

TOWNSHIP OF DERRY
BOARD OF SUPERVISORS MEETING MINUTES
APRIL 13, 2021

CALL TO ORDER

To ensure public safety during the COVID-19 crisis, the April 13, 2021 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 April 13, 2021 Regular Meeting of the Township of Derry Board of Supervisors to order at 7:00 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 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
Zachary Jackson, Assistant 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 comments offered.

CONSENT CALENDAR:

Vice Chairwoman Nutt made a motion to authorize action on the following Consent Calendar:

- Adoption of Board of Supervisors Meeting Minutes for the March 23, 2021 Meeting.
- Authorizes the release of performance security in the amount of \$141,106.96, which was provided in the form of PNC Bank Letter of Credit No. 18127809-00-000 for the Revised Preliminary/Final Land Development Plan for the Pennsylvania State University Milton S. Hershey Medical Center University Technology Center and Healing Garden Infill, Plat 1274.
- Approving Accounts Payable of \$2,057,466.79 and Payroll of \$288,717.31.

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

NEW BUSINESS:

APPOINT CONSULTANT FOR ASSISTANCE ON AMERICAN RESCUE PLAN ACT OF 2021:

Mr. Christman spoke about appointing Zelenkofsky Axelrod, LLC for the purpose of providing technical assistance and advice in relation to the policies, procedures, and accountability functions of the American Rescue Plan Act (ARA) of 2021. A flat fee of \$50,000 will be charged which can be paid with funds from the ARA. This flat fee will cover the entire program length of May/June 2021 through December 2024. Based on current estimates, the Township could be eligible for nearly \$2.5 million in aid which would be split between years. He spoke about the expenses this money could cover. The Commonwealth will be required to report to the U.S. Treasury on the use of these funds. This

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accounting firm is being used by surrounding municipalities to help obtain this money with guidance on the requirements and reporting.

Chairman Abruzzo made a motion to authorize the Township Manager to execute the engagement letter with Zelenkofsky Axelrod, LLC dated March 15, 2021 for an amount not to exceed \$50,000 for the purpose of providing technical assistance and advice in relation to the policies, procedures, and accountability functions of the American Rescue Plan Act of 2021. Supervisor Cort seconded the motion. **Motion carried 5-0.**

POLICIES FOR THE DERRY TOWNSHIP TAX COLLECTION ASSOCIATION:

Mr. Christman stated the Tax Collection Association met in February 2021 and adopted a series of Policies which were provided to the Board. Derry Township and the Derry Township School District, serve as the oversight bodies of the Tax Collection Association and should approve these policies. The Derry Township School District has approved them. The Board requested this information be placed in the weekly E-News so that the residents may be aware of these changes.

Chairman Abruzzo made a motion adopt the policies of the Derry Township Tax Collection Association as presented. Vice Chairwoman Nutt seconded the motion. **Motion carried 5-0.**

ORDINANCE 2021-04-ALLOW FOR THE LIMITED DISTURBANCE OF STEEP SLOPES:

Solicitor Oetinger stated that up for consideration is Ordinance 2021-04, amending Chapter 225 (Zoning) of the Code of the Township of Derry to allow for limited disturbance of steep slopes. There was a Public hearing held at 6 p.m. tonight. This was previously presented as a private Zoning Amendment Petition No. 2020-01 in February 2021. The Board at their meeting requested some safeguards and referred it to the Planning Commissions and Staff for review. He stated the Ordinance before the Board encompasses changes and input from Staff, Solicitor, and the Applicant. Mr. Emerick stated the ordinance was presented at the public hearing this evening. He noted it has been properly advertised for action tonight. He noted there were safeguards put into the ordinance including protecting the trail and tree planting.

Supervisor Cort made a motion to adopt Ordinance No. 2021-04. Supervisor Zmuda seconded the motion. **Motion carried 5-0.**

TIME EXTENSION- PLAN FOR CACAO WAY, PLAT 1331:

Mr. Emerick stated since the agenda went out, the applicant has met all the requirements and a time extension is no longer needed. However, he requested the Board approve the signing of the Developer's agreement. Solicitor Oetinger spoke about the Developer's Agreement and the purpose for it.

Chairman Abruzzo made a motion to authorize the signing of the Developer's Agreement for the Final Land Development Plan for Cacao Way, Plat 1331. Vice Chairwoman Nutt seconded the motion. **Motion carried 5-0.**

SECURITY-S-2021-004-1605 LANDVATER ROAD:

Chairman Abruzzo made a motion to accept a cash financial security in the amount of \$6,798 and enter into the Agreement to Provide Financial Security with Wayne Ford and Dawn Carpenter for the Post Construction Stormwater Management Plan for Ford/Carpenter Property (1605 Landvater Road), S-2021-004. Vice Chairwoman Nutt seconded the motion. **Motion carried 5-0.**

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THE SOUTHWEST WASTEWATER TREATMENT PLANT:

Mr. Emerick stated the Southwest Wastewater Treatment Plant (SW WWTP) was originally established in 1991 and is located along Swatara Creek Road in Londonderry Township. It presently serves eight residential areas and six major commercial customers located inside and outside of Derry Township. DTMA is mandated by DEP to update or supplement their Act 537 Plan with a “Special Study” in order to upgrade the SW WWTP. Since the SW WWTP is located in Londonderry Township and the expansion is meant to primarily serve anticipated needs outside of Derry Township, the Londonderry Township Planning Commission and Board of Supervisors are tasked with approval of the Act 537 Special Study.

