



TOWNSHIP OF DERRY

Board of Supervisors Meeting Minutes

Tuesday, July 9, 2024

CALL TO ORDER

Chairman Abruzzo called the July 9, 2024, Regular Meeting of the Township of Derry Board of Supervisors to order at 7:07 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 minutes. An Executive Session was held before the meeting where personnel issues were discussed, with the session ending at 7:05 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
Peter Nelson, Township Solicitor
Garth Warner, Chief of Police Department
Chuck Emerick, Director of Community Development
Zachary Jackson, Director of Parks & Recreation
Alison Jacobine, Director of Hershey Public Library
Greg Watts, Assistant Director of Public Works
David Sassaman, Hershey Volunteer Fire Department
Becky Sweigart, Public Outreach Coordinator
Lynn Dawson, Recording Secretary
Eric Stump, HRG Engineer

ABSENT:

Public in Attendance:

Michael Postick, Bill Rehkop, Rich Gamble, Jack Raudenbush

VISITOR/PUBLIC COMMENTS

There were no public comments offered.

CONSENT CALENDAR

Adoption of the Board of Supervisors Meeting Minutes for the June 25, 2024 6:00 PM Public Hearing.

Adoption of the Board of Supervisors Meeting Minutes for the June 25, 2024 7:00 PM Regular Meeting.

Release of the financial security provided for the Stormwater Management Plan for 640 Hilltop Road, S-2021-008.

The Board of Supervisors authorizes the release of financial security in the amount of \$15,560.00, which had been provided as cash for the Stormwater Management Plan for 640 Hilltop Road, S-2021-008.

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Approval of July 9, 2024 Accounts Payable of \$614,809.82 and July 5, 2024 Payroll of \$383,323.59.

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

NEW BUSINESS

DTMA Update (W. Rehkop & M. Postick)

Bill Rehkop discussed the clearwater energy enhancement project. Since January 2024, the facility's monthly electric bill has been less than \$1 due to cogenerating and exporting power they have been generating onsite. This has saved the Derry Township Municipal Authority (DTMA) approximately \$30 – 40,000 per month.

Mr. Rehkop also shared in May 2024, DTMA received, in partnership with Hummelstown Borough, the Dauphin County Premier Project award. This award was for the Deer Run and Bullfrog Valley stream restoration project. The team received the honor at the May 22, 2024, Dauphin County Commissioners' meeting.

Mr. Rehkop stated that DTMA recently received \$4.2 million in grant funds from PENNVEST. The funds are for the biosolids facility improvement project. To date, DTMA has received \$7.7 million in grant funding.

Chairman Abruzzo commended DTMA for their efforts and service to the community.

Mr. Rehkop shared that DTMA will continue with public outreach efforts, including facility tours, in order for the public to learn more about DTMA.

Mike Postick shared an update on the Ridge Road drainage improvement project, scheduled to begin in August 2024. The project will start on Park Avenue extending to Park Boulevard, into the Spring Creek area and will extend to Ridge Road and Chocolate Avenue. The overall purpose of the project is to address recurring drainage issues around Ridge Road and Chocolate Avenue. In particular, the businesses near the intersection of Ridge and Chocolate, as well as the storm sewer being over capacity, and the flooding at the railroad underpass on Ridge Road. Mr. Postick confirmed that by addressing the railroad underpass flooding issues, they will mitigate any potential issues in response to emergency access to the area during a typical flooding situation prior to the project work. DTMA has been addressing ways to cover the expense of the project since 2022, by applying for the Dauphin County Infrastructure Bank Loan program, with a low-cost loan. DTMA has received \$6.3 million in loans. The bid of (\$5.5 million) for the project has been awarded to Ankiewicz Enterprises Inc. DTMA has worked with them previously on the Spring Creek project.

Mr. Postick shared the project will only involve night road closures, with one lane of traffic open in the area during the night construction, with traffic control present. During a portion of the construction time period, Ridge Road by the Hershey Plaza to the underpass will be closed, with continued accessibility to the Hershey Plaza.

Chairman Abruzzo asked Mr. Postick to coordinate with the Township to continue to keep residents

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aware of potential road closures during the project time period. Mr. Postick confirmed the project will be split between five phases beginning in August 2024 through June 2025. There will be a break in the project during the winter timeframe of January through March 2025.

Chairman Abruzzo discussed the stormwater project and the overall observation that this issue should have been addressed ten years ago by the developer of the downtown development project. Chairman Abruzzo commended DTMA on their work with improving the infrastructure within the community.

Construction of new accessory structures at 505 Rear West Chocolate Avenue, Hershey, within the Downtown Core Overlay zoning district (Downtown Core Design Board Application No. 487). (C. Emerick)

Mr. Emerick shared in accordance with the zoning ordinance, the Board of Supervisors has sole approval authority for any new construction of a principal building, principal structure, accessory building, or accessory structure located within the Downtown Core zoning district. Hidden Still proposes to construct three grain storage bins as well as paint the Hidden Still logo on the tallest of the grain storage bins, which Mr. Emerick explained would be considered a wall sign for the purposes of the zoning ordinance. Mr. Emerick stated the applicant has provided renderings of the proposed grain storage bins, with the structures having many of the design elements that are desired of a structure under the Downtown Core Design Standards, with the materials and color palette being similar to the style of the principal building carrying a somewhat industrial look, which is appropriate for the site. Mr. Emerick pointed out that the grain storage bins are nestled between an existing silo and the distilling building.

