

BUCKS COUNTY COMMISSIONERS

May 1, 2009

The Special Meeting of the Bucks County Board of Commissioners was held at 10:30 a.m. on Friday, May 1, 2009, at the Bucks County Courthouse, Community Room, Doylestown, PA, for the purpose of considering Keystone Opportunity Expansion Zones. In attendance were Commissioner Charles H. Martin, Chairman, Commissioner James F. Cawley and Commissioner Diane M. Ellis-Marseglia. Commissioner Martin opened the meeting with a moment of silence, followed by the Pledge of Allegiance.

PUBLIC ANNOUNCEMENT

Commissioner Martin announced that the meeting will be recorded to allow audio playback on the County's website.

PRESENTATION

Paul Acker of Express Scripts, Inc. provided background information about the pharmaceutical fulfillment company which is applying for KOEZ designation in Bristol Township. Tom Rocheford, Vice President of Corporate Real Estate, Express Scripts, Inc., spoke about the proposed expansion, which will increase the volume of operations and add sixty four jobs within one year. He also stated that the firm plans to invest approximately 50 million dollars in the facility for equipment purchases and building improvements.

In response to Commissioner Cawley's inquiry, Mr. Rocheford spoke about the firm's commitment to be a good long-term corporate citizen in Bucks County, and confirmed that two additional Express Scripts facilities in Bucks County will not be closed as a result of the KOEZ. Mr. Cawley also remarked that the firm has agreed to enter into a Payment in Lieu of Taxes Agreement, or PILOT, with the County. Brian Hessenthaler, Finance, confirmed that the PILOT amount is greater than what the site currently pays in annual County real property taxes.

Robert Cormack, Executive Director, Bucks County Economic Development Corporation, stated that the application meets all criteria for KOEZ designation and will most likely be approved by the state.

Commissioner Martin noted that the municipality and school district have previously signed resolutions in support of Express Scripts' application, and commented that another prospective KOEZ applicant will not be considered, as its application was not approved by the local community.

PUBLIC COMMENT

None.

NEW BUSINESS

Upon motion of Mr. Cawley, seconded by Ms. Ellis-Marseglia, with the vote being 3-0, the following Resolution was approved:

WHEREAS, the County of Bucks, Pennsylvania recognizes the need to encourage investment in an area within a defined geographical and political boundary of Bristol Township, Bucks County, bounded as follows: All that land located within the area described as Tax Map Parcel No. 05-023-048. Tax Map Parcel No. 05-023-048 consists of approximately 15.63 acres and is experiencing economic distress, characterized by unemployment, low investment of new capital, blighted conditions, a vacant underutilized building, and a deteriorated tax base; and

WHEREAS, the Pennsylvania Keystone Opportunity Zone Act P.L. 705, No. 92, as amended, hereinafter referred to as the "Act", authorizes a political subdivision, including a County or its designee to apply to the Pennsylvania Department of Community and Economic Development ("DCED") for designation of an area within the respective political subdivision as a Keystone Opportunity Expansion Zone ("KOEZ"); and

WHEREAS, in order for a parcel to be designated as a KOEZ, all political subdivisions, including a County, in which the proposed KOEZ is located must enact a Resolution which provides within the designated and approved KOEZ exemptions, deductions, abatements or credits from all local taxes identified in the Act; and

WHEREAS, Express Scripts, Inc. or one of its affiliates (collectively "ESI") is contemplating the relocation of a facility from another location in Bucks County to TMP No. 05-023-048 bringing with it approximately 300 existing jobs and the prospect of an additional 60 new jobs within one year; and

WHEREAS, ESI has requested that the Township of Bristol, the Bristol Township School District and the County of Bucks designate TMP No. 05-023-048 as a KOEZ; and

WHEREAS, enactment of such exemption will result in improving both the economic, physical and social conditions within the proposed KOEZ by stimulating new improvements to the land, creating new employment and diminishing blight; and

WHEREAS, enactment of such designation will reverse the disinvestment and conditions of blight within the proposed KOEZ by December 31, 2019, being the exemption period the Act provides; and

WHEREAS, the County of Bucks supports an application to the DCED seeking approval of this proposed KOEZ.

NOW, THEREFORE, BE IT RESOLVED, by the County of Bucks, that effective as of May1, 2009, the following provisions shall apply:

1. Within the boundaries of that area of land described as TMP No. 05-023-048 (the proposed KOEZ), real property tax is exempt in accordance with the provisions and limitations hereinafter set forth, and in accordance with the Act, such exemption to run through December 31, 2019.
2. The exemption shall be 100% of the real property taxation on the assessed evaluation of property within the proposed KOEZ.
3. The provisions of the Act not herein enumerated, shall, nevertheless, be incorporated as part of this Resolution by reference.
4. The Resolution is approved with the understanding that ESI and the County of Bucks have agreed to enter into a Payment in Lieu of Taxes Agreement (the "Pilot Agreement"), which shall comply with the requirements and limitations of the Act. The Pilot Agreement shall require that ESI pay the County of Bucks \$25,730.00 annually for the life of exemption period. In the event the annual County real property taxes exceed \$25,730.00 for any year during the exemption period, ESI shall pay the increased amount.
5. This Resolution shall be null and void if the proposed KOEZ is not also approved by the Commonwealth of Pennsylvania (acting through DCED) and all other required political subdivisions.

AND the proper officers are authorized to execute all documents necessary to carry this Resolution into effect.

ADJOURNMENT

Upon motion of Mr. Cawley, seconded by Ms. Ellis-Marseglia, with the vote being 3-0, the meeting was adjourned.

Approved:

BUCKS COUNTY COMMISSIONERS

BY:

Charles H. Martin
Chairman

James F. Cawley, Esq.
Commissioner

Diane M. Ellis-Marseglia, LCSW
Commissioner

David M. Sanko, County Chief Clerk