 Board of Supervisors Public Meeting. Vice Chairwoman Nutt seconded the motion. **Motion carried 5-0.**

Chairman Abruzzo made a motion to adopt the minutes for the July 21, 2020 Board of Supervisors Special Meeting. Supervisor Cort seconded the motion. **Motion carried 5-0.**

**NEW BUSINESS:**

**DERRY CLIMATE CHANGE ADVISORY COMMITTEE PROGRESS REPORT:**

Mr. Emerick stated that Resolution 1555 established a Derry Climate Change Advisory Committee. Mrs. Rebecca Wills serves on the committee and went over a presentation outlining their report. She discussed the resolution which outlined the urgency of climate change, pledging to integrate mitigation and adaptation strategies into the Township planning and decision making.

She spoke about the impact and risks of greenhouse gases (GHG) for the community. At risk is the community's health, safety & well-being of vulnerable citizens, air quality, economic vitality, municipal infrastructures, and outdoor spaces. She stated there were three community wide actions – adaptation (stormwater), mitigation (solar array, trees, buffers) and conservation (strategies by employers). She outlined the steps the committee including creating a GHG inventory using data provided by a variety of companies including utilities and the Tri-County Regional Planning Commission. The 2016 GHG Emissions for Derry Township Report showed Transportation accounted for 36% of the emissions, followed by Industrial Energy and Residential Energy. In addition, in the 2016 study, Derry Township ranked highest in GHG emissions per capita compared to other counties including Dauphin and Philadelphia. They projected future trends in GHG production based on the population growth and changes in energy use, business activities, and driving habits. This allowed them to set reduction targets and design strategies to meet these goals. She showed a graph of where GHGs would be if business continued as usual. She read lists of potential programs and changes that could change the GHGs with goal dates from 2020 to 2050. She showed a graph of where these changes could put the Township in years to come with reduced GHGs.

She spoke about creating a Climate Action Plan which is a detailed community-specific strategic framework. She spoke about the typical approach to these which included soliciting community input. Goals can be set as a community, plans and monitoring progress and repeating every 3-5 years. She discussed their recommendations as follows:

- Survey the Community Attitudes
- Engage Stakeholders Including Community Members and Business Leaders
- Encourage Voluntary Action

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- Reducing Transportation Impact
- Integrating Climate Impact into All Township Decisions
- Develop a Climate Action Plan for Derry Township

Supervisor Cort and Supervisor Zmuda thanked her and asked about the study. Mrs. Wills stated they would like to hear from the community on ways to provide alternative ways of transportation. Chairman Abruzzo spoke about the traffic issues noting its hard with tourist traffic but would like to see more about ride sharing.

**BUDGET UPDATES:**

Mr. Christman went over his presentation he provided to the Board. He reviewed the 2020 budget and how the funds were setup this year. He noted 58% of the Township's revenue comes from Act 511 local taxes which include real estate, occupation, amusement, and parking taxes. He spoke about the COVID-19 effects through the end of June on revenues and expenses. He stated at the end of June most of the Township revenue categories are holding or beginning to show weakness. He noted the amusement and parking tax revenues are underperforming significantly, which accounts for \$2.3 million dollars in the general fund. As of June 30, only \$99,499 has been realized. Based on the current CDC and PA Department of Health guidelines, there is a potential that only 30% of its anticipated budget with respect to amusement and parking taxes will be realized.

He discussed the Pilot Program which was budgeted for \$345,000. He has since learned; the Giant Center Pilot payment won't be paid in 2020-2021 resulting in a 2-year loss of \$230,000. He stated combined with other revenue losses, the Township should be prepared for a budgetary shortfall in excess of \$1.6 million. As they are preparing the FY2021 budget, they will be looking to reduce services.

He spoke about the steps they have taken to reduce expenses.

- Immediate deferral of all nonessential capital projects
- Evaluating debt service restructure to take advantage of the current low interest rates
- Any vacancies beyond those needed for essential services are being frozen for the remainder of the fiscal year.
- Continuing to furlough full time and part time employees and nonessential roles to reduce personnel costs
- Reducing part time hours for all Township services.
- Eliminating non-essential contracts to date
- Overall Township workforce has been reduced by 18% and they're planning on reductions of between 25 and 30% by the end of the year.
- Will be using a combination of workforce reductions and available fund balance to close the shortfall for 2020.
- All Township departments are being evaluated and existing services are going to be reviewed for potential restructuring
- Outsourcing and non-mission critical positions
- Eliminating services that can be provided by other government or non-governmental entities
- Collective bargaining agreements will be impacted
- Continue to evaluate debt service restructure opportunities
- Re-focus on building the reserves.

