

**REDEVELOPMENT AUTHORITY OF THE CITY OF BETHLEHEM
OCTOBER 22, 2020**

Virtual Meeting via GoToMeeting
Bethlehem, PA 18018

MINUTES

The Board of the Redevelopment Authority of the City of Bethlehem met for a regular meeting on Thursday, October 22, 2020 at 5:00 P.M. via GoToMeeting. The place, the hour and the date duly noted for the holding of this meeting was publicized.

Vice-Chairman Earl Bethel called the meeting to order and the following members were present:

Lea B. Grigsby
Tracy Oscavich
Christopher Spadoni

The Vice-Chairman called a quorum present.

Also present were:

Tony Hanna, Executive Director
Michael E. Riskin, Esq., Solicitor
Heather M. Bambu-Weiss, Board Secretary
J. William Reynolds, City Council Liaison to the RDA

RDA Board Member, Ronald Heckman, contacted the RDA office prior to the meeting and indicated he had a conflict and was unable to participate in the virtual meeting.

APPROVAL OF MINUTES

Ms. Oscavich made a motion to approve the minutes of the September 24, 2020 regular meeting of the Redevelopment Authority. The minutes were emailed earlier to each member of the Board. As there were no changes notes, Ms. Grigsby seconded the motion. The motion carried unanimously and the minutes of the September 24, 2020 regular meeting of the Redevelopment Authority were approved.

COURTESY OF THE FLOOR

Due the Covid-19 situation, the RDA meeting was conducted virtually via GoToMeeting. To provide an opportunity for guests to share any thoughts about the RDA agenda items, or other Authority business, the virtual meeting information was posted on the RDA website on October 15, 2020 and included instructions to contact the RDA office if any members of the community had any thoughts about RDA business to share with the RDA Board during this meeting. The RDA phone line was available and monitored during the meeting by the Administrative Coordinator. No phone calls were received during meeting. In addition, no messages to be shared at the meeting were provided to the RDA prior to or during the meeting.

EXECUTIVE DIRECTOR REPORT

Mr. Bethel turned the meeting over to Mr. Hanna for his Executive Director Report. Mr. Hanna presented a verbal report of events involving the RDA, as summarized below.

1. **Tax Incremental Financing (TIF) District** – Mr. Hanna reminded the Board that the existing Tax Incremental Financing (TIF) District is scheduled to expire at midnight on 11/15/2020. He noted that all money available must be expended and/or committed to be spent prior to that deadline. He indicated that all funds have been committed and/or expended except for the Bethlehem Landing Visitor Center repairs project.

Mr. Hanna reminded the Board that new streetlights were authorized for the Steel Stacks Campus and the plantings and repairs to the Hoover-Mason Trestle have been done. He added that the street work to First Street / Founders Way started earlier this week. He also noted the authorization to reimburse the Bethlehem Parking Authority for some of the land purchase cost for the future site of the Polk Street parking garage. Mr. Hanna indicated that the Visitor Center project has been time consuming and explained that an analysis was done regarding the water issues at the site. He explained that the issues have been identified and estimates are being prepared for the various repair options. Mr. Hanna stated that he is not anticipating any issues with the spending and/or commitment to spend these funds prior to the November 15, 2020 expiration of the TIF.

2. **723 Broadway** – Mr. Hanna stated that later in the meeting the Board is being asked to review and consider for approval the next step of the eminent domain process to acquire 723 Broadway. He explained this next step will require the payment into court of the value of the property, which updated appraisals have indicated to be \$36,000. Mr. Hanna noted that after this process is completed, the RDA will begin the process of selling the property to a developer who will renovate the property to be a useful, code compliant property again.

RESOLUTION NUMBER 1474

Mr. Bethel stated that the RDA Board has been asked to review and consider for approval Resolution Number 1474, which authorizes the amendment of the RDA Non-Uniform Pension Plan as administered by the Pennsylvania Municipal Retirement System pursuant to Article IV of the Pennsylvania Municipal Retirement Law.

Ms. Grigsby asked what the updates were to the plan being presented for review and consideration with this resolution. Ms. Bambu-Weiss explained that she was informed during a conference call with the Pennsylvania Municipal Retirement System (PMRS) that they are required to review the pension plans with each plan member on a routine basis, every seven (7) years. Ms. Bambu-Weiss explained that the only modifications included in the plan being reviewed and considered at this meeting involved the inclusion of earned and paid vacation time into the pension calculations for a employees during their last year of employment with the RDA.

