

TOWNSHIP OF DERRY
BOARD OF SUPERVISORS MEETING MINUTES
JULY 26, 2022

CALL TO ORDER

Chairman Abruzzo called the July 26, 2022 Regular Meeting of the Township of Derry Board of Supervisors to order at 7:10 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 land, legal, and personnel 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 & Recreation
Alison Trautmann, Director of Hershey Public Library
Matt Bonanno, HRG Engineer
Julie Echterling, Recording Secretary

Public in Attendance:

Rodney Sonderman, Mark Ovsak, Jack Raudenbush, Lowell Gates, James Casey, Patrick Rudisill, Samuel Reed, Ed Sverbely, Colton Leonard, Christine Drexel, Jon Black, Mike Jarman, Melissa Miller

VISITOR/PUBLIC COMMENTS:

Mr. Mark Ovsak, 147 W. Governor Road, spoke about attending the PUC water company rate hike meeting. He provided his testimony of working for them and the concerns he has for his water. He spoke about how they chlorinate the water and how it has changed in the past 10 years. He spoke about their flushing and bacteria and how he feels the water company is not being transparent. He is hoping the six pages of testimony he provided will go up the chain at the water company.

Mr. John Black, 649 Linden Road, spoke about his concerns for Linden and Ridge Road traffic. The past three summers there has been a lot of tourist traffic using Ridge to get to the park. He stated the answer is to eliminate right and left hand turns as they have done for certain events. It is difficult to make a left hand turn from Cocoa Avenue to Governor Road. He asked if there could be a left turn arrow to allow traffic to turn left safely. Supervisor Zmuda spoke about the slip lane that is closed on heavy days or concerts and does not foresee the Park allowing it to be closed all year. They have spoken to PennDOT about the left turn on Governor and they are working on getting money for changing the light.

Mr. Louis Verdelli provided an updated on the Township's credit rating. He noted that in 2020, during the pandemic and Hershey Park closure, the Township's rating was AA with a negative outlook. They had a call with S&P last week and they changed the outlook to a stable outlook. They spoke to them about the quick action management took to control costs, restructure, and put programs in place during the pandemic. He stated this is good news for the Township.

Mr. Mark Ovsak stated there have been issues with Governor Road for 30 years. He asked why they cannot have smart signals at the intersection and asked what the issue is for installing them there.

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CONSENT CALENDAR

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

1. Adoption of the Board of Supervisors Minutes for the July 12, 2022 Regular Meeting.
2. Approval of Accounts Payable \$2,430,015.12 and Payroll, \$371,833.24.

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

NEW BUSINESS:

RESOLUTION 2022-15 LOCAL SHARE MUNICIPAL GRANT PROGRAM:

Mr. Christman stated the Township is eligible to apply for funding through the Dauphin County Local Share Municipal Grant program. Organizations wishing to apply for funding must be sponsored by an eligible applicant as a co-applicant. The Township may choose to sponsor and prioritize organizations that wish to submit requests for funding derived from Local Share revenues. He requested the Board not to act tonight and take time to review the information. Below are the entities requesting sponsorship:

1. Township of Derry – Interactive Application of Force and Crisis Management Training Simulator - \$70,000. Lt. Roche showed the Board a video of the MILO training simulator. The video showed the system, how it works and the equipment provided. He noted that this allows them to use all their weapons, has 1,000 scenarios, and allows them to replicate area businesses set-up for training. He stated the sales quote he received this week is \$57,000 for the system.
2. Hershey Volunteer Fire Company – Engine 48-1 Replacement Project - \$150,000. Deputy Chief Rodney Sonderman spoke about their request for capital money for the replacement of Fire Engine 48-1. He spoke about their 100% volunteer organization that responded to nearly 800 calls in 2021. This money would be used to replace the 2006 engine which is not pumping at its maximum capacity. The build time from the order is approximately 25-30 months. He requested the Board approve the purchase of the order for Engine 48-1, sponsorship of \$150,000 toward the engine, and requested a high priority in the grant request. Chairman Abruzzo asked about the order and Mr. Sonderman stated money is due one year from the order and in the past, the County has made the payment directly to the vendor. Vice Chairwoman Nutt asked them about the financial practices and Mr. Sonderman stated they do have financial audits, state audits of Relief money and are very transparent.
3. Cocoa Packs – New Facility Construction Project - \$250,000. Mrs. Christine Drexler spoke about Cocoa Packs and how they are able to help the children in the Township and County. She provided a background of how they started, their locations, and how they want to be in one building to be able to serve the community. They assist 1,300 children. She spoke about their food rescue program and their partners. They are asking for \$250,000 a year for four years for their new building. Chairman Abruzzo asked her how many they serve and how many in the Township. She stated they served over 18 school districts in four counties and about 62% are in Derry Township. He noted that as they have grown, their mission has changed and they should seek County sponsorship. Vice Chairwoman Nutt asked about their request, what they did with their grant last year, and if they are doing audits and their 990's. Mrs. Drexler stated they received \$50,000 last year that they used for food for kids. They would use the money for their overall building project. Mrs. Joyce Atkinson stated they have an outside company who does all their financials and 990s.
4. The Vista School – ADA Safety Replacement Project - \$31,564. Mr. Mike Jarman provided a brief description of the Vista School and the services they provide and how they have grown. He stated that 80% of their revenue is used for salaries and they have little money to invest in capital. Their request is to replace older AED machines that are no longer serviceable. The total cost of the replacement is \$43,956 and they raised money so that they only need \$31,564.

