

**DERRY TOWNSHIP
INDUSTRIAL & COMMERCIAL DEVELOPMENT AUTHORITY
600 CLEARWATER ROAD, HERSHEY, PENNSYLVANIA 17033
June 21, 2007
MEETING MINUTES**

CALL TO ORDER

Chairman Chadwick called the June meeting of the Derry Township Industrial & Commercial Development Authority to order at 5:35 p.m.

PLEDGE OF ALLEGIANCE

All present stood for the Pledge of Allegiance.

ROLL CALL

Members Present:

Scot Chadwick, Chairman
August T. Memmi, Secretary
Michael H. W. Pries
Richard E. Lenker, Jr.

Members Absent:

Todd Pagliarulo, Vice Chairman

Also Present:

Jeff Foreman (Foreman & Foreman, P.C.)
Marie Sirkot, Administrative Assistant
Tracy Telesha, Stenographer

Public Present:

Dave Boyer, Buchart Horn/BASCO Inc.
Bill Davies, H.E. & R.
Donna Kreiser, Buchanan Ingersoll
Diana Reed, Reed & Associates, PC
Bruce Yerger, Buchart Horn/BASCO Inc.
Dave Lavery, H.E. & R.
Susan Cort Black, Hershey Area Playhouse

PUBLIC COMMENT

No discussion.

APPROVAL OF MINUTES

Mr. Pries moved and Mr. Lenker seconded the approval of the minutes of the May 17, 2007 meeting.

Motion carried, 3-0, with Mr. Chadwick abstaining.

HERSHEY PLAYHOUSE PROJECT

Susan Cort Black reported that the Hershey Playhouse opened on April 25, 2007 and the community response so far has been positive. Production on the musical “Into the Woods, Jr.” is currently underway and will open in July.

One million dollars has been pledged with the majority of the pledges collected. The playhouse is looking for \$500,000 and continues to actively raise funds through individuals, businesses, grants and foundations. An additional \$1.5 million is their renovation goal. Ms. Cort Black requested that the Derry Township ICDA consider granting additional funds to the playhouse to continue to develop high quality community entertainment.

Mr. Pries commented that he feels the building is in great shape and he is pleased with the high caliber of performances. Mr. Pries and Mr. Memmi attended “Our Town”, and it was tremendous. The board will be happy to take into consideration further money to support the Hershey Playhouse.

GIANT CENTER UPDATE

Bill Davies reported that the bids for upgrades to the flooring and carpeting have been returned and they are higher than budgeted. We are not recommending any bid right now. Mr. Davies is working with architects to fine tune the needs and with bidding contractors to ensure the bidding process is accurate. At this point, the flooring upgrades are on hold.

Mr. Memmi questioned if Mr. Davies would like to see ICDA investigate the use of the Pennsylvania Township Authority’s assistance in procuring lower priced materials. Mr. Davies was receptive to the offer. Mr. Davies is

also in the process of communicating with HOK to get their initial cost breakdown of material costs.

HERSHEY MUSEUM PROJECT UPDATE

Mr. Davies continued by reporting on the progress of the museum project. The Installation Sales Agreement has been reached. There is an addendum attachment to the contract. The MS Hershey Foundation will construct the building and upon completion, the ICDA will purchase the museum.

The Easement Agreement allows access along N. 1st Street during the construction process. A motion to accept the Installment Sales Agreement and the Easement Agreement, subject to one outstanding Exhibit, was made by Mr. Lenker, seconded by Mr. Memmi.

Motion carried, 4-0.

DEVELOPMENT OF OLD MUNICIPAL CAMPUS PROJECT

A brief executive session was held prior to discussion.

The Patt Organization has submitted an agreement to assume the environmental concerns associated with the project. Since the agreement was received at the start of the ICDA meeting, the solicitor did not have a chance to review the agreement. The solicitor will review the proposal and present the ICDA board with a summary at the July meeting.

