

**TOWNSHIP OF DERRY**  
**BOARD OF SUPERVISORS MEETING MINUTES**  
**JANUARY 4, 2021**

**CALL TO ORDER**

*In order to ensure public safety during the COVID-19 crisis, the January 4, 2021 meeting was held by audio and video conferencing via a Zoom Virtual Webinar and shown live on YouTube on the Derry Township YouTube page.*

Supervisor Abruzzo called the January 4, 2021 Regular Meeting of the Township of Derry Board of Supervisors to order at 7:07 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.

**IN ATTENDANCE:**

**SUPERVISORS**

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

**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 Company  
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:**

There were no public comments offered.

**REORGANIZATION:**

**RESOLUTION 2021-01: BOARD OF SUPERVISORS:**

Supervisor Nutt made a motion to appoint Supervisor Abruzzo as Chairman for the year 2021. Supervisor Wyckoff seconded the motion. **Motion carried 5-0.**

Supervisor Wyckoff made a motion to appoint Supervisor Nutt as Vice Chairwoman for the year 2021. Supervisor Abruzzo seconded the motion. **Motion carried 5-0.**

Supervisor Abruzzo made a motion to appoint Supervisor Wyckoff as the Township Secretary for the year 2021. Supervisor Nutt seconded the motion. **Motion carried 5-0.**

Supervisor Cort made a motion to appoint Mr. Christopher Christman as Township Assistant Secretary for the year 2021. Supervisor Nutt seconded the motion. **Motion carried 5-0.**

Supervisor Cort made a motion to appoint Mr. Christopher Christman as Township Treasurer for the year 2021. Supervisor Zmuda seconded the motion. **Motion carried 5-0.**

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Supervisor Wyckoff made a motion to appoint Grim, Biehn and Thatcher as the Township Solicitor for the year 2021. Supervisor Zmuda seconded the motion. **Motion carried 5-0.**

Supervisor Nutt made a motion to appoint HRG as Township Engineer for the year 2021. Supervisor Cort seconded the motion. **Motion carried 5-0.**

Supervisor Cort made a motion to adopt **Resolution 2021-01** a resolution of the Township of Derry, Dauphin County, Pennsylvania appointing Supervisor Abruzzo as Chairman and Supervisor Nutt as Vice Chairwoman of the Board of Supervisors, Supervisor Wyckoff as Township Secretary, Mr. Christman as Assistant Township Secretary, Mr. Christman as Township Treasurer, Grim, Biehn and Thatcher as Township Solicitor, and HRG as Township Engineer for the year 2021. Supervisor Nutt seconded the motion. **Motion carried 5-0.**

**RESOLUTION 2021-02 - MANAGER'S BOND LIMIT:**

Vice Chairwoman Nutt made a motion to approve **Resolution 2021-02** a resolution of the Township of Derry Dauphin County, Commonwealth of Pennsylvania, setting the bond limit for the Township Manager and Treasurer shall be not less than \$1,500,000 for the year 2021. Supervisor Cort seconded the motion. **Motion carried 5-0.**

**RESOLUTION 2021-03-DELEGATES TO STATE CONVENTION:**

Supervisor Zmuda made a motion to approve **Resolution 2021-03** electing Chairman Abruzzo as the voting delegate to the 2021 State Convention with Mr. Christopher Christman as the alternate delegate. Vice Chairwoman Nutt seconded the motion. **Motion carried 5-0.**

**RESOLUTION 2021-04-DEPOSITORIES FOR TOWNSHIP FUNDS:**

Vice Chairwoman Nutt made a motion to approve **Resolution 2021-04** that PNC Bank, Santander Bank, Pennsylvania Local Government Investment Trust, Northwest Bank, Fulton Bank, Wells Fargo, M&T Bank, Branch Banking & Trust Company, Centric Bank, Members 1st Federal Credit Union, Hershey Federal Credit Union, Bryn Mawr Bank Corp. (Hershey Trust), and Pennsylvania Treasury Invest Program are selected as depositories for the funds of the Township of Derry for the year 2021, and the Township Treasurer is further authorized to invest Township funds in any security as authorized in Act 102 of 1980; and that the Township Treasurer, who has been duly elected as Township Treasurer by the Board of Supervisors, is directed to deposit in said depositories all funds coming into his hands as Township Treasurer. Be it further resolved and enacted, that after any such funds have been deposited in said regular designated depositories by the Township Treasurer, the Township Treasurer and his surety or sureties shall thereafter be relieved of all liability occasioned by the failure or insolvency of said depositories. Supervisor Zmuda seconded the motion. **Motion carried 5-0.**

