

**TOWNSHIP OF DERRY**  
**BOARD OF SUPERVISORS MEETING MINUTES**  
**JULY 14, 2020**

**CALL TO ORDER**

*In order to ensure public safety during the COVID-19 crisis, the July 14, 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 14, 2020 Regular Meeting of the Township of Derry Board of Supervisors to order at 7:15 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 and is posted on the internet. After the Pledge of Allegiance, a roll call was performed. He announced the Board met in executive session at 6:30 pm to discuss 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  
William Oetinger, 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  
Matthew Mandia, Director of Parks and Recreation  
Cheryl Lontz, Manager of Payroll & Employee Benefits  
Laura O'Grady, Hershey Public Library  
Lauren Zumbrun, Economic Development Manager  
Matt Bonanno, HRG Engineer  
Brian Blahusch, IT Director  
Julie Echterling, Recorder

**VISITOR/PUBLIC COMMENTS:**

There were no comments offered.

**ADOPTION OF MINUTES**

Supervisor Cort made a motion to adopt the minutes for the June 23, 2020 Board of Supervisors Public Hearing Meeting. Supervisor Zmuda seconded the motion. **Motion carried 5-0.**

Vice Chairwoman Nutt made a motion to adopt the minutes for the June 23, 2020 Board of Supervisors Regular Meeting. Supervisor Cort seconded the motion. **Motion carried 5-0.**

**OLD BUSINESS:**

There was no old business discussed.

**NEW BUSINESS:**

**TIME EXTENSION-PLAT 1325- PLAN FOR 647 AND 653 SAND HILL ROAD-FEDERICIS:**

Mr. Emerick stated Plat 1325 represents the joining of three properties. The Board approved Plat 1325 in February 2020 with conditions. He noted the applicant has met one of those conditions. The applicants have requested an extension of time until October 15, 2020 to address the remaining conditions of approval. The extension is being requested based on the COVID-19 Stay-At-Home order

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and its subsequent delays to the construction and banking industries. The applicants have their contractor lined up and are working diligently toward securing the financing with their bank.

Supervisor Zmuda made a motion to extend the approval of the Preliminary/Final Subdivision Plan for 647 and 653 Sand Hill Road for Michael and Elizabeth Federici, Plat 1325, to October 15, 2020, subject to compliance of the following items:

1. A performance security is provided to guarantee the completion of required improvements, and the accompanying Agreement to Provide Financial Security is signed no later than October 15, 2020.
2. Metes and bounds are provided on the plan for the 25-foot drainage easement along the northern side of the property no later than October 15, 2020.
3. The comments in the February 3, 2020 HRG letter (attached) are addressed no later than October 15, 2020.
4. Two originals of the signed and notarized Agreement for Deferment of Curbing and Sidewalk Installation are provided no later than October 15, 2020.
5. The Agreement for the Deferment of Curbing and Sidewalk Installation is recorded concurrently with the plan.
6. The deed of dedication for right-of-way along Sand Hill Road is recorded concurrently with the plan.

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

**ADDENDUM-PROCHAMPS AGREEMENT-REGISTER PROPERTIES:**

Mr. Emerick stated Ordinance No. 2020-05 was adopted on June 23, 2020 amending Chapter 99 of the Code of the Township of Derry. The amendment will require foreclosed properties to register semi-annually and vacant properties to register annually with the Township. He spoke about the existing agreement with Prochamps for vacant properties and the services they will provide with the addendum. He noted the Township receives revenues each month from them which supports property maintenance objectives and programs.

Vice Chairwoman Nutt made a motion to authorize Christopher S. Christman to execute the addendum to the agreement with Prochamps. Supervisor Cort seconded the motion. **Motion carried 5-0.**

**RESOLUTION NO. 2020-10-REVISE TOWNSHIP'S-FEE SCHEDULE FOR 2020:**

Mr. Emerick stated the revisions of the 2020 Fee Schedule are updates in accordance with the fees of the Office of Open Records to be in compliance with the Right to Know Law. The Solicitor's, Engineering, and fire inspection fees have been added with property maintenances fees updated. Chairman Abruzzo mentioned the Radon test is \$8 and encouraged everyone to test for this dangerous gas. Supervisor Zmuda also agrees with having it done and to repeat it every several years.

