

**REDEVELOPMENT AUTHORITY OF THE CITY OF BETHLEHEM
NOVEMBER 16, 2017**

A-205 – Public Safety Building
Bethlehem City Hall
10 East Church Street
Bethlehem, PA 18018

MINUTES

The Board of the Redevelopment Authority of the City of Bethlehem met for a regular meeting on Thursday, November 16, 2017 at 4:00 P.M. in Room A-109, the DCED Conference Room, located in the Public Safety Building at Bethlehem City Hall, 10 East Church Street, Bethlehem, PA. The place, the hour and the date duly noted for the holding of this meeting was publicized.

Chairman Jason Henninger called the meeting to order and the following members were present:

Earl Bethel
Ronald Heckman
Christopher Spadoni, Esq.

The Chairman called a quorum present.

Also present were: Tony Hanna, Executive Director
 Michael E. Riskin, Esq., Solicitor
 Heather M. Bambu Weiss, Board Secretary

RDA Board Member Dennis Cunerd contacted the RDA office prior to the meeting and indicated that he had a conflict and was unable to attend.

APPROVAL OF MINUTES

Mr. Bethel made a motion to approve the minutes of the October 5, 2017 rescheduled regular meeting of the Redevelopment Authority. The minutes were mailed earlier to each member of the Board. As there were no errors or changes reported, Mr. Spadoni seconded the motion. The motion carried unanimously and the minutes of the October 5, 2017 rescheduled regular meeting of the Redevelopment Authority were approved.

APPROVAL OF CASH REPORTS

Mr. Bethel made a motion to approve the cash reports for the months ended August 31, 2017 and September 30, 2017. The cash reports were mailed earlier to each member of the Board. As there were not errors or changes reports, Mr. Spadoni seconded the motion. The motion carried unanimously and the cash reports for the months ended August 31, 2017 and September 30, 2017 were approved.

COURTESY OF THE FLOOR

Since no guests were present at this meeting, Mr. Henninger indicated the courtesy of the floor portion of the meeting was completed.

EXECUTIVE DIRECTOR REPORT

Mr. Henninger turned the meeting over to Mr. Hanna for his Executive Director Report. Mr. Hanna did not have a written report for the RDA Board but updated the Board as follows:

1. **InQ Publication** - Mr. Hanna distributed copies of the Fall 2017 edition of InQ, a publication by ArtsQuest. The copy distributed featured an article about SteelStacks and its winning the Rudy Bruner award. Mr. Hanna noted the article and thanked the Board for all their work involving these projects that helped to make this campus what it has become.
2. **508 East Fifth Street** - Mr. Hanna stated 508 East Fifth Street is included on the agenda for this meeting so that the RDA can begin eminent domain proceedings to acquire this property.
3. **234 East Morton Street** – Mr. Hanna stated that the settlement for the sale of 234 East Morton Street to Ethos is scheduled to occur before month-end. He reminded the Board that the sale of this property to Ethos was approved at the last RDA meeting with a selling price of \$25,000.
4. **Polk Street Parking Garage** - Mr. Hanna stated that during the RDA auditor on-site visit recently a discussion occurred regarding the Polk Street Parking Garage and the capitalization of these assets as part of the RDA financial. He indicated that because the RDA has essentially transferred ownership of these assets to the Bethlehem Parking Authority (BPA), an agreement is being drafted to formally transfer these assets to the BPA from the RDA. He noted that the parking garage is still a work-in-progress project and noted that the Sands continue to own the property where it has been planned to be located.

APPROVAL OF INVOICES – NOVEMBER 2017

Mr. Henninger stated that the RDA has been asked to review and consider for approval the invoices / reimbursements as outlined on the November 2017 invoice summary.

Mr. Heckman made a motion to reaffirm the approval of the invoices as outlined on the November 2017 invoice summary. Mr. Bethel seconded the motion. The motion was unanimously approved and the following payments were authorized to occur:

- 1) \$13,308.56 represents costs associated with On-Going and Maintenance Costs and payment of such costs to be made from the Authority Fund account.
- 2) \$3,676.96 represents reimbursement to the RDA from the TIF Administrative Expense Fund account for administrative costs associated with the overall Bethlehem Works / TIF District project.
- 3) \$3,881.23 represents reimbursement to the RDA from the Authority Fund account for various costs associated with TIF Expansion of the designated Bethlehem Works / TIF District.
- 4) \$4,442.40 represents reimbursement to the RDA from the Authority Fund account for various costs associated with Other Projects within the designated Bethlehem Works / TIF District.
- 5) \$6,732.38 represents reimbursement to the RDA from the Authority Fund account for various costs associated with the overall Bethlehem Works / TIF District.