**RESOLUTION 2021-05- HERSHEY FIREMAN'S RELIEF ASSOCIATION:**

Supervisor Cort made a motion to approve **Resolution 2021-05** a resolution to be resolved and enacted, and it is hereby resolved and enacted by the Board of Supervisors of the Township of Derry, Dauphin County, Pennsylvania, as follows: whereas, the Township of Derry has been afforded protection by the Hershey Volunteer Fire Company, which has a fireman's relief association, now, therefore, be it resolved and enacted, that the Township of Derry will pay over to the Hershey Fireman's Relief Association all monies received from Foreign Fire Insurance Tax for the year 2021. Supervisor Zmuda seconded the motion. **Motion carried 5-0.**

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**BOARD OF SUPERVISOR APPOINTMENTS:**

**Industrial Commercial Development Authority:**

Chairman Abruzzo made a motion to reappoint Chairman Abruzzo to the Industrial Commercial Development Authority to a three-year term. Supervisor Cort seconded the motion.

**Motion carried 5-0.**

**Parks and Recreation Advisory Board:**

Chairman Abruzzo made a motion to reappoint Supervisor Cort of the Board of Supervisors to the Parks and Recreation Advisory Board for a five-year term. Supervisor Zmuda seconded the motion. **Motion carried 5-0**

**Police Pension Advisory Board:**

Chairman Abruzzo made a motion to reappoint Supervisors Cort & Wyckoff to the Police Pension Advisory Board for one-year terms. Vice Chairman Nutt seconded the motion. **Motion carried 5-0.**

**Tax Collection Association:**

Chairman Abruzzo made a motion to reappoint Vice Chairwoman Nutt to the Tax Collection Association for two-year term. Supervisor Wyckoff seconded the motion. **Motion carried 5-0**

**Library Endowment Trust:**

Vice Chairwoman Nutt made a motion to reappoint Chairman Abruzzo to the Library Endowment Trust for a one-year term. Supervisor Cort seconded the motion. **Motion carried 5-0.**

**Derry Township and Derry Township School District Working Group:**

Chairman Abruzzo made a motion to appoint Chairman Abruzzo and Vice Chairwoman Nutt to the Derry Township and Derry Township School district Working Group for one-year terms. Supervisor Zmuda seconded the motion. **Motion carried 5-0.**

**Subdivision and Land Development Plan Preapplication Review Committee:**

Chairman Abruzzo made a motion to reappoint Supervisor Zmuda and appoint Supervisor Wyckoff to the Subdivision and Land Development Plan Preapplication Review Committee for one-year terms. Vice Chairwoman Nutt seconded the motion. **Motion carried 5-0.**

**Transportation Liaisons:**

Chairman Abruzzo made a motion to reappoint Supervisor Zmuda and appoint Vice Chairwoman Nutt as Transportation Liaisons for one-year terms. Supervisor Cort seconded the motion. **Motion carried 5-0.**

**APPOINTMENTS TO AUTHORITIES, BOARDS AND COMMITTEES**

**Downtown Core Design Board:**

Supervisor Cort made a motion to reappoint George Achorn to the Downtown Core Design Board for a five-year term. Vice Chairwoman Nutt seconded the motion. **Motion carried 5-0.**

**General Authority Board:**

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Chairman Abruzzo made a motion to reappoint Elizabeth Claypoole for a three-year term to the General Authority Board. Supervisor Zmuda seconded the motion. **Motion carried 5-0.**

**Board of Library Directors:**

Vice Chairwoman Nutt made a motion to reappoint William Ecenbarger and Susan Kreider to the Board of Library Directors for a three-year term. Chairman Abruzzo seconded the motion. **Motion carried 5-0.**

**Municipal Authority:**

Chairman Abruzzo made a motion to appoint John Canavan for a five-year term to the Municipal Authority Board. Supervisor Cort seconded the motion. **Motion carried 5-0.** The Board thanked Mr. Weir for his service to the Township and for his many years serving on this Board.

