



TOWNSHIP OF DERRY

Board of Supervisors Meeting Minutes

Tuesday, February 13, 2024

CALL TO ORDER

Chairman Abruzzo called the February 13, 2024 Regular Meeting of the Township of Derry Board of Supervisors to order at 7:00 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. He announced there were two public hearings that started at 6 p.m. After the Pledge of Allegiance, a roll call was performed.

ROLL CALL

SUPERVISORS PRESENT:

E. Christopher Abruzzo
Natalie L. Nutt
Carter E. Wyckoff
Michael P. Corado
Richard D. Zmuda

ALSO PRESENT:

Christopher S. Christman, Township Manager
Patrick Armstrong, Township Solicitor
Chuck Emerick, Director of Community Development
Tom Clark, Director of Public Works
Garth Warner, Chief of Police Department
David Sassaman, Hershey Volunteer Fire Department
Alison Jacobine, Director of Hershey Public Library
Zachary Jackson, Director of Parks & Recreation
Julie Echterling, Recording Secretary
Becky Sweigart, Public Outreach Coordinator
Eric Stump, HRG Engineer

Public in Attendance:

John Osmolinski, Bill Nycley

VISITOR/PUBLIC COMMENTS

There were no public comments offered.

Mr. Christman stated the representatives from Keystone Collections Group were here tonight to talk about the bills that were sent out in error. Mr. Jason Lawson, Keystone Collections, apologized for the Occupation Tax bills that were sent out incorrectly to Derry Township residents. He spoke about the actions they took once they realized the bills went out. They sent a letter immediately to all those who had received the letter, notified the Township, informed their customer service representatives, and put a copy in each resident's file. He stated they received less than 10 payments, which will be refunded immediately. He apologized again to the Township. He offered to stay after the meeting for any residents who may want to speak to him about their account. The Board thanked him for coming and taking care of the issue.

CONSENT CALENDAR

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Adoption of the Board of Supervisors Meeting Minutes for the January 23, 2024 6:00 PM Public Hearing.

Adoption of the Board of Supervisors Meeting Minutes for the January 23, 2024 6:30 PM Public Hearing.

Adoption of the Board of Supervisors Meeting Minutes for the January 23, 2024 7:00 PM Regular Meeting.

Reduction of the performance security provided for the Preliminary/Final Subdivision Plan for Dennis L. Burd and Karin M. Burd, Plat 1336.

Authorized the release of \$84.00 from the cash performance security provided for the Preliminary/Final Subdivision Plan for Dennis L. Burd and Karin M. Burd, Plat 1336, resulting in a new balance of \$5,014.

Release of the maintenance security provided for the Revised Final Subdivision and Land Development Plan for The Point, Plat 1265.

Authorized the full release of maintenance security in the amount of \$94,292.25, provided in the form of Berkley Insurance Company Bond No. 0246187M for the Revised Final Subdivision and Land Development Plan for The Point, Plat 1265.

Reduction of the financial security provided for the Stormwater Management and Erosion and Sediment Pollution Control Plan for 420 West Granada Avenue, S-2023-016.

Authorized the release of \$5,876 from the cash financial security provided for the Stormwater Management and Erosion and Sediment Pollution Control Plan for 420 West Granada Avenue, S-2023-016, resulting in a new balance of \$1,347.

Reduction of the performance security provided for the Preliminary/Final Land Development and Stormwater Management Site Plan for West Hershey Plant Building Expansion, Plat 1355.

Authorized the release of \$457,654 from the performance security provided as Travelers Casualty and Surety Company of America Bond No. 107710150 for the Preliminary/Final Land Development and Stormwater Management Site Plan for West Hershey Plant Building Expansion, Plat 1355, resulting in a new balance of \$73,255.

Reduction of the financial security provided for the Stormwater Management Plan for 835 Olde Trail Road, S-2023-020.

Authorized the release of \$12,300 from the cash financial security provided for the Stormwater Management Plan for 835 Olde Trail Road, S-2023-020, resulting in a new balance of \$2,470.

Approval of February 13, 2024 Accounts Payable of \$897,191.15 and Payroll of \$368,361.50.

Secretary Wyckoff made a motion to approve all items on the Consent Calendar. Supervisor Zmuda seconded the motion. **Motion carried 5-0.**

NEW BUSINESS

Reconvened public hearing regarding Conditional Use Application No. 2023-02, as filed by Htin Linn Aung of SkyBridge General Services, LLC, regarding establishing a Short-Term Rental use on the property located at 911 Mae Street:

Chairman Abruzzo stated this is the reconvened Public Hearing regarding Conditional Use Application 2023-02, as filed by Htin Linn Aung of SkyBridge General Services, LLC, regarding establishing a Short-Term Rental use on the property located at 911 Mae Street. Solicitor Armstrong

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stated the Hearing was open and the open issues are the number of bedrooms and parking spaces. He noted the exhibits had been admitted. He asked if anyone would like party status and no one requested party status.

Mr. Emerick stated he wanted to add two basement bedrooms but there was an issue with the one in the basement so the rental will have four bedrooms. He noted the conditions would include four bedrooms, installing the appropriate egress, parking and stormwater requirements.