508 EAST FIFTH STREET – RESOLUTION NUMBER 1446

Mr. Henninger stated that the RDA has been asked to review and consider for approval Resolution Number 1446 which authorizes the RDA Solicitor to file a declaration of taking and begin eminent domain proceedings to acquire the property located at 508 East Fifth Street.

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Mr. Riskin stated that 508 East Fifth Street has gone through the blight certification process and has been certified as blighted by both the City of Bethlehem Planning Commission and the Blighted Property Review Committee. He indicated that this property has since been certified to the Redevelopment Authority.

Mr. Hanna indicated that this has been a problem property for a number of year and noted that it is located near the Lehigh University campus. He also noted that there has been a lot of interest in this property due to this close proximity to Lehigh. Mr. Hanna explained that the RDA and City of Bethlehem have worked to create a list of qualified developers based upon a Request for Proposal (RFP) process. He explained that the property located at 508 East Fifth Street will be forwarded to those on this list for their review and consideration. He noted that proposals will be accepted and reviewed from any of these qualified developers for this property.

Mr. Bethel, then, presented the following resolution to the Board and moved for its adoption by the Board.

SELECTING AND APPROPRIATING PREMISES OWNED BY WILLIAM D. GREEN, JR., TRUSTEE, KNOWN AS 508 EAST FIFTH STREET, BETHLEHEM, NORTHAMPTON COUNTY, PENNSYLVANIA, BEING PROPERTY DECLARED BLIGHTED BY THE BLIGHTED PROEPRTY REVIEW COMMITTEE OF THE CITY OF BETHLEHEM UNDER CITY OF BETHLEHEM ARTICLE 149, AND AUTHORIZING THE INSITUTION OF CONDEMNATION PROCEEDINGS FOR THE ACQUISITION THEREOF.

WHEREAS, the Redevelopment Authority of the City of Bethlehem pursuant to Ordinance of Council of the City of Bethlehem proposes to acquire property declared to be blighted by the Blighted Property Review Committee of the City of Bethlehem; and

WHEREAS, in order to effectuate the terms of said ordinance, it is necessary that the Redevelopment Authority acquire title in fee simple to the premises to be redeveloped, including improvements and fixtures; and

WHEREAS, the Authority has determined the fair market value of the property to be Twenty-Five Thousand 00/100 Dollars (\$25,000.00); and

WHEREAS, The Authority has been unable to agree with the owner (William D. Green, Jr., Trustee) of the property to be acquired as to price or damages to be paid; and

WHEREAS, in accordance with Section 12 and Section 12.1 of the Urban Redevelopment Law, being the Act of May 24, 1945, P.L. 991, as amended, the Authority is authorized to acquire title to said property through Eminent Domain proceedings.

NOW, THEREFORE, BE IT RESOLVED, that the Redevelopment Authority of the City of Bethlehem hereby selects and appropriates for the purposes of redevelopment in accordance with the law following described tracts or parcels of land together with the improvements and fixtures thereon:

508 East Fifth Street, Bethlehem, Northampton County, Pennsylvania, as more fully described in the attached Exhibit "A".

RESOLVED: That the title to be acquired should be absolute or fee simple title.

RESOLVED: The officers of the Redevelopment Authority are authorized to execute any and all documentation and take any and all action which may be required to implement this resolution.

RESOLVED: That the solicitor for the Redevelopment Authority is hereby authorized and directed to institute such proceedings, to enter such bond and to take such other action as may be necessary or desirable to carry out the purpose of this resolution.

RESOLVED: That the institution of such proceedings and any damages which may be awarded to the owner of the described premises be paid out of funds received by the Authority under a Cooperation Agreement with the City of Bethlehem which deals with Community Development Block Grant Funds.

EXHIBIT “A”

“ALL THAT CERTAIN message, tenement and lot or tract of land situate on the south side of Fifth Street in the City of Bethlehem, County of Northampton, Pennsylvania, being part of lot designated on “Plan of the property of S. Wetherill, in the Borough of South Bethlehem” as lot number Eighty-two (82) bound and described as following, to wit

“BEGINNING at a point on the south side of Fifth Street forty (40) feet east from the southeast corner of Fifth and Spruce Streets, thence extending along said Fifth Street eastwardly forty (40) feet and extending of that same width southwardly one hundred (100) feet to land now or late of Peter Sheehan.

