

**SPRINGETTSBURY TOWNSHIP
DEVELOPMENT AUTHORITY**

**NOVEMBER 14, 2007
APPROVED**

The Development Authority of Springettsbury Township met on Wednesday, November 14, 2007 at 6:30 p.m. at the Township Offices located at 1501 Mt. Zion Road, York, PA

MEMBERS IN

ATTENDANCE: Bill Schenck, Chairman
Don Bishop, Vice Chairman
Nick Gurreri, Secretary/Treasurer
Mike Bowman
George Dvoryak

ALSO IN

ATTENDANCE: John Holman, Administrator of Authority
Charles Rausch, Solicitor
John Luciani, Civil Engineer
Harish Rao, Economic and Community Development Director
Jean Abreght, Stenographer

1. CALL TO ORDER:

SCHENCK Chairman Schenck called the meeting to order at 6:40 p.m.

2. CERTIFICATION OF QUORUM:

A Quorum was present.

3. APPROVAL OF MINUTES:

A. Development Authority Meeting – August 23, 2007

MR. GURRERI MOVED TO APPROVE THE DEVELOPMENT AUTHORITY MINUTES OF AUGUST 23, 2007 AS PRESENTED. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

4. RESOLUTIONS/MOTIONS:

- A. Motion to Acknowledge Payment Number Eleven to York Town Center Holding, LP in the amount of \$238,907**
- B. Motion to Acknowledge Payment Number Twelve to York Town Center Holding, LP in the amount of \$482,763.**
- C. Motion to Acknowledge Payment Number Thirteen to York Town Center Holding, LP in the amount of \$78,166.**

HOLMAN Mr. Holman stated that all prevailing wage rates had been reviewed and received for items A through C. The project remains under budget.

MR. DVORYAK MOVED TO APPROVE PAYMENTS 11, 12, AND 13 TO YORK TOWN CENTER HOLDING, LP AS LISTED ON THE AGENDA. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.

5. NEW BUSINESS:

- A. Request by York Area United Fire and Rescue Commission to Utilize the Med York Building as a Temporary Headquarters. Note: Recommend a draft lease be developed by the Chief Administrative Officer and Authority Attorney for review by the Board.**

GURRERI Mr. Gurreri questioned what costs would be involved.

HOLMAN Mr. Holman responded that it would include electric, water, insurance along with some minor improvements. The improvement costs should not be significant. Two offices will be changed into a meeting room and two additional offices will be outfitted for the Chief and Deputy Chief. The reception area is fully serviceable. Computers will need to be set up. The facility is fully handicapped accessible. He asked for a consensus from the Board and he and Solicitor Rausch will prepare a lease agreement. He asked Solicitor Rausch whether that would have to be a tri-part agreement between the YAUFRC Commission, the Development Authority and Springettsbury Township.

RAUSCH Solicitor Rausch responded that the Township does not need to be involved. The agreement should be between the Development Authority and the Commission.

Consensus of the Board was to move forward with outfitting the Med York facility to be used as temporary headquarters for the York Area United Fire Rescue.

6. OLD BUSINESS:

A. Market Street/Mt. Zion Project

- 1) Appraisals: total cost of appraisals is not to exceed \$51,300. Costs funded through the IFIP. All residents have been contacted.**

HOLMAN Mr. Holman reported that the Market Street appraisals are nearly complete and the Township will be reviewing them.

LUCIANI Mr. Luciani added that there will be two appraisers involved to be in compliance with federal requirements as there are some grants involved.

HOLMAN Mr. Holman stated that a meeting will be held with the owners following completion and release of the appraisals to the Board of Supervisors. At

that time there will be requests for easements with property owners. Upon receipt of all the easements they will seek an environmental clearance for rights-of-way and once that occurs, then bids and specs can be reviewed by PennDot and the project will begin. Mr. Holman stated that he and Mr. Luciani are continuing to work with PennDot concerning the overall widening project of Market Street. If PennDot does not maintain the 2008 summer time frame the project, the Township will move into arbitrage problems with the funding. However, the project is moving forward at this time.

York Valley Inn

HOLMAN Mr. Holman reported that he will be meeting with the York Valley Inn owners on Tuesday, November 20th. Mr. Luciani and the attorneys have notified the various members and professionals.

7. PUBLIC COMMENT:

There was no Public Comment.

8. ADJOURNMENT:

SCHENCK Chairman Schenck adjourned the meeting at 6:45 p.m.

Respectfully submitted,

John Holman
Authority Administrator

ja

**SPRINGETTSBURY TOWNSHIP
DEVELOPMENT AUTHORITY**

**AUGUST 23, 2007
APPROVED**

The Development Authority of Springettsbury Township met on Thursday, August 23, 2007 at 6:45 p.m. at the Township Offices located at 1501 Mt. Zion Road, York, PA.