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Chairman Abruzzo thanked him. Supervisor Cort asked if the pilot programs were just deferred to 2022. Mr. Christman spoke about the 2019 debt restructuring on the Giant Center with the ICDA and how the funds flow. There are no additional funds available for the pilot payments and they can't be accrued. Chairman Abruzzo stated this update helps realize what steps need to be taken and noted there are some hard decisions coming. Supervisor Wycoff ask if HMC was paying their pilot. Mr. Christman expects them to pay by the end of the year. Supervisor Zmuda said we need to be careful with cuts to not jeopardize our future when this is all over.

**COPIER SERVICE AGREEMENT – MARCO TECHNOLOGIES, LLC:**

Mr. Christman discussed entering into an agreement with Marco Technologies, LLC for providing copier services to the Township. He noted currently they work with seven difference vendors. The agreement would be for five years and would result in a yearly savings of \$2,112.

Supervisor Cort made a motion to authorize the Township Manager to execute the agreement with Marco Technologies, LLC for the provision of copier services for the Township of Derry. Supervisor Zmuda seconded the motion. **Motion carried 5-0.**

**RESOLUTION 2020-19 FOR THE SALE OF PERSONAL PROPERTY:**

Mr. Christman stated Resolution 2020-19 is an administrative housekeeping item that formally acknowledges the Township's procedure for the disposition of surplus Township personal property in accordance with the Pennsylvania Second Class Township Code.

Chairman Abruzzo made a motion to adopt Resolution 2020-19. Vice Chairwoman Nutt seconded the motion. **Motion carried 5-0.**

**FIRE LINE EQUIPMENT, LLC AGREEMENT -DISPOSITION OF FIRE APPARATUS:**

Mr. Christman spoke about the process of Municibid to dispose of surplus fire apparatus. The apparatus was listed twice for auction and there were no qualifying bids. He is recommending entering into a listing and marketing agreement with Fire Line Equipment, LLC of New Holland, PA. They will list and market the surplus fire apparatus and if sold will receive a 5% commission on the final sales price negotiated with a potential buyer. The agreement may be terminated at any time by either party in writing.

Supervisor Cort made a motion to authorize the Township Manager to execute a Listing and Marketing Agreement with Fire Line Equipment, LLC for the disposition of surplus fire apparatus. Supervisor Zmuda seconded the motion. **Motion carried 5-0.**

**RESOLUTION 2020-17-TIME EXTENSION FOR RESOLUTION NO. 2020-15, DERRY TOWNSHIP COVID-19 RECOVERY FLEXIBLE BUSINESS SUPPORT PROGRAM:**

Mr. Emerick discussed Resolution No. 2020-15 which was originally slated to be effective for a 60-day period, knowing it could be extended if the conditions were warranted. He stated they had anticipated that restaurants would be allowed indoor seating at 50% of their permitted capacity. Presently restaurants are permitted 25% of their permitted indoor seating and bar seating is prohibited. This resolution will extend it another 60 days.



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Supervisor Zmuda made a motion adopting Resolution No. 2020-17, enabling the Derry Township COVID-19 Recovery Flexible Business Support Program and guidelines to remain effective for an additional 60 days. Supervisor Cort seconded the motion. **Motion carried 5-0.**

**RESOLUTION 2020-18-RACP APPLICATION AND BUSINESS PLAN FOR \$2 MILLION:**

Ms. Zumbrun discussed Resolution 2020-18 which would authorize the filing of a formal RACP Application & Business Plan for \$2,000,000 in grant funding through the Commonwealth of Pennsylvania's Redevelopment Assistance Capital Program for the Hershey Community Center. She stated the next step in the process is to submit a formal RACP Application & Business Plan and the Township must pass a resolution authorizing the filing of this document. Concurrent with submitting the formal application and business plan, she will be working with the Office of the Budget staff to gain approval of the revised project scope and budget. The Board discussed the revised scope and changes to the original document and if this should be delayed. Ms. Zumbrun explained the process as this being one piece of the total package needed for the grant and how changes are made.

Supervisor Cort made a motion to adopt Resolution 2020-18, authorizing the submission of a formal RACP application and business plan to request a \$2,000,000 grant from the Commonwealth of Pennsylvania for the Hershey Community Center project, to include the construction of three pools, and designating Christopher Abruzzo, Chairman, and Christopher Christman, Manager as the officials to execute all documents between the Township and the Commonwealth pertaining to the grant. Supervisor Zmuda seconded the motion. **Motion carried 5-0.**

**HATS REGIONAL TRANSPORTATION PLAN IMPLEMENTATION PROGRAM FOR PEDESTRIAN CROSSING IMPROVEMENTS:**

Ms. Zumbrun discussed the Harrisburg Area Transportation Study (HATS) program that allocates \$1 million for transportation projects to counties. The two critical pedestrian crossings for funding are the crosswalk of Valley Road and Chocolate Ave and the crossing of the Jonathan Eshenour Memorial Trail over 743 at Harvey Road. The total cost of the improvements would be approximately \$60,000 with a 20% match required. The match would be paid from the fees in lieu of sidewalks fund.

