

COUNTY OF NORTHAMPTON  
NORTHAMPTON COUNTY COUNCIL

MEMORANDUM

TO: Distribution List DATE: May 3, 2019  
FROM: Linda M. Zembo  
SUBJECT: Commercial Property Assessed Clean Energy Program

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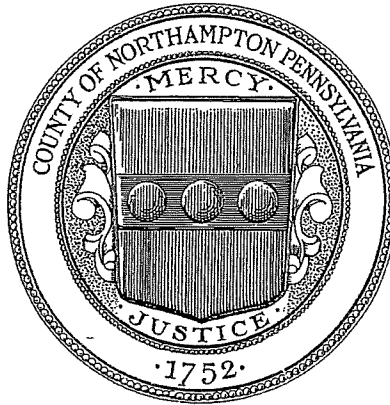
Please be advised that at the meeting held May 2, 2019, the Northampton County Council approved a resolution establishing a Commercial Property Assessed Clean Energy Program. Attached is a copy of resolution #46-2019 concerning this matter.

Distribution List:

Lamont G. McClure  
Charles M. Dertinger  
Becky Bartlett  
Melissa Rudas  
Tina Smith  
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# THE COUNTY OF NORTHAMPTON



## RESOLUTION

Number 46-2019

A RESOLUTION ESTABLISHING A COMMERCIAL PROPERTY ASSESSED CLEAN ENERGY PROGRAM IN THE COUNTY OF NORTHAMPTON AND TAKING AND AUTHORIZING OTHER ACTION IN CONNECTION THEREWITH

**WHEREAS**, Title 12 of the Pennsylvania Consolidated Statutes, 12 Pa. C.S.A 4301, et seq., as amended, authorizes Counties and municipalities to establish a Commercial Property Assessed Clean Energy Program (Program); and

**WHEREAS**, Section 4303 of Title 12 authorizes a County to establish the Program by adopting a resolution establishing the Program, defining an area or group of real properties designated for the purpose of establishing the Program (the District) and provide other operational standards and guidelines; and

**WHEREAS**, the Northampton County Department of Community and Economic Development, at the direction of County Executive Lamont G. McClure, has been exploring the feasibility and benefits of establishing a Program with the PP&L Sustainable Energy Fund Inc. (Sustainable Energy Fund); and

**WHEREAS**, the Sustainable Energy Fund is a Pennsylvania 501c3 not for profit entity with a mission to promote, research and invest in clean and renewable energy technologies, energy conservation, energy efficiency and sustainable energy enterprises that provide opportunities and benefits; and

**WHEREAS**, the Sustainable Energy Fund has been a leader in developing Program guidelines that can be used statewide in establishing a Program; and

**WHEREAS**, the Sustainable Energy Fund can perform the role of Program Administrator for an established Program; and

**WHEREAS**, on March 7, 2019, Northampton County Council Community and Economic Development Committee heard a presentation by Sustainable Energy Fund on the nature and benefits of establishing a Program in Northampton County; and

**WHEREAS**, the Northampton County Council desires the County to establish the Program; and

**WHEREAS**, the program will comply with the requirements and procedures set forth in 12 Pa. C.S.A.4301 et. al.; and

**WHEREAS**, the Northampton County Council desires the County to enter into the Cooperation Agreement with Sustainable Energy Fund for the administration of the Program; and

**WHEREAS**, the County Executive has provided notice to every municipality within the County that the Northampton County Council intends to establish the Program throughout the entire County.

**NOW, THEREFORE, BE IT RESOLVED** by the Northampton County Council that:

1. All WHEREAS clauses are incorporated into this resolution by reference.

2. A property assessed clean energy program shall be established in the County and shall be known as the "Northampton County C-PACE Program".

3. The Northampton County Council designates the entire County as the District as defined in Section 4302 of Title 12 of the Pennsylvania Consolidated Statutes, 12 P.S. §4302.

4. The Sustainable Energy Fund shall be authorized to administer the Northampton County C-PACE Program in accordance with the Cooperation Agreement.

5. The County and the Sustainable Energy Fund shall negotiate the terms of the Cooperation Agreement.

6. The Northampton County Council authorizes the Northampton County Executive to execute the Cooperation Agreement.

7. The Northampton County Council authorizes the Northampton County Executive or designee to execute any and all other necessary documents as may be required to facilitate the successful implementation of the Northampton County C-PACE Program.

8. Any reference in this Resolution to any officer of the County or any officer or member of the Northampton County Council shall be deemed to refer to his or her duly qualified successor in office, if applicable.

9. The County approves, ratifies and confirms all action heretofore taken by its officers, its designated representative or representatives and other persons on its behalf in connection with the undertakings herein contemplated to the extent not inconsistent with this Resolution.

10. In the event any provision, section, sentence, clause or part of this Resolution shall be held to be invalid, such invalidity shall not affect or impair any remaining provision, section, sentence, clause or part of this Resolution, it being the intent of the Northampton County Council that such remainder shall be and shall remain in full force and effect.

11. All prior resolutions or parts of prior resolutions that are inconsistent with this Resolution are hereby repealed.

12. This Resolution shall become effective immediately upon it having been recorded in the minutes of the Northampton County Council and the Northampton County Council hereby directs that this Resolution be recorded immediately following its adoption.

ATTEST:

INTRODUCED BY:



Linda M. Zembo  
Clerk to Council

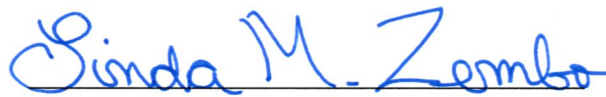
William B. McGee

The above resolution was adopted by the Northampton County Council at the meeting held May 2, 2019.

### **CERTIFICATION**

I, the undersigned, being the Clerk to Council of the Northampton County Council, Northampton County, Pennsylvania, do hereby certify that the foregoing is a true and correct copy of a Resolution duly adopted at a regular and lawful meeting of the Northampton County Council, said meeting held on May 2, 2019.

Witness my hand this 3rd day of May 2019.



Linda M. Zembo  
Clerk to Council