**Planning Commission:**

Chairman Abruzzo made a motion to reappoint Glenn Rowe and Matt Tunnell to the Planning Commission for four-year terms. Vice Chairwoman Nutt seconded the motion. **Motion carried 5-0.**

**Police Pension Authority Board:**

Vice Chairwoman Nutt made a motion to reappoint Louis Verdelli to the Police Pension Authority Board for a one-year term. Supervisor Cort seconded the motion. **Motion carried 5-0.**

**Shade Tree Commission:**

Vice Chairwoman Nutt made a motion to reappoint Sandra May to the Shade Tree Commission for a one-year term. Supervisor Zmuda seconded the motion. **Motion carried 5-0.**

**Vacancy Board:**

Supervisor Wyckoff made a motion to reappoint Kelly Fedeli to the Vacancy Board for a one-year term. Supervisor Zmuda seconded the motion. **Motion carried 5-0.**

**Zoning Hearing Board:**

Chairman Abruzzo made a motion to reappoint Michael Angello for a five-year term to the Zoning Hearing Board. Vice Chairwoman Nutt seconded the motion. **Motion carried 5-0.**

**STAFF APPOINTMENTS:**

**Emergency Management Coordinator & Deputy Coordinators:**

Chairman Abruzzo made a motion to reappoint Lt. Tim Roche as the Emergency Management Coordinator for a one-year term and Sgt. Steve Beard and Todd Pagliarulo as Deputy Coordinators for one-year terms for the Emergency Management Agency. Supervisor Cort seconded the motion. **Motion carried 5-0.**

**Tri-County Regional Planning:**

Chairman Abruzzo made a motion to reappoint Mr. Christopher Christman to the Tri-County Regional Planning for a one-year term. Vice Chairwoman Nutt seconded the motion. **Motion carried 5-0.**

**Capital Region Council of Governments:**

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Vice Chairwoman Nutt made a motion to reappoint Tom Clark to the Capital Region Council of Governments for a one-year term and Christopher Christman as an alternate. Supervisor Cort seconded the motion. **Motion carried 5-0.**

**Township Sewage Enforcement Officer:**

Supervisor Cort made a motion to appoint Jeremy Bentz to serve as the Township Sewage Enforcement Officer for a one-year term. Chairman Abruzzo seconded the motion. **Motion carried 5-0.**

**CONSENT CALENDAR**

Vice Chairwoman Nutt made a motion to approve the following items on the consent calendar:

1. Adopt the Board of Supervisors meeting minutes from December 15, 2020
2. Authorize the release of \$7,940.00 from the financial security provided in the form of Members 1st Federal Credit Union Letter of Credit No. 897854-0000 for the Stormwater Management Plan for NAMRAG, LLC, S-2019-013, resulting in a new balance of \$3,609.00.
3. Approval of Accounts Payable \$1,495,514.39 and Payroll of \$278,628.59.

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

**NEW BUSINESS:**

**RESOLUTION 2021-06-APPOINTING AUDITORS FOR 2020 FISCAL YEAR:**

Chairman Abruzzo made a motion to adopt Resolution 2021-06, to appoint Hamilton and Musser, PC to examine and audit the accounts of the Township of Derry for the 2020 fiscal year for a sum of \$16,100. Vice Chairwoman Nutt seconded the motion. **Motion carried 5-0.**

**RESOLUTION 2021-07-POLICE PENSION FUND RATE:**

Vice Chairwoman Nutt made a motion to adopt Resolution 2021-07 establishing the contribution rate for the police pension fund for 2021 at 2% of wages. Supervisor Cort seconded the motion. **Motion carried 5-0.**

**PLAN FOR 1106 COCOA AVENUE FOR NAGILLUM PROPERTIES, LLC, PLAT 1333:**

Mr. Emerick stated the property is located along the western side of Cocoa Avenue and is within the Hershey Mixed Use and Southern Core Overlay zoning districts. The current mixed-use commercial building will be demolished to build a new medical practitioners office. The site will have the necessary parking facilities to support the future use. Located in the Southern Core Overlay zoning district, the maximum impervious coverage for the lot is 9,600 square feet, or 60%. The site currently has 13,643 square feet of impervious coverage, or 85.3% of the lot. With the demolition of the existing building and construction of the new building, the impervious coverage will be reduced to 10,996 square feet, or 73.3% of the lot. He noted the applicant has not submitted a traffic impact study but has completed a narrative of generated traffic for the proposed use. The proposed use is expected to generate approximately 19 AM peak hour trips and 15 PM peak hour trips. The proposed access drive from Cocoa Avenue will require approval of a Highway Occupancy Permit from PennDOT before construction commences. He discussed each of the waivers and conditions of the plan and answered questions the Board had about the plan.