Mr. Bill Rehkop, the Executive Director of DTMA, spoke to the Board about the draft Act 537 Special Study they completed. He noted it contained costs and alternatives which would be given to the DEP. He spoke about capacity upgrades and provided the background of the plan. It was presented to the Planning Commission and has a 30-day comment period which ends this week. Supervisor Zmuda asked if there were flood considerations in the report. Mr. Rehkop noted the plants have flood mitigation plans but haven’t been impacted to date. He noted this is an amendment to the previous study and not every item is reviewed. He asked the Board to forward any questions or comments they had about the report so they could be included in the report to DEP with the study.

ADVERTISE ORDINANCE 533 -- MAXIMUM SPEED LIMITS -- 25 MPH SPEED LIMIT:

Chief Warner asked the Board for authorization to advertise an ordinance amending the Code of the Township of Derry (Ordinance No. 553) Chapter 210 § 210-12. Maximum Speed Limits Established on Certain Streets, by establishing a 25-mph speed limit on the roads listed in his memo. The Police Department was made aware of resident concerns over the lack of posted speed limits on streets within the Village of Hershey. The streets within this area were examined to see what additional speed limit restrictions may be warranted. Based on the review of the streets it is felt that the posting of speed limits on the listed roadway segments would be beneficial.

Vice Chairwoman Nutt asked how long it would take to put the signs up. Chief Warner noted at a cost of \$200 each it would be years and be put in future budgets. He stated they would start with the connector roads people use then continue to add them. He noted it would take \$10-\$13,000 to put all of them up. Discussion ensued.

Vice Chairwoman Nutt made a motion to authorize the advertising of an Ordinance, to amend the Code of the Township of Derry (Ordinance No. 553) Chapter 210 § 210-12. Maximum Speed Limits Established on Certain Streets, by establishing a 25-mph speed limit as outlined in the Chief’s memo. Supervisor Wyckoff seconded the motion. **Motion carried 5-0.**

ARBOR DAY-APRIL 30TH:

Supervisor Cort made a motion to proclaim the last Friday in April, that being April 30, 2021, the official day for observance of Arbor Day in Derry Township. Supervisor Zmuda seconded the motion. **Motion carried 5-0.**

CORRESPONDENCE BOARD/COMMITTEE INFORMATION:

Supervisor Cort will not attend the next meeting and wanted to take the time to express her gratitude to Mr. Mandia who is retiring at the end of this month. She spoke of the joy it has been working with him

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these past years. She spoke about the events her family attended which were organized by him and his department and the memories they have made. She thanked him for his service.

REPORTS:

<u>Police</u>	Chief Warner stated they are continuing to work on the body cameras and will be ordering them and will be training next. He spoke about the new police officer and she will be sworn in this week.
<u>Public Works:</u>	Mr. Clark stated they completed the fence at Bullfrog Valley Road. He showed a picture of the exit sign on Route 322 which should have the parts to be fixed in the next 2-4 weeks to straighten and align them.
<u>Accounting:</u>	Mrs. Lontz stated the field work for the audit starts Monday with a completion date in June.
<u>Library:</u>	Mrs. O’Grady thanked Public Works for working on the landscaping and mulching at the library. She thanked the Police for their assistance with a patron who needed help.
<u>Parks & Recreation</u>	Mr. Jackson stated they are continuing work on the Recreation Center. The underground sanitary lines are being worked on. Cocoa Castle will need to close for a few weeks while the underground utilities lines are completed. They will ensure the public is notified. He shared the changes that will be put in place for the fishing derby this year to ensure safety with COVID concerns.
<u>Community Development:</u>	Mr. Emerick stated there was a change to the development concerning the State Police Academy with the Hershey Trust. The change excludes the state from liens. He wanted to let the Board know this change. He discussed the concern about signs. Mr. Christman, Solicitor Armstrong, and he reviewed the ordinance and did reach out to the concerned citizen. Chairman Abruzzo asked about looking into the number of signs and location and possibly banning signs in the right of way due to site distances at certain intersections. This will be discussed further offline.
<u>Manager:</u>	Mr. Christman thanked Mr. Mandia for his 27 years of service to the Township. He stated Mr. Mandia has touched thousands of lives and his fingerprint is all over this community. He stated it has been a privilege and honor to work with him as he has been at the top of his game. Mr. Mandia thanked him for the kind words. He thanked this Board and prior Boards and Staff. He thanked the Parks and Recreation employees both past and present. He thanked Mr. Jackson for his leadership and vision with the Recreation Center and his knowledge of Recreation. He thanked the residents for the opportunity to serve them over these years and he will cherish the relationships he has formed. Chairman Abruzzo spoke of Mr. Mandia’s commitment to the residents and recreation. He noted so many events are on the weekends where Mr. Mandia and staff run the events. So often he held the hands of the Board members through these events. He thanked him for his service.

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VISITOR/PUBLIC COMMENTS:

There were no comments offered.

ADJOURNMENT:

Supervisor Cort made a motion to adjourn the meeting at 8:29 p.m. Supervisor Zmuda seconded the motion. **Motion carried 5-0.**

SUBMITTED BY:

Carter E. Wyckoff
Township Secretary