MEMBERS IN

ATTENDANCE: Bill Schenck, Chairman
Don Bishop, Vice Chairman
Nick Gurreri, Secretary/Treasurer
Mike Bowman
George Dvoryak

ALSO IN

ATTENDANCE: John Holman, Administrator of Authority
Carolyn Pugh, Acting Solicitor
John Luciani, Civil Engineer
Harish Rao, Economic and Community Development Director
Charlie Lauer, Public Works
Jean Abrecht, Stenographer

1. CALL TO ORDER:

SCHENCK Chairman Schenck called the meeting to order at 6:45 p.m.

2. CERTIFICATION OF QUORUM:

HOLMAN Mr. Holman certified that a Quorum of the Development Authority was present.

3. APPROVAL OF MINUTES:

A. Development Authority Meeting – June 28, 2007

MR. GURRERI MOVED TO APPROVE THE MINUTES OF THE JUNE 28, 2007 MEETING AS PRESENTED. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

4. RESOLUTIONS/MOTION:

A. Motion to Acknowledge Payment Number Ten to York Town Center Holding, LP in the amount of \$454,227.

SCHENCK Chairman Schenck noted that there were two payable items, one listed on the Agenda as item A, and an additional item brought forward by Mr. Holman in his supplemental report identified as Payment Number 11 in the amount of \$238,907, all part of the York Town Center project.

HOLMAN Mr. Holman further explained that it was part of the off site road improvements.

MR. BISHOP MOVED TO ACKNOWLEDGE PAYMENT NUMBER 10 TO THE YORK TOWN CENTER HOLDING IN THE AMOUNT OF \$454,227 AND PAYMENT NUMBER 11 TO THE YORK TOWN CENTER HOLDING IN THE AMOUNT OF \$238,907. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.

5. OLD BUSINESS:

A. Market Street/Mt. Zion Road

- 1) Appraisals in accordance with PennDOT regulations for rights-of-way have begun. This includes an initial appraisal of 18 properties and a review of the appraisal by a second appraiser. Total cost not to exceed \$51,300. Costs funded through IFIP. All residents have been contacted through the mail. Meetings have been held with most of the property owners.

No further action was taken.

B. York Town Center: Stores will begin opening at the end of August. Grand opening is scheduled for September 26, 2007.

HOLMAN Mr. Holman reported that the appraiser will finish the appraisal work in approximately six weeks, which will keep the Market/Mt. Zion intersection improvement project on schedule.

SCHENCK Chairman Schenck asked Mr. Holman for an update on the York Town Center.

HOLMAN Mr. Holman responded that a request had been received from Staples to open on August 24th, and he and Mr. Rao will visit the site to determine whether a Certificate of Occupancy can be issued. Following that he reported that Longhorn's likely will be next.

RAO Mr. Rao added that Chili's will be opening soon as well.

HOLMAN Mr. Holman indicated that a number of stores are ready to open and will begin opening through August into September. The Grand Opening is September 26th when all stores except Christmas Tree Hill will be opened.

RAO Mr. Rao stated that Christmas Tree Hill will be completed in October.

**SPRINGETTSBURY TOWNSHIP
DEVELOPMENT AUTHORITY**

**AUGUST 23, 2007
APPROVED**

HOLMAN Mr. Holman added that the Center is 98% to 99% leased. The traffic lights are all operational along Concord Road. He noted that the Concord Road rail crossing will be opened up by close of business on Monday, August 27th. He stressed that it would depend upon the weather with roadwork. The rail crossing is operational, and as soon as the top coat of the asphalt and line striping is completed, the road will be ready. The only thing left to do after that will be sidewalks and the overhead lights.

6. NEW BUSINESS:

There was no new business for discussion.

7. PUBLIC COMMENT:

There was no public comment.

8. ADJOURNMENT:

SCHENCK Chairman Schenck adjourned the meeting at 7 p.m.

Respectfully submitted,

John Holman
Authority Administrator

ja

**SPRINGETTSBURY TOWNSHIP
DEVELOPMENT AUTHORITY**

**JUNE 28, 2007
APPROVED**

The Development Authority of Springettsbury Township met on Thursday, June 28, 2007 at 6:45 p.m. at the Township Offices located at 1501 Mt. Zion Road, York, PA.

MEMBERS

IN ATTENDANCE: Bill Schenck, Chairman
Don Bishop, Vice Chairman
Nick Gurreri, Secretary/Treasurer
Mike Bowman
George Dvoryak

ALSO IN

ATTENDANCE: John Holman, Administrator of Authority
Charles Rausch, Solicitor
John Luciani, Civil Engineer
Harish Rao, Economic and Community Development Director
Jack Hadge, Finance Director
Jean Abrecht, Stenographer

1. CALL TO ORDER:

SCHENCK Chairman Schenck called the meeting to order at 6:45 p.m. and stated that the Development Authority meeting had been properly advertised. He indicated that the Regular Board of Supervisors meeting would begin at 7 p.m.

2. CERTIFICATION OF QUORUM:

HOLMAN Mr. Holman certified that a Quorum of the Authority was present.

3. APPROVAL OF MINUTES:

A. Development Authority Meeting – May 24, 2007

MR. GURRERI MOVED TO APPROVE THE MINUTES AS PRESENTED. MR. BISHOP WAS SECOND. MOTION CARRIED. MR. BOWMAN AND MR. DVORYAK ABSTAINED AS THEY WERE NOT PRESENT.

