

RESOLUTION NO. \_\_\_\_\_

A Resolution adopting the Intergovernmental Cooperation and Tax Allocation Agreement between Alan Finnegan, Nancy A. Finnegan, Lower Saucon Township, and the City of Bethlehem, and authorizing the Mayor and Controller to execute the same instrument.

WHEREAS, by virtue of a deed dated September 28, 1987, recorded on November 10, 1987 in the Office of the Recorder of Deeds of Northampton County, Pennsylvania, in Deed Book Volume 737, Page 000921, Alan Finnegan and Nancy A. Finnegan (the “Finnegans”) own certain real property consisting of a single parcel of land at the corner of Moravia Street and Benner Avenue, known as Northampton County Tax Parcel Number P6SW3D 4 5 0204, with an address of 968 Moravia Street, Bethlehem, PA 18015 (the “Parcel”), located, respectively, in the City of Bethlehem and Lower Saucon Township; and

WHEREAS, the Parcel is a vacant lot, with the municipal boundary line between the City and the Township bifurcating the Parcel such that the Parcel is situated partially in the Township and partially in the City, with the entire Parcel located within Northampton County, Pennsylvania; and

WHEREAS, the City has exercised certain municipal rights over the years with respect to the Parcel by having always taxed the Parcel as a result of it having been a part of a larger tract, which at one time contained a mansion house fully in the City; and

WHEREAS, the zoning regulations of the Township would severely limit any development of the Parcel; and

WHEREAS, the Finnegans had previously sought approval for a four (4) unit development of the Parcel (the “Initial Development”) with the Township and the City entering into a certain intergovernmental agreement dated June 10, 1993, and under which the Township and the City would each tax two (2) units of the proposed four (4) unit development; and

WHEREAS, the Finnegans never finalized the Initial Development, but now, due to a change in the City’s zoning ordinance, desire to develop the Parcel into a three (3) unit condominium development in accordance with the Uniform Condominium Act, 68 Pa.C.S. §§ 3101 - 3414; and

WHEREAS, the Finnegans, the Township, and the City seek to enter into the Intergovernmental Cooperation and Tax Allocation Agreement (the “Agreement”) attached to this Resolution as Exhibit “A” pursuant to Chapter 23 of Title 53 of the Pennsylvania Consolidated Statutes, 53 Pa.C.S. §§ 2301 – 2317 (authorizing intergovernmental cooperation) to memorialize their respective understandings concerning the performance of various municipal functions and the responsibility of the property owner(s) of the Parcel to comply therewith, and the allocation of the municipal real estate taxes for the Parcel; and

WHEREAS, the conditions of the Agreement are set forth therein and incorporated herein; and

WHEREAS, the Agreement’s objectives and purposes, including the powers and scope of authority delegated therein, are set forth in the Agreement and incorporated herein; and

WHEREAS, the duration of the Agreement is set forth therein and incorporated herein; and

WHEREAS, the Agreement shall not require any financing for its purposes and objectives and does not authorize the acquisition, management, licensing, or disposition of real or personal property, nor does the Agreement create any entity empowered to enter into contracts for policies of group insurance and employee benefits, including Social Security, for its employees; and

WHEREAS, the Finnegans and the Township, by resolution adopted by the Township’s Council on March 22, 2023, have executed the Agreement; and

WHEREAS, the City may adopt the Agreement by means of resolution or ordinance of City Council.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Bethlehem that the said Council hereby approves and adopts the Intergovernmental Cooperation and Tax Allocation Agreement attached to this Resolution as Exhibit “A”, and authorizes the Mayor and Controller to execute said Agreement, which shall take effect according to the terms thereof.

Sponsored by \_\_\_\_\_

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ADOPTED by Council this      day of      , 2023

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President of Council

ATTEST:

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City Clerk