A regular meeting of the Northampton County Council was held on the above date with the following present: John Cusick, President; Margaret L. Ferraro, Vice President; Thomas H. Dietrich; Bruce A. Gilbert; Kenneth M. Kraft; Lamont G. McClure, Jr.; Scott Parsons; Barbara A. Thierry; Robert F. Werner; Frank E. Flisser, Clerk to Council, and Philip D. Lauer, Solicitor to Council.

Prayer

Mr. Cusick led County Council in prayer to open the meeting.

Pledge of Allegiance

Mr. Werner led County Council in the pledge of allegiance.

Approval of the Minutes

Mr. McClure made the following motion:

Be It Moved By the Northampton County Council that the minutes of the November 15, 2012, October 16, 2012, October 23, 2012 and November 13, 2012 meetings shall be approved.

Mr. Kraft seconded the motion.

The minutes were approved by voice acclamation.

Courtesy of the Floor

Tom Bachik, Upper Nazareth, PA - stated he was a member of the Sheriff’s Department. He further stated he knew County Council did not get involved in labor matters, but what he wanted to discuss was not a union issue.

Mr. Bachik advised the Executive Board of the Northampton County Deputy Sheriff’s Association (Association) appointed him to a Disaster Relief Wage Recovery Committee and provided a copy
of a letter that he authored and sent on behalf of five members of the Association (see Attachment #1).

Mr. Bachik stated in the letter he indicated an agreement was made between the administration of the Sheriff’s Department, acting on the behalf and/or as agents for the County of Northampton, and members of the Association regarding the payment of wages for security at the Red Cross Disaster Shelter in the City of Bethlehem on October 29, 2012. He further stated on November 15, 2012, members of the Association discovered they were not compensated according to the agreement.

Mr. Bachik advised the Association was asserting the County of Northampton was in breach of contract and was demanding the members receive compensation as set forth in the contract. He further advised failure to do so by December 17, 2012, would result in the Association pursuing compensation through the Pennsylvania Wage, Payment and Collection law.

Mr. Bachik stated the letter was presented to the Sherriff, who deemed it obscure and would not respond, however, he felt the letter was quite clear.

Mr. Bachik advised he was before County Council tonight to suggest the Finance Committee inform Mr. John Stoffa, County Executive, the contract should be honored or the Personnel Committee could inform Mr. Stoffa that if the Sheriff acted inappropriately, then some kind of disciplinary action should be taken whereby his wages were withheld and, in turn, given to the members who were affected. He further advised if neither of those resolutions could be achieved, on December 17, 2012, they were going to pursue compensation for the members affected by this breach of contract.

Mr. Bachik stated this was not the first time members were not compensated when an agreement had been put into place. He further stated there have been a lot of false promises made and a lot of excuses offered when things did not occur as they should have.

Mr. Stephen Barron, Northampton County Controller - advised he had sent a memorandum to County Council regarding his review of the records of Eckert Seamans and their involvement with the sale of Gracedale. He further advised Mr. Mark Stewart, Esq.
admitted to assisting private litigants for a total of one or two hours that was billed to the County.

Mr. Barron stated Mr. Stewart informed him that up until the time the private litigants filed their lawsuit, the Administration was looking to challenge the signatures so the work they did was with an eye toward litigation and potentially filing their own lawsuit.

Mr. Barron advised there had been questions about whether there was actually going to be a sale of Gracedale and he did see an Agreement of Sale and some e-mails, including correspondence about bringing a resolution to County Council to sell Gracedale for a vote.

Mr. Barron stated with the potential selling of the Wolf and Bechtel Buildings and obtaining a Human Services building, he hoped County Council would review the documents he provided to make sure the taxpayers were getting the most value possible.

Mr. Mario Martinez, Forks Township, PA – advised he was very disturbed by what Mr. Barron just related because one or two hours was significant and it was wrong to use taxpayer dollars for any private or partisan issues. He further advised he hoped County Council took the correct action regarding this matter.

Mr. Bernie O’Hare, Nazareth, PA – stated Mr. Barron appeared on Business Matters the other night and during the program, he accused the County Administration of lying to the unions. He further stated Mr. Barron was also the source behind a lot of the rumors and accusations pertaining to the Gracedale issue. With regard to the allegations of improper use of taxpayer money, those cases were rejected twice by the Court of Common Pleas, as well as by the Commonwealth Court and the Supreme Court.

Mr. O’Hare advised there were promptings that the District Attorney should investigate the matter and he presumed the District Attorney looked into the matter and concluded there was no basis for an investigation. He further advised Mr. Barron, in his memorandum, indicated that similar petition reviews paid for with taxpayer money had led to criminal charges so if that was true, why was Mr. Barron ending his investigation.
Mr. O’Hare stated Mr. Barron wasted taxpayer money on a witch hunt and he felt he was a disgrace to his office because he was not a Controller, but a union agent.

Ms. Margaret D’Alessandro, Bangor, PA – advised if one cent of her taxpayer money was spent giving help in private litigation, it was wrong and she expected County Council to do something about it because not one cent was spent to help them in trying to save Gracedale.

County Executive Report

Mr. Stoffa stated he would defer his report until the next meeting, but he just wanted to relate that he regrettably accepted the resignation of Mr. Karl Longenbach, County Solicitor.

Mr. Cusick advised he wanted to thank Mr. Longenbach for his many years of service to the County.

Mr. McClure stated he was greatly appreciative that Mr. Longenbach had been the County Solicitor during the Stoffa Administration, noting he was also County Council Solicitor for 15 years. He further stated Mr. Longenbach was and would continue to be a credit to Northampton County and the citizens owed him a debt of gratitude.

Mr. Longenbach thanked Mr. McClure for the sentiment and expressed that it had always been a privilege to serve the County in his many capacities.

Consideration of the 2013 Northampton County Budget and Capital Improvements Plan:

Mr. Cusick advised the first portion of the 2013 budget adoption process was the consideration of personnel requests.

Consideration of 2013 Personnel Requests

Mr. Kraft introduced the following resolutions:
R. 91-2012  RESOLVED, By the Northampton County Council that the following positions shall be created in the Solicitor’s Office, effective January 1, 2013:

a. one (1) new full-time position of Assistant County Solicitor, pay grade CE-IV, salary range, $61,901 to $92,080.

b. one (1) new part-time position (.50 FTE) of Clerical Technician III, pay grade RU-13, salary range, $11.7077/hr. to $16.6565/hr.

R. 92-2012  RESOLVED, By the Northampton County Council that one (1) part-time position (.50 FTE) of Clerical Technician III, pay grade RU-13, salary range $11.3367/hr. to $16.1714/hr., shall be created in the Department of Administration, Conservation District Division, effective January 1, 2013.

R. 93-2012  RESOLVED, By the Northampton County Council that the following positions shall be created in the Department of Community and Economic Development, effective January 1, 2013:

a. one (1) new full-time position of Economic Development Analyst, pay grade CS-23, salary range, $39,628 to $58,920

b. one (1) new permanent part-time (20 hours per week) position of Economic Development Analyst, pay grade CS-23, salary range, $39,628 to $58,920.

R. 94-2012  RESOLVED, By the Northampton County Council that one (1) full time position of Open Space Coordinator, pay grade CS-23, salary range $39,628 to $58,920, shall be created in the Department of Administration, Farmland Preservation Division, effective January 1, 2013.

R. 95-2012  RESOLVED, By the Northampton County Council that one (1) temporary full time position of Special County Detective, pay grade CS-25, salary range $43,449 to $64,601, shall be eliminated in the District Attorney’s Office, effective January 1, 2013.
BE IT FURTHER RESOLVED By the Northampton County Council that the following positions shall be created in the District Attorney’s Office, effective January 1, 2013:

a. one (1) full time position of County Detective, pay grade DE-25, salary range $48,997 to $63,807

b. one (1) full time position of Assistant District Attorney I, pay grade CE-3, salary range $49,884 to $74,168.

RESOLVED, By the Northampton County Council that the following positions shall be created in the Sheriff’s Department, effective January 1, 2013:

a. the two (2) new part-time positions of Deputy Sheriff, pay grade DS-23 salary range, $19.5798/hr. to $26.6455/hr.

b. the one (1) new part-time position of Deputy Sheriff – Lieutenant, pay grade CS-25, salary range $ 44,849 to $66,715.

R. 97-2012 RESOLVED, By the Northampton County Council that one (1) full time Assistant Public Defender, pay grade CE-4, salary range $59,969 to $89,162, shall be created in the Public Defender’s Office, effective January 1, 2013.

R. 98-2012 RESOLVED, By the Northampton County Council that two (2) full time positions of Corrections Officer, pay grade PR-1, salary range $31,605 to $51,543, shall be created in the Department of Corrections, effective January 1, 2013.

BE IT FURTHER RESOLVED By the Northampton County Council that one (1) part-time (.50 FTE) position of Corrections Maintenance Worker, pay grade RU-19, salary range $15.4332/hr. to $21.9577/hr., shall be eliminated in the Department of Corrections, effective January 1, 2013.

FURTHER, BE IT RESOLVED By the Northampton County Council that one (1) full time position of Corrections Maintenance Worker, pay grade RU-19, salary range $32,101 to $45,672, shall
be created in the Department of Corrections, effective January 1, 2013.

**R. 99-2012**  RESOLVED, By the Northampton County Council that five (5) full time positions of Youth Care Worker, pay grade YC-18, salary range $29,836 to $40,603, shall be created in Court Administration, Juvenile Justice Center Division, effective January 1, 2013.

**R. 100-2012**  RESOLVED, By the Northampton County Council that two (2) full time positions of Caseworker II, pay grade PS-35, salary range $37,748 to $61,513, shall be eliminated in the Department of Human Services, Mental Health Division, effective January 1, 2013.