4. RESOLUTIONS/MOTIONS:

A. Motion to Acknowledge Payment Number Nine to York Town Center Holding, LP in the amount of \$686,982.27

HOLMAN Mr. Holman stated that item A related to payment number nine in the amount of \$686,982.27.

MR. GURRERI MOVED TO ACKNOWLEDGE PAYMENT NUMBER NINE, YORK TOWN CENTER HOLDING, LP IN THE AMOUNT OF \$686,982.27. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

5. NEW BUSINESS:

A. Acceptance of 2006 Audit Reports:

- 1) Springettsbury Township Development Authority Financial Statements December 31, 2006**
- 2) Springettsbury Township Development Authority DCED Infrastructure and Facilities Improvement Program Contract #C000018854**

HOLMAN Mr. Holman stated that Mr. Mike Rinier, Auditor, was present to provide the audits of the Development Authority Financial Statements and the DCED Infrastructure Improvement Program.

RINIER Mr. Rinier stated that the Township officials had received the two written audit reports in their packet of information, one for the financial statements for the Development Authority for the year ended December 31, 2006, and one for the Pennsylvania Community Economic Development Grant for period ending February 28, 2007. He stated that this is the first year of the audit of the Authority as it was the first year of financial activity. The audit report showed that \$6.8 million was borrowed and \$2.19 million was loaned the Township; \$1 million was spent in construction and other related services throughout the course of the period. The Graham report is a specific report required by the Department of Community Economic Development and is only auditing the \$568,000 grant.

MR. DVORYAK MOVED TO ACCEPT THE 2006 AUDIT REPORTS FOR THE SPRINGETTSBURY TOWNSHIP DEVELOPMENT AUTHORITY AND THE DCED INFRASTRUCTURE AND FACILITIES IMPROVEMENT PROGRAM CONTRACT. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.

6. OLD BUSINESS:

SCHENCK Chairman Schenck asked Mr. Holman for an update on York Valley Inn.

HOLMAN Mr. Holman reported that Mr. Rao had received a sketch plan in the form of a drawing to provide to the Board. The owners of the York Valley Inn had met with Mr. Rao, staff and the Development Authority to discuss a proposed improvement at the site, which would include the demolition of the York Valley Inn and the construction of an apartment complex with 211 units, 422 parking spaces and elevator access. It would be a four story structure on a seven acre site. The proposal itself would have to go through

Zoning Hearing Board for a variance related to a reduction in the hard surface/parking area. A filing for the Zoning Hearing Board is anticipated for the August meeting.

SCHENCK Chairman Schenck asked what information they had provided concerning screening. He understood that it was early in the planning stage.

HOLMAN Mr. Holman responded that the screening would be trees and bushes and would meet the fifteen foot and the fifty foot requirements for separation which include a berm. The developers emphasized that they would put in additional screening to see that the proper guidelines were met. Mr. Holman reported that additional discussion was held with regard to the demolition of the existing structure and the timing. The current condition of the existing structure is continually monitored.

RAUSCH Solicitor Rausch added that the sketch is just a concept plan; it had not been formally submitted.

GURRERI Mr. Gurreri commented that it would be a great improvement.

HOLMAN Mr. Holman asked the members of the Authority if they had any questions. He stated that, provided the plan is moved, it would go through the normal zoning and planning process. Mr. Holman noted that he had forwarded a study done by the owner of the property with regard to the feasibility of different uses for the site. The result was the apartment housing. Mr. Holman did not request any action and indicated the report was to bring the Authority up to date on the site.

6. PUBLIC COMMENT:

SCHENCK Chairman Schenck asked if there was any public comment for the Development Authority. No public comment was made.

7. ADJOURNMENT:

SCHENCK Chairman Schenck adjourned the meeting at 6:50 p.m.

Respectfully submitted,

John Holman
Authority Administrator

ja

The Development Authority of Springettsbury Township met on Thursday, May 24, 2007 at 6:45 p.m. at the Township Offices located at 1501 Mt. Zion Road, York, PA.

MEMBERS

IN ATTENDANCE: Bill Schenck, Chairman
Don Bishop, Vice Chairman
Nick Gurreri, Secretary/Treasurer

MEMBERS NOT

IN ATTENDANCE: George Dvoryak
Mike Bowman

ALSO IN

ATTENDANCE: John Holman, Administrator of Authority
Charles Rausch, Solicitor
John Luciani, Civil Engineer
Harish Rao, Economic and Community Development Director
Dori Bowders, Manager, Administrative Operations
Betty Speicher, Director of Human Resources
Jean Abrecht, Stenographer

1. CALL TO ORDER:

SCHENCK Chairman Schenck called the meeting to order at 6:50 p.m.

2. CERTIFICATION OF QUORUM:

HOLMAN Mr. Holman certified that a Quorum was present.