INTERMODAL TRANSPORTATION FACILITY PROJECT

David Boyer reported that the facility is 69% complete in timing and 74% complete in costs. All pre-cast concrete work is complete, although some lingering pre-cast concerns remain which are being rectified with the contractor Lobar, Inc.

The roof over the pedestrian walking bridge is under construction and the garage electrical and plumbing rough-ins are being installed. Paving at the Post Office will occur next week. Traffic safety is going well.

Mr. Memmi stated that the ceiling of the original deck had leaks and he questioned whether this has been resolved.

David Lavery stated that while improvements have been made and the situation has improved, the deck was never intended to be water tight. The stair towers, which may have been the source of the water runoff, will have roofs, which should greatly reduce leaks.

Penn DOT will need to inspect the traffic signal before they will allow the signal to be activated. It is anticipated that inspection will occur in the near future.

NEW MUNICIPAL BUILDING PROJECT

David Boyer reported that the new municipal complex is occupied. The contractors received notice on June 13 that they have seven days to complete their work. The contractors have completed much of the unfinished work and have a plan of action in place to complete the final projects. Mr. Boyer recommended a three-day notice to contractors to ensure timely completion of the rest of the work. According to the meeting today with Jill Horner and Tom Clark, they concur.

Representatives from both Quandel and Buchar Horn would like to meet with the Solicitor to ensure the contract is completed accurately.

Mr. Lenker questioned how long a three-day notice would grant the contractors. Solicitor Foreman stated that a three-day notice grants a minimum of three days to complete the work.

Mr. Memmi asked whether the main contractor Tomko was responding efficiently and effectively to completion requests. Mr. Boyer replied that Tomko has the greatest number of outstanding projects and their lack of responsiveness is delaying other contractors from finishing their projects.

A motion was made by Mr. Lenker to direct Buchar Horn, Inc. and/or Quandel to get a replacement contractor if Tomko is unable to show satisfactory results in moving forward with outstanding projects. Mr. Chadwick seconded the motion.

Motion carried, 4-0.

Mr. Memmi asked about the situation with EI, the furniture contractor. There are still items that are back ordered, and we have furniture that needs

to be repaired. Mr. Boyer answered that it is not the same kind of contract with EI. EI will be back charged for the repairs.

Mr. Memmi questioned if it would be appropriate to have someone sit down with the manufacturer of the roofing product regarding concerns with seam issues and leaking. Mr. Boyer stated that he felt it would be a good idea and suggested that a representative from Buchart Horn would meet with the manufacturer.

NEW YEAR'S EVE COMMITTEE

Mr. Pries reported that Aimee Achorn is the new chair of the committee for the upcoming New Year's Eve Event. Mr. Pries thanked Buchart Horn for their support at the 2007 New Year's Eve event.

Mr. Pries encouraged the board to consider what level of support they would like to contribute for next year's event. Historically the ICDA contributed \$10,000 for the last two years. Mr. Memmi asked if there is any other help or anything else the board could do. Mr. Pries responded by saying the New Year's Eve Committee is in the black from last year in the amount of \$17,000.

The financial report is due to be released soon. The ICDA will make an informed decision on their financial commitment level at the July meeting, after they are in receipt of Diana Reed's Financial Report.

"Big Tubba Mista" will not be performing next year.

PUBLIC COMMENT

No discussion.

Mr. Memmi made a motion to grant \$5,000 to the Derry Relief Fund which was set up to assist residents in the event of emergency situations that affect the township, but are not wide reaching enough to declare the area a state or federal disaster area, Mr. Lenker seconded the motion.

Motion carried, 4-0.

ADJOURNMENT

Mr. Memmi moved to adjourn the meeting and Mr. Lenker seconded the motion.

Motion carried, 4-0.

Chairman Chadwick adjourned the meeting at 7:00 p.m.

Approved:

James N. Negley
Manager/Treasurer/Assistant Secretary