**BE IT FURTHER RESOLVED** By the Northampton County Council that the following positions shall be eliminated in the Department of Human Services, Developmental Programs, effective January 1, 2013:

a. one (1) full time position of Program Specialist II, pay grade HS-41, salary range $44,663 to $77,126

b. three (3) full time positions of Caseworker Supervisor I, pay grade HS-38, salary range $39,138 to $67,621

c. one (1) full time position of Caseworker III, pay grade PS-37, salary range $41,579 to $67,756

d. fourteen (14) full time positions of Caseworker II, pay grade PS-35, salary range $37,748 to $61,513.

**FURTHER, BE IT RESOLVED** By the Northampton County Council that five (5) full time positions of Aging Care Manager II, pay grade PS-35, salary range $37,748 to $61,513, shall be eliminated in the Department of Human Services, Area Agency on Aging Division, effective January 1, 2013.

**R. 101-2012**  RESOLVED, By the Northampton County Council that one (1) full time position of Human Services Operations and Planning Coordinator, pay grade CS-25, salary range $43,449 to
$64,601, shall be created in the Department of Human Services, Human Services Administration Division, effective January 1, 2013.

R. 102-2012 RESOLVED, By the Northampton County Council that one (1) full time position of Human Resources Analyst III, pay grade HS-41A, salary range $44,663 to $77,126, shall be eliminated in the Department of Human Services, effective January 1, 2013.

BE IT FURTHER RESOLVED By the Northampton County Council that one (1) part-time (.40 FTE) position of Human Resources Analyst III, pay grade HS-41A, pay grade $44,663 to $77,126, shall be created in the Department of Human Services, effective January 1, 2013.

R. 103-2012 RESOLVED, By the Northampton County Council that one (1) full time position of Fiscal Technician, pay grade PS-33, salary range $34,242 to $55,016, shall be eliminated in the Department of Human Services, Area Agency on Aging Division, effective January 1, 2013.

BE IT FURTHER RESOLVED By the Northampton County Council that the following positions shall be created in the Department of Human Services, Area Agency on Aging Division, effective January 1, 2013:

a. one (1) full time position of Clerk Typist III, pay grade PS-30, salary range $29,559 to $48,168

b. one (1) part-time (.40 FTE) position of Caseworker II, pay grade PS-35, salary range $37,748 to $61,513.

R. 104-2012 RESOLVED, By the Northampton County Council that one (1) part time (.30 FTE) position of Clerk Typist II, pay grade PS-27, salary range $26,805 to $42,224, shall be eliminated in the Department of Human Services, Mental Health Division, effective January 1, 2013.

BE IT FURTHER RESOLVED By the Northampton County Council that one (1) part time (.30 FTE) position of Caseworker II, pay grade PS-35, salary range $37,748 to $61,513, shall be created
in the Department of Human Services, Mental Health Division, effective January 1, 2013.

Mr. Cusick asked if there were any questions or comments regarding these positions.

In answer to Mrs. Thierry’s question as to whether all these positions were part of the proposed budget, Mr. Cusick stated some of them were amendments by County Council and some were proposed by the Administration.

Mr. McClure made a motion to vote on these positions individually.

Mr. Dietrich seconded the motion.

Mr. McClure advised for the past six years, there had not been a tax increase, except for the .5 mill for open space, environmentally sensitive and farmland preservation, and he credited Mr. Stoffa with advising his department heads not to bring jobs to him that would not be approved by County Council. He further advised he intended to support the jobs that were added because he felt they were worthy and necessary, but he wanted to caution his colleagues as they move forward that they were moving toward the land of tax increases.

Mr. Cusick called for the vote on the full time Assistant County Solicitor and part-time Clerical Technician III positions in the Solicitor’s Office.


The resolution was adopted by a vote of 6-3.

Mr. Cusick called for the vote on the part-time Clerical Technician position in the Conservation District office.


The resolution was adopted by a vote of 9-0.
Mr. Cusick called for the vote on the full time Economic Development Analyst and permanent part-time Economic Development Analyst positions in the Department of Community and Economic Development.


The resolution was adopted by a vote of 9-0.

Mr. Cusick called for the vote on the Open Space Coordinator position in the Farmland Preservation office.


The resolution was adopted by a vote of 7-2.

Mr. Cusick called for the vote on the full time County Detective and Assistant District Attorney positions in the District Attorney’s Office.


The resolution was adopted by a vote of 9-0.

Mr. Cusick called for the vote on the two part-time Deputy Sheriff and one part-time Deputy Sheriff – Lieutenant positions in the Sheriff’s Department.

Mr. McClure stated that he would not support this request based on what he previously said. He further stated he believed a position of Lieutenant was eliminated because the previous incumbent wanted to remove a particular person so if they were to hire that person back, it might change his mind.

Mr. Dietrich advised the personnel in the Sheriff’s Department were still involved in contract negotiations so he would like to make an amendment to remove the two-part positions of Deputy Sheriff from this resolution until further notice.
Mrs. Thierry seconded the motion.

Mr. Cusick called for the vote on the motion.


The motion passed by a vote of 5-4.

Mr. Cusick asked if there were any questions or comments regarding the following amended resolution:

R. 96-2012 RESOLVED, By the Northampton County Council that the one (1) new part-time position of Deputy Sheriff - Lieutenant position shall be created in the Sheriff’s Department, pay grade CS-25, salary range $44,849 to $66,715, effective January 1, 2013.

Mr. Parsons stated he did not feel it was prudent to have a part-time Lieutenant overseeing full time employees.

Sheriff Randall Miller advised part of the duties would be to handle some of the administrative work, which would give him two effective supervisors to manage the workforce.

In response to Mr. Parsons’ question as to whether an individual at that pay grade was required, Sheriff Miller replied he requested a full time position, but indicated he would accept a part-time because it was better than not having anyone.

Mr. Gilbert asked why not make this a full time position, at the same salary range, since the two-part time Deputy Sheriff positions were being eliminated.

Mr. Parsons stated the elimination of the two part-time positions was only until a contract was in place at which time those positions would be re-evaluated.

Mr. Gilbert made a motion to make the part-time Deputy Sheriff - Lieutenant position a full time position at the same salary range.
Mrs. Thierry seconded the motion.
Mr. Cusick called for the vote on the motion.


The motion failed by a vote of 2-7.

Mr. Cusick called for the vote on the amended resolution.


The resolution was adopted by a vote of 5-4.

Mr. Cusick asked if there were any questions or comments regarding the full time Assistant Public Defender position in the Public Defender’s Office.

There were no respondents.

Mr. Cusick called for the vote on the personnel request of the Public Defender’s Office.


The resolution was adopted by a vote of 9-0.

Mr. Cusick asked if there were any questions or comments regarding the two full time Corrections Officers positions and making the part-time Corrections Maintenance Worker position a full time position.

There were no respondents.

Mr. Cusick called for the vote on the personnel requests of the Department of Corrections.


The resolution was adopted by a vote of 9-0.

Mr. Cusick asked if there were any questions or comments regarding the five Youth Care Workers positions in Court Administration - Juvenile Justice Center.

There were no respondents.

Mr. Cusick called for the vote on the personnel requests for Court Administration - Juvenile Justice Center.

The vote: Ferraro, "yes"; Gilbert, "yes"; Kraft, "yes"; McClure, "yes"; Parsons, "yes"; Thierry, "yes"; Werner, "yes"; Cusick, "yes" and Dietrich, "yes".

The resolution was adopted by a vote of 9-0.

Mr. Cusick asked if there were any questions or comments regarding the elimination of 26 positions in the Department of Human Services.

There were no respondents.

Mr. Cusick called for the vote on the personnel request of the Department of Human Services.

The vote: Gilbert, "yes"; Kraft, "yes"; McClure, "no"; Parsons, "yes"; Thierry, "yes"; Werner, "yes"; Cusick, "yes"; Dietrich, "no" and Ferraro, "yes".

The resolution was adopted by a vote of 7-2.

Mr. Cusick asked if there were any questions or comments regarding the full time Human Services Operations and Planning Coordinator position in the Human Services Department.

In answer to Mr. McClure’s question as to what would be the duties of this individual, Mr. Ross Marcus, Director of Human Services, advised the administrative responsibilities have increased so they were eliminating a Human Services Analyst position and creating this one to absorb those extra responsibilities.
Mr. Cusick called for the vote on the personnel request of the Department of Human Services.

The resolution was adopted by a vote of 7-2.

Mr. Cusick asked if there were any questions or comments regarding the elimination of the full time Human Resource Analyst and replacing it with a part-time Human Resources Analyst II position in the Department of Human Services.

In response to Mr. Gilbert’s question as to why the salary range was the same for the full time and part-time position, Mr. Marcus stated the salary scales were constructed to be either annually, weekly, bi-weekly or hourly and in this instance, the part-time was paid hourly.

Mr. Cusick called for the vote on the personnel requests of the Department of Human Services.


The resolution was adopted by a vote of 9-0.

In answer to Mr. Cusick’s request to explain the personnel requests in the Area Agency on Aging Division of the Department of Human Services, Mr. Marcus advised they were replacing a full time position of Fiscal Technician with a full time Clerk Typist III position and creating a part-time Caseworker II position.

Mr. Cusick asked if there were any questions or comments regarding this personnel request.

There were no respondents.

Mr. Cusick called for the vote on the personnel requests of the Area Agency on Aging Division of the Department of Human Services.

The resolution was adopted by a vote of 9-0.

Mr. Cusick asked if there were any questions or comments regarding the elimination of a part-time Clerk Typist II position and the creation of one part-time Caseworker II position in the Mental Health Division of the Department of Human Services.

There were no respondents.

Mr. Cusick called for the vote on the personnel requests in the Mental Health Division of the Department of Human Services.


The resolution was adopted by a vote of 9-0.