3. APPROVAL OF MINUTES:

A. Development Authority Meeting – April 12, 2007

MR. GURRERI MOVED TO APPROVE MINUTES OF THE APRIL 12, 2007 MEETING AS SUBMITTED. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.

4. RESOLUTIONS/MOTIONS:

A. Motion to Acknowledge Payment Number 8 to York Town Center Holding, LP in the amount of \$623,311.00

HOLMAN Mr. Holman reported that Payment Number 8 covered off site improvements for Concord and Mt. Zion Road and material delivered to Industrial and Northern Way entrance at Sam's Club.

MR. GURRERI MOVED TO APPROVE PAYMENT #8, YORK TOWN CENTER HOLDING, LP IN THE AMOUNT OF \$623,311.00. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.

5. NEW BUSINESS:

HOLMAN Mr. Holman provided a supplemental report to the Authority that they will be developing an agreement for the Med York property site and will need to formalize that agreement.

SCHENCKI Chairman Schenck suggested putting an article regarding the purchase of that property in the next Township newsletter.

HOLMAN Mr. Holman responded that he is reviewing a potential Development Authority article.

6. OLD BUSINESS:

There was no Old Business for discussion.

7. PUBLIC COMMENT:

There was no Public Comment.

8. ADJOURNMENT:

SCHENCK Chairman Schenck adjourned the meeting at 6:53 p.m.

Respectfully submitted,

John Holman
Secretary

ja

**SPRINGETTSBURY TOWNSHIP
DEVELOPMENT AUTHORITY**

**APRIL 12, 2007
APPROVED**

The Development Authority of Springettsbury Township met on Thursday, April 12, 2007 at 6:30 p.m. at the Township Offices located at 1501 Mt. Zion Road, York, PA

MEMBERS

IN ATTENDANCE: Bill Schenck, Chairman
Don Bishop, Vice Chairman
Nick Gurreri, Secretary/Treasurer
Mike Bowman
George Dvoryak

ALSO IN

ATTENDANCE: John Holman, Administrator of Authority
Charles Rausch, Solicitor
John Luciani, Civil Engineer
Harish Rao, Economic and Community Development Director
Dori Bowders, Manager, Administrative Operations
Jean Abreght, Stenographer

1. CALL TO ORDER:

SCHENCK Chairman Schenck called the meeting to order at 6:30 p.m.

2. CERTIFICATION OF QUORUM:

HOLMAN Mr. Holman certified that a Quorum was present.

3. APPROVAL OF MINUTES:

A. Development Authority Meeting – March 22, 2007

MR. BISHOP MOVED TO APPROVE MINUTES AS SUBMITTED. MR. BOWMAN WAS SECOND. MOTION CARRIED. MESSRS. SCHENCK, AND GURRERI ABSTAINED AS THEY WERE NOT PRESENT.

4. RESOLUTIONS/MOTIONS:

A. Motion to acknowledge Payment Number Six to York Town Center Holding, LP in the amount of \$97,966.00

HOLMAN Mr. Holman stated that item A represented Payment #6 for engineering and road work for the off site road improvements on Concord Road and Mt. Zion. He requested that the Board consider authorization to pay reimbursement request #7 in the amount of \$188,045 based on final review by the Township Manager and the Chief Administrative Officer of the Authority and receipt of prevailing wage rate forms.

SCHENCK Chairman Schenck asked whether the submittal presented to the Board was complete.

HOLMAN Mr. Holman responded that the figures were complete; however, the prevailing wage rate form must be submitted separately. Payment is made as soon as that form is received. He indicated that an update by the developer will be provided further on the Agenda.

Consensus of the Board was to handle the items separately.

MR. BOWMAN MOVED TO ACKNOWLEDGE PAYMENT #6 TO YORK TOWN CENTER HOLDING LP IN THE AMOUNT OF \$97,966.00. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.

MR. BISHOP MOVED TO AUTHORIZE PAYMENT #7 YORK TOWN CENTER HOLDING LP IN THE AMOUNT OF \$188,045 PENDING RECEIPT OF THE PREVAILING WAGE FORMS. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.

5. NEW BUSINESS:

A. PennDOT Update on HOP Permit

HOLMAN Mr. Holman reported that PennDOT had requested that the HOP Permit be re-opened. There were some additional items that they wanted repaired or taken under consideration as part of the HOP Permit. This included 136 repairs to the concrete, potholes and cracks, some work to the bridge expansion joints and some other minor work. He expressed concern with this as that could have put the project over budget. Since then discussions were held with PennDOT and they have reduced their request and offered to trade off some work with the Township, which will keep it within budget. Whereas this was a major issue several weeks ago, that has cleared up. The Township will do a little extra work, but PennDOT agreed to waive some inspection fees that the Township would normally have to pay. Mr. Holman thanked the developer and Mr. Luciani for their work on this project.

SCHENCK Chairman Schenck asked whether the trade would result in any out-of-pocket expenses.

HOLMAN Mr. Holman assured him that there should be no additional out-of-pocket expenses.

