

REDEVELOPMENT AUTHORITY OF THE CITY OF BETHLEHEM
JUNE 23, 2022

Town Hall at 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, June 23, 2022 at 5:00 P.M. in Town Hall at Bethlehem City Hall; 10 East Church Street, Bethlehem, Pennsylvania. The place, the hour and the date duly noted for the holding of this meeting was publicized.

Chairman Ronald Heckman called the meeting to order and the following members were present:

Tracy Oscavich
Christopher Spadoni

The Chairman called a quorum present.

Also present were:

Alicia Karner, Executive Director
Tony Hanna, Consultant (via GoToMeeting)
Heather M. Bambu-Weiss, Board Secretary
Michael E. Riskin, Esq.

Guests representing CCAN, LLC were also present at the meeting.

RDA Board Member, Lea Grigsby, informed the RDA office that she was unable to attend the meeting.

APPROVAL OF MINUTES

Ms. Oscavich made a motion to approve the minutes of the March 24, 2022 regular meeting of the Redevelopment Authority. The minutes were emailed earlier to each member of the Board. Mr. Spadoni seconded the motion. The motion carried unanimously and the minutes of the March 24, 2022 regular meeting of the Redevelopment Authority were approved.

APPROVAL OF CASH REPORTS

Ms. Oscavich made a motion to approve the cash reports for the months ended March 31, 2022; April 30, 2022 and May 31, 2022. These cash reports were emailed 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 cash reports for the months ended March 31, 2022; April 30, 2022 and March 31, 2022 were approved.

COURTESY OF THE FLOOR

Since there were no members of the public in attendance, there were no comments during the Courtesy of the Floor portion of this meeting.

EXECUTIVE DIRECTOR REPORT

Mr. Heckman turned the meeting over to Ms. Karner for her Executive Director Report. M. Karner provided the following updates to the Board:

- 1) **1218 Center Street** – Ms. Karner reminded the Board that the condition of the property located at 1218 Center Street was discussed at prior RDA meetings. She indicated that the emergency repairs to secure the deteriorating exterior brick wall had been completed. Ms. Karner stated that work specs to repair the exterior wall were prepared and distributed via public bidding. While the RDA expected to receive bids for this project, no bids were received for this work.

Both Ms. Karner and Mr. Hanna noted that discussions with contractors after the bid due date passed revealed the concerns contractors had about this project. All the contractors expressed great concerns about the degree of deterioration evident on the exterior wall and structure as well as the close proximity of 1218 Center Street with the neighboring, non-adjointing, property.

Mr. Hanna added that he discussed the situation with and asked Alvin H. Butz to review the property and work scope. He explained that Butz has a business division that addresses severe properties, such as this, and he was waiting for their evaluation of the situation. Mr. Hanna noted that Butz may even have an alternate way to repair the wall based upon their experience in this type of work.

Ms. Oscavich inquired as to the process that was used for the public bidding of this project. Ms. Bambu-Weiss indicated that a newspaper advertisement was done as well as posting on the RDA and City websites.

Mr. Spadoni expressed a desire to recover some of the funds being used at this property to correct its condition. Ms. Karner reminded the RDA Board that the funds designated for this project was a State grant to be used to address blight. Mr. Riskin indicated that the RDA can include language to recover the funds as part of the mortgage document; however, he cautioned that including such language does not guarantee the recovery of any funds.

- 2) **Wawa / PennDOT Project** – Ms. Karner reminded the Board that as part of the Route 412 / Commerce Center Boulevard Wawa project the developer has been asked to modify the intersection area including land that is currently a PennDOT right-of-way. Ms. Karner added that the RDA is in the process of acquiring this right-of-way land from PennDOT so the developer can improve this intersection.

Ms. Oscavich inquired as to the process involved to acquire and transfer this PennDOT property. Ms. Karner explained that a letter expressing RDA interest in this property was sent to PennDOT as the first step of the process. She added that PennDOT was required to advertise this transfer for a period of 30-days, which ends on June 28, 2022. The next step would be for the RDA to enter into an Agreement of Sale with PennDOT to purchase the land. After the agreement has been fully executed, the land transfer can occur.

RE-AFFIRM VOTE – USE PERMIT AGREEMENT

Mr. Heckman noted that the RDA Board has been asked to re-affirm their email vote regarding the Use Permit Agreement between the DA, City of Bethlehem and ArtsQuest for Musikfest 2022-2024. He added that it should be noted that since this email vote an amendment was required to remove The Moon Bounce Guys, LLC from the agreement due to the dissolving of the business.