2013 Salary Resolutions

Mr. Cusick stated the second part of the budget adoption process was the establishment of the 2013 salaries.

Part-Time Professional Employees

Mr. Kraft introduced the following resolution:

R. 105-2012 RESOLVED, By the Northampton County Council that the 2013 salaries of part-time professional employees shall be as indicated on the attached pay scale.

Mr. Cusick asked if there were any questions or comments regarding this resolution.

In response to Mr. Parsons’ question as to what the increase was, Mr. Flisser replied 2.25%.

Mr. Cusick called for the vote.

The resolution was adopted by a vote of 8-0, with 1 abstention.

Full-Time Employees

Mr. Cusick advised this resolution provided for a 2.5% salary increase for full-time non-union employees for 2013.

Mr. Kraft introduced the following resolution:

R. 106-2012  RESOLVED, By the Northampton County Council that a salary increment, if applicable, shall be given to all Career Service and Exempt employees, not within Collective Bargaining Units, on the effective date of this resolution, whose job classifications are within the parameters of the Northampton County Career Service and Exempt Pay Scales, respectively.

This resolution shall become effective January 1, 2013.

Mr. Cusick asked if there were any questions or comments regarding this resolution.

There were no respondents.

Mr. Cusick called for the vote.


The resolution was adopted by a vote of 9-0.

Adoption of the 2013 Budget

Consideration of Amendments to the Proposed 2013 Budget

Mr. Cusick advised the next step in the budget adoption
process was consideration of amendments to the proposed budget. He further stated these were a compilation of the amendments offered and agreed to at the various meetings held throughout the budget hearing process.

Mr. Cusick introduced the following resolution:

R. 107-2012  RESOLVED, By the Northampton County Council that the proposed 2013 Northampton County Budget shall be amended as indicated on the attached documents.

Mr. Cusick asked if there were any questions or comments regarding this resolution.

In answer to Mr. Parsons’ question as to whether the changes in the Sheriff’s Department would be included in these amendments, Mr. Cusick replied in the affirmative.

Mr. Cusick called for the vote on this resolution.


The resolution was adopted by a vote of 9-0.

Adoption of the 2013 Northampton County Budget as Amended

Mr. Cusick stated the next step in the budget adoption process was approval of the budget as amended.

Mr. Cusick introduced the following resolution:

R. 108-2012  RESOLVED, By the Northampton County Council that the following 2013 Northampton County Budgets (incorporated by reference hereto) shall be adopted, as amended, this 6th day of December 2012.

1. General Fund
2. Special Revenue Funds
3. Capital Project Funds
Mr. Cusick asked if there were any questions or comments regarding this resolution.

Mr. Cusick advised he wanted to thank all of the individuals who attended the numerous budget hearings, noting it was discussed in great detail. He further advised at the last meeting, Mr. Doran Hamann, Acting Director of Fiscal Affairs, cited three reasons why there was no tax increase.

Mr. Cusick stated the reasons pertained to changes in the self-insurance plan, the Swaption financing and the Bond financing that was done. He further stated he believed this was a balanced budget, but the County had to be careful going forward.

Mr. Cusick advised the County was using $15.8 million of the Fund Balance to balance the budget, the pension contribution was $12.5 million and assessed values had decreased. He further advised the management company at Gracedale was making great strides, but the County still made a $4 million contribution, there were bridges that had to be repaired, a Human Services building was being proposed and there were reductions in State funding.

Mr. McClure stated he believed the budget, as originally proposed, was a good budget and his concern was regarding the add-ons. He further stated Mr. Stoffa had been consistent in keeping the numbers down and avoiding a tax increase.

Mr. Werner advised even though there was not a tax increase, County Council did not abandon its fiscal responsibility to the taxpayers. He advised they took several positive actions and proved some previous predictions wrong. He noted he was cautious about the future, but he felt County Council would continue to work hard.

As there were no further questions or comments, Mr. Cusick called for the vote.


The resolution was adopted by a vote of 8-1.
Adoption of the 2013 Capital Improvements Plan

Consideration of Amendments to the Proposed 2013 Capital Improvements Plan

Mr. Cusick stated the next step in the budget adoption process was consideration of amendments to the proposed Capital Improvements Plan. He further stated these were a compilation of the amendments offered and agreed to at the various meetings held throughout the budget hearing process.

Mr. Cusick introduced the following resolution:

R. 109-2012 RESOLVED, By the Northampton County Council that the proposed 2013 Northampton County Capital Improvements Plan (Plan) shall be amended as indicated hereafter:

1. All Wolf Building Projects for the years 2014-2015, as listed on pages 175, 177, 180 and 181 of the Plan shall be deleted.

2. All Bechtel Building Projects for the years 2014-2015, as listed on pages 176, 178, and 181 of the Plan shall be deleted.

3. A copy of the summary of the report prepared by Borton Lawson (copy attached) and titled, “Northampton County Bridge Improvement Program Cost Estimate”, shall be appended to the Plan.

With respect to the bridges, Mr. McClure advised to the extent that it was within the County’s authority to close bridges that were a danger to the public, they should be closed immediately and/or the Pennsylvania Department of Transportation (PennDOT) should be petitioned to close them. He further advised money should be put into the budget or perhaps even new debt issued to repair the County bridges. He noted he was opposed to attaching a cost estimate to the Capital Improvements Plan.

Mr. Cusick stated within the text of the Proposed Capital Improvements Plan reference was made specifically to this study so he thought it was appropriate to include it.
With regard to the disposal of buildings, Mr. Cusick advised he felt the best way would be through sealed bid or an auction.

As there were no further questions or comments, Mr. Cusick called for the vote.


The resolution was adopted by a vote of 8-1.

Adoption of the 2013 Northampton County Capital Improvements Plan as Amended

Mr. Cusick stated the next step in the budget adoption process was approval of the Capital Improvements Plan as amended.

Mr. Cusick introduced the following resolution:

Number 110-2012 RESOLVED, By the Northampton County Council that the proposed 2013 Northampton County Capital Improvements Plan (Plan) shall be adopted, as amended, this 6th day of December 2012.

As there were no questions or comments, Mr. Cusick called for the vote.


The resolution was adopted by a vote of 7-2.

Adoption of the 2013 Real Estate Tax Millage Rate Ordinance

Mr. Cusick advised the final part of the 2012 budget adoption process was the adoption of the 2013 Millage Rate ordinance, which was introduced by he and Mr. Gilbert at the meeting held October 18, 2012. He further advised the public
hearing on the ordinance was conducted at the County Council meeting held November 1, 2012. He noted the 2013 rate was the same as the 2012 rate, which was 10.8 mills.

AN ORDINANCE PROVIDING FOR THE REAL ESTATE TAX MILLAGE RATE IN THE COUNTY OF NORTHAMPTON FOR THE YEAR 2013

IT IS HEREBY ORDAINED AND ENACTED that the millage rate for real estate tax purposes for the year 2013 shall be set at 10.8 mills on every dollar of assessed valuation of taxable real estate or $1.08 on every $100.00 of assessed valuation.

Mr. Cusick asked if there were any questions or comments regarding this ordinance.

In response to Mr. Parsons’ comment that he believed the millage rate was able to stay the same due to the three events Mr. Hamann alluded to, Mr. Cusick asked Mr. Hamann to elaborate on the three events he mentioned during the last budget meeting.

Mr. Hamann stated he brought up the fact that three unforeseen events occurred that were not considered during the 2012 budget process. He further stated the first was the use of the self-insurance fund toward the 2012 expenses for benefits for the employees. Additionally, the tax from the Bond Issue subsidized the General Fund as part of the Swaption deal and the forgiveness of the October 1st debt service payment of approximately $4.3 million because of the refinancing with the 2012 Bond Issue. He noted those three events equated approximately $21 million.

Mr. Hamann advised he brought up these three events to emphasize that the County did not know what was going to occur in 2013 that could affect the 2014 budget.

In answer to Mr. Dietrich’s request to provide his best estimate as to what the Fund Balance would be at the end of 2013, Mr. Hamann stated if the County continued with the plan that was in place, noting the biggest uncertainty was the State budget that would come into effect July 1, 2013, noting two thirds of the County’s funding came from State and Federal dollars, it should be able to enter 2014 without having a tax
increase as well primarily because of the three events that took place this year.

Mr. Hamann advised some of the major issues the County was facing in 2013 were the Human Services building, the County bridges and repairs that still had to be done at Gracedale. He further advised if the County kept to the plan, it should see the same financial picture.

Mr. McClure asked if the millage rate was not 10.8%, what would it have to be to balance the budget because the County was going to have a surplus of $40 million.

Mr. Hamann stated in June 2013, the manager in charge of CliftonLarsonAllen recommended approximately $32-$40 million in the County’s Stabilization Fund, noting the minimum recommended by the Government Finance Officer Association was $18-$20 million and the County settled on $16 million. He further stated he wanted to caution County Council that when the manager in charge said that was what they were looking for, that was going to have an impact on this County in the future because that was what they wanted to see.

Mr. Hamann advised he was not one for debt so he would like to see the County, if it could after the books were closed, to address some of these issues without incurring additional debt or have a combination of debt with County money. He further advised his comments were his own personal comments and not those of the Administration.

As there were no further questions or comments, Mr. Cusick called for the vote.


The ordinance was adopted by a vote of 9-0.