6. OLD BUSINESS:

**A. Status of York Town Center
On Site Improvements**

Off Site Road Improvements

HORNBECK Mr. Ken Hornbeck, High Real Estate, presented a status report at the request of Mr. Holman. A summary of his report follows:

- On site work progressing; contractor is aggressive. Grand opening targeted for September 26.
- Off site – Concord Road work underway; curbing is in; sidewalks going in; base course is expected to be completed shortly. Still on schedule.
- Permitting work, building code reviews, etc. – Township and engineering assistance greatly appreciated.

SCHENCK Chairman Schenck asked about traffic impacts when the work comes to Mt. Zion Road.

HORNBECK Mr. Hornbeck responded that the HOP work along Mt. Zion Road includes lanes being closed at certain times of the day in order to do the necessary work which includes the patch work. The work could have been done much more quickly without the concrete patchwork. The permit requires lanes to be open by a certain time in the evening to maintain traffic flow during heavy periods.

EVANS Mr. Steve Evans, High Real Estate, reported several of the stores that will be anchor tenants, including Best Buy, Dress for Less, Bed, Bath and Beyond, Staples, Dicks and Christmas tree shops; 95% signed. Grand Opening is targeted for September 26th; ribbon cutting ceremony; public relations work being coordinated with Teri Gilfillan. Some additional specialty shops include Chile's, Long Horn Steak House, China Buffet, Sleepes Mattress, David's Bridal, Just for Girls, Pearl Vision, Hair Cutlery and Aspen Dental.

SCHENCK Chairman Schenck stated that he had heard only positive comments and excitement about the project in general.

EVANS Mr. Evans stated that it was positive partially due to the shopping environment but also the transportation improvements.

SCHENCK Chairman Schenck agreed that the transportation improvements had worked out very well.

EVANS Mr. Evans stated that they would keep the Township apprised of the Grand Opening. Depending on the road improvements, some of the tenants could be in place.

HOLMAN Mr. Holman indicated that discussion on the off site road improvements provided a good segue. He reported that there had been a pre-construction meeting with Kinsley Construction, PennDOT, representatives from the FHWA (Federal Highway Administration), Springettsbury Township, First Capital Engineering and Norfolk Southern. Kinsley was authorized to proceed with the work on the

Concord Road Extension which will tie into the off site road improvements within the next two weeks. Norfolk Southern advised that they will begin work approximately April 16th or 17th on the rail crossing and anticipated that their work will take about 30 days including the installation of the signal gates and all other work. They expect to be finished prior to completion of the work with Concord Road Extended. That project does seem to be coming in on schedule, and as unusual as it is, it does seem to be holding to budget.

LUCIANI Mr. Luciani added that Norfolk Southern continued to advise him that they are working out the utility situation.

B. Status of York Valley Inn Redevelopment

HOLMAN Mr. Holman reported that a meeting had been held with the owners of the York Valley Inn. A marketing study was completed, and they are actively marketing the site. In addition, they had provided the Township with a direct contact in order to advise them of any site issues or continued deterioration. It is hoped that by late June there will be a follow up report for the Authority, and in the interim there will be meetings with the Governor's Action Team, the property owner and the Township to review what further steps can be taken with regard to the property. If the project that they put into place there brings in employment to the municipality, some funding may be available to help with the public improvements.

RAUSCH Solicitor Rausch added that their immediate step was to get the pool filled in.

7. PUBLIC COMMENT:

There was no public comment.

RAUSCH Solicitor Rausch reported that the transfer of the MedYork property is scheduled for Tuesday, April 17th.

8. ADJOURNMENT:

SCHENCK Chairman Schenck adjourned the meeting at 6:50 p.m.

Respectfully submitted,

John Holman
Secretary

ja

**SPRINGETTSBURY TOWNSHIP
DEVELOPMENT AUTHORITY**

**MARCH 22, 2007
APPROVED**

The Development Authority of Springettsbury Township met on Thursday, March 22, 2007 at 6:45 p.m. at the Township Offices located at 1501 Mt. Zion Road, York, PA

MEMBERS

IN ATTENDANCE: Don Bishop, Vice Chairman
Mike Bowman
George Dvoryak

MEMBERS NOT IN ATTENDANCE: Nick Gurreri, Secretary/Treasurer
Bill Schenck, Chairman

ALSO IN

ATTENDANCE: John Holman, Administrator of Authority
Charles Rausch, Solicitor
Chris Beauregard, Civil Engineer
Dori Bowders, Manager, Administrative Operations
Jean Abreght, Stenographer

1. CALL TO ORDER

SCHENCK Vice Chairman Don Bishop called the advertised meeting of the Development Authority to order at 6:45 p.m. He stated that Mr. Schenck would not be present as he was out of town on business, and Mr. Gurreri would not be present as he was attending to a death in the family.

2. CERTIFICATION OF QUORUM

HOLMAN Mr. Holman certified that a Quorum was present with Mr. Bowman, Mr. Bishop and Mr. Dvoryak.

3. APPROVAL OF MINUTES

A. Development Authority Meeting – February 22, 2007

MR. DVORYAK MOVED TO APPROVE THE MINUTES OF THE FEBRUARY 22, 2007. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.

