

**TOWNSHIP OF DERRY**  
**BOARD OF SUPERVISORS MEETING MINUTES**  
**DECEMBER 1, 2020**

**CALL TO ORDER**

*In order to ensure public safety during the COVID-19 crisis, the December 1, 2020 meeting was held by audio and video conferencing via a Zoom Virtual Webinar and shown live on the Derry Township YouTube page.*

Chairman Abruzzo called the December 1, 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 there was not an executive session of the Board and noted Supervisor Cort would not be in attendance tonight.

**IN ATTENDANCE:**

**SUPERVISORS**

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

**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  
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. Kevin Ferguson, 1338 Quail Hollow Road, asked about the Community Center from Mr. Mandia's update from the last meeting. In that update there were pictures and floor plans that have not been seen by the public and he asked if they could be put on the website. He asked about the Fitness Center and the savings from the pool since this was discussed and the final result and savings were never shared with the taxpayers. He believes the pool change order saved about \$300,000. He noted that the taxpayers were hit with two tax increases for this Center and should be updated. He asked about the Mohler Senior Center relationship. Chairman Abruzzo asked Mr. Mandia to provide an update later in the meeting.

**CONSENT CALENDAR:**

Vice Chairwoman Nutt made a motion to adopt and approve the following items on the Consent Calendar:

1. Approval of Accounts Payable of \$36,838.58. Supervisor Zmuda seconded the motion.

**Motion carried 4-0.**

**NEW BUSINESS:**

**RESOLUTION 2020-36 QUALIFIED INTEREST RATE MGMT. AGREEMENT-HEDGE:**

Mr. Christman stated Resolution 2020-36 is to extend the hedge set to expire on December 31. This hedge is linked to the second borrowing for the Derry Township Community Center project. The second borrowing for the project is anticipated in early FY2021. Vice Chairwoman Nutt asked if an additional extension would be necessary considering COVID. She also asked if they have to borrow the full \$14

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million. Mr. Christman stated they would like to continue moving forward on the Center and they do not have to pull down the full \$14 million. Mr. Verdelli, RBC, confirmed the \$14 million is the maximum and the full amount does not have to be pulled down.

Chairman Abruzzo made a motion to adopt Resolution No. 2020-36 - Authorizing and Approving an Extension of the Township's Existing Qualified Interest Rate Management Agreement (Cash Settlement Hedge), Related to Township Nonelectoral Debt to be Evidenced by General Obligation Bonds; Approving the Substantial Form of the Amended Qualified Interest Management Agreement; Approving an Updated Interest Rate Management Plan prepared by the Township's Independent Financial Advisor, Including Related Maximum Payment Schedules; Reconfirming Covenants and Agreements to Budget, Appropriate and Pay any Periodic Scheduled Amounts due under the Qualified Interest Rate Management Agreement; and Authorizing Appropriate Officers of this Township to take related Actions. Supervisor Zmuda seconded the motion. **Motion carried 4-0.**

**PERMISSION FOR FIREWORKS ON JANUARY 1 :**

Vice Chairwoman Nutt made a motion that Derry Township Community Celebration Committee is granted permission to stage a firework display on January 1, 2021 at approximately 12:01 a.m. Supervisor Wyckoff seconded the motion. **Motion carried 4-0.**

**EXTENSION-CHOCOLATE WORLD EMPLOYEE SATELLITE PARKING -PLAT 1154:**

Mr. Emerick stated Plat 1154 represents Phase I of The Hershey Company's two-phase proposal to build a parking facility with 500 spaces for Chocolate World. The parcel is zoned Industrial which allows private parking lots or structures. Phase 1 would consist of 140 spaces located along the now former Park Boulevard, on what had been previously known for many years as the Creamery Tract. The parking facility would be restricted to employees of Chocolate World. This use is consistent with the 2015 Comprehensive Plan and the 2019 Zoning Ordinance, with the exception of bicycle parking. The present Zoning Ordinance would require 6 bicycle spaces. The extension request proposes no changes to the details of the previously approved plan or to the waivers.