Public Hearing on the City of Bethlehem Tax Abatement Ordinance

Mr. Cusick stated the following ordinance was introduced by Mr. Kraft and Mrs. Ferraro at the meeting held November 15, 2012:
AN ORDINANCE AMENDING NORTHAMPTON COUNTY
ORDINANCE NO. 474-2007, CITY OF BETHELHEM
LOCAL ECONOMIC REVITALIZATION TAX ASSISTANCE
(LERTA) PROGRAM

WHEREAS, Ordinance No. 474-2007, the ordinance titled, “AN
ORDINANCE OF THE COUNTY OF NORTHAMPTON, COMMONWEALTH OF
PENNSYLVANIA, ENTITLED LOCAL ECONOMIC REVITALIZATION TAX
ASSISTANCE – LERTA TAX ABATEMENT AREA, PURSUANT TO ACT 76 OF
1977; P.S. SECTION 4722 ET SEQ., BY CONTINUING THE LERTA PROGRAM
THROUGH DECEMBER 2008” was enacted by the Northampton County
Council on November 16, 2007. The ordinance was subsequently
amended via the enactment of Ordinance No. 498-2009, the
ordinance titled, “AN ORDINANCE AMENDING NORTHAMPTON COUNTY
ORDINANCE NO. 474-2007, CITY OF BETHLEHEM LOCAL ECONOMIC
REVITALIZATION TAX ASSISTANCE (LERTA) PROGRAM” on February 13,
2009 and by the enactment of Ordinance No. 530-2011, the
ordinance titled, “AN ORDINANCE AMENDING NORTHAMPTON COUNTY
ORDINANCE NO. 474-2007, CITY OF BETHLEHEM LOCAL ECONOMIC
REVITALIZATION TAX ASSISTANCE (LERTA) PROGRAM” on February 21,
2011.

NOW, THEREFORE, BE IT HEREBY ORDAINED AND ENACTED by the
Northampton County Council that, Ordinance No. 474-2007 (as
amended), the ordinance titled, “AN ORDINANCE OF THE COUNTY OF
NORTHAMPTON, COMMONWEALTH OF PENNSYLVANIA, ENTITLED LOCAL
ECONOMIC REVITALIZATION TAX ASSISTANCE – LERTA TAX ABATEMENT
AREA, PURSUANT TO ACT 76 OF 1977; P.S. SECTION 4722 ET SEQ., BY
CONTINUING THE LERTA PROGRAM THROUGH DECEMBER 2012” shall be
amended as indicated hereafter(sections marked with bold
underline have been added and sections marked with strikeout
have been deleted):

AN ORDINANCE OF THE COUNTY OF NORTHAMPTON,
COMMONWEALTH OF PENNSYLVANIA, ENTITLED LOCAL
ECONOMIC REVITALIZATION TAX ASSISTANCE –
LERTA TAX ABATEMENT AREA, PURSUANT TO ACT
76 OF 1977; P.S. SECTION 4722 ET SEQ., BY
CONTINUING THE LERTA PROGRAM THROUGH
DECEMBER 2012

WHEREAS, the City of Bethlehem held a public hearing which
included the County of Northampton, the Bethlehem Area School
District and the Saucon Valley School District, in accordance
with said Act, on October 2, 2007 to determine the boundaries of said deteriorated areas; and

WHEREAS, at said public hearing the appropriate planning agencies, having jurisdiction in and about the County of Northampton and its subordinate governmental units, and other public and private agencies and individuals presented to the Northampton County Council, the City of Bethlehem, Bethlehem Area School District and the Saucon Valley School District their recommendations concerning the location of the boundaries of deteriorated neighborhoods in deteriorating areas.

NOW, THEREFORE, BE IT ORDAINED, by the County Council of Northampton County:

I. DEFINITIONS
As used in this Ordinance, the following words and phrases shall have the meaning set forth below:

A. “Deteriorated area”, means that portion of the City of Bethlehem which the City of Bethlehem has determined to be physically blighted pursuant to Act 76 of 1977 of the General Assembly of the Commonwealth of Pennsylvania, as amended (72 P.S. 4722 et seq.)

B. “Deteriorated property”, means any industrial, commercial or other business property owned by an individual, association or corporation, and located in a deteriorating area, as provided by Resolution of the Northampton County Council, or any such property which has been the subject of an order by a government agency requiring the unit to be vacated, condemned or demolished by reason of noncompliance with laws, ordinance or regulations. Buildings wherein at least 30% of the usable gross or business use shall, if otherwise qualified, be considered a ‘deteriorated property’ within this Article.

C. “Improvement”, means the construction of new building structures, new additions to existing structures which result in an increase in assessed valuation of the deteriorated property. Such improvements shall have the effect of rehabilitating a deteriorated property so that it becomes habitable or attains higher standards of safety, health, economic use or amenity or is brought into compliance with laws, ordinances or regulations governing such standards. Ordinary upkeep and maintenance shall not be deemed an improvement.
For the purpose of this Ordinance, new construction, or the substantial renovation of residential structures shall not constitute an improvement eligible for real estate tax exemption under the provisions of this Ordinance; nor shall improvements or expansion to structures containing non-conforming uses be eligible for real estate tax exemption under the provisions of this Ordinance.

D. “Local taxing authority”, means the City of Bethlehem, the Bethlehem Area School District, the County of Northampton, the Saucon Valley School District or any other governmental entity having the authority to levy real property taxes within the City of Bethlehem.

E. “Municipal governing body”, means the County of Northampton.

F. “Becomes assessable”, means immediately following issuance of the state and local occupancy permits.

II. ELIGIBLE AREAS

The City of Bethlehem hereby determines with the approval and participation of the County of Northampton, Bethlehem Area School District and the Saucon Valley School District that the following areas of the City of Bethlehem, County of Northampton, contain “deteriorated” areas as defined in Act 76 of 1977, 72 P.S. §4722, et seq., and are eligible for tax exemption under this Act by Bethlehem City Resolution number 15163 on October 2, 2007:

CITY OF BETHLEHEM LERTA ZONE BOUNDARY DESCRIPTION

A. PART I: [Bethlehem Area School District]

BEGINNING at a point said point being the centerline intersection of the Lynn Avenue and East 4th Street, said point located at 2,634,866.583 Feet East and 474,843.179 Feet North in the State Plane US NAD 83 (US FEET) Coordinate System, Pennsylvania South Zone.

Thence along the centerline of East 4th Street in a westerly direction to a point being the intersection of the Centerline of East 4th Street and an extension of the southwest
boundary of Northampton County Parcel “P7-6-6B” currently owned by “Lehigh Forge Corporation”.

Thence in three courses along the perimeter of Northampton County Parcel “P7-6-6B, first in a northwesterly direction along the extension of the southwest boundary and following the southwest boundary line to a point located at 2,633,587.667 Feet East and 474,994.667 Feet North in the State Plane US NAD 83 (US FEET) Coordinate System, Pennsylvania South Zone, second in a northerly direction following the western boundary line to a point located at 2,632,973.500 Feet East and 476,687.167 Feet North in the State Plane US NAD 83 (US FEET) Coordinate System, Pennsylvania South Zone, third in an northeasterly direction following the northern boundary line to a point located at 2,633,971.333 Feet East and 477,079.083 Feet North in the State Plane US NAD 83 (US FEET) Coordinate System, Pennsylvania South Zone, to a point being the northeast corner of Northampton County Parcel “P7-6-6B” and the Northwest corner of Northampton County Parcel “P7-6-6H-3” currently owned by “10 Emery Street Associates LP”.

Thence along the northern boundary line of Northampton County Parcel “P7-6-6H-3” to a point being the northeast corner of Northampton County Parcel “P7-6-6H-3” and the Northwest corner of Northampton County Parcel “P7-6-6H-2” currently owned by “Lehigh Valley Industrial Park”. Said point located at 2,635,662.417 Feet East and 477,436.167 Feet North in the State Plane US NAD 83 (US FEET) Coordinate System, Pennsylvania South Zone.

Thence in a southeasterly direction along the northern boundary line of Northampton County Parcel “P7-6-6H-2” to a point being the southeast corner of Northampton County Parcel “P7-6-6H-2” and the northern most point of Northampton County Parcel “P7-6-F” currently owned by “United States Cold Storage LLC”. Said point located at 2,637,459.917 Feet East and 477,255.250 Feet North in the State Plane US NAD 83 (US FEET) Coordinate System, Pennsylvania South Zone.

Thence in a southeasterly direction along the northern boundary of Northampton County Parcel “P7-6-F” a distance of approximately 1.09 Feet to a point located at the northeast corner of Northampton County Parcel “P7-6-F” and the northwest corner of Northampton County Parcel “P7-6-6-18” currently owned by “Brandenburg Bethlehem LLC”. Said point located at
2,637,461.000 Feet East and 477,255.917 Feet North in the State Plane US NAD 83 (US FEET) Coordinate System, Pennsylvania South Zone.

Thence in a southeasterly direction following the eastern boundary line of Northampton County Parcel “P7-6-6-18” to a point located at 2,638,496.833 Feet East and 475,913.083 Feet North in the State Plane US NAD 83 (US FEET) Coordinate System, Pennsylvania South Zone. Said point being the southeastern corner of Northampton County Parcel “P7-6-6-18” and the northeastern corner of Northampton County Parcel “P7-6-6-14” currently owned by “Lehigh Valley Industrial Park”.

Thence in a southwesterly direction following the eastern boundary line of Northampton County Parcel “P7-6-6-14” to the southeast corner of Northampton County Parcel “P7-6-6-14”, a point located at 2,638,402.167 Feet East and 474,806.167 Feet North in the State Plane US NAD 83 (US FEET) Coordinate System, Pennsylvania South Zone.

Thence in a southerly direction along the extension of the eastern property line of Northampton County Parcel “P7-6-6-14” to a point being the intersection of the extension of the eastern property line of Northampton County Parcel “P7-6-6-14” and the centerline of Shimersville Road. Said point located at 2,638,402.667 Feet East and 474,779.833 Feet North in the State Plane US NAD 83 (US FEET) Coordinate System, Pennsylvania South Zone.

Thence in a southerly direction along the centerline of Shimersville Road to a point being the centerline intersection of Shimersville Road with East 4th Street. Said point located at 2,637,667.087 Feet East and 473,936.064 Feet North in the State Plane US NAD 83 (US FEET) Coordinate System, Pennsylvania South Zone.

