

TOWNSHIP OF DERRY
BOARD OF SUPERVISORS MEETING MINUTES
JUNE 28, 2022

CALL TO ORDER

Chairman Abruzzo called the June 28, 2022 Regular Meeting of the Township of Derry Board of Supervisors to order at 7:04 p.m. in the meeting room of the Township of Derry Municipal Complex, 600 Clearwater Road, Hershey, PA. He advised that all public meetings are recorded for providing accurate notes. After the pledge of Allegiance, a roll call was completed. He noted the Board met in executive session at 6:30 p.m. to discuss legal matters.

IN ATTENDANCE:

SUPERVISORS

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

ALSO PRESENT:

Christopher Christman, Township Manager
Patrick Armstrong, Solicitor
Chuck Emerick, Director of Community Development
Thomas Clark, Director of Public Works
Chief Garth Warner, Police Department
Zachary Jackson, Director of Parks and Recreation
Alison Trautmann, Director of Hershey Public Library
Matt Bonanno, HRG Engineer
Julie Echterling, Recording Secretary

Public in Attendance:

Mark Ovsak, Bill Rehkop, Sarah Ryan, Lindsay Drew, Mary Driscoll, Will Driscoll, Rich Gamble

VISITOR/PUBLIC COMMENTS:

Mr. Mark Ovsak, 147 W. Governor Road, noticed at the last meeting that not everyone signs in on the sign-in sheet at the door. He stated that the noise from Waste Management was good for a week. He spoke about the difficulties he has experienced with a Waste Management bill for his mother including numerous calls to them. He spoke about the speeding in the Township as well as Church Road. He spoke about people using the one lane alley as a through street near Governor. This causes safety issues with children in the area. He discussed his unsuccessful attempts to get someone from DTMA to evaluate his mother's land for the stormwater credit over two years ago.

CONSENT CALENDAR

Supervisor Zmuda made a motion to approve the following items on the Consent Calendar:

1. Adoption of the Board of Supervisors Minutes for the June 14, 2022 Regular Meeting.
2. Approval of Accounts Payable \$226,898.72 and Payroll of \$321,457.67

Supervisor Corado made seconded the motion. **Motion carried 5-0.**

NEW BUSINESS:

DTMA SECOND QUARTER UPDATE:

Mr. Rehkop, DTMA, stated he was here with Mrs. Ryan to provide the Board an update on organizational changes and project updates. He welcomed Supervisor Corado to the DTMA Board and thanked Mr. Christman for serving on their Board. He spoke about the rate increases for the 230 project which only affects Londonderry Township residents. He discussed the FEMA/PEMA funding that has been approved based on the storm flooding. This includes \$78,000 for flooding on the site where the sink hole developed and \$25,000 for other impacts from the storm. He spoke about the Southwest Upgrade Project Upgrades which will be a \$15 million project. They have received a \$3 million non-

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binding USEDA letter for the project. He discussed the Infrastructure Dauphin County Bank Loan funding being used for two projects - the Spring Creek Inceptor project and the Inceptor near the Tanger outlets. He provided an update on the Energy Enhancement Project, Southwest Plant Upgrades, and the Biosolids processing and handling improvements.

Mrs. Ryan, DTMA, discussed the Bullfrog Valley and Deer Creek stream restoration which should start in the fall and be completed by April 2023. She noted that one of the trails will remain during this work. She provided updates and showed the Board the location of the following projects: Forest Ave. (swale to basin), Wood Road (culvert replacement) and replacing the culvert at Shank Park. She noted that the public will be notified of road closures, and they will work with contractors for less impact on the residents. She discussed the Ridge and Chocolate drainage improvements which should start in January 2023. She discussed the Brookside Park issue with the basin and how they came up with a solution with the contractor. She detailed the improvement for this area including flow channels, outlets and dealing with the sediment. She ended with letting the Board know that they are looking at other problem areas and are trying to be proactive with the issues.

ADVERTISE FOR SALE OF SURPLUS POLICE VEHICLES:

Chief Warner spoke about the Police vehicles that are ready for sale through Municibid auction. He detailed the vehicles and asked for permission to advertise as required by the Township code.

Vice Chairwoman Nutt made a motion authorizing the Administration to advertise for the sale and disposition of surplus Township property. Supervisor Zmuda seconded the motion. **Motion carried 5-0.**

CONDITIONAL USE 2022-05-524 PARK AVENUE – DR. JOSE MANJON:

Mr. Emerick stated at the May 24 hearing, the applicant spoke of their intention of operating a food catering business at 524 Park Avenue in Hershey. He noted the property is in the Hershey Mixed Use and the Compact Development Overlay zoning districts. The Derry Township Planning Commission recommended the request be granted with conditions.