Chairman Abruzzo made a motion to adopt Resolution No. 2020-10, which revises and updates the Township-wide Fee Schedule for the year 2020. Supervisor Zmuda seconded the motion. **Motion carried 5-0.**

**PERFORMANCE/MAINTENANCE SECURITY- HERSHEY TOWNE SQUARE, PLAT 1275:**

Supervisor Cort made a motion authorizing the release of the remaining balance of \$100,009.76 of the performance security provided in the form of Bank of America Letter of Credit No. 68135030 for the Preliminary/Final Subdivision/Land Development and Stormwater Management Site Plan for Hershey Towne Square, Plat 1275, contingent upon the developer providing maintenance security in the amount

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of \$12,346.50 and executing the Township's standard Agreement to Provide Financial Security to Guarantee the Structural Integrity and Functioning of Improvements Constructed as Required by a Subdivision or Land Development Plan. Vice Chairwoman Nutt seconded the motion. **Motion carried 5-0.**

**PERFORMANCE/MAINTENANCE SECURITY- MIDDLETOWN ROAD SITE, PLAT 1312:**

Vice Chairwoman Nutt made a motion authorizing the release of the remaining balance of \$97,764.00 of the performance security provided in the form of Merchants National Bonding, Inc. Bond No. NPA 92961 for the Preliminary/Final Subdivision and Land Development Plan for Middletown Road Site, Plat 1312, contingent upon the developer providing maintenance security in the amount of \$425.00 and executing the Township's standard Agreement to Provide Financial Security to Guarantee the Structural Integrity and Functioning of Improvements Constructed as Required by a Subdivision or Land Development Plan. Supervisor Cort seconded the motion. **Motion carried 5-0.**

**FINANCIAL SECURITY- BROWNSTONE REAL ESTATE S-2020-006:**

Supervisor Zmuda made a motion to accept a financial security in the amount of \$352,973.00, in the form of Fulton Bank Letter of Credit No. STB339, and enters into the Agreement to Provide Financial Security between Brownstone Brokers, LLC and the Township for the Stormwater Management Plan for Brownstone Real Estate Governor Road Office, S-2020-006. Vice Chairwoman Nutt seconded the motion. **Motion carried 5-0.**

**SECURITY: STORMWATER MANAGEMENT PLAN FOR SCHEIB RESIDENCE, S-2020-008:**

Vice Chairwoman Nutt made a motion to accept a cash financial security in the amount of \$11,873.00 and enters into the Agreement to Provide Financial Security with Randall S. Scheib for the Stormwater Management Plan for Scheib Residence, S-2020-008. Supervisor Cort seconded the motion. **Motion carried 5-0.**

**SECURITY: REESE'S 2020 IMPROVEMENTS -HERSHEY COMPANY, S-2020-011:**

Supervisor Cort made a motion to accept a financial security in the amount of \$92,002.00, in the form of Travelers Casualty and Surety Company of America Bond No. 107264407, and enters into the Agreement to Provide Financial Security between The Hershey Company and the Township for the Stormwater Management Site Plan for Reese's 2020 Improvements for The Hershey Company, S-2020-011. Vice Chairwoman Nutt seconded the motion. **Motion carried 5-0.**

**SECURITY: EAST POINT TRADE CENTER – BUILDING C, PLAT 1314:**

Chairman Abruzzo made a motion authorizing the release of \$471,266.00 from the performance security provided as U.S. Specialty Insurance Company Bond No. 1001084077 for the Revised Final Land Development Plan for East Point Trade Center – Building C, Plat 1314, resulting in a new balance of \$105,375.00. Supervisor Cort seconded the motion. **Motion carried 5-0.**

**AGREEMENT-SAND HILL ROAD PROJECT-MUNICIPAL GRANT PROGRAM:**

Vice Chairwoman Nutt made a motion authorizing the Township Manager to execute a grant agreement for the Sand Hill Road project awarded funding through the Dauphin County Local Share Municipal Grant Program. Supervisor Wyckoff seconded the motion. **Motion carried 5-0.**

**CORRESPONDENCE BOARD/COMMITTEE INFORMATION:**

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Supervisor Zmuda spoke about a call he was on with Hershey Climate and they will have a presentation for the next Board meeting. They are concerned with our carbon footprint and safety. Supervisor Cort has a Parks and Recreation meeting tomorrow. Chairman Abruzzo stated they continue to work with HE&R with the cost of political campaign venues. He spoke about a complimentary letter the Board received from a resident in regard to the Police department.

