

**DERRY TOWNSHIP INDUSTRIAL & COMMERCIAL DEVELOPMENT
AUTHORITY
235 HOCKERSVILLE ROAD, HERSHEY PENNSYLVANIA 17033
June 15, 2006
MINUTES**

CALL TO ORDER

The June 15, 2006 meeting of the Derry Township Industrial & Commercial Development Authority was called to order at 5:30 p.m. by Chairman J. Scot Chadwick.

ROLL CALL

Board Members Present:

J. Scot Chadwick – Chairman
August (Skip) T. Memmi, Jr. – Secretary
Todd K. Pagliarulo – Vice Chairman
Michael H. W. Pries

Board Members Present:

Richard E. Lenker, Jr.

Also Present:

Jeff Foreman (*Foreman & Foreman, P.C.*) – Solicitor
James

Public Present:

Tom Brogan – Klett Rooney Lieber & Schorling
Dave Lavery – HE&R
Sil Lutkewitte – Derry Lodging Limited Partnership
Bruce Yerger – Buchar Horn, Inc. / Basco Associates

PUBLIC COMMENT

No discussion.

APPROVAL OF MINUTES

Motion: Mr. Pagliarulo moved and was seconded by Mr. Memmi to approve the following Minutes:

May 18, 2006
May 25, 2006

Public Meeting
Public Meeting

Motion carried, 4-0.

INTERMODAL TRANSPORTATION FACILITY PROJECT UPDATE

Construction Update (Buchart/Horn)

Mr. Yerger noted leak repairs were conducted this past week, and that \$15,000 was retained from Phase 1. The demolition is complete for Phase 2, with \$17,400 retained for punch list items. A preconstruction meeting with the contractors was held yesterday for Phase 3. Buchart-Horn continues to receive bonds and insurance. The notice to proceed should be given next week, with a completion date of 8/07.

The FTA and RACP grant are currently being amended. A meeting will be held within the next two weeks with RACP representatives on the project site.

Mr. Lavery is satisfied with the progress and noted there is communication between all parties.

Contracts with HE&R (Foreman)

Mr. Foreman noted the Construction Agency Agreement and the Purchase Agreement were previously approved. Mr. Lavery expressed his satisfaction with both agreements.

NEW MUNICIPAL COMPLEX PROJECT CONSTRUCTION UPDATE (YERGER)

Mr. Yerger provided the Executive Summary Report No. 3 for the municipal complex for review and noted the following:

1. The project is two weeks ahead of schedule and is 32% complete.
2. The owner occupancy date is 4/30/07.
3. Rough framing underway.
4. The pending Change Orders amount is \$17,409.00
5. Access for police vehicles is being evaluated.
6. The location of the gate to the Public Works building is being evaluated.
7. Structural issues at the existing administration building are being evaluated.
8. A follow-up is underway for the PennDOT Highway Occupancy Permit.

Mr. Pagliarulo asked where the roadway to the recycling center will be located. Mr. Yerger responded it will be at the lower level.

Mr. Memmi has attended several construction meetings and believes the contractors

are all working well together on this project.

Tom Clark will have his department work on the wearing course and landscaping.

Mr. Memmi asked if the generator is for the police building or the whole site. Mr. Yerger responded there will be two generators to service the administration and police buildings.

Mr. Memmi asked if documentation is being provided regarding the delays incurred by the electrician. Mr. Yerger responded affirmatively.

Mr. Memmi asked if the tanks from Public Works will be used to fuel the generator. Mr. Yerger and Mr. Negley responded that due to the cost of approximately \$50,000 to use the tanks it was determined to leave them as is.

Mr. Memmi asked if the Highway Occupancy Permit is listed under the General Construction fund. Mr. Negley said the paperwork was received yesterday, he completed the forms, and they were then hand delivered to PennDOT. He noted PennDOT required a Letter of Credit in the amount of \$250,000 and a Certificate of Insurance.

Mr. Pries asked if the contingency fund is in the black. Mr. Negley responded affirmatively.

County wireless tower (Foreman)

Motion: Mr. Pagliarulo moved and was seconded by Mr. Pries to approve a form of the county wireless tower contract subject to approval by the Township Manager regarding the operation thereof.

Discussion: Mr. Memmi noted Mr. Brogan firm's efforts to solicit additional funds either through Home Land Security or other venues for this project and requested a status report.

Mr. Brogan responded that he can't answer specifically. Federal funding is involved and he would need to discuss this with his partner, Robert Shuster.

Motion carried, 4-0.

CURRENT MUNICIPAL BUILDING PROJECT

Ground lease/Derry Lodging Limited (Foreman)

Mr. Brogan noted his firm was retained by Derry Lodging Limited Partnership to move forward with this project and that they have accommodated all RFP requests. The outside delivery date, which was 4/30/07, remains an outstanding issue. Mr. Brogan doesn't agree with the date and believes allowances should be made for moving and unforeseen events.

Mr. Memmi asked if the Solicitor was comfortable with the document. Mr. Foreman

responded yes, indicating it covers all bases.

It was noted the current municipal complex is zoned Government Service and may need to be changed to Downtown Business. Mr. Memmi feels increasing the height variance may be an issue.

Motion: Supervisor Pagliarulo moved and was seconded by Supervisor Pries to approve the Ground Lease between DTICDA and Derry Lodging Limited Partnership to form legality subject to resolution of Item 6, Delivery of Possession Date, and any other minor non-substantial changes the Solicitor deems necessary. This motion authorizes the Chairman or its designee on the recommendation of the Solicitor to sign the lease upon final completion.

Motion carried, 4-0.

Mr. Lutkewitte said approximately 45 personnel or more will be employed. He also noted there is a significant amount of stormwater sewer pipe under the property which will have an effect on where the construction will be located.

COMMUNITY ACTION & DEVELOPMENT CORPORATION (FOREMAN)

Mr. Foreman has filed with the IRS for tax exemption status.

NEW YEARS CELEBRATION COMMITTEE CONTRIBUTION (PRIES)

Motion: Mr. Memmi moved and was seconded by Mr. Pagliarulo to provide a \$10,000 contribution to the New Years Committee.

Motion carried, 4-0.

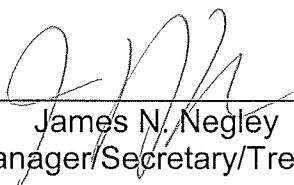
ANY OTHER BUSINESS

No discussion.

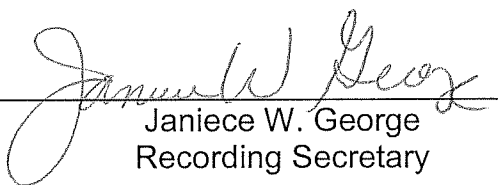
ADJOURNMENT

Motion: Mr. Pries moved and was seconded by Mr. Memmi to adjourn the meeting at 6:28 p.m.

SUBMITTED BY:



James N. Negley
Manager/Secretary/Treasurer



Janiece W. George
Recording Secretary