Mr. Heckman asked if under this agreement ArtsQuest would assume all liability on any RDA or City property. Mr. Riskin indicated that yes, ArtsQuest would assume all liability during Musikfest to anything occurring on RDA and/or City property per the Use Permit Agreement.

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Ms. Oscavich made a motion to reaffirm the email vote and approve the Use Permit Agreement between the RDA, City of Bethlehem and ArtsQuest for Musikfest 2022-2024. Mr. Spadoni seconded the motion. The motion was unanimously approved. As a result, the email vote to approve the Use Permit Agreement between the RDA, City of Bethlehem and ArtsQuest for Musikfest 2022-2022 was re-affirmed.

RESOLUTION NUMBER 1500

Mr. Heckman noted that the RDA Board has been asked to review and consider for approval Resolution Number 1500, which authorizes the RDA to enter into a Contract for Sale with CCAN, LLC. He added that the contract involves the property at the North West Corner of Commerce Center Blvd and Hellertown Road (SR 412) and is part of the Wawa project in this area.

Ms. Oscavich asked for clarification as to the parties indicated in this resolution since it refers to PennDOT as well as the Pennsylvania Department of Revenue. Mr. Riskin stated that any reference to the Pennsylvania Department of Revenue should be changed to the Pennsylvania Department of Transportation (PennDOT).

With that correction noted, Ms. Oscavich presented Resolution Number 1500 to the RDA Board and moved for its adoption by the Board.

WHEREAS, CCAN, LLC, a Pennsylvania limited liability company (“CCAN”) is the owner of property on the North West Corner of Commerce Center Blvd. and Hellertown Road (SR 412), Bethlehem Northampton County, Pennsylvania which property abuts vacant land owned by the Pennsylvania Department of Transportation (PennDOT); and

WHEREAS, CCAN will be developing their property to lease to a commercial / retail tenant; and

WHEREAS, in order to complete the development of their property CCAN requires the 0.642/acre, PennDOT parcel (as more fully described Exhibit A attached hereto); and

WHEREAS, the RDA is in a position to facilitate the acquisition of the PennDOT parcel and then transfer it to CCAN so it completes the development of their property; and

WHEREAS, CCAN will transfer 0.160 acres of the PennDOT parcel to the City of Bethlehem to widen Commerce Center Blvd. in accordance with Exhibit B, hereto attached; and

WHEREAS, PennDOT has started the process to sell their parcel to the RDA for Twenty-Two Thousand and 00/100 Dollars (\$22,000.00); and

WHEREAS, a Contract for Sale of Land (“Agreement”) has been prepared between the RDA and CCAN allowing the RDA to purchase the PennDOT property; and

WHEREAS, CCAN will buy the property from the RDA by a Quit Claim Deed and in accordance with the terms and conditions contained in the Contract for Sale of Land.

NOW, THEREFORE, BE IT RESOLVED THAT:

- A. The form and content of the Contract for Sale of Land between the Redevelopment Authority and CCAN, LLC is satisfactory and approved.
- B. The RDA is authorized to enter into a Contract for Sale of Land between the RDA and CCAN, allowing the RDA to purchase the PennDOT property for Twenty-Two Thousand and 00/100 Dollars (\$22,000.00) and will transfer the property to CCAN by a Quit Claim Deed.
- C. CCAN will reimburse the RDA for any and all direct, indirect and applicable costs, fees and expenses incurred by the RDA for the work, procedures, processes and closing as detailed in the Contract for Sale of Land agreement.
- D. The RDA is authorized to purchase the PennDOT parcel.

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BE IT FURTHER RESOLVED, that the Chairman, Vice-Chairman, and/or other appropriate officers of the Redevelopment Authority of the City of Bethlehem is authorized to execute the Contract for Sale of Land with CCAN, LLC and any Contracts and/or documentation with PennDOT to acquire the PennDOT parcel and thereafter transfer it to CCAN, LLC. Said agreement to be attested by Secretary.
(Resolution Number 1500)

Mr. Spadoni seconded the motion. The motion was unanimously approved. As a result, Resolution Number 1500 was unanimously adopted by the RDA Board.

2022-2023 ANNUAL ADMINISTRATIVE BUDGET

Mr. Heckman noted that the RDA Board has been asked to review and consider for approval the proposed Annual Administrative Budget for the period of July 1, 2022 through June 30, 2023. It was noted that the approval of this budget can be done via motion as has been done in the past.