Chairman Abruzzo made a motion to grant the following requested waivers from the Subdivision and Land Development Ordinance and the Stormwater Management Ordinance as noted in the Explanation section of this agenda item for the Preliminary/Final Land Development Plan for 1106 Cocoa Avenue for Nagillum Properties, LLC, Plat 1333:

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1. From Section 185-12.D.(3).(a).[9] – Existing physical features within 200’ of the property.
2. From Section 185-12.D.(3).(a).[35] – Existing topographic features within 200’ of the property.
3. From Sections 185-12.D.(3).(a).[21], [22], [23] and 185-13.E.(4).(a).[19], [20], [21] –Preparation of profiles for all existing storm sewer, sanitary sewer, water, and gas lines within the property.
4. From Section 185-34.A.(1) – Sidewalks to be installed four inches from right-of-way line (Cocoa Avenue).
5. From Section 174-17.C.(2) – Minimum stormwater pipe size to be fifteen inches.

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

Supervisor Cort made a motion to approve the Preliminary/Final Land Development Plan for 1106 Cocoa Avenue for Nagillum Properties, LLC, Plat 1333, subject to compliance with the following items:

1. The applicant reimburses the Township for costs incurring in reviewing the plan no later than February 4, 2021.
2. A financial security is provided to guarantee the completion of the proposed improvements in the amount of \$135,950.00 and in a manner acceptable to the Township no later than July 4, 2021, and that the applicant/owner executes the Development and Financial Security Agreement no later than July 4, 2021.
3. All occurrences of “Central Master Plan Approval Area” on Sheet C3.0 are changed to “Hershey Mixed Use Zoning District” no later than July 4, 2021.
4. The Township administrative fee of \$26.00 for the sewage facility planning module application mailer request for sewage planning exemption is provided no later than July 4, 2021.
5. Comments 1 through 6 in attached December 16, 2020 HRG, Inc. letter are addressed no later than July 4, 2021.
6. 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 July 4, 2021.
7. Two originals of the signed and notarized Development and Financial Security Agreement are provided to the Township no later than July 4, 2021.
8. The Development and Financial Security Agreement is recorded concurrently with the plan.
9. The deed of dedication for right-of-way along Cocoa Avenue is recorded concurrently with the plan.

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

**CORRESPONDENCE BOARD/COMMITTEE INFORMATION:**

Supervisor Cort thanked those involved with the New Year’s Celebration. She mentioned the January meeting of All Things Diversity is speaking on religious differences. Supervisor Wyckoff received updates on the projects for DTMA during their meeting. He spoke about DTMA working toward being able to guarantee their own debt and relieving the Township from being their Guarantor.

**REPORTS:**

<u>Police</u>	Chief Warner stated they were approved for a grant for body cameras and will be working toward rolling them out by the end of the first quarter.
<u>Fire</u>	Mr. Sassaman stated they attended the gravesite funeral for Steve Walls, completed the Santa run and were at the fireworks for New Year’s Eve. They will be inducting their officers in on Tuesday.

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<u>Library</u>	Mrs. O’Grady stated they are planning to have a book sale this year and have temporarily stopped taking book donations because of COVID.
<u>Public Works:</u>	Mr. Clark noted they have been busy with the snow and salting in December.
<u>Recreation</u>	Mr. Mandia noted they will have to temporarily close Cocoa Castle for safety reasons as the construction continues on the new Center. He stated they would have an update on the Center at the next meeting.

**VISITOR/PUBLIC COMMENTS:**

There were no public comments.

**ADJOURNMENT:**

Supervisor Cort made a motion to adjourn the meeting at 8:24 p.m. Supervisor Zmuda seconded the motion. **Motion carried 5-0.**

**SUBMITTED BY:**

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Carter E. Wyckoff  
Township Secretary