

**DERRY TOWNSHIP  
INDUSTRIAL & COMMERCIAL DEVELOPMENT AUTHORITY  
600 CLEARWATER ROAD, HERSHEY, PENNSYLVANIA 17033  
MEETING MINUTES  
December 18, 2014**

**CALL TO ORDER**

Chairman Foley called the December 18, 2014 meeting of the Derry Township Industrial & Commercial Development Authority to order at 6:05 p.m.

**PLEDGE OF ALLEGIANCE**

All present stood for the Pledge of Allegiance.

**ROLL CALL**

Members Present:

James Ingalzo  
Chris Abruzzo  
Justin Engle  
John Foley

Members Absent:

Domenick Argento

Also Present:

James Negley, Manager, Assistant Treasurer, Assistant Secretary  
Barbara Zemlock, Township Solicitor  
Marie Sirkot, Administrative Assistant  
Ardith Yahner, Stenographer

Public Present:

Diana Reed, Diana Reed Associates  
Greg Koussis, Capital Construction Management, LLC

Chairman Foley advised that it is the policy of the Authority to tape all public meetings for the purpose of providing accurate minutes.

**APPROVAL OF MINUTES**

Mr. Ingalzo moved to approve the minutes of November 20, 2014. Mr. Engle seconded the motion. *Motion carried, 3-0-1.* (Mr. Abruzzo was not present at the November meeting).

**PUBLIC COMMENT**

There was no public comment.

**CONSIDERATION OF AND ACTION ON COOPERATION AGREEMENT WITH HERSHEY VOLUNTEER FIRE COMPANY**

Ms. Zemlock advised that the Cooperation Agreement has been finalized with the Fire Company with the exception of two changes. One is the section pertaining to “change orders” which will be revised to explain the ICDA and the Fire Company must both agree on any change orders. The second change was in the paragraph that dealt with financing. It has been revised to clarify what are the obligations of each party.

We did close today on the note for the first million dollars and it was signed by John Foley. What is needed at this evening’s meeting is a vote to approve and ratify Mr. Foley’s signature on the Cooperation Agreement.

Mr. Inganzo made a motion to approve the Cooperation Agreement between the Fire Company and the ICDA, and ratify John Foley’s signature. Mr. Abruzzo seconded the motion. *Motion carried, 4-0.* Chairman Foley added that he has met with counsel and there is no conflict for him as a member of the Fire Company.

**CONSIDERATION OF AND ACTION ON CAPITAL CONSTRUCTION MANAGEMENT AND RATIFICATION OF PYRAMID CONTRACT**

Ms. Zemlock advised that we can now formally take action on the Capital Construction Management agreement and the Pyramid contract since we have now approved the Cooperation Agreement. We did previously approve the Pyramid contract, but it was approved contingent on the Cooperation Agreement being signed in 30 days, which did not occur. Ms. Zemlock feels it should be reapproved.

Mr. Inganzo made a motion to approve the Capital Construction Management agreement. Chairman Foley seconded the motion. *Motion carried, 4-0.*

Mr. Inganzo made a motion to approve the Pyramid contract. Mr. Abruzzo seconded the motion. *Motion carried, 4-0.*

**CONSIDERATION OF RESOLUTION NO. 2014-06, ADOPTING POST-ISSUANCE POLICIES**

Ms. Zemlock reported that as she worked on the million dollar note and prepared for closing on it, Donna Kreiser realized that we do not have IRS post-note issuance compliance policies in place. These are not required, but it is considered good practice to have them in place. The Township does have these policies in place, and Ms. Zemlock feels it prudent from a legal standpoint for us to have them in place as well. She asked the Board to consider adopting these policies.

Mr. Inganzo made a motion to approve the adoption of post-issuance compliance policies, issued as Resolution No. 2014-06. Mr. Abruzzo seconded the motion. *Motion carried, 4-0.*

**UPDATE ON FIRE COMPANY PROJECT**

Mr. Koussis advised the ICDA Board that in January, Pyramid Construction will be soliciting sub-contractors for pricing. There will be an approximate 3-4 week bid process. We expect by the end of January, beginning of February to have real numbers for the project costs.

Regarding the fundraising side of the project, the mailer was completed and sent out to residents. Rodney Sonderman was very pleased with what was received in the first week. Chairman Foley advised that over \$50,000 was received in the first week and the total is now at approximately \$120,000. Also, according to Mr. Brace, an additional \$70-80,000 is expected in the next week or two. Mr. Koussis advised that the Land Development plan has been resubmitted and should be approved in late January or early February at a Board of Supervisors meeting. Demolition on the two houses should start in February. Construction in March as weather permits. Also, there are two issues that need to be addressed now that the Cooperation Agreement is complete.

1. We will need a balance of \$5,000,000 in place to do the RACP final submission.
2. Tie up all loose ends of the RACP requirements, finalize and submit. Mr. Koussis advised that the consolidation of parcels will also have to be completed before the Land Development Plan can be recorded.

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

No other business at this time.

**ADJOURNMENT**

Mr. Engle made a motion to adjourn the meeting. Mr. Ingalzo seconded the motion. *Motion carried, 4-0.* Meeting adjourned at 6:30 p.m.

Respectfully submitted by:

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James N. Negley, Manager  
Assistant Treasurer/Assistant Secretary