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5. Downtown Hershey Association – Audio Upgrade & Tent Project - \$23,000. Ms. Melissa Miller spoke about the Downtown Hershey Association and the cultural and musical events they hold. She described the equipment and tent needed for the growth of these events in the Township. Their goal is to attract more groups that will keep their events well attended versus going to other venues outside the Township. These downtown events help the businesses downtown and are attended by both residents and visitors.
6. Hershey History Center – Energy Savings and Infrastructure Upgrade Project - \$50,000. Mr. Louis Verdelli provided a history of the Center and noted the building was rebuilt in the early 1900s. He outlined the events that can have up to 5,000 in attendance. He spoke about renting the building for events and the need for energy improvements to the building. They want to address the attic insulation and exterior enhancements to reduce energy loss. They would also like to upgrade their security, alarm, and phone systems.
7. Mary’s Training Center – Underwater Treadmill - \$120,000. Mrs. Driscoll sent a video of her request which was shown to the Board. She spoke about her Training Center that will be serving the youth of the community. She provided statistics about recovery, obesity, and mental health issues that her Center will help. She would purchase an underwater treadmill to help the recovery process for injuries. She discussed the advantages of this treadmill.
8. Hidden Still – Construction of Cigar/Bourbon Tasting Lounge, Event Space and Development of Distillery Tour and Distillation Educational Programs - \$75,000. Mr. Jack Raudenbush spoke about the Hidden Still and provided pictures of the building. He noted the restaurant opened in February of 2022. They are asking for help with the building of the Cigar and Bourbon Lounge/Corporate offices. He spoke about the impact they are having on the economy with their business and continuing construction. He noted half of their business is from out of town guests.
9. Linlo Properties – Governor Crossing Project - \$125,000. Mr. James Casey discussed the Governor Crossing project and the businesses that would be in the project. He spoke about the funds requested to help with the relocation of Sandhill Road and an existing traffic problem in the Township. He spoke about the grants they have received and the increased cost of the project. They hope to start construction in the first quarter of 2023. Chairman Abruzzo noted that if they sponsor their request, it will have to be contingent upon approval of their plan. Mr. Casey noted they would be presenting their Master Plan to the Board next month.

Chairman Abruzzo thanked all those who presented. The Board will review the requests and act at the August 23 meeting.

AGREEMENT & REIMBURSEMENT WITH DGS FOR SERVICES PROVIDED:

Mr. Emerick stated the settlement agreement and release between the Commonwealth of Pennsylvania, Department of General services, and the Township regarding reimbursement of fees incurred by the Township by having its professional consultants review Zoning Amendment Petition 2021-01 for the Pennsylvania State Police is ready for action.

Supervisor Wyckoff made a motion to authorize Christopher Christman to execute the Settlement Agreement and Release between Commonwealth of Pennsylvania, Department of General Services, and the Township. Supervisor Corado seconded the motion. **Motion carried 5-0.**

INVALIDATE PLAN & RELEASE SECURITY FOR 636 FISHBURN ROAD, PLAT 1018:

Mr. Emerick stated Plat 1018 proposed development and relocation of a portion of Sand Hill Road. This plan was approved by the Township and recorded in 2004 with financial security in the amount of \$60,296.77 being posted. In 2006, the lands associated with the plan were purchased by C & S Kray

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Real Estate, LLC, who also took over the financial security obligation. On June 2, 2022, that parcel, in addition to the rest of the property that comprises the Governor Crossing development, transferred to Linlo Governor Crossing, LLC, who intends to develop the land differently from what was depicted on Plat 1018 and has requested that the financial security be released.

