

**TOWNSHIP OF DERRY**  
**BOARD OF SUPERVISORS MEETING MINUTES**  
**OCTOBER 27, 2020**

**CALL TO ORDER**

*In order to ensure public safety during the COVID-19 crisis, the October 27, 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 October 27, 2020 Regular Meeting of the Township of Derry Board of Supervisors to order at 7:02 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 stated an executive session of the Board was held tonight from 6:30-6:56 p.m. to discuss land, 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  
Pat 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 and Employee Benefits  
Laura O'Grady, Director of Hershey Public Library  
Matt Bonanno, HRG Engineer  
Brian Blahusch, IT Manager  
Julie Echterling, Recorder

**VISITOR/PUBLIC COMMENTS:**

Mr. Andy Andrews, 404 Hockersville Road, spoke about the \$1.4 million grant awarded to the Township from Dauphin County through the CARES Act. He asked if it could be used to save the dispatch center. Chairman Abruzzo stated Mr. Christman would speak about the award later in the meeting.

**CONSENT CALENDAR:**

Supervisor Cort made a motion to adopt and approve the following items on the Consent Calendar:

1. October 13, 2020 Board of Supervisors Public Meeting
2. Approval of Accounts Payable of \$1,940,937.76 and Payroll of \$363,818.71.

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

**OLD BUSINESS:**

There was no old business discussed.

**NEW BUSINESS:**

Chairman Abruzzo congratulated the following employees for their years of service:

**5 Years:**

Julie Brnik, Library	Michael Lawrence, Police CSO	Dylan Rhodes, Public Works
Daniel Campbell, Public Works	Kevin Leiss, Police	Amy Walker, Parks & Recreation
Rosemary Fenyves, Library	Christopher Miller, Police CSO	Anna Whitmoyer, Police

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**10 Years:**

Heather Mahraj, Library  
 Bryan Walters, Police

**15 Years**

Robert Bennett, Police  
 David Rode, Police

**20 Years:**

Marc Breckenmaker, Police  
 Leslie Fuller, Police  
 Jason Rode, Police

**25 Years:**

Cheryl Lontz, Finance

**30 Years:**

Thomas Clark, Public Works  
 Kevin Trowbridge, Public Works

**UPDATE ON FY 2020 BUDGET:**

Mr. Christman highlighted the current financial situation for the Township through September 2020. He briefly went over the COVID dates and the funds in relation to the budget. He stated \$2.3 million is budgeted in revenue for amusement and parking taxes. In addition, the Pilot Payments for the Giant Center will not be paid for 2020 and 2021, which will create an additional shortfall of \$230,000. He noted the combined revenue losses could create a shortfall in the budget. He noted the following changes between September 2020 versus September 2019:

Item	YTD September 2020	YTD September 2019
Real Estate Tax Collection	82.75%	95.16%
Real Estate Transfer Tax	68.82%	80.24%
Amusement/Parking Taxes	\$317,058	\$1,784,545

He stated with an anticipated shortfall they have been and will continue to take the following actions:

- Continue Furloughing FT/PT Employees in non-essential roles to reduce personnel costs.
- Reduce PT Employee hours for all Township services.
- Eliminate Non-Essential Contracts & Evaluate Restructuring Contracts
- At this time, the overall Township workforce has been reduced by 18% with additional reductions totaling 27% before the end of 2020.
- Collective Bargaining Agreements will be impacted.
- Refocus on building reserve funds.
- Total projected savings is \$1,895,817.

He stated the Township was awarded \$1,450,089.45 from Dauphin County for the CARES Act. He stated they applied for \$3.5 million. He stated the money would be used to reimburse the expenses already spent by the Township. He thanked Dauphin County for the funding.

**APARTMENT BUILDING PLAN FOR CACAO WAY, PLAT 1331:**

Mr. Emerick stated this plan proposes to raze the existing former Milton Hershey School student home at 50 Northeast Drive and construct a 4-story 75-unit apartment building. They propose 39 one-bedroom units and 36 two-bedroom units. The Plan proposes 126 parking spaces with 20% of the spaces proposed as compact spaces. The lot has frontage on Northeast Drive, East Derry Road, and "P" Street. The applicant is proposing relocation of the existing driveway on Northeast Drive and the construction of a new driveway at the intersection of North Third Street and "P" Street. The Board approved the Conditional Use for a Master Plan in April 2020, allowing the processing of this Final Plan. He discussed the stormwater management including conveyance pipes.