Thence in a northwesterly direction along the centerline East 4th St to a point being the centerline intersection of the Lynn Avenue and East 4th Street, located at 2,634,866.583 Feet East and 474,843.179 Feet North in the State Plane US NAD 83 (US FEET) Coordinate System, Pennsylvania South Zone said point being the place of BEGINNING.
B. PART II: [Bethlehem Area School District]

BEGINNING at a point said point being the centerline intersection of Shimersville Road and the extension of the western boundary of Northampton County Parcel "P-22-2-4", currently owned by "Tecumseh Redevelopment Inc."; Said point being located at 2,638,511.083 Feet East and 474,833.167 Feet North in the State Plane US NAD 83 (US FEET) Coordinate System, Pennsylvania South Zone.

Thence in a northerly direction along the centerline of Shimersville Road to a point being the extension of the centerline of Shimersville Road with the extension of the northern boundary line of Northampton County Parcel "P-8-2", the southeast corner of Northampton County Parcel "P-8-2", the southwest corner of Northampton County Parcel "P-7-15-3", said point being located at 2,640,426.250 Feet East and 476,321.583 Feet North in the State Plane US NAD 83 (US FEET) Coordinate System, Pennsylvania South Zone.

Thence along the northern boundary of Northampton County Parcel "P-22-2-4", in a northeasterly direction, an extension of the northern property line, to a point being the intersection of the extension of the previous section of property line of Northampton County Parcel "P-15-3", in a northeasterly direction, to a point located at 2,640,498.250 Feet East and 476,349.583 Feet North in the State Plane US NAD 83 (US FEET) Coordinate System, Pennsylvania South Zone.
Thence along the centerline of Applebutter Road in a easterly direction to a point being the intersection of the centerline of Applebutter Road with the common school district boundary line of Bethlehem Area School District and Saucon Valley School District. Said point being located at 2,641,064.750 Feet East and 476,502.583 Feet North in the State Plane US NAD 83 (US FEET) Coordinate System, Pennsylvania South Zone.

Thence along the common school district boundary of Bethlehem Area School District and Saucon Valley School District in along the following three courses, first in a southerly direction south to a point being located at 2,641,537.500 Feet East and 472,261.750 Feet North in the State Plane US NAD 83 (US FEET) Coordinate System, Pennsylvania South Zone, second in a easterly direction to a point being located at 2,642,822,417 Feet East and 472,351.750 Feet North in the State Plane US NAD 83 (US FEET) Coordinate System, Pennsylvania South Zone, third in a southerly direction to a point being located at 2,643,180,500 Feet East and 471,111.750 Feet North in the State Plane US NAD 83 (US FEET) Coordinate System, Pennsylvania South Zone, said point being the intersection of the common school district boundary of Bethlehem Area School District and Saucon Valley School District with the centerline of South Easton Road and the City of Bethlehem municipal boundary.

Thence in a southeasterly direction along the common boundary line of Bethlehem Area School District, Saucon Valley School District, the City of Bethlehem and the centerline of South Easton Road to a point being the intersection of the extension of the southern boundary line of Northampton County Parcel “P7-22-2-4C” currently owned by “Lehigh Valley Industrial Park”. Said point being located at 2,641,194.917 Feet East and 469,218,333 Feet North in the State Plane US NAD 83 (US FEET) Coordinate System, Pennsylvania South Zone.

Thence in four courses along the perimeter of Northampton County Parcel “P7-22-2-4C”, first in a easterly direction along the extension of the southern boundary and following the southern boundary line to a point located at 2,640,894.250 Feet East and 469,179.417 Feet North in the State Plane US NAD 83 (US FEET) Coordinate System, Pennsylvania South Zone, second in a northeasterly direction continuing along the southern boundary
line to a point located at 2,640,993.500 Feet East and 469,666.667 Feet North in the State Plane US NAD 83 (US FEET) Coordinate System, Pennsylvania South Zone, third in an westerly direction still following the southern boundary line to a point located at 2,640,814.000 Feet East and 469,653.333 Feet North in the State Plane US NAD 83 (US FEET) Coordinate System, Pennsylvania South Zone, fourth in a northerly direction to a point along the southern boundary line of Northampton County Parcel “P7-22-2-4C” being located at 2,640,771.250 Feet East and 469,937.250 Feet North in the State Plane US NAD 83 (US FEET) Coordinate System.

Thence in a northerly direction, keeping the same bearing as the previous line segment and crossing Northampton County Parcel “P7-22-2-4C”, to a point along the common boundary lines of Northampton County Parcel “P7-22-2-4C” and Northampton County Parcel “P7-22-54” currently owned by “Lehigh Valley Industrial Park”. Said point being located at 2,640,618.583 Feet East and 471,311.083 Feet North in the State Plane US NAD 83 (US FEET) Coordinate System.

Thence along the common boundary lines of Northampton County Parcel “P7-22-2-4C” and Northampton County Parcel “P7-22-54” in a westerly direction to a point located at 2,639,714.417 Feet East and 471,216.500 Feet North in the State Plane US NAD 83 (US FEET) Coordinate System. Said point being the common corner of Northampton County Parcel “P7-22-2-4C”, Northampton County Parcel “P7-22-54”, Northampton County Parcel “P7-14-1C” currently owned by “Lehigh Valley Industrial Park” and Northampton County Parcel “P7-14-1B” currently owned by “Lehigh Valley Industrial Park”.

Thence along the southern and western boundary of Northampton County Parcel “P7-14-1C” in a northwesterly direction to a point being the northwestern corner of Northampton County Parcel “P7-14-1C”. Said point being a common point with western boundary of Northampton County Parcel “P7-22-54” and located at 2,638,380.250 Feet East and 471,844.083 Feet North in the State Plane US NAD 83 (US FEET) Coordinate System.

Thence along the western boundary of Northampton County Parcel “P7-22-54” in a northerly direction to a point being the northwest corner of Northampton County Parcel “P7-22-54”, the north east corner of Northampton County Parcel “P7-14-1B” and the southern right-of way boundary of Commerce Center Boulevard.
Said point being located at 2,638,375.583 Feet East and 471,923.667 Feet North in the State Plane US NAD 83 (US FEET) Coordinate System.

Thence in a northerly direction crossing the Commerce Center Boulevard right-of-way, to a point along the northern right-of-way boundary of Commerce Center Boulevard being a common point with the southeast corner of Northampton County Parcel “P7-14-1” currently owned by “Lehigh Valley Rail Management” and the southwest corner of Northampton County Parcel “P7-22-2-4B” currently owned by “Lehigh Valley Industrial Park”. Said point being located at 2,638,369.083 Feet East and 472,034.500 Feet North in the State Plane US NAD 83 (US FEET) Coordinate System.

Thence in a northerly direction along the western boundary line of Northampton County Parcel “P7-14-1” to a point being the Northwest corner of Northampton County Parcel “P7-14-1” and the Northeast corner of Northampton County Parcel “P7-222-2-4A”. Said point being located at 2,638,511.500 Feet East and 474,805.500 Feet North in the State Plane US NAD 83 (US FEET) Coordinate System.

Thence in a northerly direction along the extension of the western boundary line of Northampton County Parcel “P7-14-1” to a point being the intersection of the western boundary line extension of Northampton County Parcel “P7-14-1” and the centerline of Shimersville Road, being located at 2,638,511.083 Feet East and 474,833.167 Feet North in the State Plane US NAD 83 (US FEET) Coordinate System, Pennsylvania South Zone. Said point being the place of BEGINNING.

C. PART III: [Saucon Valley School District]

BEGINNING at a point said point being the intersection of the common boundary line of Bethlehem Area School District, Saucon Valley School District, the City of Bethlehem and the centerline of South Easton Road. Said point being located at 2,643,180,500 Feet East and 471,111.750 Feet North in the State Plane US NAD 83 (US FEET) Coordinate System, Pennsylvania South Zone.
Thence along the following three courses of the common school district boundary of Bethlehem Area School District and Saucon Valley School District, first in a northerly direction to a point being located at 2,642,822,417 Feet East and 472,351.750 Feet North in the State Plane US NAD 83 (US FEET) Coordinate System, Pennsylvania South Zone, second in a westerly direction to a point being located at 2,641,537,500 Feet East and 472,261.750 Feet North in the State Plane US NAD 83 (US FEET) Coordinate System, Pennsylvania South Zone, third in a northerly direction a point being the intersection of the centerline of Applebutter Road with the common school district boundary line of Bethlehem Area School District and Saucon Valley School District. Said point being located at 2,641,064.750 Feet East and 476,502.583 Feet North in the State Plane US NAD 83 (US FEET) Coordinate System, Pennsylvania South Zone.

Thence along the centerline of Applebutter Road in a northeasterly direction to a point being the intersection of the centerline of Applebutter Road with the northerly extension of the western boundary line of Northampton County Parcel “P7-15-3”. Said point being located at 2,643,696.167 Feet East and 477,426.250 Feet North in the State Plane US NAD 83 (US FEET) Coordinate System, Pennsylvania South Zone.

Thence in a southerly direction along the extension of the eastern property line of Northampton County Parcel “P7-15-3” and the common boundary line of the eastern property line of Northampton County Parcel “P7-15-3” and the western property line of Northampton County Parcel “P7-15-2” to a point being the southwest corner of Northampton County Parcel “P7-15-2” currently owned by Conectiv Bethlehem LLC. Said point being located at 2,643,922.917 Feet East and 476,534.417 Feet North in the State Plane US NAD 83 (US FEET) Coordinate System, Pennsylvania South Zone.