Ms. Karner indicated that the RDA Board may notice that the proposed budget is not as robust as past RDA budgets. She explained that this change was due to the implementation of the Intergovernmental Agreement between the RDA and City of Bethlehem. She also noted the memo included with the budget. Ms. Karner explained she asked Ms. Bambu-Weiss to prepare this revenue summary to provide the RDA Board with a better overall understanding of the funds available for the costs identified in the proposed budget.

The Board members and Staff discussed the budget and revenue information provided to the Board. Mr. Heckman suggested the Board and Staff have additional discussion at a future meeting regarding RDA revenue sources and typical expenses so members have a better understanding of the post-TIF finances of the RDA. The Board members present agreed such information would be useful to help identify where funds are already committed and where revenue opportunities may exist. Mr. Spadoni expressed some reservations about providing a strict schedule of finances and limitations it could present.

Following this discussion, Mr. Spadoni made a motion to approve the 2022-2023 Annual Administrative Budget as presented. Ms. Oscavich seconded the motion. The motion was unanimously approved. As a result, the 2022-2023 Annual Administrative Budget of the RDA was approved.

APPROVAL OF INVOICES – JUNE 2022

Mr. Heckman stated that the RDA Board has been asked to review and consider for approval the reimbursements as outlined on the June 2022 invoice summary.

Mr. Spadoni made a motion to approve of the reimbursements as outlined on the June 2022 invoice summary. Ms. Oscavich seconded the motion. The motion was unanimously approved and the following reimbursements were approved:

- 1) \$23,132.72 represents reimbursement to the RDA from the Authority Fund account for various costs related to the Bethlehem Works / TIF District.

APPROVAL OF INVOICES – JUNE 2022

Mr. Heckman noted that the RDA Board has been asked to review and consider for approval the Bill of Sale between the RDA and the Bethlehem Steelworkers Veteran's Memorial Association, Inc. He added that this document transfers ownership of the Bethlehem Steelworkers Veterans' Memorial to the Bethlehem Steelworkers Veteran's Memorial Association, Inc. It was also noted that if acceptable, this Bill of Sale can be approved via motion.

Mr. Heckman asked if the Bethlehem Steelworkers Veteran's Memorial Association has the capability to assume ownership responsibility of the memorial. Mr. Hanna explained that the Bethlehem Steelworkers Veteran's Memorial was a committee that handled the maintenance and events involving the memorial. He reminded the Board that this memorial

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was formerly located at the site where the Polk Street parking garage is planned to be built. Mr. Hanna indicated that the Bethlehem Parking Authority (BPA) paid for its move and the Local Shares Account (LSA) funds that the RDA received contributed toward the casting of the memorial at its new location in the new Artifact Yard at the National Museum of Industrial History (NMIH).

Mr. Hanna explained that when the memorial was being moved, the BPA relinquished all rights and would not accept any kind of responsibility for the memorial. During this transition period, the RDA became the ‘owner’ of the memorial.

Mr. Hanna noted that the Steelworkers were concerned about the NMIH owning the memorial because if the NMIH dissolved the memorial could be lost. As a result, the Steelworkers formalized their organization and established a non-profit, the Bethlehem Steelworkers Veteran’s Memorial Association, Inc. This nonprofit allowed the Steelworkers to own the memorial as well as enter into a loan agreement with the NMIH for the placement, care and maintenance of the memorial as part of the NMIH Artifact Yard.

Ms. Spadoni asked why the RDA was ‘giving away’ a public asset such as this. Mr. Hanna indicated that the memorial is not a public asset and explained that the RDA only gained ‘ownership’ of it when it was being moved. Ms. Karner added that this memorial was only a ‘public asset’ because the land it was originally located on was acquired by the BPA.

Mr. Heckman asked what will happen to the memorial should the Bethlehem Steelworkers Veteran’s Memorial, Inc. dissolve. Mr. Hanna explained that issues such as that would all be addressed within the loan agreement between the Steelworkers and the NMIH.

Following this discussion, Ms. Oscavich made motion that the RDA approve the Bill of Sale with the Bethlehem Steelworkers Veteran’s Memorial Association, Inc. Mr. Spadoni seconded the motion. The motion was unanimously approved. As a result, the RDA approved the Bill of Sale with the Bethlehem Steelworkers Veteran’s Memorial Association, Inc.

ADJOURNMENT

As there was no further business, Mr. Spadoni made a motion to adjourn the June 23, 2022 RDA Board meeting. Ms. Oscavich 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