**REPORTS:**

Fire: Mr. Sassaman stated they had 59 calls in June. They have received 100 responses in a day for their Communication Connect program. This program allows specific information about businesses and residential homes to be available to them in case of an emergency. They did some river rescue training and their operations drive continues.

Public Works: Vice Chairwoman Nutt thanked Mr. Clark for the repairs to the Shank Park trail.

Accounting Mrs. Lontz spoke about the progress of the new system and getting the background history put on the system.

Library Mrs. O'Grady spoke about the library hours and the positive feedback they are receiving on their programs. She spoke about a new digital magazine application available to members.

Recreation Mr. Mandia stated the demolition continues. They have started some stormwater work. Staff is working on programming with policies and procedures to ensure they are ready when the Center opens. He also thanked Public Works for their work on the trail.

Engineer Mr. Bonanno noted they are busy as construction continues in the Township.

Community Development: Mr. Emerick scheduled a public hearing for a conditional use request for August 25 at 6 pm. He will bring a request to extend the conditions they approved for the downtown business and restaurants for another 60 days and remove restrictions on the size of the tents allowed. This will be presented for a vote at the next meeting.

Economic Development Mrs. Zumbrun stated the feedback from the downtown businesses has been positive. She will be working on the RACP funding. At the July 28 meeting, the Greater Regional Hershey Study will be presented. The Board discussed the report and it may take up a large portion of the meeting. Mr. Christman stated it could start at 6 pm and he would need authorization from the Board to advertise the start. The Board agreed to start the presentation of the study at 6 pm knowing it may go into the regular 7 pm meeting.

Manager Mr. Christman asked the Board for authorization to schedule a special meeting next Tuesday July 21 at 7 pm. At this meeting they need to discuss the foundation change order and other COVID-19 issues. The Board agreed to have the meeting.

He is meeting with department heads about the budget and will bring recommendations to the Board in a couple of weeks. Chairman Abruzzo spoke about his concerns as he has driven past Hershey Park and it appears attendance is light. He thinks it might be worse than they were planning. Supervisor Cort stated they need to plan for the worst and hope for the best. Mr. Christman stated they can see the July receipts from the Park and have an idea of how the rest of the year may go.

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**ACCOUNTS PAYABLE and PAYROLL:**

Supervisor Cort made a motion to approve accounts payable in the amount of \$1,378,041.36 and June 26 payroll of \$325,369.70 and July 10 payroll of \$309,617.62. Supervisor Zmuda seconded the motion.

**Motion carried 5-0.**

**VISITOR/PUBLIC COMMENTS:**

Mr. Andy Andrews, 404 Hockersville Rd, lives in the Township and works for the Sun. He had a few questions about the Transportation Study and radon test. Chairman Abruzzo asked him to contact Mrs. Zumbrun about the study and to call the Township tomorrow about the radon tests.

Mrs. Linda Eyer stated the July receipts from Hershey Park will reflect the June collections and the park wasn't open. The August receipts will reflect the July collections. She asked the Board to talk to the school district and how they are estimating revenues/taxes.

Mr. Wayne Rivers spoke about how empty Hershey Park was on Saturday at 2 pm. He noted that season pass holders aren't generating revenues for each visit. He isn't hearing an urgency and not seeing steps being taken with the loss of these taxes. He stated hard decisions need to be made and taken and the sooner the better.

Mr. Dave Weaver, 214 Java, stated no action is being taken for the financial crunch we are experiencing. He can't believe there isn't something on the agenda to address the current situation. He believes there is a severe crunch coming and they need to be prepared.

**ADJOURNMENT:**

Supervisor Cort made a motion to adjourn the meeting at 8:31 pm. Vice Chairwoman Nutt seconded the motion. **Motion carried 5-0.**

**SUBMITTED BY:**

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Carter E. Wyckoff  
Township Secretary