Thence along the southern boundary line of Northampton County Parcel “P7-15-2” to a point being the intersection of the southern boundary of Northampton County Parcel “P7-15-2” with the City of Bethlehem municipal boundary. Said point being located at 2,645,427.667 Feet East and 477,306.833 Feet North in the State Plane US NAD 83 (US FEET) Coordinate System, Pennsylvania South Zone.
Thence along the City of Bethlehem municipal boundary in a southeasterly direction to a point being the intersection of the City of Bethlehem municipal boundary with the common point of property boundaries of Northampton County Parcel “P7-15-3-2” currently owned by “Tecumseh Redevelopment Inc.”, Northampton County Parcel “P7-15-3-1” currently owned by “Lehigh Valley Industrial Park” and Northampton County Parcel “P7-15-3”. Said point being located at 2,645,427.667 Feet East and 477,306.833 Feet North in the State Plane US NAD 83 (US FEET) Coordinate System, Pennsylvania South Zone.

Thence along the City of Bethlehem municipal boundary and the northeastern boundary line of Northampton County Parcel “P7-15-3” in a southeasterly direction to a point being the Northeast corner of Northampton County Parcel “P7-15-3”. Said point being located at 2,646,733.917 Feet East and 476,002.500 Feet North in the State Plane US NAD 83 (US FEET) Coordinate System, Pennsylvania South Zone.

Thence in a northerly direction, keeping the same bearing as the previous line segment of Northampton County Parcel “P7-15-3” and the City of Bethlehem municipal boundary, crossing Northampton County Parcel “P7-22-53” currently owned by “Lehigh Valley Industrial Park” to a point being the intersection of the City of Bethlehem municipal boundary and the centerline of Ringhoffer Road. Said point being located at 2,647,003.347 Feet East and 476,063.540 Feet North in the State Plane US NAD 83 (US FEET) Coordinate System, Pennsylvania South Zone.

Thence in a southeasterly direction along the centerline of Ringhoffer Road to a point being the intersection of Ringhoffer Road and the City of Bethlehem municipal boundary. Said point being located at 2,647,830.917 Feet East and 473,856.500 Feet North in the State Plane US NAD 83 (US FEET) Coordinate System, Pennsylvania South Zone.

Thence along the City of Bethlehem municipal boundary in a southerly direction to a point being the intersection of the City of Bethlehem municipal boundary and the centerline of South Easton Road.

Thence continuing along the City of Bethlehem municipal boundary and the centerline of South Easton Road in a southeasterly direction to a point, being the intersection of the common boundary line of Bethlehem Area School District,
Saucon Valley School District, the City of Bethlehem and the centerline of South Easton Road, located at 2,643,180,500 Feet East and 471,111.750 Feet North in the State Plane US NAD 83 (US FEET) Coordinate System, Pennsylvania South Zone. Said point being the place of BEGINNING.

D. PART IV: [Bethlehem Area School District]

BEGINNING at a point said point being the centerline intersection of the Hoch Street and Seminole Street, said point located at 2,624,638.451 Feet East and 473,237.903 Feet North in the State Plane US NAD 83 (US FEET) Coordinate System, Pennsylvania South Zone.

Thence along the centerline of Hoch Street in a northeasterly direction to a point being the intersection of the Centerline of Hoch Street and Dakotah Street. Said point being located at 2,624,777.237 Feet East and 473,491.166 Feet North in the State Plane US NAD 83 (US FEET) Coordinate System, Pennsylvania South Zone.

Thence along the centerline of Dakotah Street in a southeasterly direction to a point being the intersection of the Centerline of Dakotah Street, Broadway and Wyandotte Street. Said point being located at 2,624,956.037 Feet East and 473,392.417 Feet North in the State Plane US NAD 83 (US FEET) Coordinate System, Pennsylvania South Zone.

Thence in two courses along the centerline of Wyandotte Street in a northeasterly then northerly direction. First to the intersection of Wyandotte Street and West 3rd Street at a point located at 2,625,356.500 Feet East and 474,506.750 Feet North in the State Plane US NAD 83 (US FEET) Coordinate System, Pennsylvania South Zone. Then to the intersection where the centerline of Wyandotte Street passes other the centerline of Riverside Drive (Private Road). Said point being located at 2,625,225.724 Feet East and 475,223.203 Feet North in the State Plane US NAD 83 (US FEET) Coordinate System, Pennsylvania South Zone.
Thence along the centerline of Riverside Drive in a southeasterly direction to a point being the intersection of centerlines of Riverside Drive, West 2\textsuperscript{nd} Street and the 2\textsuperscript{nd} Street Spur. Said point being located at 2,625,893.750 Feet East and 474,929.583 Feet North in the State Plane US NAD 83 (US FEET) Coordinate System, Pennsylvania South Zone.

Thence continuing in a easterly direction along the centerline of West 2\textsuperscript{nd} Street to a point being the intersection of West 2\textsuperscript{nd} Street and East 2\textsuperscript{nd} Street located directly under the centerline of South New Street/The Fahy Bridge. Said point being located at 2,626,800.750 Feet East and 474,983.167 Feet North in the State Plane US NAD 83 (US FEET) Coordinate System, Pennsylvania South Zone.

Thence in a southeasterly direction along the centerline of East 2\textsuperscript{nd} Street to the intersection of East 2\textsuperscript{nd} Street, Adams Street, Columbia Street and Technology Drive (Private Drive). Said point being located at 2,627,180.750 Feet East and 474,844.167 Feet North in the State Plane US NAD 83 (US FEET) Coordinate System, Pennsylvania South Zone.

Thence along the centerline of Columbia Street in an easterly direction to the intersection of Columbia Street and Taylor Street. Said point being located at 2,627,907.917 Feet East and 474,891.917 Feet North in the State Plane US NAD 83 (US FEET) Coordinate System, Pennsylvania South Zone.

Thence in a southerly direction along the centerline of Taylor Street to the intersection of Taylor Street and Mechanic Street to a point located at 2,627,932.917 Feet East and 474,510.333 Feet North in the State Plane US NAD 83 (US FEET) Coordinate System, Pennsylvania South Zone.

Thence along the centerline of Mechanic Street in an easterly direction to the intersection of Mechanic Street with Fillmore Street. Said point being located at 2,628,643.167 Feet East and 474,561.000 Feet North in the State Plane US NAD 83 (US FEET) Coordinate System, Pennsylvania South Zone.

Thence following the centerline of Fillmore Street in a southerly direction to the intersection of Fillmore Street with Evans Street to a point located at 2,628,671.250 Feet East and 474,336.417 Feet North in the State Plane US NAD 83 (US FEET) Coordinate System, Pennsylvania South Zone.
Thence following the centerline of Evans Street east as it crosses Pierce Street in a southerly direction and continues in a northeasterly direction to the intersection of Evans Street and Monroe Street. Said point being located at 2,629,800.417 Feet East and 474,531.000 Feet North in the State Plane US NAD 83 (US FEET) Coordinate System, Pennsylvania South Zone.

Thence along the centerline of Monroe Street in a southerly direction to the intersection of Monroe Street and Mechanic Street at 2,629,809.917 Feet East and 474,396.917 Feet North in the State Plane US NAD 83 (US FEET) Coordinate System, Pennsylvania South Zone.

Thence continuing easterly along the centerline of Mechanic Street to the intersection of Mechanic Street with Hayes Street. Said point being located at 2,630,239.000 Feet East and 474,484.667 Feet North in the State Plane US NAD 83 (US FEET) Coordinate System, Pennsylvania South Zone.

Thence southwardly once again along the centerline of Hayes Street to the intersection of Hayes Street with East Morton Street. Said point being located at 2,630,308.083 Feet East and 474,075.750 Feet North in the State Plane US NAD 83 (US FEET) Coordinate System, Pennsylvania South Zone.

Thence returning in a westerly direction along the centerline of East Morton Street. Following East Morton Street to its origin at the intersection with South New Street, Campus Square (Private Drive) and West Morton Street. Said point being located at 2,626,883.755 Feet East and 473,843.775 Feet North in the State Plane US NAD 83 (US FEET) Coordinate System, Pennsylvania South Zone.

Thence continuing in a westerly direction along the centerline of West Morton Street to the intersection of West Morton Street and Brodhead Avenue. Said point being located at 2,626,055.167 Feet East and 473,792.167 Feet North in the State Plane US NAD 83 (US FEET) Coordinate System, Pennsylvania South Zone.

Thence turning northwardly along the centerline of Brodhead Avenue to the intersection of Brodhead Avenue and West 4th Street at 2,626,016.667 Feet East and 474,031.917 Feet North in the State Plane US NAD 83 (US FEET) Coordinate System, Pennsylvania South Zone.
Thence westerly along the centerline of West 4th Street to the intersection with Birkel Avenue at 2,625,827.833 Feet East and 474,020.750 Feet North in the State Plane US NAD 83 (US FEET) Coordinate System, Pennsylvania South Zone.

Thence in a southerly direction along the centerline of Birkel Avenue to the intersection of Birkel Avenue with Cress Street. Said point being located at 2,625,850.417 Feet East and 473,867.917 Feet North in the State Plane US NAD 83 (US FEET) Coordinate System, Pennsylvania South Zone.

Thence following the centerline of Cress Street in a southwesterly direction to the intersection of Cress Street with Carlton Avenue. Said point being located at 2,625,291.583 Feet East and 473,451.583 Feet North in the State Plane US NAD 83 (US FEET) Coordinate System, Pennsylvania South Zone.

Thence southwardly along the centerline of Carlton Avenue to the intersection of Carlton Avenue with Sheets Street at 2,625,312.250 Feet East and 473,290.500 Feet North in the State Plane US NAD 83 (US FEET) Coordinate System, Pennsylvania South Zone.

Thence along the centerline of Sheets Street, westerly to the point of intersection with the centerline of Hess Street at 2,625,136.583 Feet East and 473,267.667 Feet North in the State Plane US NAD 83 (US FEET) Coordinate System, Pennsylvania South Zone.

