

**DERRY TOWNSHIP  
INDUSTRIAL & COMMERCIAL DEVELOPMENT AUTHORITY  
600 CLEARWATER ROAD, HERSHEY, PENNSYLVANIA 17033  
MEETING MINUTES  
September 17, 2009**

**CALL TO ORDER**

Chairman Ingalzo called the September meeting of the Derry Township Industrial & Commercial Development Authority to order at 5:30.

**PLEDGE OF ALLEGIANCE**

All present stood for the Pledge of Allegiance.

**ROLL CALL**

Members Present:

James Ingalzo, Chairman  
Todd Pagliarulo, Vice Chairman  
August T. (Skip) Memmi, Secretary (arrived 5:35)  
Michael H. W. Pries  
Domenick Argento

Also Present:

James N. Negley, Manager/Treasurer/Assistant Secretary  
Barbara Zemlock, Post & Schell, ICDA Solicitor  
Marie Sirkot, Administrative Assistant  
Ardith Yahner, Stenographer

Public Present:

Bill Davies, H.E. & R.  
Diana Reed, Diana M. Reed & Associates

Chairman Ingalzo advised all those present that it is the policy of the Authority to tape all meetings for the purpose of providing accurate minutes.

## **ANNOUNCEMENT OF EXECUTIVE SESSION**

Chairman Ingalzo reported the board met in Executive Session after the July 16, 2009 ICDA meeting to discuss litigation issues regarding resolution of the MBR matter to obtain the advice of counsel.

## **PUBLIC COMMENT**

No one came forward.

## **APPROVAL OF MINUTES**

Mr. Pries moved to accept the minutes from the July 16, 2009 meeting and Mr. Pagliarulo seconded the motion. **Motion carried, 4-0.**

## **CHAIRMAN'S REPORT**

Chairman Ingalzo reported receiving notification that the old municipal township property, which this board has been challenged to market, has been approved by the Board of Supervisors (Ordinance 587, Chapter 225 of the Code of Ordinance of Derry Township) to permit hotel development on this property. In addition, an addendum is needed to any sales document whereby the buyer or developer would agree to the terms and conditions of the new stormwater management ordinance, which is being finalized at this time.

## **RATIFICATION OF MBR AGREEMENT**

Barbara Zemlock reported that MBR has accepted the terms of the potential resolution as presented and has signed this document. The board will need to ratify this agreement.

Mr. Pagliarulo moved to ratify the agreement and Mr. Argento seconded. **Motion carried, 5-0.**

## **TIGER GRANT APPLICATION**

Mr. Negley advised the board that the Derry Township Board of Supervisors authorized the Township to submit a TIGER Grant (Transportation Investment Generating Economic Recover) for the Route 743 Bridge and

road improvement project (Phase I) and the Park Boulevard relocation project (Phase II).

Our engineers suggested that we would have a better chance if we were in partnership with the ICDA and submitted a joint application. This has been done (e-mail was sent out last week) and we are seeking ratification by the board.

Secretary Memmi moved to ratify and Mr. Pries seconded the motion.

**Motion carried, 5-0.**

### **ANY OTHER BUSINESS TO COME BEFORE THE BOARD**

Secretary Memmi asked Bill Davies how the Giant Center roof is doing. Mr. Davies replied that there is mold growing through the membrane. He will follow up on it and get back to the board.

Mr. Pagliarulo asked about a meeting with the people at the Giant Center. Bill Davies replied that a meeting should be held within the next couple months. Chairman Ingalzo will schedule this meeting on behalf of the board.

### **PUBLIC COMMENT**

Diana Reed reported there is \$35,000 in the administrative checking account and nothing has been used from the \$107,000 swap money.

Mike Pries advised that he would come before the board next month to ask for a donation for the community New Year's Eve Celebration.

Mr. Memmi asked Diana Reed if the county gets a copy of the Giant Center audit and she replied that they do.

### **EXECUTIVE SESSION**

Chairman Ingalzo announced that he would like to adjourn the meeting and go into Executive Session to discuss legal matters and to obtain advice of counsel.

**ADJOURNMENT**

At 5:45 p.m. Mr. Pries moved to adjourn the meeting. Domenick Argento seconded the motion. **Motion carried, 5-0.**

Meeting adjourned at 5:45 p.m.

Respectfully submitted by:

---

James N. Negley  
Manager/Treasurer/Assistant Secretary

ay