Ms. Bambu-Weiss noted that based upon her understanding the review and presentation to the Board of this document is something that is required following the periodic reviews by the PMRS and RDA of this plan, regardless of any modifications to the plan.

Following this discussion, Ms. Grigsby presented the following resolution to the Board and moved for its adoption by the Board.

A RESOLUTION OF BETHLEHEM CITY REDEVELOPMENT AUTHORITY, NORTHAMPTON COUNTY, COMMONWEALTH OF PENNSYLVANIA, ELECTING TO AMEND ITS NON-UNIFORM PENSION PLAN ADMINISTERED BY THE PENNSYLVANIA MUNICIPAL RETIREMENT SYSTEM PURSUANT TO ARTICLE IV OF THE PENNSYLVANIA MUNICIPAL RETIREMENT LAW; AGREEING TO BE BOUND BY ALL PROVISIONS OF THE PENNSYLVANIA MUNICIPAL RETIREMENT LAW AS AMENDED AND AS APPLICABLE TO MEMBER MUNICIPALITIES, IT IS HEREBY RESOLVED BY BETHLEHEM CITY REDEVELOPMENT AUTHORITY, NORTHAMPTON COUNTY, AS FOLLOWS:

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SECTION I. Bethlehem City Redevelopment Authority (the Authority), having established a non-uniform pension plan administered by the Pennsylvania Municipal Retirement System (the System), hereby elects to amend its Non-Uniform Pension Plan administered by the System in accordance with Article IV of the Pennsylvania Municipal Retirement Law, 54 P.S. §881.101 et seq. (Retirement Law), and does hereby agree to be bound by all the requirements and provisions of the Retirement Law and the Municipal Pension Plan Funding Standard and Recovery Act, 53 P.S. §895.101 et seq., and to assume all obligations, financial and otherwise, placed upon member municipalities.

SECTION II. As part of this Resolution, the Authority agrees that the System shall administer and provide the benefits set forth in the amended Non-Uniform Pension Plan Document entered into between the Pennsylvania Municipal Retirement Board and the Authority effective as of the date specified in the adoption agreement (the Contract).

SECTION III. The Authority acknowledges that by passage and adoption of this Resolution, the Authority officially accepts the Contract and the financial obligations resulting from the administration of the Contract.

SECTION IV. Payment for any obligation established by the adoption of this Resolution and the Contract shall be made by the Authority in accordance with the Retirement Law and the Municipal Retirement Pension Plan Funding Standard and Recovery Act. The Authority hereby assumes all liability for any unfundedness created due to the benefit structure set forth in the Contract.

SECTION V. The Authority intends this Resolution to be the complete authorization of the Contract, as amended and its shall become effective as of the date specified in the adoption agreement, which is the effective date of the Contract, as amended.

SECTION VI. A duly certified copy of this Resolution and an executed Contract shall be filed with the System.
(Resolution Number 1474)

Ms. Spadoni seconded the motion. The motion was unanimously adopted by the Board. As a result, Resolution Number 1474 was unanimously adopted by the RDA Board.

RESOLUTION NUMBER 1475

Mr. Bethel stated that the RDA Board has been asked to review and consider for approval Resolution Number 1475, which authorizes the RDA to submit an application for funding from the Pennsylvania Housing Affordability and Rehabilitation Enhancement (PHARE) Fund program.

Ms. Oscavich asked how much funding the RDA was requesting from the PHARE program. Ms. Bambu-Weiss indicated that the current RDA application being drafted for submitted will request the maximum amount an applicant can request - \$400,000. She then provided the Board with an overview of the projects being included in the application as well as the planned uses for the PHARE funds.

Following this discussion, Ms. Oscavich presented the following resolution to the Board and moved for its adoption by the Board.

WHEREAS, the Pennsylvania Housing Affordability and Rehabilitation Enhancement Program (“PHARE”) was established by Act 105 of 2010 to provide a mechanism by which certain funds would be used to assist with the creation, rehabilitation and support of affordable housing throughout the Commonwealth of Pennsylvania;

WHEREAS, the Redevelopment Authority of the City of Bethlehem (“the RDA”) is a state incorporated government redevelopment authority with the powers vested by Pennsylvania Redevelopment Authority law;

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WHEREAS, the RDA and the City of Bethlehem (“the City”) have a strong working relationship toward meeting the national objective of blight removal;

WHEREAS, the RDA and COB partnered on an eight-month planning process to develop a Blight Remediation and Mitigation Plan (“the Plan”) to address blighted properties and disinvested neighborhoods at risk of further decline with the City of Bethlehem;

WHEREAS, Pennsylvania Housing Finance Agency (“PHFA”) administers the PHARE program and has announced a Request for Proposals inviting applications to be submitted for 2020 / 2021 PHARE program funding;

WHEREAS, the RDA desires to submit an application for 2020 / 2021 PHARE funding to be used for blight remediation as supported by the Blight Remediation and Mitigation Plan;

WHEREAS, the RDA has identified the City as a partner for the submission of this PHARE application as well as a partners toward meeting the national objective of blight removal.

