

**Industrial Development Authority
September 14, 2016**

The regular meeting of the IDA (Industrial Development Authority) was held on Wednesday, September 14, 2016, beginning at 6:00 p.m. in the Borough Building. Mr. Hill called the meeting to order.

Present: Paul Badger; Frank Halderman; Ray Fisher; Greg Wendt; Matt Hill;
Don Holderman, Secretary; Rod Beard, Solicitor;

Excused:

Borough Staff:

Visitors: Gay D. Dunne; Doug Johnson; Sue Hannegan, CCPCDO;

Approval of Minutes:

- Mr. Badger made a motion to approve the minutes of the IDA meeting of August 10, 2016. Mr. Halderman seconded the motion. A voice vote was unanimous to approve the minutes as presented.

Public Comments:

- None

Financial Reports:

- Mr. Holderman provided the Financial Reports. The annual report for 2015 was put at the table for everyone to review as well as sent electronically in the packets.

On the monthly report interest on the loan is approximately \$9,600.00 per month. It gradually increases. There was \$893.00 for attorney fees last month; \$42.00 in incidentals, which is probably for the minutes; and \$486,670.00 construct invoice. The key thing is the IDA only has one more invoice to receive from Hawbaker. Mr. Holderman received a call from Jeff Sternelio today and they are anxious to close the contract. Change order #10 is on the agenda. There are Bucharth Horn invoices that came in today and a Bucharth Horn report for the last couple months. In addition there are two letters that came after the packets were sent out. Mr. Holderman reported that over the last month they have been in contact with the Pennsylvania Office of Budget. They are working with Elena Ebert. She is a great person to work with. She is extremely knowledgeable on the ARCAP program. She knows the information that she wants. Ms. Walker and Mr. Holderman have provided her with a lot of information. They provided cancelled bank checks and invoices on every line item that was there. Mr. Holderman wanted to make the IDA aware that her initial calculation has the IDA at about \$5.8 million. You have to spend the \$6 million to get the \$3 million. Currently where things stand with the IDA it looks like they will be given \$2.9 million. She said once she gets through the first one and the IDA receives its first payment the others should come very shortly because all the information has

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been submitted. Mr. Holderman has submitted two pay applications and is sitting on the third one to have things wrapped up. There may be a final fourth one submitted. Once the final payment is received from the state the property is the IDA's to sell.

- Mr. Halderman made a motion to approve payment of Beard Law invoice #19608 in the amount of \$1,404.00 and invoice #19609 in the amount of \$312.00. Mr. Wendt seconded the motion. A voice vote was unanimous.

- At the table there is a Glenn O. Hawbaker contract change order with the net change of contract price of \$142,901.09. In the change there is a decrease of \$212,049.74 and an increase in the contract price of \$69,148.65, which includes the \$58,000.00 additional time change order. It is change order #10.

This will be tabled until Old Business letter e. Change Order #9 and #10.

- Mr. Halderman made a motion to pay the four invoices from Buchart Horn: invoice #96,620 in the amount of \$3,430.00 for construction supervision close-out; invoice #96,941 in the amount of \$2,425.90 for relation to project invoice #35 where they are showing construction monitoring, fees, construction supervision; invoice #96,621 in the amount of \$710.49 for Act II; and invoice #96,942 in the amount of \$366.51 for site investigation and reporting. Mr. Badger seconded the motion. Mr. Halderman had a question in regards to invoice #96,941 where there was subcontract expense for ARM Group, Inc. for \$592.00. He asked if they were paid to write the letter, but those charges were dated on site inspections during the fill operation. Mr. Badger had a question on the same invoice. There is an authorized fee of \$38,000.00. He asked if that could be expected to come in the future. That is the total authorized fee limits of both the on-site inspections and the LOMR application tool, which was \$23,000.00 and \$15,000.00. A voice vote was unanimous.