Supervisor Zmuda made a motion to adopt the Decision for Conditional Use Application No. 2022-05. Vice Chairwoman Nutt seconded the motion. **Motion carried 5-0.**

CONDITIONAL USE 2022-04- 971 BULLFROG VALLEY ROAD & 1550 SAND HILL ROAD:

Mr. Emerick stated that at the public hearing on May 24, the applicant discussed their intent to construct and operate a “health and fitness center” under the name of Mary’s Health and Fitness on property containing a building known as Ziegler Auction Company. This property is located at 1550 Sand Hill Road, Hershey, and contains a single-family dwelling, located at 971 Bullfrog Valley Road, Hershey. The property is in the R-1 and the Sand Hill Road Overlay zoning districts. The Derry Township Planning Commission recommended the request be granted with conditions.

Supervisor Carter made a motion to adopt the Decision for Conditional Use Application No. 2022-05. Supervisor Corado seconded the motion. **Motion carried 5-0.**

ADD AN ITEM TO THE AGENDA-TAX SERVICE AGREEMENTS:

Mr. Christman outlined the requirements, per the Sunshine Law, to add an item to the public agenda once it is published. He stated they have been evaluating the tax collection system for the Township and the School District to see if there is an opportunity to improve services and/or save money. He stated part of

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this evaluation is giving notice to the School District, to the Tax Association and to the local tax collector of the Township’s intention to evaluate these services. He noted to explore and evaluate other options, a notice to the entities needs to be provided by June 30, 2022. He asked the Board to add this item to the agenda for discussion and potential action tonight.

Chairman Abruzzo made a motion to amend the agenda to include the item of notification to the School District and Tax Association of our intention not to renew the tax collection services. Vice Chairwoman Nutt seconded the motion. **Motion carried 5-0.**

TAX SERVICE AGREEMENTS:

Mr. Christman asked for authorization to notify the School District, Derry Township Tax Association, Derry Township Tax Collector of the Township’s intention to modify and/or terminate the agreement for tax collection services. Solicitor Armstrong spoke about the agreements from 2018 and stated the action is notifying all parties of the Township’s intention to look at other options. Supervisor Zmuda asked for public comments about the ramifications of terminating the agreement. Solicitor Armstrong stated if a change is needed, an RFP or change would be needed for another service to collect taxes for the Township. Chairman Abruzzo asked if there were any comments from the public in attendance and there were no comments offered.

Vice Chairwoman Nutt made a motion to authorize Township Manager to send a letter to the members of the agreement identifying the Board’s desire to modify and/or terminate the agreement with the local tax association. Supervisor Zmuda seconded the motion. **Motion carried 5-0.**

CORRESPONDENCE BOARD/COMMITTEE INFORMATION:

Supervisor Zmuda attended the Transportation meeting with Vice Chairwoman Nutt. They welcomed DTMA to their first Transportation meeting. On July 12 there will be a concert that will produce heavy traffic. They worked on a capital Improvement Plan for projects. They also spoke about the speeding concerns for Church Road and are working with Chief Warner and Mr. Clark on options available to slow down traffic including posting signs for the 25 mph. He also attended the Subdivision meeting where the expansion of Cocoa Packs was discussed. He attended the Downtown Core meeting where they had concerns about the new sign for Wells Fargo and site distance. He noted the Historical Society will have a benefit this Friday. Vice Chairwoman Nutt stated signs are up on Waltonville Road being closed starting on July 11.

REPORTS:

<u>Police:</u>	Chief Warner discussed the speed limit for Church Road (25mph). He spoke about the criteria for installing a stop sign, with speeding issues not being one of them. He spoke about a speed study that will be done once the machine is upgraded. Chairman Abruzzo asked him to work with the mayor of Hummelstown about a public campaign to address speeding through the Townships. He spoke of the work to make the community a walkable and bikeable community and asked folks to slow down on our roads. Chief Warner spoke of using podcasts, Crimewatch, and social media to get the word out.
<u>Public Works:</u>	Mr. Clark provided an update on paving projects in the Township.
<u>Library:</u>	The library will be closed on July 4.

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<u>Recreation</u>	Mr. Jackson said the first two weeks of the Center being open has been busy with over 5,000 visitors so far. They have 3,700 members joined so far and they are at 87% of their goal. He asked for patience as they continue to work with all the members and facility. Chairman Abruzzo thanked him and his team.
<u>Engineer:</u>	Mr. Bonanno spoke about the need to update the Stormwater ordinance which will be coming to the Board in the near future. Mr. Emerick noted there will also be a Fireworks ordinance coming to the Board.

VISITOR/PUBLIC COMMENTS:

Mr. Ovsak stated there are more issues in the Township than speeding. He spoke about people ignoring red lights and stop signs, large, parked SUVs that obstruct site at intersections and limited site distance. He spoke about limiting parking on some streets or making them one way to help with the issues. He noticed that some of the speeders are employed with the Medical Center. He noted that the public campaign they spoke about tonight will not reach the tourists and that the public outreach with enforcement would help.

ADJOURNMENT:

Vice Chairwoman Nutt made a motion to adjourn the meeting at 8:05 p.m. Supervisor Zmuda seconded the motion. **Motion carried 5-0.**

SUBMITTED BY:

Carter E. Wyckoff
Township Secretary