

**TOWNSHIP OF DERRY**  
**BOARD OF SUPERVISORS MEETING MINUTES**  
**MAY 11, 2021**

**CALL TO ORDER**

*To ensure public safety during the COVID-19 crisis, the May 11, 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 May 11, 2021 Regular Meeting of the Township of Derry Board of Supervisors to order at 7:04 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. There was an executive session from 6 p.m. to 6:40 p.m. to discuss personnel matters.

**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 Company  
Zachary Jackson, Assistant Director of Parks and Recreation  
Cheryl Lontz, Manager of Payroll and Employee Benefits  
Laura O'Grady, Director of Hershey Public Library  
Michael Wood, HRG Engineer  
Brian Blahusch, IT Manager  
Julie Echterling, Recorder

**VISITOR/PUBLIC COMMENTS:**

There were no comments offered.

**CONSENT CALENDAR:**

Supervisor Cort made a motion to authorize action on the following Consent Calendar:

- Adoption of the April 27, 20121 Board of Supervisors Regular Meeting Minutes.
- Authorizes the release of performance security in the amount of \$309,499.00, provided as Hershey Trust Company Letter of Credit No. 2019-01 for the Preliminary/Final Land Development Plan for the Milton Hershey School Central Operations Facility Expansion, Plat 1306.
- Authorizes the release of \$232,192.00 from the financial security provided in the form of Fidelity and Deposit Company of Maryland Bond No. CSB9353959 for the Hershey Square Shopping Center Stormwater Management Site Plan, S-2020-005, resulting in a new balance of \$185,156.00.
- Authorizes the release of the remaining balance (\$703.00) of the cash performance security provided for the Stormwater Management Site Plan for 542 West Caracas Avenue, S-2020-016.
- Authorizes the release of maintenance security in the amount of \$4,653.75, provided as cash for the Preliminary/Final Subdivision and Land Development Plan for Muscalus Property, Plat 1269.
- Approving Accounts Payable of \$1,210,845.62 and Payroll of \$292,848.15.

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

**TOWNSHIP OF DERRY**  
**BOARD OF SUPERVISORS MEETING MINUTES**  
**MAY 11, 2021**

**NEW BUSINESS:**

**ADVERTISE-DISPOSITION OF SURPLUS PROPERTY-ELECTRONIC AUCTION:**

Mr. Christman stated Board approval is needed for the following Public Works items to be disposed of through public auction:

1. CAT 955 Track Loader – 9,343 hours,
2. 2004 Ford F550 Stainless Steel Dump Truck with Snowplow – 107,296 miles,
3. 1999 GMC 8500 Dump Truck – 99,393 miles,
4. 1989 Ford Cargo Chassis – 89,583
5. John Deere Snow Plow – Model 345.

Chairman Abruzzo made a motion to authorize the Township Manager to advertise for the disposition of surplus personal property by electronic auction as outlined in Section 1504 of the Pennsylvania Second Class Township Code, as amended. Supervisor Cort seconded the motion. **Motion carried 5-0.**

**EXECUTION OF DOCUMENTS -PENNDOT HOP APP FOR HERSHEY WEST END:**

Mr. Emerick stated PennDOT has given technical approval to the proposed traffic signal modifications within Derry Township for the Hershey West End (HWE) project and has authorized Traffic Planning and Design (TDP) to obtain Township authorized signatures on the signal plans for three existing traffic signals in the Township. These modifications have been designed and will be installed by the developer for HWE, Hershey Trust Company (HTC). The proposed modifications are consistent with the recommendations from the approved traffic impact study and have also been reviewed by HRG. Solicitor Armstrong is creating an agreement with HTC, binding them to standards to be practiced throughout the completion of work approved under the HOP. The agreement will note that HTC is financially responsible for the adjustments to the traffic signal and all other improvements required under the HOP. He spoke about the new process PennDOT implemented for forms which requires the Township to enter into an agreement with PennDOT. This agreement will allow changes without the Board preparing resolutions for such changes. Solicitor Armstrong is reviewing the documents. He noted TPD expects that PennDOT will not issue the permits until Derry Township executes the new master Traffic Signal Maintenance Agreement with PennDOT (and then provide the new TE-160 forms as applicable); however, they are allowing TPD to obtain Township signatures on the signal plans to keep the PennDOT process moving, since HTC has timing constraints and desires to have PennDOT approvals in hand by the end of June.

Vice Chairwoman Nutt made a motion authorizing Christopher Abruzzo, Chairman of the Board of Supervisors, to execute the finally approved Traffic Signal Agreement and that Charles W. Emerick, Director of Community Development, is authorized to sign the PennDOT plans upon execution and receipt of the Agreement with HTC. Supervisor Cort seconded the motion. **Motion carried 5-0.**

**DEP REQUIRED FORMS FOR PLAN FOR BURDS -PLAT #1336:**

Mr. Emerick stated on March 23, 2021, the Board of Supervisors conditionally approved Plat 1336, which proposes to further subdivide the Burds' land located along Middletown Road. Lot R is being subdivided to create a new lot around the Stauffers of Kissel Hill improvements. He spoke about the DEP Request for Planning Waiver and Non-Building Declaration Form that needs to be completed instead of the form submitted in January. The Planning Commission approved the form in their May meeting, and it requires Board approval as well. In addition to the form, one of the conditions in the conditional approval letter needs to be changed.

