

TOWNSHIP OF DERRY
INDUSTRIAL & COMMERCIAL DEVELOPMENT AUTHORITY
MEETING NOTES
JANUARY 6, 2022

CALL TO ORDER

Chairwoman Nutt called the January 6, 2022, Regular Meeting of the Industrial & Commercial Development Authority to order at 6:00 p.m. in the meeting room of the Township of Derry Municipal Complex, 600 Clearwater Road, Hershey, PA. A roll call was completed after the pledge of allegiance.

THE FOLLOWING WERE IN ATTENDANCE:

BOARD MEMBERS

Natalie Nutt, Chairwoman
Todd J. Shaffer, Vice Chairman
Jay Franklin, Secretary
Christopher Abruzzo
Matthew Wildasin - Absent

ALSO PRESENT:

Christopher Christman, Manager/Assistant Secretary
Marie Sirkot, Administrative Assistant
Mary Eberle, ICDA Solicitor
Julie Echterling, Recording Secretary

Public in Attendance

The following were in attendance: Lori Althoff

REORGANIZATION

Officers of the Board

Supervisor Abruzzo made a motion to appoint the following Officers to the Board:

Supervisor Nutt as Chairwoman,
Mr. Todd Shaffer as Vice Chairman,
Mr. Jay Franklin as Secretary and
Mr. Christopher Christman as Assistant Secretary.
Mr. Franklin seconded the motion. **Motion carried 4-0.**

APPROVAL OF REGULAR MEETING MINUTES:

Supervisor Abruzzo made a motion to approve the minutes for the November 18, 2021, regular meeting.
Mr. Franklin seconded the motion. **Motion carried 4-0.**

VISITOR/PUBLIC COMMENTS:

There were no public comments.

BUSINESS TO COME BEFORE THE BOARD:

APPOINTMENT OF SOLICITOR:

Mr. Christman stated the ICDA Board needs to appoint a Solicitor as Jeff Engle, former Solicitor, was appointed a Judge in Dauphin County. Grim Biehn & Thatcher is the Township's Solicitor and provided an engagement letter dated January 6, 2022, for \$170 per hour for work for the ICDA.

Supervisor Abruzzo made a motion to appoint Grim Biehn & Thatcher as the ICDA Solicitor at a rate of \$170/hour per the terms of the engagement letter. Mr. Franklin seconded the motion. **Motion carried 4-0.**

DEP ACT 2-CLEARANCE FOR THE INTERMODAL TRANSPORTATION FACILITY:

Mr. Christman discussed how the Hershey Laundry was the former owner of the land where the Intermodal Transportation Facility is located. When the land was purchased, the ICDA and HE&R entered into an agreement for the site. The DEP ACT 2 Environmental Covenant needs to be executed by both the ICDA

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and HE&R for the covenant and deed for the property to stipulate that there will be no potable water on the site and that it cannot be developed for residual use. There is a deadline by January 10, 2022 to meet, which is why we moved this board meeting up by two weeks. Mr. Franklin spoke about his concern with deed restrictions. Supervisor Abruzzo spoke about the Laundry being 100 years old, the Brownfield Protection and being allowed to build the facility. He noted the agreement was being updated and needs to be approved to close out this remediation process.

Chairwoman Nutt made a motion to adopt the DEP Act 2 Environmental Covenant for 115 West Chocolate Avenue and authorize the Authority Manager to sign and execute the covenant. Vice Chairman Shaffer seconded the motion. **Motion carried 4-0.**

VISITOR/PUBLIC COMMENTS:

There were no public comments.

Chairwoman Nutt noted the ICDA will meet quarterly in April, July, and October for 2021. She is hopeful that they will have a report on revenues and the PILOT payment from HE&R for the July meeting. Supervisor Abruzzo asked that HE&R provide an update on the 2021 year and ask if there is money for a partial PILOT payment.

ADJOURNMENT:

Vice Chairman Shaffer made a motion to adjourn the meeting at 6:15 p.m. Mr. Franklin seconded the motion. **Motion carried 4-0.**

SUBMITTED BY:

Christopher S. Christman, Manager
Assistant Secretary/Treasurer