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He went over each waiver and condition of the plan for approval. The following fees, upon approval of the Final Plan, would be paid in lieu of:

- in lieu of a traffic study = \$35,066.
- in lieu of sidewalk installations = \$2,076.
- in lieu of land dedication for park, recreation, and open space use = \$105,349.50

Supervisor Zmuda made a motion that the approval of the Preliminary/Final Subdivision and Land Development Plan for Cacao Way, Plat 1331, is approved, subject to compliance with the following items:

1. The applicant reimburses the Township for costs incurring in reviewing the plan no later than November 27, 2020.
  2. A financial security in the amount of \$538,417.00 is provided to guarantee the completion of required improvements, and the accompanying Development and Financial Security Agreement is signed no later than April 27, 2021.
  3. The Township receives payment of the \$35,066.82 fee in lieu of traffic study no later than April 27, 2021.
  4. The Township receives payment of the fee in lieu of sidewalk installation, as calculated by the applicant per Section 185-34.A.(4).(b) of the Subdivision and Land Development Ordinance, no later than April 27, 2021.
  5. The Township receives payment of the \$105,349.50 fee in lieu of land dedication for park, recreation, and open space use no later than April 27, 2021.
  6. The Township receives a letter from the Dauphin County Conservation District approving the Erosion and Sedimentation Control Plan no later than April 27, 2021.
  7. The Township receives a copy of the NPDES permit no later than April 27, 2021.
  8. The Township receives the signed and executed temporary Construction and Grading easement on the FSH Associates, LP property no later than April 27, 2021. I
  9. The Township receives the signed and executed access easement on the FSH Associates, LP property no later than April 27, 2021.
  10. Three originals of the signed and notarized Development and Financial Security Agreement are provided to the Township no later than April 27, 2021.
  11. Two originals of the signed and notarized Operation and Maintenance Agreement for Stormwater Management Best Management Practices are provided to the Township no later than April 27, 2021.
  12. A draft copy of the revised property deed is provided to the Township no later than April 27, 2020. The deed must be revised to include the following restrictive covenant language: "UNDER AND SUBJECT TO the Operation and Maintenance Agreement dated \_\_\_\_\_, recorded in the Office of the Recorder of Deeds of Dauphin County, Pennsylvania, at Instrument No. \_\_\_\_, regulating the BMPs associated with the development project."
  13. A CD containing a digital file of the final plan in Auto CAD or DXF compatible format is provided to the Township no later than April 27, 2021.
  14. The Development and Financial Security Agreement is recorded concurrently with the plan.
  15. The Operation and Maintenance Agreement for Stormwater Management Best Management Practices is recorded concurrently with the plan.
  16. The deed of dedication for right-of-way along "P" Street is recorded concurrently with the plan.
- Supervisor Cort seconded the motion. **Motion carried 5-0.**

Chairman Abruzzo made a motion to approve the following requested waivers:

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1. From Section 185-13.E.(4).(a).[19] regarding profiling the entire existing stormwater conveyance system.
2. From Section 185-13.E.(4).(a).[20] regarding profiling the entire existing sanitary sewer system.
3. From Section 185-13.E.(4).(a).[21] regarding providing profiles for existing water and gas systems.
4. From Section 185-18.D regarding placing a monument on the corner of the proposed right-of-way line for "P" Street within the proposed driveway pavement.
5. From Section 185-31 regarding providing the required shade trees along the existing streets.

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

**LEACHATE SEEP SPRAY SPRINKLER SYSTEM PROPOSAL:**

Mr. Clark discussed the three bids received for the Leachate Seep Spray Sprinkler System. The lowest bid was with Harden Group, LLC for \$35,023.48. The funding for this will be taken out of the 2019 G.O. Bond Series A.

Vice Chairwoman Nutt made a motion to award the contract for the Leachate Seep Spray Sprinkler System to Harden Group, LLC in the amount of \$35,023.48. Supervisor Cort seconded the motion. **Motion carried 5-0.**

**EBY ROAD BRIDGE REPAIR PROJECT PROPOSAL:**

Mr. Clark discussed the two bids received for the Eby Road Bridge and Pipe Repair. Central Penn Asphalt Pavement System was the lowest bid at \$9,130.00. The funding for this is from an Insurance claim received from an accident that caused the damage.

Supervisor Cort made a motion to award the contract for the Eby Road Bridge and Pipe Repair to Central Penn Asphalt Pavement System in the amount of \$9,130.00. Supervisor Zmuda seconded the motion. **Motion carried 5-0.**

**CLOSE ROADS- NOVEMBER 7, 2020-ANNUAL PIAA CROSS COUNTY CHAMPIONSHIPS:**

Vice Chairwoman Nutt made a motion to approve the request to close North Hockersville Road (SR2011) from Old West Chocolate Avenue to Hersheypark Drive from 7:00 a.m. to 4:00 p.m. on Saturday, November 7, 2020 for the Annual PIAA Cross Country Championships being held on the grounds of the Hershey Entertainment Complex. Supervisor Cort seconded the motion. **Motion carried 5-0.**

**SALE OF 2007 PIERCE ARROW XT AERIAL:**

Mr. Christman discussed the offer they received today for the sale of the 2007 Pierce Arrow XT Aerial. He stated the offer from the City of Charleston, SC is for \$200,000. A check for 20% has been provided. He thanked Fire Line Equipment for helping to sell the apparatus and noted they would receive a 5% commission. He stated the proceeds of the sale (\$190,000) would be applied to the debt of the new 2019 ladder truck. He thanked the Fire Company for all their hard work assisting with this process.