4. RESOLUTIONS/MOTIONS

A. Motion to Acknowledge Payment Number Five to York Town Center Holding, LP in the amount of \$161,121.96

HOLMAN Mr. Holman stated that this was within the authorized purchase orders for the project. He added that the project was staying under budget.

MR. BOWMAN MOVED TO ACKNOWLEDGE PAYMENT NUMBER FIVE TO YORK TOWN CENTER HOLDING, LP IN THE AMOUNT OF \$161,121.96. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

B. Resolution No. 07-DA-01 – Authorization to Enter into Agreement of Sale for the Purchase of Property Located at 3321 Whiteford Road.

HOLMAN Mr. Holman stated that the item would authorize the purchase of the parcel for \$475,000.

RAUSCH Solicitor Rausch indicated that the Resolution would authorize the Officers to execute any documents to effectuate the sale which will be completed within the next 30 days.

MR. BOWMAN MOVED TO APPROVE RESOLUTION NO. 07-DA-01 AUTHORIZATION TO ENTER INTO AGREEMENT OF SALE FOR THE PURCHASE OF PROPERTY LOCATED AT 3321 WHITEFORD ROAD FOR \$475,000. MR. DVORYAK WAS SECOND.

HOLMAN Mr. Holman requested to add to the motion: “authorization for \$480,000 to be transferred to the escrow account at Blakey Yost” so that the transfer of funds could be done smoothly.

DVORYAK Mr. Dvoryak asked whether the amount would cover the transfer tax.

HOLMAN Mr. Holman responded that it should cover the transfer tax.

RAUSCH Solicitor Rausch added that the amount was approximated at this time; however, adjustments will be made.

MESSRS. BOWMAN AND DVORYAK AGREED WITH THE ADDED AMENDMENT TO INCLUDE THE WORDS, “WITH AN ADDITIONAL AUTHORIZATION FOR \$480,000 TO BE TRANSFERRED TO THE ESCROW ACCOUNT AT BLAKEY YOST” TO THE MOTION.

MOTION UNANIMOUSLY CARRIED.

5. NEW BUSINESS

There was none for discussion.

6. OLD BUSINESS

HOLMAN Mr. Holman reported that a meeting will be held with the owners of the York Town Center within the next 30 days.

7. PUBLIC COMMENT

There was no public comment.

8. ADJOURNMENT

BISHOP Vice Chairman Bishop adjourned the meeting at 6:50 p.m.

Respectfully submitted,

Nick Gurreri
Secretary

ja

**SPRINGETTSBURY TOWNSHIP
DEVELOPMENT AUTHORITY**

**FEBRUARY 22, 2007
APPROVED**

The Development Authority of Springettsbury Township met on Thursday, February 22, 2007 at 6:30 p.m. at the Township Offices located at 1501 Mt. Zion Road, York, PA

MEMBERS

IN ATTENDANCE: Bill Schenck, Chairman
Don Bishop, Vice Chairman
Mike Bowman
George Dvoryak

MEMBERS NOT

IN ATTENDANCE: Nick Gurreri, Secretary/Treasurer

ALSO IN

ATTENDANCE: John Holman, Administrator of Authority
Charles Rausch, Solicitor
John Luciani, Civil Engineer
Jean Abrecht, Stenographer

1. Call to Order

SCHENCK Chairman Schenck called the advertised meeting of the Development Authority to order at 6:35 p.m.

2. Certification of Quorum

HOLMAN Mr. Holman certified that a Quorum was present. He stated that Mr. Gurreri would not be present as he was on vacation.

3. Approval of Minutes

A. Development Authority Meeting – January 11, 2007

MR. BISHOP MOVED TO APPROVE THE MINUTES OF THE JANUARY 11, 2007 MINUTES OF THE DEVELOPMENT AUTHORITY. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

4. Resolutions/Motions

A. Motion to Acknowledge Payment Number Four to York Town Center Holding, LP in the amount of \$304,158.61.

HOLMAN Mr. Holman reported that item A related to an authorization for \$304,158.61, most of which was for construction work done on the off-site improvements. He stated that the payment would revert back to the York Town Center Holding LP for Requisition #4.

MR. DVORYAK MOVED TO APPROVE PAYMENT NUMBER 4 TO YORK TOWN CENTER HOLDING LP IN THE AMOUNT OF \$304,158.61. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.

5. New Business

There was no New Business for discussion.

6. Old Business

A. Status of Off-Site Road Improvements

HOLMAN Mr. Holman reported that the developer expected to be finished by mid-August. Concord Road rail improvements are projected to be completed by June, according to correspondence received from Norfolk Southern and PennDot.

