

DERRY TOWNSHIP INDUSTRIAL & COMMERCIAL DEVELOPMENT AUTHORITY
235 HOCKERSVILLE ROAD, HERSHEY, PENNSYLVANIA 17033
November 16, 2006
MEETING MINUTES

CALL TO ORDER

J. Scot Chadwick, Chairman, called the meeting of the Derry Township Industrial & Commercial Development Authority to order at 5:40 p.m.

PLEDGE OF ALLEGIANCE

All present stood for the Pledge of Allegiance.

ROLL CALL

Members Present:

J. Scot Chadwick, Chairman,
August T. Memmi, Secretary
Todd Pagliarulo, Vice Chairman
Michael Pries

Members Absent:

Rick Lenker

Also Present:

Jeff Foreman (Foreman & Foreman, P.C.), ICDA Solicitor
James N. Negley, Manager/Secretary/Treasurer
Marie C. Sirkot, Administrative Assistant

Public Present:

Dave Boyer, Buchart Horn, Inc./Basco Associates
Bill Davies, HE&R
Glen DeWille, Field of Dreams Foundation
Dave Lavery, Buchart Horn/Basco Associates
John Marcucci, Field of Dreams Foundation
Cameron Readnour, Quandel Group, Inc.
John Sylvanus, Esq., Buchart Horn/Basco Associates
Bruce Yerger, Buchart Horn, Inc./Basco Associates
Robert Schuster, Buchanan, Ingersoll & Rooney

PUBLIC COMMENT

No discussion.

APPROVAL OF MINUTES

Motion: Mr. Memmi made a motion to approve the October 19, 2006, Public Meeting Minutes. Mr. Pries seconded the motion. **Motion carried, 4-0.**

“FIELD OF DREAMS” PRESENTATION

Mr. Marcucci provided the board with a layout of the proposed Memorial Field Area. Major benefits of the project include:

- Turn field into first class facility for communities youth and families
- Get local organizations and senior citizens involved
- The new field will be a first class facility with artificial turf, upgraded restrooms and storage, and stadium seating (500 seats)
 - School property will be enhanced
 - Naming opportunities for seating for Hershey community
- Would become a premier ballpark in Pennsylvania
- High school districts will want to use the ballpark—bring 2,000-3,000 people to the Hershey area
- At this time there are approximately 600 youths in Derry Township
- Off-season field could be used for flag football, soccer and bands. The field has all weather potential, and could be used all year.

Mr. Marcucci stated that in conversation with the Navy coach (who used recommended Field Turf), he concurred that no maintenance with this turf is needed. The company also provides a ten (10) year guarantee.

Fundraising ideas are as follows:

- Purchase ads
- Buy a seat program
- Buy brick program
- Naming opportunities
- ICDA guidelines for grants
- Contributions from residents in township
- Concessions
- Parent groups donate time

Major points outlined:

- Baseball venue will improve private and community efforts
- Two fields will be used for June play—high school ages 14 and up appropriate age groups
- Other two fields will be used for up to age 12 and under groups
- Hershey is growing and the fields will help with expanded number of children in the area
- Public transportation would increase
- Parking would be a concern (need to study and plan for)

Chairman Chadwick asked if the artificial surface is usable at a high school level and if approval has been received. Mr. Marcucci responded that the new wave turf is maintenance free and the Navy contact stated many schools and colleges are now using the turf.

Mr. Pries asked if the turf is certified by PIAA? Mr. Marcucci's response was yes. Mr. Pries also asked the timeline of what was being proposed. They would need a month and would start after the season is over in August. The company needs two weeks for installation.

Donations include:

- AFCO will donate digging equipment and time
- Wheeler will donate soil testing
- GR Sponaugle will donate resources to place drain pipes and connection to sewer
- Yost will provide heavy equipment for trench work
- Smoker will provide financial assistance
- In-kind services equal approximately \$100,000

Vice Chairman Pagliarulo asked if the \$1.6 million budget included the \$100,000 donation? Mr. Marcucci stated that the donation is in addition to what is needed. Since the school district owns the field, Mr. Pagliarulo asked how the ICDA would get involved? Mr. Marcucci noted that the school district is very interested, wants to help and willing to have dialogue with all parties involved.

Secretary Memmi asked who would be responsible for any repair expenses? PIAA would use funds to make repairs (very nominal if any anticipated). Concessions would also bring in \$8-10,000. Another option could be a fee of \$1,000 per team to play on field (outside groups). A financial "house" is being sought to handle the financial end (non-profit status needed). It was suggested that a segregated account be established to allow donations to be tax-exempt. Secretary Memmi also asked what kind of structure is necessary to administer funds? A board has been established and the bylaws require the ICDA board to provide an annual review and approval of funds.

Motion: Motion was made and seconded to authorize the 501c3 arm of the ICDA board to begin process of becoming the financial entity for "Field of Dreams." Solicitor Foreman will assist in the process. Accounting firm should be requested to establish a funding stream and address possible grant monies. **Motion carried, 4-0.**

HERSHEY MUSEUM PROJECT

Vice Chairman Pagliarulo stated that Hershey entertainment has requested two additional easements: construction easement and access easement on the building and land. Solicitor Foreman noted that his review of this addition is acceptable provided that the 85 parking spaces remain protected.