THEREFORE, BE IT RESOLVED, by the Redevelopment Authority of the City of Bethlehem that:

1. In partnership with the City of Bethlehem, the Redevelopment Authority of the City of Bethlehem desire to submit an application for 2020 / 2021 PHARE program funding to be used for blight remediation by the Blight Remediation and Mitigation Plan is hereby approved.
2. The Executive Director, on behalf of the Redevelopment Authority of the City of Bethlehem, is authorized and directed to execute a Pennsylvania Housing Affordability and Rehabilitation Enhancement (PHARE) fund application.

(Resolution Number 1475)

Ms. Grigsby seconded the motion. The motion was unanimously adopted by the Board. As a result, Resolution Number 1475 was unanimously adopted by the RDA Board.

RESOLUTION NUMBER 1476

Mr. Bethel stated that the RDA Board has been asked to review and consider for approval Resolution Number 1476, which authorizes reconstruction of portions of First Street and Founders Way, located within the designated Bethlehem Works / TIF District, to be done as detailed in the proposal from Baker & Barker and Eastern States Paving.

Mr. Hanna explained that work started earlier this week on this project. He noted that the bids received for this work were under the estimated cost for the reconstruction of First Street and Founders Way. He added that the bids for both the street and brick work are being done by local contractors.

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

**REDEVELOPMENT AUTHORITY OF THE CITY OF BETHLEHEM
RESOLUTION FOR RECONSTRUCTION OF PORTIONS OF
FIRST STREET AND FOUNDERS WAY**

WHEREAS, The City of Bethlehem and the Redevelopment Authority of the City of Bethlehem had established a Tax Incremental Financing Plan (“TIF Plan”) in March 2000, and updated the TIF Plan in October 2010; and

WHEREAS, an updated TIF Plan of Finance was also created in October 2010, which included among other things, priorities for the use and funding of TIF investments and expenditures; and

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WHEREAS, the 2010 Plan of Finance, as described in the Rebate Agreement dated, October 7, 2010, provides for the Redevelopment Authority to pay all or a portion of the costs of acquisition, design, construction, and equipping of on-site infrastructure work, parking facilities, road improvements, streetscapes and signage, within the Bethlehem Works Redevelopment Area; and

WHEREAS, the Redevelopment Authority had advanced the planning, design, and pre-construction services for the reconstruction and repaving of portions of First Street and Founders Way in the Bethlehem Works Redevelopment Area; and

WHEREAS, Keystone Consulting Engineers had been retained by the Redevelopment Authority, in consultation with the City of Bethlehem, to prepare plans and specifications for reconstruction and repaving – proposal attached; and

WHEREAS, the Redevelopment Authority assumed the responsibility to secure pricing and proposals for the reconstruction of portions of First Street and Founders Way based upon the final plans and specifications prepared by Keystone Consulting Engineers; and

WHEREAS, proposals were secured from Barker and Barker of Bethlehem, PA for \$54,532 for Bituminous Paving work and from Eastern States Paving of Slatington, PA, for \$119,405 for Brick Paving work – copies of proposals attached; and

WHEREAS, the proposals were reviewed and accepted by the City of Bethlehem; and

NOW, THEREFORE, BE IT RESOLVED THAT, the Redevelopment Authority of the City of Bethlehem, hereby approves the proposals from Barker and Barker and Eastern States Paving for the reconstruction and repaving of portions of First Street and Founders Way.

BE IT FURTHER RESOLVED THAT, in the event an agreement will be necessary to legally effect the above referenced funding, the Chairman or Vice-Chairman is authorized to execute any and all contracts or agreements on behalf of the Redevelopment Authority, same to be attested to by the Secretary.

(Resolution Number 1476)

Mr. Spadoni seconded the motion. The motion was unanimously adopted by the Board. As a result, Resolution Number 1476 was unanimously adopted by the RDA Board.