B. Funding Review

HOLMAN Mr. Holman stated that Chris Gibbons and Scott Mehok were present for discussion concerning the funding. He explained that one of the issues was the work that was to be done on the off-site road improvements by the developer and the work the Township planned for Concord Road was to be completed during 2006. Due to delays, permitting and other necessary programs, the schedule dropped behind by approximately one year. The project is expected to be completed by the third quarter of 2007 as opposed to the third quarter of 2006. This resulted in a delay of making the one-year anniversary date, 45%, for the funds expended from the bonds. He anticipated that there will be an arbitrage situation, which he requested Messrs. Gibbons and Mehok to explain how to handle. He added that Mr. Hadge requested that Mr. Gibbons do the calculations for him as he does keep those calculations up to date.

GIBBONS Mr. Gibbons stated that, in order to keep the arbitrage, we borrowed at a rate of 3.65% and reinvested that money at a rate higher than 6.365% that's arbitrage. In certain circumstances, under which Mr. Holman was indicating, if the money was spent quickly enough, the arbitrage can be kept. He explained that there are four benchmarks that need to be met in order to keep the arbitrage profits. Ten percent (10%) must be spent within six months; 45% within 12, 75% within 18 months and the entire amount within 24 months. The first 10% expenditure benchmark was achieved; however, the second expenditure benchmark will not likely be achieved. He was aware that Mr. Holman had spent significant effort to reach that expenditure benchmark but had been unable to do so. The rate of return at which the money was borrowed could be maximized by rebating anything earned over the 3.65% back to the IRS due the 5th year

of the borrowing; however, he recommended writing a check to the IRS to clear the books as soon as all the projects are completed and the funds are expended. He indicated they would determine how much arbitrage had been earned to date, work with the administration to advise that will be paid back to the IRS out of the proceeds of the borrowing and take the funds from another budgetary account to pay the IRS. By doing so the exact amount to be paid to the IRS is documented.

HOLMAN Mr. Holman noted that he had discussed the issues with the developer and those involved with the concord Road project. He reported that there would not be enough draw between now and March 15th to meet the arbitrage benchmark.

SCHENCK Chairman Schenck stated that in actual dollars, it would not be a large amount relative to the scope of the project.

GIBBONS Mr. Gibbons responded that he was correct. He estimated it would be between \$35,000 and \$70,000.

SCHENCK Chairman Schenck added that the funds are legitimate earnings that the Township will not be allowed to keep.

DVORYAK Mr. Dvoryak asked whether the arbitrage was just related to the 45% piece.

GIBBONS Mr. Gibbons responded that it was on the entire amount. Each benchmark must be met or the entire amount of arbitrage must be rebated.

SCHENCK Chairman Schenck thanked both Mr. Gibbons and Mehok and indicated he was certain they would keep excellent documentation for the Township.

HOLMAN Mr. Holman noted that for the Concord Road project a letter had been received from the state which recommended to the federal government that the township be authorized to award the contract.

7. Public Comment

There was no public comment.

IFIP Contract

HOLMAN Mr. Holman reported that he had received an agreement to amend the original agreement with the Commonwealth of Pennsylvania from the Community and Economic Development. This is the first amendment to the IFIP contract, and the amendment would approve the state paying the township \$568,392 in the year 2007, which would be the second payment

in the 10-year payment plan. The first payment was received three weeks ago, and this is an addendum.

SCHENCK Chairman Schenck noted that the amendment should be ratified in order to get the money back.

MR. BISHOP MOVED TO APPROVE THE AMENDMENT TO THE AGREEMENT BETWEEN THE COMMONWEALTH OF PENNSYLVANIA AND SPRINGETTSBURY TOWNSHIP FOR THE FIRST IFIP CONTRACT NUMBER C18854. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.

7. Adjournment

SCHENCK Chairman Schenck adjourned the meeting at 6:45 p.m.

Respectfully submitted,

Nick Gurreri, Secretary

ja

**SPRINGETTSBURY TOWNSHIP
DEVELOPMENT AUTHORITY**

**JANUARY 11, 2007
APPROVED**

The Springettsbury Township Development Authority held a meeting on Thursday, January 11, 2007 at 6:30 p.m. at the Township Offices located at 1501 Mt. Zion Road, York, PA.

MEMBERS IN ATTENDANCE: Bill Schenck, Chairman
Don Bishop, Vice Chairman
Nick Gurreri, Secretary/Treasurer
Mike Bowman
George Dvoryak

ALSO IN ATTENDANCE: John Holman, Administrator of Authority
Charles A. Rausch, Solicitor
Dori Bowders, Recording Secretary of Authority

1. Call to Order

SCHENCK Acting Chairman Bill Schenck called the meeting to order at 6:30 p.m. He asked whether a Quorum could be established.

2. Certification of Quorum

HOLMAN Mr. Holman responded that all members were present.

3. Approval of Minutes from Meeting of September 14, 2006

MR. GURRERI MOVED TO APPROVE MINUTES OF THE SEPTEMBER 14, 2006 DEVELOPMENT AUTHORITY MEETING. MR. BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.

4. Appointment of Officers

A. Chairman

- 1) **Current is William Schenck**

MR. BOWMAN MOVED TO APPOINT WILLIAM SCHENCK CHAIRMAN. MR. GURRERI WAS SECOND. MOTION UNANIMOUSLY CARRIED.

