

**MEMORANDUM OF AGREEMENT (MOA) BETWEEN
THE COUNTY OF LUZERNE (County), AND
THE PENNSYLVANIA STATE HISTORIC AND MUSEUM COMMISSION (PHMC),
FOR THE PROPOSED DEMOLITION OF THE WASHINGTON SCHOOL,
DURYEA BOROUGH, LUZERNE COUNTY, PENNSYLVANIA.**

WHEREAS, pursuant to 24 CFR 58, the United States Department of Housing and Urban Development (HUD) has delegated the responsibility for compliance with the requirements of Section 106 of the National Historic Preservation Act of 1966, as amended (16 USC 470f) to recipient agencies receiving funds from the Community Development Block Grant (CDBG) Program; and

WHEREAS, the County, a Federally funded urban county, proposes to grant CDBG funds (Title I of the Housing and Community Development Act of 1974, as amended) to Duryea Borough to provide funding for the Washington School Demolition Project; and

WHEREAS, the Washington School at 312 Stephenson Street, Duryea Borough was determined eligible for the National Register of Historic Places in 1997; and

WHEREAS, the County has determined that the Project will have an adverse effect upon the historic and architectural qualities that make the Washington School eligible for the National Register of Historic Places; and

WHEREAS, the County will provide written notification to the community and will accept and consider the public's comments submitted within 15 days after the date of publication, prior to demolition; and

WHEREAS, the County has consulted with the Pennsylvania State Historic Preservation Office (SHPO) pursuant to 36 CFR 800 regulations implementing Section 106 of the National Historic Preservation Act of 1966, as amended;

NOW THEREFORE, the County of Luzerne, and the Pennsylvania Historical and Museum Commission, Bureau for Historic Preservation agree that the undertaking shall be implemented in accordance with the following stipulations in order to take into account the effect of the Project on the historic property.

STIPULATIONS

The County will take the following measures prior to the demolition of the Washington School, Duryea Borough, Luzerne County, Pennsylvania.

I. RECORDATION

- A. ***Building Description and History:*** The County shall be responsible for preparing information required to supplement the recordation data already contained in the Pennsylvania Historic Resource Survey Form. That supplemental information shall consist of photographs showing all exterior elevations, accessible for photography, of the building. Photographs will be taken with a 35mm camera with black and white print film. Negatives will be housed in polypropylene sleeves, labeled with the same information as the photographs, and submitted to PHMC/Bureau for Historic Preservation. Unless otherwise agreed to, the County shall ensure that the additional photographic documentation is accepted by the SHPO prior to authorizing any demolition activities.

II. PUBLIC OBJECTION

- A. ***Public Notification and Objections:*** The County will notify the community of the proposed structure for demolition prior to commencement and will accept and consider the public comments received within 15 days after the date of publication. Should a timely and substantive objection pertaining to this Agreement be raised by any member of the public during the comment period, the County shall take the objection into account by consulting with the objector and the SHPO to resolve the objection.

Execution of this Memorandum of Agreement by the County of Luzerne and the Pennsylvania Historical and Museum Commission, Bureau for Historic Preservation and implementation of its terms is evidence that the County has afforded the Bureau for Historic Preservation an opportunity to comment on the demolition and its effect on the historic property, and the County has taken into account the effect of the undertaking on the historic property.

County of Luzerne

By: Thomas P. Pizano
Chairman, Luzerne County Board of Commissioners

Date: 12-29

Pennsylvania Historical and Museum Commission
Bureau for Historic Preservation

By: Jean H. Cutler
PA State Historic Preservation Officer

Date: 1-29-04