

**ANIZDA Board Meeting Agenda**  
**June 7, 2023**  
**5:00 pm**  
**America on Wheels**  
**5 North Front Street, Allentown, PA**

1. Call to Order – Chairperson
2. Approval of May 3, 2023 meeting minutes
3. Public Comment on all matters to be acted upon
4. Old Business
5. New Business
  - A. Receipt and Acceptance of the Audit of Financial Statements as presented by Barbacane, Thornton & Company LLP for the year ended December 31, 2022 – Resolution R2023-289
  - B. Loan modification request from Allentown Parking Authority, City Center Investment Corp. and ESSA Bank – Resolution R2023-290
  - C. Authorization of Executive Director performance bonus - Resolution R2023-291
6. Executive Directors Report

Adjournment

**ALLENTOWN NEIGHBORHOOD IMPROVEMENT ZONE  
DEVELOPMENT AUTHORITY**

**RESOLUTION NO. R-2023-289**

BE IT RESOLVED, that the Allentown Neighborhood Improvement Zone Development Authority (the "Authority") hereby authorizes acceptance of the 2022 Audit as presented to the Authority at the public meeting by Barbacane, Thornton and Company LLP, the Authority's Auditors.

**CERTIFICATION ON NEXT PAGE**

**CERTIFICATION**

I, Pedro L. Torres, Jr., Secretary of the Allentown Neighborhood Improvement Zone Development Authority, do hereby certify that the foregoing is a true and correct copy of the Resolution R-2023-289 of the Board of the Authority passed at a duly convened meeting of said Board on the 7th day of June, 2023. Authority members present and voting were as follows:

<u>Vote</u>	<u>Yes</u>	<u>No</u>	<u>Abstain</u>
Seymour Traub, Esq.			
Eileen Aguilara			
Dr Ann Bieber			
Stephen Breininger			
Nelson A. Diaz			
Vacant			
Tiffany Polek			
John Stanley, Esq.			
Pedro L. Torres, Jr.			

IN WITNESS WHEREOF, I hereunto set my hand and seal on this 7th day of June, 2023.

\_\_\_\_\_  
Secretary

ALLENTOWN NEIGHBORHOOD IMPROVEMENT ZONE  
DEVELOPMENT AUTHORITY

RESOLUTION NO. R-2023- 290

WHEREAS, the Allentown Neighborhood Improvement Zone Development Authority (the "Authority") by its Resolution No. R-2016-101 approved issuance of a Construction Loan Agreement with ESSA Bank and Trust Company (the "Bank") to finance construction of a parking deck located at 33 N. 6<sup>th</sup> Street, Allentown, PA 18101, part of Strata III, within the Neighborhood Improvement Zone, developed by the Allentown Parking Authority and City Center Investment Corporation (the "Developer"); and

WHEREAS, the Developer and the Bank have requested a modification to the Construction Loan Agreement which does not negatively impact on the liability of the Authority.

NOW, THEREFORE, BE IT RESOLVED, by the Authority as follows that:

1. The Authority hereby accepts and approves the requests of the Developer and the Bank to modify the Construction Loan Agreement dated December 28, 2016, as follows:
  - a) Delete the term "30 Day LIBOR Rate" and substitute in its place wherever found the phrase "Term SOFR" which means Secured Overnight Financing Rate.
2. The Authority authorizes the execution and delivery of a Construction Loan Modification Agreement and Promissory Note Modification Agreement to incorporate changes required due to the modification set forth above.
3. The Authority hereby authorizes the Executive Director, Chairperson, or Vice Chairperson, and the Secretary or any Assistant Secretary, to execute and attest, where deemed necessary, any modifications to the Credit loan documents and any other related agreements and/or documents and to take any and all actions necessary with the advice of counsel to implement fulfillment of the purposes of this Resolution and to consummate the transactions contemplated herein.
4. The liability of the Authority under any and all of the documents relating to, and executed to implement fulfillment of, the purposes of this Resolution shall not constitute the general obligation of the Authority, and where appropriate, the documents shall provide for other parties to indemnify and hold harmless the Authority and each member, officer and employee of the Authority, from and against any and all claims, losses, damages, or liabilities, joint and several, to which the Authority or any member, officer or employee of the Authority may become subject, and insofar as such loss, claim, damage, or liability, or action in respect thereof, arises out of implementation of the purposes of this Resolution, or is based upon any other alleged act or omission in connection with any document related hereto.

5. All actions previously taken in furtherance of the purposes of this Resolution are hereby ratified. The officers of the Authority are hereby authorized to take such further actions to carry out the purposes of this Resolution.

6. All resolutions and orders or parts thereof in conflict with the provisions of this Resolution are to the extent of such conflict hereby repealed and this Resolution shall be in immediate effect from and after its adoption.

**CERTIFICATION ON NEXT PAGE**

**CERTIFICATION**

I, Pedro L. Torres, Jr., Secretary of the Allentown Neighborhood Improvement Zone Development Authority, do hereby certify that the foregoing is a true and correct copy of the Resolution R-2023-290 of the Board of Directors of the Authority passed at a duly convened meeting of said Board on the 7<sup>th</sup> day of June 2023. Authority members present and voting were as follows:

	<u>Yes</u>	<u>No</u>	<u>Abstain</u>
Seymour Traub, Esq.			
Eileen Aguilar			
Dr Ann Bieber			
Steven Breininger			
Nelson Diaz			
Vacant			
Tiffany Polek			
John Stanley, Esq.			
Pedro L. Torres, Jr.			

IN WITNESS WHEREOF, I hereunto set my hand and seal on this 7th day of June 2023.

\_\_\_\_\_  
Secretary

ALLENTOWN NEIGHBORHOOD IMPROVEMENT ZONE  
DEVELOPMENT AUTHORITY

RESOLUTION NO. R-2023-291

WHEREAS, Steven Bamford has dutifully performed as the Executive Director of the Authority in response to the tasks and challenges incumbent on the position, meeting the goals and needs as they arose for the period to date,

NOW THEREFORE, BE IT RESOLVED, that the Allentown Neighborhood Improvement Zone Development Authority (the "Authority") hereby approves a performance based bonus in the sum of \$7,500.00 payable forthwith.

**END OF RESOLUTION**

**CERTIFICATION**

I, Pedro L Torres, Jr., Secretary of the Allentown Neighborhood Improvement Zone Development Authority, do hereby certify that the foregoing is a true and correct copy of the Resolution R-2023-291 of the Board of Directors of the Authority passed at a duly convened meeting of said Board on the 7th day of June 2023. Authority members present and voting were as follows:

<u>Vote</u>	<u>Yes</u>	<u>No</u>	<u>Abstain</u>
Seymour Traub, Esq.			
Eileen Aguilara			
Dr Ann Bieber			
Stephen Breininger			
Nelson A. Diaz			
Vacant			
Tiffany Polek			
John Stanley, Esq.			
Pedro L. Torres, Jr.			

IN WITNESS WHEREOF, I hereunto set my hand and seal on this 7<sup>th</sup> day of June, 2023.

\_\_\_\_\_  
Secretary