Thence southwardly along Hess Street to a point along the centerline of Hess Street being the intersection with the extension of the common boundary lines of the southern property line of Northampton County Parcel "P6SW2C-21-36" and the northern property line of Northampton County Parcel "P6SW2C-21-35". Said point being located at 2,625,152.640 Feet East and 473,154.195 Feet North in the State Plane US NAD 83 (US FEET) Coordinate System, Pennsylvania South Zone.

Thence along said common property lines in a westerly direction. Continuing on the same course extending westerly to the intersection with the centerline of Wyandotte Street. Said point being located at 2,624,977.910 Feet East and 473,127.594 Feet North in the State Plane US NAD 83 (US FEET) Coordinate System, Pennsylvania South Zone.
Thence southward along the centerline of Wyandotte Street to a point along the centerline of Wyandotte Street being the intersection with the extension of the common boundary lines of the southern property line of Northampton County Parcel "P6SW2C-20-1" and the northern property line of Northampton County Parcels "P6SW2C-20-9" and "P6SW2C-20-23". Said point being located at 2,625,152.640 Feet East and 473,154.195 Feet North in the State Plane US NAD 83 (US FEET) Coordinate System, Pennsylvania South Zone.

Thence along said common property lines in a westerly direction. Continuing on the same course extending westerly to the intersection with the centerline of Bradley Street. Said point being located at 2,624,810.973 Feet East and 473,022.003 Feet North in the State Plane US NAD 83 (US FEET) Coordinate System, Pennsylvania South Zone.

Thence in a northerly direction along the centerline of Bradley Street to the intersection of Bradley Street and Broadway. Said point being located at 2,624,778.176 Feet East and 473,182.035 Feet North in the State Plane US NAD 83 (US FEET) Coordinate System, Pennsylvania South Zone.

Thence in a southwesterly direction along Broadway to the intersection of Broadway and Seminole Street. Said point being located at 2,624,761.255 Feet East and 473,162.419 Feet North in the State Plane US NAD 83 (US FEET) Coordinate System, Pennsylvania South Zone.

Thence following the centerline of Seminole Street in a northwesterly direction to the intersection of Seminole Street and Hoch Street located at 2,624,638.451 Feet East and 473,237.903 Feet North in the State Plane US NAD 83 (US FEET) Coordinate System, Pennsylvania South Zone. Said point being the place of BEGINNING.

E. PART V: [Bethlehem Area School District]

BEGINNING at a point said point being the centerline intersection of the East 4th Street and Lynn Avenue, said point located at 2,634,866.583 Feet East and 474,843.917 Feet North in the State Plane US NAD 83 (US FEET) Coordinate System, Pennsylvania South Zone.
Thence in a southerly direction along the centerline of Lynn Avenue to a point being the intersection of the centerline of Lynn Avenue and the southern property line of Northampton County Parcel "P7-19-2C". Said point being located at 2,634,923.833 Feet East and 474,292.833 Feet North in the State Plane US NAD 83 (US FEET) Coordinate System, Pennsylvania South Zone.

Thence in a northwesterly direction along the southern property line of Northampton County Parcel "P7-19-2C" to a point being located at 2,634,507.083 Feet East and 474,452.000 Feet North in the State Plane US NAD 83 (US FEET) Coordinate System, Pennsylvania South Zone.

Thence in a westerly direction to a point located on the centerline of East 5th Street located at 2,634,435.917 Feet East and 474,443.250 Feet North in the State Plane US NAD 83 (US FEET) Coordinate System, Pennsylvania South Zone.

Thence continuing in a westerly direction along the centerline of East 5th Street to a point being the intersection of East 5th Street with the extension of the common boundary lines of the western property line of Northampton County Parcel "P7SW1A-6-7" and the eastern property line of Northampton County Parcel "P7SW1A-5-19". Said point being located at 2,633,121.250 Feet East and 474,297.333 Feet North in the State Plane US NAD 83 (US FEET) Coordinate System, Pennsylvania South Zone.

Thence in a northerly direction along the common along the common boundary lines of the western property line of Northampton County Parcel "P7SW1A-5-15" and the eastern property line of Northampton County Parcel "P7SW1A-5-19", crossing the Deschler Street right of way and continuing along the common boundary lines of the western property line of Northampton County Parcel "P7SW1A-5-14" and the eastern property line of Northampton County Parcel "P7SW1A-5-19" and the extension of said boundary lines to a point intersecting with the centerline of East 4th Street. Said point being located at 2,633,084.000 Feet East and 474,618.167 Feet North in the State Plane US NAD 83 (US FEET) Coordinate System, Pennsylvania South Zone.

Thence along East 4th Street in a easterly direction to a point being the intersection of East 4th Street with the extension of the common boundary lines of the western property line of Northampton County Parcel "P7SW1A-3-7" and the eastern
property line of Northampton County Parcel "P7SW1A-3-8". Said point being located at 2,633,134.000 Feet East and 474,623.583 Feet North in the State Plane US NAD 83 (US FEET) Coordinate System, Pennsylvania South Zone.

Thence in a northerly direction along the common along the common boundary lines of the western property line of Northampton County Parcel "P7SW1A-3-7" and the eastern property line of Northampton County Parcel "P7SW1A-3-8" and the extension of said boundary lines to a point intersecting with the centerline of Mechanic Street. Said point being located at 2,633,115.333 Feet East and 474,784.000 Feet North in the State Plane US NAD 83 (US FEET) Coordinate System, Pennsylvania South Zone.

Thence following the centerline of Mechanic Street in a northeasterly direction to a the intersection of Mechanic Street with Steel Avenue located at 2,633,226.750 Feet East and 474,901.750 Feet North in the State Plane US NAD 83 (US FEET) Coordinate System, Pennsylvania South Zone.


Thence along the centerline of Daly Avenue in a southeasterly direction to the intersection of Daly Avenue and East 4th Street located at 2,634,055.057 Feet East and 474,742.235 Feet North in the State Plane US NAD 83 (US FEET) Coordinate System, Pennsylvania South Zone.

Thence along the centerline of East 4th Street in an easterly direction to a point at the intersection of East 4th Street and Lynn Avenue located at 2,634,866.583 Feet East and 474,843.917 Feet North in the State Plane US NAD 83 (US FEET) Coordinate System, Pennsylvania South Zone. Said point being the place of BEGINNING.
F. PART VI: [Bethlehem Area School District]

BEGINNING at a point said point being the centerline intersection of the Hellertown Road (State Route 412) and Commerce Center Boulevard, said point located at 2,637,284.833 Feet East and 471,864.833 Feet North in the State Plane US NAD 83 (US FEET) Coordinate System, Pennsylvania South Zone.

Thence in an easterly direction along the centerline of Commerce Center Boulevard to a point located at 2,638,371.417 Feet East and 471,995.167 Feet North in the State Plane US NAD 83 (US FEET) Coordinate System, Pennsylvania South Zone.

Thence in a southeasterly arc following the common boundary lines of the eastern property line of Northampton County Parcel"P7-14-1B" and the western property lines of Northampton County Parcel "P7-22-54" then "P7-14-1C" to a point located at 2,639,714.417 Feet East and 471,216.500 Feet North in the State Plane US NAD 83 (US FEET) Coordinate System, Pennsylvania South Zone.

Thence in an easterly direction along the common boundary lines of the southern property line of Northampton County Parcel "P7-22-54" and the northern property line of Northampton County Parcel"P7-22-2-4C" to the northeast corner of Northampton County Parcel"P7-22-2-4C" located at 2,640,618.583 Feet East and 471,311.083 Feet North in the State Plane US NAD 83 (US FEET) Coordinate System, Pennsylvania South Zone.

Thence continuing to follow the property boundary of Northampton County Parcel "P7-22-2-4C" first south to a point located at 2,640,771.250 Feet East and 469,937.250 Feet North, then east along the Interstate 78 right of way, to the southeast corner of the parcel located at 2,637,576.250 Feet East and 469,962.500 Feet North in the State Plane US NAD 83 (US FEET) Coordinate System, Pennsylvania South Zone.

Thence along the same course of the southern boundary of Northampton County Parcel "P7-22-2-4C" and the Interstate 78 right of way extending to an intersection with the centerline of Hellertown Road (State Route 412) located at 2,637,474.667 Feet East and 469,956.750 Feet North in the State Plane US NAD 83 (US FEET) Coordinate System, Pennsylvania South Zone.
Thence returning in a northerly direction along the centerline of Hellertown Road (State Route 412) to the intersection of the Hellertown Road (State Route 412) and Commerce Center Boulevard, said point located at 2,637,284.833 Feet East and 471864.833 Feet North in the State Plane US NAD 83 (US FEET) Coordinate System, Pennsylvania South Zone. Said point being the place of BEGINNING.

G. PART VII [SAUCON VALLEY SCHOOL DISTRICT]

The property identified as Northampton County Parcel “P7-15-3-2-0719”, consisting of 25.68 acres on Applebutter Road, currently owned by “Bethlehem Commerce Center LLC”.

III. EXEMPTION AMOUNT

A. The amount to be exempted shall be limited to that portion of the additional assessment attributable to the actual cost of improvements.

B. The exemption shall be limited to that improvement for which an exemption has been requested in the manner set forth below, and for which a separate assessment has been made by the Assessment Division of the Department of Fiscal Affairs of Northampton County Board of Assessment Appeals (hereafter referred to as Assessment Division).

C. The exemption from taxes granted under this Ordinance shall be upon the property and shall not terminate upon the sale or exchange of the property.

IV. EXEMPTION SCHEDULE

Subject to the conditions, requirements and limitations set forth in this Ordinance, taxpayers making assessable improvements to deteriorated property located in the deteriorating area, may apply for and may be granted a real estate tax exemption limited to the amounts in Section III (A) and (B) as set forth above, subject to the following schedule:
(1) For the first year immediately following the date upon which the improvement becomes assessable, 100% of the eligible assessment shall be exempted.