RESOLUTION NUMBER 1477

Mr. Bethel stated that the RDA Board has been asked to review and consider for approval Resolution Number 1477, which authorizes various maintenance work at the Hoover-Mason Trestle, located within the designated Bethlehem Works / TIF District, to be done by Edge of the Woods and Levan Associates, Inc.

Mr. Hanna explained that Levan Associates was a major contractor on the initial Hoover-Mason Trestle project as the steel erectors for that project. He explained that some maintenance work was needed at the Hoover-Mason Trestle and Levan did fencing, railing and other work at the site.

Ms. Oscavich asked if this was the first project Edge of the Woods did for the RDA. Mr. Hanna stated the initial plantings at the Trestle were done by Green Valley Landscaping and added that this was the first project the RDA and Edge of the Woods worked on together. Mr. Hanna noted the Edge of the Woods has been gaining additional projects in the area and noted that they had done some work for the National Museum of Industrial History (NMIH). He explained that Edge of the Woods did some infilling of plants on the HMT and being they are native plant experts they were familiar with the plants being used from the lists provided of the plantings at the site. He added that the HMT plant volunteers were also pleased with the work that Edge of the Woods did at the HMT.

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

**REDEVELOPMENT AUTHORITY OF THE CITY OF BETHLEHEM
RESOLUTION FOR MAINTENANCE AND IMPROVEMENTS
HOOVER-MASON TRESTLE**

WHEREAS, The City of Bethlehem and the Redevelopment Authority of the City of Bethlehem had established a Tax Incremental Financing Plan (“TIF Plan”) in March 2000, and updated the TIF Plan in October 2010; and

WHEREAS, an updated TIF Plan of Finance was also created in October 2010, which included among other things, priorities for the use and funding of TIF investments and expenditures; and

WHEREAS, the 2010 Plan of Finance, as described in the Rebate Agreement dated, October 7, 2010, provides for the Redevelopment Authority to pay all or a portion of the costs of acquisition, design, construction, and equipping of on-site infrastructure work, parking facilities, road improvements, streetscapes and signage, within the Bethlehem Works Redevelopment Area; and

WHEREAS, the Redevelopment Authority had advanced the planning, design, and construction for the development of the Hoover-Mason Trestle and the adaptive reuse and repurposing of the Trestle into a linear park and walkway in the Bethlehem Works Redevelopment Area; and

WHEREAS, after over five (5) years of operation and use as a public park and historic site, the Hoover-Mason Trestle required some much-needed repairs and maintenance as well as replacement plantings in the planting beds along the walkway; and

WHEREAS, a proposal for maintenance and repairs was secured from Levan Associates, copy attached, and for replacement plantings from Edge of the Woods, Native Plants, copy attached.

NOW, THEREFORE, BE IT RESOLVED THAT, the Redevelopment Authority of the City of Bethlehem, hereby approves the payment request for Levan Associates for \$35,687.34 for completed maintenance and repairs and for Edge of the Woods for \$5,256.60 for completed purchase of plant material and installation of plants on the Hoover-Mason Trestle.

BE IT FURTHER RESOLVED THAT, in the event an agreement will be necessary to legally effect the above referenced funding, the Chairman or Vice-Chairman is authorized to execute any and all contracts or agreements on behalf of the Redevelopment Authority, same to be attested to by the Secretary.

(Resolution Number 1477)

Mr. Spadoni seconded the motion. The motion was unanimously adopted by the Board. As a result, Resolution Number 1476 was unanimously adopted by the RDA Board.

APPROVAL OF INVOICES – OCTOBER 2020

Mr. Bethel stated that the RDA Board has been asked to review and consider for approval the invoices / reimbursements as outlined on the October 2020 invoice summary.

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Ms. Grigsby made a motion to approve of the payments / invoices as outlined on the October 2020 invoice summary. Mr. Spadoni seconded the motion. The motion was unanimously approved and the following payments were approved:

- 1) \$60,051.42 represents costs associated with On-Going and Maintenance Costs and payment of such costs to be made from the Authority Fund. Of the total invoice from Simone Collins, the RDA General Fund will pay \$3,180.00 of the Simone Collins invoice since those costs pertain to the relocation of the Bethlehem Steel Press artifact and the RDA will be reimbursed for these costs associated by Wind Creek. The balance of this Simone Collins invoice will be paid from Authority Fund monies. The other invoice included from Boyle Construction; Edge of the Woods; Levan Associates, Inc.; and USA Architects will also be paid from Authority Fund monies.
- 2) \$576,465.37 will be paid toward the TIF allocations to the National Museum of Industrial History (\$76,465.37 of the authorized \$110,000) and to the Bethlehem Parking Authority (\$500,000 of the authorized \$500,000).
- 3) \$18,103.82 represents reimbursement to the RDA from the Administrative Expense Fund for various administrative costs associated with overall / general TIF project work.
- 4) \$29,622.28 represents reimbursement to the RDA from the Authority Fund account for various costs related to the Bethlehem Works / TIF District.