Chairman Abruzzo expressed concern that this plan was submitted 12 years ago and asked if there was anything that would adversely affect the Township from this plan. Mr. Emerick stated it follows the current zoning ordinance except for the bicycle parking and confirmed there was not anything that would adversely affect the Township by granting the request.

Chairman Abruzzo made a motion extending the approval of the Preliminary/Final Land Development Plan for Hershey's Chocolate World Employee Satellite Parking, Phase 1, Plat 1154, for an additional 12 months (counted from January 2, 2021), subject to compliance with items subject to the following:

1. A performance security is provided in an amount equal to the original approved amount PLUS 10% for each one-year period beyond the first anniversary date establishing the amount (not to exceed 110%), OR that a new amount established in accordance with the requirements of the Subdivision and Land Development Ordinance is provided to guarantee the completion of required improvements, and the accompanying agreement is signed no later than January 2, 2022.
2. The comments in HRG's March 30, 2009 letter (attached) regarding the SWM BMP plan are addressed no later than January 2, 2022.
3. The applicant applies for and receives a new NPDES permit from the Dauphin County Conservation District no later than January 2, 2022.

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4. The applicant applies for and receives a new Water Obstruction and Encroachment Permit no later than January 2, 2022 for the proposed point source discharges to Spring Creek.
5. The applicant ensures the renewal of any other expired approvals or permits originally required for the project no later than January 2, 2022.
6. The applicant obtains any other regulatory approvals or permits required for the project no later than January 2, 2022.
7. The Stormwater Best Management Practices Operations and Maintenance Agreement is recorded concurrently with the plan.

Vice Chairwoman Nutt seconded the motion. **Motion carried 4-0.**

**CORRESPONDENCE BOARD/COMMITTEE INFORMATION:**

Vice Chairwoman Nutt noted today is giving Tuesday and encouraged those who could give to non-profits to do so. They are hurting from COVID and could use your monetary donation or voluntary time. Chairman Abruzzo noted that the Board members submitted their comments on the Transportation Study to be part of last week's notes and be on the website with the study.

**REPORTS:**

<u>Police:</u>	Chief Warner spoke about porch pirates stealing packages. He will be putting something out in social media as a reminder.
<u>Fire</u>	Mr. Sassaman was unable to attend tonight as the Fire Company had their meeting tonight.
<u>Public Works:</u>	Mr. Clark stated they are picking up leaves with their crews and trying to stay on schedule. He noted they are doing a great job keeping up.
<u>Recreation</u>	Mr. Mandia stated they are working on getting their floor plans, pictures and schedule posted to the website. He provided the following answers on questions asked earlier: <ul style="list-style-type: none"> <li>• Fitness – will be done by Township Staff.</li> <li>• Mohler Senior Center – they will make a yearly contribution and provide volunteers which will reduce staffing costs. In addition, their area, will be used Monday to Friday until 3 p.m. and will be available for programming and rentals after those hours.</li> <li>• He will provide an update at the second meeting in December and will discuss savings and provide figures. He did note that the reduction in the pool will save \$100,000 a year with staffing and maintenance.</li> </ul>
<u>Community Development</u>	Mr. Emerick provided his last update on the Hummelstown Gun Club. He noted that they were built prior to the noise ordinance and zoning and are grandfathered from new changes in the zoning. There are state statutes that also protect them. He spoke with John Kline and they are aware of their neighbors concerns and will consider them as they expand. He noted their rifle range is the oldest range and is probably the noisiest. They also hold events. Supervisor Wyckoff noted they receive fill that also makes noise in the early mornings as he lives near the range. Mr. Emerick spoke about the fill and how it is a benefit for those providing the fill and could help with noise. He will reach out to Colleen who had voiced her concerns about this club.

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**VISITOR/PUBLIC COMMENTS:**

Mr. Kevin Ferguson thanked Mr. Mandia for the explanation he provided and believes the public should know about the Mohler Senior Center.

**ADJOURNMENT:**

Supervisor Zmuda made a motion to adjourn the meeting at 7:51 p.m. Vice Chairwoman Nutt seconded the motion. **Motion carried 4-0.**

**SUBMITTED BY:**

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Carter E. Wyckoff  
Township Secretary