- Annual Report for 2015 – this the Young Oaks Brown & Company PC report. There is no summarization of the 80 page report. The reports are generated to meet the requirement to be sent in with an annual report to DCED every year. They gave a clean opinion.

Old Business:

1. Waterfront Property -

a. Megan Tooker – Update on Signage – Megan was unable to attend the meeting to give a signage update. She is searching for additional old photographs of the site. She would like to include it on the signage.

b. Thomas & Williamson – Report #7 – Mr. Holderman reported throughout this project the Office of Budget consultant Thomas & Williamson comes in and requests information about the project and then reports back. This will be the last report with them. He was in the past month. Mr. Holderman is still gathering information that he required.

c. Environmental Covenant – Mr. Beard reported this is the document DEP requires to be put on record to impose certain use and activity limitations on the property now that it is a clean-up property. The only limitations that they put on it had to do with future excavation activities. DEP wants to have notice of that. They want to have a plan in place with what is going to be done if something is hit. This is on record so any purchaser of the property knows it is there. DEP also had to receive notice that the document was on record and Mr. Beard sent

that notice to them today. Bob Jacobs at the Centre County Planning Office will also receive a copy of the document.

Mr. Holderman said Scott and Buchart Horn are beginning the process of decommissioning the eight wells.

d. Letter from Buchart Horn – There are plural letters. There is a letter dated August 16, 2016 and September 13, 2016 from Barley Snyder. These will be discussed in Executive Session.

e. Change Order #9 and #10 – These will be sent electronically to Nittany Engineering. The change to Buchart Horn was taken care of. Action on change order #9 has been fully executed and requires a signature on two additional manuals. It was \$2,076.90. The change order was approved by the IDA in April or May so it is a matter of getting the paperwork processed for that.

f. LOMR – That is just getting started. The big part of that with the LOMR application is the CHLOMR is a conditional letter so following the completion of the project and establishing the as-builts and if the as-builts match the conditions that were submitted under the conditional letter then you can get the LOMR. At last month's meeting he was given approval for the additional \$15,000.00 to pursue this. The time period is to move the application as quickly as possible. It is an ongoing process that could take five to six months.

New Business

1. Signage – Mr. Halderman asked when the “No Fishing” signs will be installed. Mr. Holderman reported there was a meeting with Bellefonte Borough Council's Park & Recreation Committee. They came to an agreement on the language that the signs will entail. This is being looked at as an opportunity. The Talleyrand Park Committee is working on a sign for the Talleyrand Park entrance, a welcoming sign. Their sign has a logo that was developed and one of the things that came up in the Parks & Recreation meeting is the Borough would like to begin establishing some consistency with their signs. They are setting up a meeting with the Talleyrand Park Committee later in September. Once there is an idea of the sign's logo then things will be ready to order. Mr. Halderman asked if some temporary signs could be installed until the permanent signs are in. Mr. Holderman will bring it up at the Council meeting on Monday, September 19th. Mr. Holderman reported there is one light out and one blinking. Strouse Electric has been contacted and they will come in and look at it.

IDA members would like to explore the option of the anti-graffiti stain. Mr. Holderman feels if there is money left over from the ARCAP it could be included as part of the project. Mr. Holderman will get a cost on the coating.

2. Executive Session – Property -

- Mr. Hill announced that the IDA was back from Executive Session where the IDA discussed both a property and a legal matter.

- Mr. Badger made a motion to approve Change Order No. 10 in the amount of \$142,901.09 credit to the construction contract. Mr. Fisher seconded the motion. A voice vote was unanimous. Mr. Fisher for the record noted that he felt the \$58K in delay costs that the BAIDA is paying wasn't fair and noted that BAIDA was not the party responsible for the delay.

Adjourn:

- Mr. Halderman made a motion to adjourn the September 14, 2016 meeting of the Industrial Development Authority at 7:22 p.m. Mr. Wendt seconded the motion. A voice vote was unanimous.