Chairman Abruzzo made a motion to authorize the submission of the application to the HATS Regional Transportation Plan Implementation Program and agrees to commit the fees in lieu of sidewalk money as matching funds for the project. Vice Chairwoman Nutt seconded the motion. **Motion carried 5-0.**

**PERMISSION: FIREWORKS DISPLAY-HE&R AUGUST 21 9:00PM:**

Chief Warner stated Milton Hershey School is requesting permission to hold a firework display on Saturday, August 22, 2020 (Rain date of Sunday, August 23, 2020) at approximately 9:00 p.m. The display will last approximately 15-20 minutes. Vice Chairwoman Nutt expressed concern with the dry weather and asked about the Fire Department being on standby. Chief noted and will reach out. Solicitor Armstrong asked that the dates and names on the certificate of insurance be checked for accuracy.

Chairman Abruzzo made a motion granting permission of the request to hold a fireworks display at the parking field (White Field – East) on Hershey Entertainment & Resorts property to the north side of Hersheypark Drive, east of Hotel Road on Saturday, August 22, 2020 at approximately 9:00-9:30 p.m.

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Rain date for the event would be Sunday, August 23, 2020 at the same time period. Vice Chairwoman Nutt seconded the motion. **Motion carried 5-0.**

**SECURITY- S-2019-007- HMC MAINTENANCE BUILDING:**

Supervisor Zmuda made a motion to accept the financial security in the amount of \$35,908.00, in the form of PNC Bank Letter of Credit No. 18133218-00-000, and enter into the Agreement to Provide Financial Security between Pennsylvania State University and the Township for the Stormwater Management Site Plan for HMC Maintenance Building, S-2020-007. Vice Chairwoman Nutt seconded the motion. **Motion carried 5-0.**

**SECURITY- S-2019-004- 93 FOREST AVENUE:**

Supervisor Cort made a motion authorizing the release of the remaining balance (\$1,555.00) of the cash performance security provided for the Stormwater Management Plan for 93 Forest Avenue, S-2019-004. Vice Chairwoman Nutt seconded the motion. **Motion carried 5-0.**

**CORRESPONDENCE BOARD/COMMITTEE INFORMATION:**

Supervisor Zmuda spoke about the transportation meeting held today. The light on Hersheypark Drive will be done in the fall. He spoke about the 30 vendors on the market and asked everyone to please wear their mask. Supervisor Cort attended the Parks and Recreation Board meeting. Vice Chairwoman Nutt attended the Library Board meeting and thanked Mrs. O'Grady for the cost savings she has worked on with the Library. Supervisor Wyckoff attended the DTMA Board meeting. Chairman Abruzzo spoke about the progress being made for the political rallies coming to the Township. They are in a verbal agreement with HE&R that will insert language into the agreements for payment to the Township for services provided. It will need to be in writing, and he thanked HE&R for working with them.

**REPORTS:**

- |                             |   |
|-----------------------------|---|
| <u>Police:</u>              | Chief Warner spoke about the agency (MPOETC) which sets the statewide annual training for the state. He stated Sgt. Clements will now be serving on this agency.  |
| <u>Fire:</u>                | Mr. Sassaman stated Rescue 48 is getting body work done and should be back this week and computer upgrades are being done on Truck 48.  |
| <u>Public Works:</u>        | Mr. Clark spoke about the utility work being done this week with road closures. He stated the stormwater work at the landfill is about 60% done.  |
| <u>Library</u>              | Mrs. O'Grady provided an update on the summer program. She noted they would be shortening the Saturday hours and closing on Sundays for the summer. In August they would like to have a ribbon ceremony – more information will follow. |
| <u>Recreation</u>           | Mr. Jackson stated they are continuing to perform demolition and cleanup work for the Center. They will be working on grading and the outdoor pool after demo is completed. There are 2 drive-in movies scheduled for August 7 & 28.    |
| <u>Engineer</u>             | Mr. Bonanno thanked the Board and the public for their comments on the study.   |
| <u>Economic Development</u> | Ms. Zumbrun stated the Dauphin County Cares money cannot be used for lost revenue so she will be talking with department heads on other ideas.  |



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**ACCOUNTS PAYABLE and PAYROLL:**

Supervisor Cort made a motion to approve accounts payable in the amount of \$433,959.30 and payroll of \$347,123.70. Chairman Abruzzo seconded the motion. **Motion carried 5-0.**

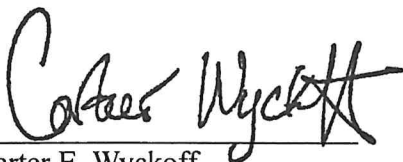
**VISITOR/PUBLIC COMMENTS:**

There were no public comments offered.

**ADJOURNMENT:**

Supervisor Zmuda made a motion to adjourn the meeting at 9:48 p.m. Supervisor Cort seconded the motion. **Motion carried 5-0.**

**SUBMITTED BY**



Carter E. Wyckoff  
Township Secretary

Chas. Wright