B. Vice Chairman

- 1) **Current is Don Bishop**

MR. BOWMAN MOVED TO APPOINT DON BISHOP VICE CHAIRMAN. MR. DVORYAK WAS SECOND. MOTION UNANIMOUSLY CARRIED.

C. Secretary/Treasurer

- 1) **Current is Nick Gurreri**

**MR. BOWMAN MOVED TO APPOINT NICK GURRERI
SECRETARY/TREASURER. MR. DVORYAK WAS SECOND. MOTION
UNANIMOUSLY CARRIED.**

5. Appointment of Additional Personnel

**A. Chief Administrative Officer
1) Current is John Holman**

**B. Financial Officer (s)
1) Current is Jack Hadge**

**Proposed: Jack Hadge, Financial Officer and Sandy Ratcliffe, Deputy
Financial Officer.**

**C. Recording Secretary
1) Current is Dori Bowders**

**D. Solicitor
1) Current is Charles A. Rausch, Esquire – Blakey, Yost, Bupp &
Rausch, LLP**

**E. Engineer
1) Proposed: John Luciani, P.E. – First Capital Engineering**

**MR. BISHOP MOVED TO APPROVE APPOINTMENT OF ADDITIONAL
PERSONNEL - ITEMS A THROUGH E. MR. BOWMAN WAS SECOND.
MOTION UNANIMOUSLY CARRIED.**

6. Resolutions/Motions

**A. Motion to acknowledge payment number three to York Town Center
Holding, LP in the amount of \$61,683.95.**

**MR. BISHOP MOVED TO ACKNOWLEDGE PAYMENT NUMBER THREE TO
YORK TOWN CENTER HOLDING, LP IN THE AMOUNT OF \$61,683.95. MR.
BOWMAN WAS SECOND. MOTION UNANIMOUSLY CARRIED.**

**B. Motion to acknowledge reimbursement from Development Authority to
General Fund and Capital Fund in the total amount of \$35,067.94.
Reimbursement due to costs incurred on behalf of the Authority in 2006.**

**MR. GURRERI MOVED TO ACKNOWLEDGE REIMBURSEMENT FROM
DEVELOPMENT AUTHORITY TO GENERAL FUND AND CAPITAL FUND IN**

**THE TOTAL AMOUNT OF \$35,067.94. MR. DVORYAK WAS SECOND.
MOTION UNANIMOUSLY CARRIED.**

7. New Business

- A. Creation of Purchase Order No. 06000146 to York Town Center Holding, LP in the amount of \$3,170,228 for construction of off-site improvements.**
- B. Creation of Purchase Order No. 06000147 to York Town Center Holding, LP in the amount of \$75,000 for engineering and professional services for construction of off-site improvements.**

MR. DVORYAK MOVED TO APPROVE ITEMS A AND B. MR. BISHOP WAS SECOND. MOTION UNANIMOUSLY CARRIED.

SCHENCK Chairman Schenck asked Mr. Holman if the Board will continue to see the invoices coming through.

HOLMAN Mr. Holman responded that the Board will be provided with copies of the approved purchase orders and invoices.

8. Status of off-site road improvements

HOLMAN Mr. Holman introduced Ken Hornbeck of High Real Estate Group.

HORNBECK Mr. Hornbeck gave a brief presentation on the status of the off-site road improvements. He stated he was very happy with the progress that has been made with the on-site improvements. He added that they had gotten a late start on the off-site improvements due to permitting delays, however, grading is almost complete. Mr. Hornbeck stated they are probably about as far as they can go on the road improvements at this point. By the end of March, early April is when they will actually get into the road widening.

SCHENCK Chairman Schenck asked Mr. Hornbeck if it is anticipated that Concord Road would be opening any earlier than originally expected.

HORNBECK Mr. Hornbeck responded that they have to meet the June/July dates for the first half of Concord Road. He stated they will do whatever they have to do to get Norfolk Southern moving ahead.

SCHENCK Chairman Schenck asked Mr. Hornbeck if he could share the names of the stores that are scheduled to occupy the York Town Center.

HORNBECK Mr. Hornbeck named some of the proposed tenants: Chili's, Longhorn Steakhouse, Staples, Dick's Sporting Goods, Christmas Tree Shops, China World Buffet, Best Buy, Ross Dress For Less, Bed, Bath and Beyond, and a barber shop/hair cutting salon. He added that On the Border restaurant was originally slated to go in, however, looks like that may not happen. He assured the Board that another restaurant would be pursued that would be a good fit for the area.

SCHENCK Chairman Schenck thanked Mr. Hornbeck for giving the Board an update on the York Town Center.

9. Public Comment

SCHENCK Chairman Schenck asked for public comments. There were none.

HOLMAN Mr. Holman informed the Board that he will be receiving a report regarding the York Valley Inn property in the very near future. Delta Development Group was hired to conduct a marketing study on how to improve or market and develop the site. Mr. Holman stated he will look over the report and review it with the Board.

SCHENCK Chairman Schenck adjourned the meeting at 6:50 p.m.

Respectfully submitted,

Nick Gurreri
Secretary

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