Vice Chairwoman Nutt made a motion to accept the Unilateral Declaration of Covenants, Easements, Conditions and Restrictions extinguishing Plat 1018 and authorize the release of the financial security in the amount of \$60,296.77, which was provided in the form of Northwest Savings Bank Irrevocable Letter of Credit No. 2655006068, contingent upon Linlo Governor Crossing, LLC signing and recording the Unilateral Declaration of Covenants, Easements, Conditions and Restrictions, in the Dauphin County Recorder of Deeds office and providing proof of recording, and reimbursing Derry Township for all costs incurred as a result of Grim, Biehn and Thatcher preparing the Unilateral Declaration of Covenants, Easements, Conditions and Restrictions. Supervisor Zmuda seconded the motion. **Motion carried 5-0.**

DEER RUN COMMONS STORMWATER DRAINAGE EASEMENT-PLAT 1245:

Mr. Emerick stated the Final Plan for Deer Run Commons, Plat 1245, depicted a “plunge pool” as an element of the discharge from Basin B, located at the northwest corner of the development. According to the HOA, the plunge pool is holding water and is an issue. Although no grading is proposed within the Township’s property and the outlet water presently flows over the Township’s property, Deer Run is seeking for an easement for the discharge. Solicitor Armstrong felt it necessary to prepare an additional agreement to be recorded against the Deer Run property to ensure the ability for the Township to go on their property and make any repairs or adjustments to the facilities if the Township deems it necessary. The agreements have been prepared in draft form, as final details are still to be completed.

Supervisor Zmuda made a motion to authorize Chris Christman to sign the Easement Agreement for Stormwater Drainage for the stormwater easement from Deer Run Commons through lands of Derry Township, as well as the Stormwater Operation and Maintenance Agreement and Access Easement once finally approved by Solicitor Armstrong. Supervisor Corado seconded the motion. **Motion carried 5-0.**

SALE OF TOWNSHIP PROPERTY REQUEST:

Lieutenant Roche stated that they have several IT related items that have outlived their useful life. He asked for authorization to advertise for the disposition of surplus equipment, items will be auctioned off through the Municibid electronic auction site.

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

BIDS AND AWARD OF SALE OF TOWNSHIP SURPLUS ITEMS AND EQUIPMENT:

Lieutenant Roche stated from July 1 to July 21, 2022, the Township accepted bids through an online bidding system, Municibid for the sale of items and equipment. The Board was provided a list showing the items advertised for sale and the highest bid received for each item. The total monetary amount of all bids was \$13,910.

Supervisor Wyckoff made a motion to approve and authorize the disposition of surplus equipment to the highest bidders as noted in the Police Department Memorandum dated July 21, 2022. Supervisor Zmuda seconded the motion. **Motion carried 5-0.**

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SECURITY-STORMWATER MANAGEMENT PLAN-8 EDGEHILL DRIVE, S-2022-016:

Vice Chairwoman Nutt made a motion to accept a cash financial security in the amount of \$14,430 and enter into the Agreement to Provide Financial Security with Thaddeus J. Stager and Jill M. Eckert for the Stormwater Management Plan for 8 Edgehill Drive, S-2022-016. Supervisor Zmuda seconded the motion. **Motion carried 4-0.** Supervisor Corado left the meeting before this item and returned after the vote.

CORRESPONDENCE BOARD/COMMITTEE INFORMATION:

Supervisor Zmuda attended the People Movers lunch last week and noted they will be celebrating their 50th anniversary in 2024. He attended a meeting for the capital improvement plan for the Greater Hershey Regional Transportation Study. He stated Linlo attended the Transportation meeting today and discussed their plans for Governor Crossing including thoughts about resurrecting Hope Drive. He attended the Downtown Core Design Board meeting where signs were discussed and the Board rejected a demolition plan, which should be coming to the Board next month.

REPORTS:

<u>Fire:</u>	Mr. Sassaman noted their call volume is up in June to 92 calls vs. 59 in May. He thanked the Board for their support.
<u>Library:</u>	Ms. Trautmann noted the library will be closed Aug 29 to 30 for carpet installation. Curbside will be available those days. The Book Sale by the Friends of the Library runs from August 5 to 9.
<u>Recreation</u>	Mr. Jackson stated the next drive-in movie is Aug 5. They need daytime lifeguards when kids go back to school and college. They are willing to pay for training.
<u>Manager</u>	Mr. Christman noted that the August 9 meeting is cancelled due to the lack of a quorum. The business for that meeting will be moved to August 23.

VISITOR/PUBLIC COMMENTS:

Mr. Mark Ovsak asked if the MILO program requested tonight by the police, could be sponsored by the County which would benefit most agencies in the County. He supported the Fire Company's request and spoke about a brush fire that spread to residential homes. He spoke about old trees in the Township and the potential drought conditions. He asked if they would consider upgrading the library's air conditioning as it is warm in there for the summer and the building is 25 years old.

ADJOURNMENT:

Supervisor Zmuda made a motion to adjourn the meeting at 9:20 p.m. Vice Chairwoman Nutt seconded the motion. **Motion carried 5-0.**

SUBMITTED BY:

Carter E. Wyckoff
Township Secretary