Mr. Aung, who was still under oath, testified that he was making the rental four bedrooms. He spoke about the parking and having enough room to accommodate the required five spaces. He stated the hand rails would be fixed and installed where required for the entrance and deck. Solicitor Armstrong noted the Board has 45 days from the end of this Hearing to render a decision. He asked Mr. Aung questions about his property, rental, and adhering to the conditions. Mr. Aung answered them and would comply to the conditions. Chairman Abruzzo stated the Board will look favorable on the request and asked Solicitor Armstrong to provide a written decision with the required conditions.

Revisions to the Roundabout Maintenance Agreement with PennDOT and MHS (Document 15) for the installation and maintenance of the improvements for the proposed Bachmanville Road Roundabout deemed necessary for the Bachmanville Road Roundabout Project:

Solicitor Armstrong provided the history of the Bachmanville Roundabouts regarding the agreements with MHS, PennDOT and the Township. There were two separate agreements with the Township having an agreement with PennDOT and one with MHS for maintenance of the roundabout. PennDOT now has circulated a revised Roundabout Maintenance Agreement where all three parties are in the one agreement.

Supervisor Zmuda made a motion that the Board authorizes Christopher Abruzzo to execute revised Document 15, the Roundabout Maintenance Agreement between the Township, MHS, and PennDOT. Supervisor Corado seconded the motion. **Motion carried 5-0.**

Ordinance No. 2023-09, amending Chapter 225 (Zoning) of the Code of the Township of Derry regarding setbacks in the Hershey Mixed Use and Palmdale Mixed Use zoning districts; Downtown Core Design Standards; and other miscellaneous minor revisions:

Mr. Emerick stated this ordinance was advertised for action tonight and was the subject of a Public Hearing held tonight. The Derry Township and County Planning Commissions recommended the ordinance be adopted as written.

Supervisor Corado made a motion to adopt Ordinance No. 2023-09 as written. Vice Chairwoman Nutt seconded the motion. **Motion carried 5-0.**

Ordinance No. 2023-10, amending Chapter 225 (Zoning) of the Code of the Township of Derry regarding Section 225-501.58 (Development Approval Process [Master Plan]):

Mr. Emerick stated this ordinance was advertised for action tonight and was the subject of a Public Hearing held tonight. The Derry Township and County Planning Commissions recommended the ordinance be adopted as written.

Supervisor Zmuda made a motion to adopt Ordinance No. 2023-10 as written. Supervisor Corado seconded the motion. **Motion carried 5-0.**

Authorization to Execute a Letter of Intent with Verizon for the purpose of relocating above

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ground utilities in Chocolatetown Park:

Mr. Christman stated HRG has been actively working on the sketch plan for renovating Chocolatetown Park including a new Veteran's Memorial. As part of the project, the Township is required to move certain utilities including a Verizon pole at a cost of \$54,491.65.

Chairman Abruzzo made a motion that the Board of Supervisors authorize the Township Manager to execute a Letter of Intent, with a total project cost not to exceed \$54,491.65, with Verizon for the purpose of relocating above ground utilities within Chocolatetown Park. Supervisor Zmuda seconded the motion. **Motion carried 5-0.**

Modify the Job Description for the position of Police Officer within the Derry Township Police Department to include the specification that a 20-year-old person may apply as long as they turn 21 prior to successfully completing Act 120 training:

Chief Warner spoke about modifying the job description for the position of Police Officer. He would like to modify the description so that a 20-year old would be allowed to start the academy as long as they are 21 years old when they complete their Act 120 training. He noted fewer people are applying for law enforcement jobs.

Vice Chairwoman Nutt made a motion that the request to modify the Job Description for the position of Police Officer within the Derry Township Police Department to include the specification that a 20-year-old person may apply as long as they turn 21 prior to successfully completing Act 120 training be herby approved. Supervisor Corado seconded the motion. **Motion carried 5-0.**

SUPERVISOR BOARD/COMMITTEE REPORTS

Supervisor Zmuda thanked Public Works for their great job in snow plowing. Vice Chairwoman Nutt stated they reorganized and approved improvements for the Giant Center at the ICDA meeting. Supervisor Wyckoff stated the General Authority reorganized at their meeting.

DEPARTMENTAL REPORTS

Hershey Volunteer Fire Department

Mr. Sassaman spoke about the calls with the most recent storm. He noted they had 15 volunteers on standby for the storm.

Public Works

Mr. Clark stated there are still a few roads closed with trees or wires down.

Library

Mrs. Jacobine spoke about the crafting supply exchange happening this weekend.

Community Development

Mr. Emerick asked for a March 12 6:30 p.m. Hearing on a short term rental and March 26 6 p.m. Conditional Use for townhouses on Hockersville road. The Board agreed to the hearings.

VISITOR/PUBLIC COMMENTS

There were no comments offered.

ADJOURNMENT

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Supervisor Zmuda made a motion to adjourn the meeting at 7:47 p.m. Vice Chairwoman Nutt seconded the motion. **Motion carried 5-0.**

SUBMITTED BY:

Carter E. Wyckoff, Township Secretary