RESOLUTION NUMBER 1478

Mr. Bethel stated that the RDA Board has been asked to review and consider for approval Resolution Number 1478, which authorizes the RDA to pay money into court to acquire the blight certified property located at 723 Broadway through the eminent domain process.

Mr. Hanna explained that this is the next, and final, step in the eminent domain process for the RDA to acquire the property at 723 Broadway. He noted that due to the amount of time since the original appraisals were done, updated appraisals were requested and received. Mr. Hanna noted that the updated valuation for this property is \$36,000, an increase of \$9,00 from the original \$27,000 valuation.

Ms. Grigsby questioned what kind of liens made this property so expensive requiring the eminent domain process. Mr. Hanna explained that there were municipal liens and taxes due from this property and noted that those liabilities would be paid first when the funds are distributed by the court. Mr. Hanna added that there is an old lien from an attorney as well as a second lien from funds this individual loaned to the property owner. Mr. Hanna noted that even with the increased value of the property, it is likely the owner will not receive any funds from the acquisition of this property.

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

**RESOLUTION OF REDEVELOPMENT AUTHORITY
OF THE CITY OF BETHLEHEM**

RE: CONDEMNATION OF LAND AT 723 BROADWAY, BETHLEHEM, NORTHAMPTON COUNTY, PENNSYLVANIA (HEREINAFTER REFERRED TO AS “CONDEMNED LAND”) OWNED BY TIMOTHY KUNKLE (HEREINAFTER REFERRED TO AS “CONDEMNEE”)

WHEREAS, a Declaration of Taking was filed October 2, 2020 in the Court of Common Pleas of Northampton County, Pennsylvania to No. C45CV2020-6106; and

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WHEREAS, it is the desire of the Redevelopment Authority to take possession of the condemned property; and

WHEREAS, the Redevelopment Authority has offered the Condemnee just compensation for the condemned property, but the liens against the property exceed the amount of the just compensation and it will be necessary to pay the money into Court to obtain possession of the condemned property.

NOW, THEREFORE, be it resolved as follows:

1. Possession of the condemned property shall be obtained by filing a Petition to Pay Estimated Just Compensation Into Court and a Petition for Writ of Possession.
2. The Solicitor for the Redevelopment Authority is authorized and directed to file the Petition to Pay Estimated Just Compensation and the Petition for a Writ of Possession and to take any other necessary action that may be required in order to carry out the purpose of this Resolution.
3. The officers of the Redevelopment Authority are authorized to execute any and all documentation and take any and all action which may be required, including but not limited to the signing of the above Petitions and payment of Thirty-Six Thousand and 00/100 Dollars (\$36,000.00) into Court.

(Resolution Number 1478)

Mr. Spadoni seconded the motion. The motion was unanimously adopted by the Board. As a result, Resolution Number 1476 was unanimously adopted by the RDA Board.

GENERAL DISCUSSION

Upcoming RDA Meetings – November 2020 and December 2020 – Due to the current RDA Board meeting schedule with meetings occurring on the fourth (4th) Thursday of each month, the RDA Board discussed alternative meeting dates for the November 2020 and December 2020 meetings. The current schedule has these meetings occurring on the Thanksgiving and Christmas Eve holidays.

After alternate meeting dates were considered, the RDA Board unanimously approved the meetings be rescheduled as follows:

November 2020 RDA Board meeting rescheduled to Thursday, November 12, 2020 at 5:00 PM

December 2020 RDA Board meeting rescheduled to Thursday, December 10, 2020 at 5:00 PM

Ms. Bambu-Weiss indicated she would advertise these meetings in the newspaper as well as post these updated dates on the RDA website.

ADJOURNMENT

As there was no further business, Ms. Oscavich made a motion to adjourn this October 22, 2020 RDA Board meeting. Mr. Spadoni seconded the motion and the motion was unanimously carried. As a result, the meeting adjourned at 5:40 P.M.

Submitted by,

Heather M. Bambu-Weiss
Board Secretary