**TOWNSHIP OF DERRY**  
**BOARD OF SUPERVISORS MEETING MINUTES**  
**MAY 11, 2021**

Chairman Abruzzo made a motion authorizing Chairman of the Board of Supervisors to sign the 'Request for Planning Waiver and Non-Building Declaration' DEP form, and that condition 3 of the March 30, 2021 Township conditional approval letter for Plat 1336 is revised to read as follows "*The Applicants shall comply with and/or otherwise satisfy comments 1 through 4 under 'Subdivision and Land Development' and comment 1 under 'Metes and Bounds Description' in the Township Engineer's review letter dated March 12, 2021, a copy of which is attached hereto and specifically incorporated herein by reference, no later than September 23, 2021.*" Vice Chairwoman Nutt seconded the motion. **Motion carried 5-0.**

**SECURITY-STORMWATER-PSUHMC WEST LAYDOWN AREA-S-2021-002:**

Supervisor Zmuda made a motion to accept a financial security in the amount of \$41,388.00, in the form of PNC Bank Letter of Credit No.18134483-00-000 and enter into the Agreement to Provide Financial Security between the Pennsylvania State University and the Township for the Penn State Milton S. Hershey Medical Center West Laydown Area Stormwater Management Plan, S-2021-002. Supervisor Cort seconded the motion. **Motion carried 5-0.**

**ALCOHOLIC BEVERAGES IN CHOCOLATETOWN SQUARE PARK FOR DHA EVENTS:**

Chairman Abruzzo made a motion to allow alcoholic beverages to be on the property of ChocolateTown Square Park in conjunction with the Downtown Hershey Association's 2021 Life on Chocolate event series, including: • Market on Chocolate, Saturdays, June through September, • Music on Chocolate, Second Saturday of each month, June through September, • Art Show and Culturefest, TBD, • Choctoberfest, October, • Holiday Celebration, December. Supervisor Cort seconded the motion. **Motion carried 5-0.**

**ORDINANCE 2021-05 MAXIMUM SPEED LIMIT – 25 MPH ON CERTAIN STREETS:**

Vice Chairwoman Nutt made a motion to adopt Ordinance No. 2021-05 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 25mph speed limit on the listed segments of the following roadways:

- Beech Avenue from Cherry Drive to W. Governor Road
- Cedar Avenue from Mill Street to Glen Road
- E. Caracas Avenue from Java Avenue to Cocoa Avenue
- Glen Road extended from Elm Avenue to W Governor Road
- Hillcrest Road from Cedar Avenue to Maple Avenue
- Java Avenue for the entire length
- Linden Road extended from Elm Avenue to Oak Lane
- Maple Avenue from Hockersville Road to Glen Road
- Valley Road extended from Elm Avenue to Cocoa Avenue
- W. Areba Avenue extended from Hockersville Road to Glen Road
- W. Caracas Avenue from Valley Road to Hillcrest Road
- W. Caracas Avenue from Cocoa Avenue to Linden Road

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

**STREET CLOSURES-ST. JOAN OF ARC FESTIVAL-AUG 12-14TH:**

Chairman Abruzzo made a motion to approve the request to close the 300 block of West Areba Avenue on the evenings of August 12, 13, and 14, 2021 from 5:00 p.m. to 10:00 p.m. for the annual St. Joan of Arc Festival. Supervisor Zmuda seconded the motion. **Motion carried 5-0.**

**TOWNSHIP OF DERRY**  
**BOARD OF SUPERVISORS MEETING MINUTES**  
**MAY 11, 2021**

**CORRESPONDENCE BOARD/COMMITTEE INFORMATION:**

Supervisor Cort stated the next All Things Diversity will be held on May 27 from 7 p.m.-8:30 p.m.

**REPORTS:**

<u>Police</u>	<p>Chief Warner spoke about the speed limit changes. They are working with PennDOT, HRG, Rep. Mehaffie, and the Transportation Committee on pedestrian enhancements. They are looking to do traffic enforcement in both downtown and the village. With over 25,000 yearly calls, sometimes the officer gets pulled off enforcement to go to a call. They have been working with the community for the times and places of issues. He spoke about the new alert system and working through the bugs with the links. He noted this week is National Police Week. It is an opportunity to honor officers and services have been moved to October. Officer Henry will be etched into the memorial wall. He stated 123 officers have been lost so far this year which is ahead of last year.</p> <p>Chairman Abruzzo asked that something be sent out to the community about National Police week and recognize our department. He asked about putting slow down- children at play- signs downtown.</p>
<u>Library:</u>	Mrs. O’Grady stated the Friends of the Library will have their sale kick off in July.
<u>Parks &amp; Recreation</u>	Mr. Jackson spoke about the current projects the contractors are working on and the next projects to be started including the outdoor leisure pool and rooftop units. He stated the drive-in movies will be held on June 4, July 9 and August 6 and will start at dusk.
<u>Community Development:</u>	Mr. Emerick asked to schedule a public hearing on June 22 at 5:30 p.m. for a liquor license transfer and a conditional use hearing at 5:45 p.m. that same night.
<u>Manager</u>	Mr. Christman will be working with the consultants next week as the Treasury Department has put out guidelines for the CARES Act money. He will continue to update the Board.

**VISITOR/PUBLIC COMMENTS:**

Mr. Rich Gamble, 39 Hockersville Road, spoke about the pedestrian traffic on Chocolate which he travels frequently. He stated pedestrians dart out between cars versus using the crosswalk and are extremely hard to see, especially near Linden and Ridge. He asked if Community Service people could be downtown to help stop this before someone gets hurt. Chairman Abruzzo agreed with Mr. Gamble with the safety issue of pedestrians darting out between cars and asked Chief Warner to consider this.

**ADJOURNMENT:**

Supervisor Zmuda made a motion to adjourn the meeting at 8:11 p.m. Vice Chairwoman Nutt seconded the motion. **Motion carried 5-0.**

**SUBMITTED BY:**

\_\_\_\_\_  
Carter E. Wyckoff  
Township Secretary