Chairman Abruzzo made a motion to authorize the Township Manager to execute a letter of intent to the City of Charleston, SC accepting the offer of \$200,000.00 for the purchase of a 2007 Pierce Arrow XT Aerial Fire Truck. Supervisor Zmuda seconded the motion. **Motion carried 5-0.**

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**CORRESPONDENCE BOARD/COMMITTEE INFORMATION:**

Supervisor Zmuda attended the Transportation meeting and spoke about the projects they discussed in the meeting. He mentioned the traffic issues with Ridge Road and will meet with Mr. Christman early next year to start looking at ways to mitigate traffic. He reminded residents to mail in their ballots sooner rather than later. Supervisor Cort spoke about the next All Things Diversity Zoom meeting on November 11, which will include talking with veterans. She thanked the employees for the years of service. She attended the Parks and Recreation Board meeting and spoke highly of the last drive-in movie last Saturday. Supervisor Wyckoff spoke about the last DTMA meeting and that they received an update on the projects and approved the salaries and wages.

Chairman Abruzzo spoke about the quarterly meeting that he, Vice Chairwoman Nutt and Mr. Christman attended with the School District. Mr. Christman discussed their conversation in regard to the Granada Gym debt service that we have jointly with the School District. There is money owed to the Township because of a reimbursement miscalculation over the years that has occurred as a shortfall to the Township in regard to the Resource Officer and shared expenses. The number has grown over the years. If the School District applies that toward the remaining debt service for the Township's portion of the Granada Gym arrangement, we anticipate owing very little on our balance that we entered into with the School District about twenty years ago. He spoke about the opportunity for the Township and School District to pursue that and suggested the Solicitors come up with a global agreement for both Boards to approve and remove the Township from any interest in the Granada Gym. The Board agreed with having both Solicitors move forward to work on a final agreement.

**REPORTS:**

<u>Police:</u>	Chief Warner submitted a grant to PCCD for body cameras. Trick or treat is this Saturday and it is voluntary. You can find tips on their Crime Watch website.
<u>Fire</u>	Mr. Stein spoke about wrapping up Fire Prevention Month. He reminded everyone not to park your cars on leaves and to check the batteries in your smoke detectors at home. They will be having a drive-thru for their Thanksgiving dinner this year from 11-2 p.m.
<u>Public Works:</u>	Mr. Clark stated they would be in leaf mode until early December. He spoke about the first Shade Tree Commission meeting and the election of officers. He detailed some of the items discussed at the meeting and is very encouraged by the members and their experience.
<u>Library</u>	Mrs. O'Grady stated they were going to have a presentation from the Friends of the Library but it will at the next meeting.
<u>Recreation</u>	Mr. Mandia stated the contractor is installing the piers for the foundation and will continue on the foundation. He noted the entrance to Cocoa Castle has changed. He thanked his Staff for their work on the last drive-in movie for the season.
<u>Community Development</u>	Mr. Emerick stated he and Mr. Christman are looking into the concerns voiced last meeting about the Hummelstown gun club. They haven't completed their review as of yet but will continue.

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**VISITOR/PUBLIC COMMENTS:**

Mrs. Colleen Pameijer, 156 Brookline Drive, is following up with her concerns with the increased noise of the gun club. She spoke about the pandemic and the need for people to do things with their extra time. She suggested sound barriers or some form of mitigation to help lessen the sound.

Mr. Rich Gamble, 39 Hockersville Road, thanked Mr. Christman for the financial update. He spoke about the taxes being raised for the residents from both the School District and Township. He noted how the town has become more of a tourist area, has increased development and has become less of a residential town. He asked about the entertainment tax since Hershey continues to expand their park and only pays \$.85 a ticket in tax to the Township. He believes it is time for the entities to get together and ask Hershey to kick in more from the tickets.

**ADJOURNMENT:**

Supervisor Zmuda made a motion to adjourn the meeting at 8:20 p.m. Vice Chairwoman Nutt seconded the motion. **Motion carried 5-0.**

**SUBMITTED BY:**

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Carter E. Wyckoff  
Township Secretary