Motion: Motion was made and seconded to approve two additional easements with protection of parking spaces. **Motion carried 4-0.**

ITF PROJECT UPDATE

PP&L Utility Relocation Issue

Mr. Bruce Yerger provided an overview of the duct bank conflict with the intermodal bus station. Options submitted include:

- Relocate PPL duct bank (estimated \$851,000)
- Move bus station north – pier stays between duct bank and stone wall (estimated \$307,000)
- Shrink bus station width – pier stays between duct bank and stone wall (estimated \$323,000)

Mr. Yerger stated that HE&R is onboard with the issue. Financing at this point, FTA parking and demolition are 100% eligible. 24.2% previous cap on the parking and changes will require revision of the grant application. Grant agreement could be rewritten and resubmitted. At this time a two-week delay is anticipated.

Secretary Memmi stated that PP&L never addressed the underground duct bank. There is a major field on the north side and Zoo America is also within the grounds. Responsibility for these additional costs must be addressed and risks identified. Mr. Yerger noted that these are being discussed.

Vice Chairman Pagliarulo asked who would be financially responsible if a major problem identified? Mr. Yerger stated that the contractors (per procedures and written contracts) would be held liable for any additional costs.

Mr. Pries asked how it would be determined who is the responsible party? Solicitor Foreman noted that discussions are occurring with Hershey Entertainment Resort Company and that executive session discussion should be held following the public meeting.

Motion: Motion was made to accept construction 2b. Solicitor Foreman, as well as HE&R representative, must review all information/documents and contractors must sign as responsible parties. **Motion carried 4-0.**

Financing Extension Resolution

Solicitor Foreman shared a resolution to allow construction completed using RACP and FTA funds in phase 1.

Motion: Motion was made and seconded to approve the resolution. **Motion carried 4-0.**

MUNICIPAL BUILDING PROJECT CONSTRUCTION UPDATE

Consideration of Change Order Requests

Mr. Dave Boyer distributed reports (attached to the original minutes) and noted that the construction is now 68% complete. No lost weather days occurred and the anticipated completion date is April 30, 2007. The issue brought before the ICDA board is the relocation of three (3) PP&L poles. Discussions are occurring through Solicitor Foreman with CH&E. The change order request was submitted to the board for review and approval.

Secretary Memmi asked if PP&L had responded? Mr. Boyer noted that they are still waiting for PP&L to respond. Solicitor Foreman has sent letters to PP&L, CH&E and Quandel to resolve issues.

Secretary Memmi also asked when the telephone poles are expected to be moved and the fire rated ceiling installed? Mr. Readnour stated that PP&L is ready to handle these moves within one week to 10 days. Verizon is on the same timeframe. Electrical work is expected to take one month to five weeks.

Motion: Motion was made and seconded to accept the change order as presented by B&H.
Motion carried 4-0.

WASHINGTON UPDATE PROVIDED ON THE FOLLOWING ISSUES:

Mr. Robert Schuster presented the following Washington update on appropriations process:

- Number of requests before house and senate – not sure how they will be processed (either individually or as a single bill)
- All programs are funded at current levels and no earmarks
- Reach out to Senator elected Casey Also to Spectre, Santorum and Holden staff– important to get committee
- Opportunity with Senator Holden – he will now have better opportunities to have say where appropriated dollars go – was very helpful to Derry Township in transportation authority bill last year
- Reallocation of dollars for projects – Harrisburg transportation board, Hershey museum project (trolley cars)
- Request funds for “Field of Dreams” project

CURRENT MUNICIPAL BUILDING PROJECT UPDATE

Ground Lease Addendum

Solicitor Foreman requested the board’s approval for a lease addendum to the ground lease agreement with Derry Lodging (RFP – made reference to current municipal building and series of additional land parcels were not included). Addendum does not change the contract.

Motion: Motion was made and seconded to accept lease addendum. **Motion carried 4-0.**

TEAM LANCASTER INVITATION REGARDING TROLLEY CAR RESEARCH

Vice Chair Pagliarulo reported that he along with Representative Payne met with Jack Howell to discuss the trolley system. A field trip has been planned to Little Rock.

DERRY TOWNSHIP COMMUNITY ACTION AND DEVELOPMENT CORP

Solicitor Foreman announced that the Derry Township Community Action and Development Corp received 501c3 status.

CONSIDERATION OF REFINANCING OPPORTUNITIES FOR GRANADA SCHOOL PROJECT

Mr. Lou Verdelli made a presentation for the board to consider refinancing opportunities for the Granada School Project. He explained that the bonds would be guaranteed by the school district.

Solicitor Foreman reviewed the prior funding and loan rate for the Granada School Project. A recommendation was made that the board refinance the loan at an index rate of 4.19%.

Motion: Motion was made and seconded to refinance load. **Motion carried 4-0.**

PUBLIC COMMENT

No discussion.

EXECUTIVE SESSION

Chairman Chadwick announced an Executive Session would be held immediately after this meeting to discuss legal issues.

ADJOURNMENT

Motion: Mr. Pries made a motion to adjourn the meeting at 7:15 p.m. Mr. Memmi seconded the motion. **Motion carried 4-0.**

Approved:

James N. Negley
Assistant Secretary