“BOUNDED on the North by Fifth Street, East by lot number eighty three (83), now of late the property of James W. Scott, South and East by property now or late of Peter Sheehan.

“HAVING ERECTED thereon a dwelling known and numbered as 508 East Fifth Street, Bethlehem, Northampton County, Pennsylvania, according to the present system of City numbering.

ALSO KNOWN AS NORTHAMPTON COUNTY PARCEL I.D. NO.

MAP: P6SE1B BLOCK: 32 LOT: 2
(Resolution Number 1446)

Mr. Heckman seconded the motion. Resolution Number 1446 was unanimously adopted by the RDA Board.

RESOLUTION NUMBER 1447 – BETHLEHEM ARMORY – 2ND AMENDMENT

Mr. Henninger stated that the RDA has been asked to review and consider for approval Resolution Number 1447 which provides a 2nd Amendment to Peron Development for the Bethlehem Armory project.

Mr. Hanna stated that this is the last and final extension of the contract between the RDA and Peron Development for the Bethlehem Armory project. He added that the RDA needs to be provided with the funding from this agreement by December 20, 2017 and the RDA needs to close on this property with the Commonwealth by June 2018. Mr. Hanna explained that Peron has been meeting with neighbors concerning this project; however, added that some neighbors with a more distant relationship to the project site have expressed concerns about the proposed redevelopment of the Bethlehem Armory. He added that the proposed project complies with the various zoning laws but explained that the density being proposed has become a matter of concern for some of these neighbors opposed to the project. He also indicated that the City of Bethlehem Planning Commission recommended vacating some of Second Avenue as part of this development and that the Planning Commission recommended to the Zoning Hearing Board a special exception be granted for this matter. Mr. Hanna stated that due to this vacating of Second Avenue, the RDA will be receiving additional funds from the property sale. Mr. Heckman, then, presented the following resolution to the Board and moved for its adoption by the Board. Mr. Hanna indicated that the City zoning laws allows for a 5-story structure to be located at this project site and noted the proposed development is for a 4-story structure. He added that neighbors opposed to the project as is being proposed want the structure to be no more than 3-stories in height.

Mr. Hanna stated that if the RDA cannot commit to the purchaser for the Bethlehem Armory, the Commonwealth will then put the structure out for public bidding and that prevents any involvement of the RDA and City as far as the reuse of the site. He noted that as long as the redevelopment complies with existing planning and zoning laws the type of development can be quite vast.

Following this presentation, Mr. Heckman presented the following resolution to the Board and moved for its adoption by the Board.

WHEREAS, Peron Armory, LP, a Pennsylvania limited partnership (the “Purchaser”), and the Redevelopment Authority of the City of Bethlehem, a public body corporate (the “Seller”) entered into a Second Amendment to an Agreement, and

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WHEREAS, the original agreement was dated August 23, 2016 wherein the Seller agreed to sell and the Purchaser agreed to purchase certain real property at 331 Prospect Avenue, Bethlehem, Lehigh County, Pennsylvania as more particularly described in the agreement, and

WHEREAS, the parties agreed to extend the Due Diligence Period from July 21, 2017 to October 19, 2017, and

WHEREAS, The parties agreed to extend the Due Diligence Period from October 19, 2017 to December 20, 2017 and executed the attached Second Amendment to an Agreement of Sale on October 20, 2017, and

WHEREAS, the Seller's agreement was acknowledged and executed by the Seller's Executive Director, subject to presentation and approval by the Redevelopment Authority board at its next meeting on November 16, 2017.

NOW, THEREFORE BE IT RESOLVED, that the Redevelopment Authority of the City of Bethlehem approves the Second Amendment to an Agreement of Sale.
(Resolution Number 1447)

Mr. Bethel seconded the motion. Resolution Number 1447 was unanimously adopted by the RDA Board.

ADJOURNMENT

As there was no further business, Mr. Bethel made a motion to adjourn the meeting of the RDA. Mr. Heckman seconded the motion. The motion was unanimously approved and the meeting of the Bethlehem RDA was adjourned at 4:30 P.M.

Submitted by,

Heather M. Bambu Weiss
Board Secretary