Mr. Emerick stated the Board needs to make a determination as to whether the new accessory structures are designed in a similar style and palette to the primary buildings to which they are an accessory to. At the June 24, 2024, meeting, the Downtown Core Design Board, issued a certificate of appropriateness for the proposal, indicating the proposal is consistent with the zoning ordinance and the downtown core design standards. Mr. Emerick recommended the Board of Supervisors approve the construction of the three grain storage bins and associated concrete pad, as submitted under the Downtown Core Design Board application #487. Mr. Emerick shared the applicant, Jack Raudenbush, was present to answer any questions. Solicitor Nelson asked what would be stored in the bins, with Mr. Raudenbush responding it would be corn, wheat, and barley.

Supervisor Nutt made a motion to approve the construction of three grain storage bins (silos) and an associated concrete pad at 505 Rear West Chocolate Avenue, as submitted under Downtown Core Design Board Application No. 487. Supervisor Corado seconded the motion. **Motion carried 5-0.**

Consideration of second time extension for conditional approval of the Preliminary/Final Land Development Plan for Derry Township Municipal Authority Garage Addition, Plat 1376. (C. Emerick)

Mr. Emerick stated Plat 1376 proposes a 4,843-square-foot addition to an existing 7,846-square-foot building located at the Derry Township Municipal Authority complex. The property is in the Planned Campus North zoning district and is accessed from Clearwater Road and contains 27.89 acres. Further explaining, the Board of Supervisors initially approved the plan on July 25, 2023, with the applicant requesting a second time extension until January 31, 2025, to address the outstanding conditions of approval. Mr. Emerick recommended that the time extension be granted.

Supervisor Corado made a motion that the approval of the Preliminary/Final Land Development Plan for Derry Township Municipal Authority Garage Addition, Plat 1376, is extended to January 31, 2025, subject to compliance with items 1 through 16 in the *Department Head Recommendation*

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section of this agenda item. Supervisor Zmuda seconded the motion. **Motion carried 5-0.**

Consideration of approval of Amendment No. 1 to Development Agreement with the Department of General Services of the Commonwealth of Pennsylvania (“Commonwealth”) and the Pennsylvania State Police (“PSP”) for the PSP’s land development plan. (P. Armstrong)

Solicitor Nelson shared background relating to the Commonwealth's requirement of developers to state a not to exceed figure as far as reimbursement of professional services. The original agreement had \$40,000 noted. Solicitor Nelson confirmed they are approaching the figure and would like to amend the agreement to \$80,000. Solicitor Nelson further explained the State requires a set number as opposed to an unlimited number for the do not exceed number.

Supervisor Wyckoff made a motion to approve and authorize the execution of Amendment No. 1 to Development Agreement for the Pennsylvania State Police/Commonwealth of Pennsylvania land development plan, Plat 1352. Supervisor Nutt seconded the motion. **Motion approved 5-0.**

SUPERVISOR BOARD/COMMITTEE REPORTS

No items to note.

DEPARTMENTAL REPORTS

Police Department

Chief Warner stated the Police Department was notified by the Justice and Security Strategies and the Bureau of Justice Assistance that they received an initial notification of award for \$10,000 to expand their body worn camera program. This will allow the department to outfit the four new officers recently hired, with the potential of the community service officers also being equipped with body worn cameras. Chief Warner stated they are one of 170 agencies nationwide issued funds from this grant.

Public Works

Mr. Watts shared they are taking advantage of the slower mowing season to do extra pressure washing of equipment and pavilions, as well as completing base repair work during the Homestead Road closure. The department has been actively working on tree ordinance notifications within the Township. Chairman Abruzzo expressed his appreciation of the department and residents to address these concerns in order for everyone to walk on sidewalks without the obstruction of tree branches as well as trees and shrubs encroaching on stop signs. Mr. Watts would like to amend the tree ordinance in the future to allow for Public Works to react in a more timely fashion for these types of concerns.

Library

Ms. Jacobine shared the library summer reading program is currently at 114,540 minutes read. We will be having a Pokemon party on July 18, 2024, at 2 p.m. Ms. Jacobine also shared a reminder of the annual book sale, scheduled for August 3 - 6, 2024, as this is one of the library's biggest fundraisers.

Parks & Recreation

Mr. Jackson stated they will be having their first free drive-in movie of the season, DC League of Super Pets, on Friday, July 12, 2024, beginning at dusk.

Township Engineer

Mr. Stump provided an update on the CFA Multimodal application, noting the application window is currently open with all applications due by the end of July 2024. In recent program management meetings, discussions took place centered around the improvement project at the intersection of Hockersville and Areba Avenue. This project would involve the general lowering of the vertical

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curve, due to the main issue of having limited sight distance at the pedestrian crosswalk. Mr. Stump asked if there would be general support from the Board of Supervisors to pursue the grant application. Chairman Abruzzo confirmed Mr. Stump should continue with the application, and the potential 30% voluntary local match would be determined at a later date. Chairman Abruzzo discussed a potential alternative of having flashing lights for the pedestrian crosswalk, similar to those installed on Cocoa Avenue.

Township Manager

Mr. Christman confirmed that the Veterans Memorial project had its kick-off, and first construction meeting was held on July 9, 2024, with temporary fencing installed on July 9th as well. Chairman Abruzzo asked if updates could be shared on the Township website. Mr. Christman stated signage will be placed in the area explaining the scope of the project.

VISITOR/PUBLIC COMMENTS

There were no public comments offered.

ADJOURNMENT

Supervisor Zmuda made a motion to adjourn the meeting at 7:56 p.m. Supervisor Nutt seconded the motion. **Motion carried 5-0.**

SUBMITTED BY:

Carter E. Wyckoff, Township Secretary