(2) For the second year immediately following the date upon which the improvement becomes assessable 90% of the eligible assessment shall be exempted.

(3) For the third year immediately following the date upon which the improvement becomes assessable 80% of the eligible assessment shall be exempted.

(4) For the fourth year immediately following the date upon which the improvement becomes assessable 70% of the eligible assessment shall be exempted.

(5) For the fifth year immediately following the date upon which the improvement becomes assessable 60% of the eligible assessment shall be exempted.

(6) For the sixth year immediately following the date upon which the improvement becomes assessable 50% of the eligible assessment shall be exempted.

(7) For the seventh year immediately following the date upon which the improvement becomes assessable 40% of the eligible assessment shall be exempted.

(8) For the eighth year immediately following the date upon which the improvement becomes assessable 30% of the eligible assessment shall be exempted.

(9) For the ninth year immediately following the date upon which the improvement becomes assessable 20% of the eligible assessment shall be exempted.

(10) For the tenth year immediately following the date upon which the improvement becomes assessable 10% of the eligible assessment shall be exempted.

(11) After the tenth year the exemption shall terminate.
V. NOTICE TO TAXPAYERS

A. There shall be placed on the form application for building, zoning and alteration permits the following:

NOTICE TO TAXPAYERS

Under the provisions of City Ordinance No. 3070 you may be entitled to a property tax exemption on your contemplated new construction. An application for exemption may be secured from the City of Bethlehem and must be filed with the City at the time a building permit is secured.

B. At the time a building permit is secured for construction upon an existing deteriorated property for which an exemption is requested, the taxpayer shall apply to the City of Bethlehem or any successor agency thereto for the exemption provided for in this Ordinance. The taxpayer shall be permitted to apply for the exemption provided in this Ordinance up to a period of sixty (60) days from the date a final executed building permit is secured. Request for the exemption must be in writing certified in full as prescribed by the City setting forth the following information:

(1) The date a final executed building permit was issued for said improvement.

(2) The type of improvement.

(3) The summary of the plan of the improvement.

(4) The cost of the improvement.

(5) That the property has been inspected and verified by the City of Bethlehem, Bureau of Inspections.

(6) Any or all such additional information the City may require.
VI. PROCEDURES FOR OBTAINING EXEMPTIONS

A copy of the request for exemption, on forms prescribed by the Northampton County Director of Fiscal Affairs, shall be forwarded to the Northampton County Assessment Division, and the Bethlehem Area School District or the Saucon Valley School District as would be applicable, by the City. Upon completion of the improvement, the taxpayer shall notify the City and the Northampton County Assessment Division so that the Northampton County Assessment Division may assess the improvements separately for the purpose of calculating the amount of assessment eligible for tax exemption in accordance with the limits established in this Ordinance. The City will then obtain from the Northampton County Assessment Division the amount of the assessment eligible for exemption and will notify the taxpayer. The Director of the Department of Fiscal Affairs is authorized to make refunds, if applicable, only after the Northampton County Assessment Division has notified the Director of Fiscal Affairs of its separate assessment upon the improvement for which an exemption and the amount eligible for the exemption may be taken by the taxpayer of the City as provided by law.

VII. TERMINATION

This ordinance shall be effective retroactive to January 1, 2011 and shall terminate on December 31, 2012 unless otherwise repealed by Council. No later than August 1, 2017, the Mayor of the City of Bethlehem shall submit a written report to the Northampton County Council which shall inform the Northampton County Council as to how this Ordinance has been administered, the effects of this Ordinance on the community and include any suggestions or recommendations for this Ordinance’s re-enactment, modification or repeal. Nothing contained herein shall act to prohibit the Northampton County Council from enacting a similar ordinance after December 31, 2012. Any property tax exemptions granted under the provisions of this Ordinance shall be permitted to continue according to the exemption schedule found in Section IV even if this Ordinance expires or is repealed.
VIII. HEARING BOARD

A Tax Abatement Hearing Board (hereafter referred to as Board) shall consist of the Business Administrator of the City of Bethlehem, the Director of the Department of Community and Economic Development of the City of Bethlehem as Chairperson, the Director of Fiscal Affairs of the County of Northampton, the Assistant to the Superintendent for Finance and Business Administration of the Bethlehem Area School District and the Business Manager of the Saucon Valley School District, for resolution of differences between the approving authority and the owner-taxpayer of the improved property on matters concerning interpretation and execution of the provisions of this Ordinance.

The Hearing Board shall have the following powers:

1) To hear appeals from any person aggrieved by the application of this Ordinance.

2) To make rules with regard to conducting its hearings.

3) To make such findings of fact as may be required by the application of this Ordinance.

4) To decide questions presented to the Board.

5) To affirm, revoke or modify the decision of the County of Northampton as to the eligibility of a particular property for the Property Tax Abatement as provided for in this Ordinance.

6) The Board shall meet upon notice of the Chairperson within thirty (30) days of the filing of an appeal and shall render its decision within thirty (30) days after the appeal hearing.

7) Every action of the Board shall be by resolution and certified copies furnished to the appellant.

8) All hearings shall be public; and the appellant or any other person whose interests may be affected by the matter on appeal shall be given an opportunity to be heard.
IX. RULES AND REGULATIONS

In accordance with the provisions of the Northampton County Home Rule Charter, Section 302, the County Executive of Northampton County is authorized and empowered to prepare, promulgate, execute and enforce rules and regulations made pursuant to the provisions of this Ordinance.

X. SEVERABILITY

The provisions of this Ordinance are severable and if any of its sections, clauses or sentences shall be held illegal, invalid, or unconstitutional, such provisions shall not affect or impair any of the remaining sections, clauses, or sentences. It is hereby declared to be the intent of the Northampton County Council that this Ordinance would have been adopted if such illegal, invalid or unconstitutional sections, clauses, or sentences had not been included herein.

XI. CONTINGENCY

Notwithstanding any other provisions of this Ordinance, this Ordinance shall remain in full force and effect conditioned upon the City of Bethlehem, the Bethlehem Area School District and the Saucon Valley School District enacting similar ordinances or resolutions, with identical deteriorated areas as those designated by the City of Bethlehem and approved by Northampton County Council.

XII. DEFAULT

Tax abatement under this ordinance shall be available only for those properties for which real estate taxes are promptly paid and discharged when due. Any property that is declared delinquent as established by the statutes of the Commonwealth of Pennsylvania shall lose the LERTA benefits and any and all currently due and future taxes shall be due and payable at the full unabated assessment and tax rate.
XIII. APPEAL OF DEFAULT

Properties that have been declared delinquent may appeal the rescission of the LERTA benefits by providing a written request to the Hearing Board providing a basis for the appeal and the justification for the waiver of the requirements of Article XII.

XIV. EFFECTIVE DATE

This Ordinance shall take effect thirty (30) days after the date of enactment and be retroactive to January 1, 2011 and shall remain in effect thereafter from year to year, unless repealed, until December 31, 2012.

XV. REPEAL

All Ordinances and parts of Ordinances inconsistent herewith be, and the same are hereby, repealed.

Public Hearing

Mr. Cusick asked if anyone from the public had any questions or comments.

There were no respondents.

Mr. Cusick asked if there were any questions or comments from the members of County Council.

Mr. McClure advised Mr. Joe Kelly, Director of Community and Economic Development for the City of Bethlehem, had indicated that they would try their level best to ensure that local workers would be involved so he planned to support this ordinance.

Mr. McClure stated it was time to start thinking about whether LERTAs, Tax Increment Financing (TIF) and Keystone Opportunity Zones (KOZ) were the right things for the County’s taxpayers and school districts. He further stated he read an article in the New York Times that indicated companies sought these tax deals at a high price to governments. Therefore, he would like to have the Controller’s Office attempt to do a
comprehensive review of the different financing mechanisms that were used in the County to see how many jobs have been created and what it cost the local governments.

In response to Mr. McClure’s question as to whether that could be done, Mr. Barron stated it would be very difficult because data was collected by a lot of different groups, but the Lehigh Valley Economic Development Corporation (LVEDC) would be a place to start because they tracked a lot of these incentives. He further stated there would probably be a lot of disclaimers with regard to the numbers he reported because a lot of them were going to be projected jobs that could change if the businesses did come in to the areas. However, he felt it would be a worthwhile project and his staff would be willing to attempt it.

Mr. Werner advised he felt LVEDC should handle this task as that was part of their responsibilities.

Mr. Barron stated he did not feel it would hurt to check some of those numbers. He further stated there were organizations that did this so he felt they could see what they did and build upon it to get an idea of what actually was going on.

Mr. Gilbert advised his only concern was that the data was going to be skewed because certain assertions were going to be made at the end based upon having variable data in the beginning so there was a margin for error. He further advised Mr. Barron would have to be careful that if he undertook this task, he did not make his own assertions based on the variable data provided.

Mr. Barron stated he would make a report in January as to what other Counties were doing to track this information and whether it was possible for him to undertake this task.

Mr. Kraft advised in KOZ areas where the taxes were completely abated and no jobs were created, but this was a LERTA whereby the taxes stayed in effect and with the improvements on the land they increase incrementally so no one was losing taxes.

Mr. Barron stated he understood the differences and that he would look at all of them.
Mr. Cusick advised he would support this LERTA because he believed this was where the County should be targeting development. He further advised it was a brownfield site and the County had already invested a significant amount of tax dollars in infrastructure there. He noted he agreed the County should not be subsidizing green field developments and had consistently voted against them.

As there were no further questions or comments, Mr. Cusick called for the vote.


The ordinance was adopted by a vote of 9-0.

Consideration of the Resolution Adopting the Bylaws of the General Purpose Authority

Mr. Cusick stated the Bylaws of the General Purpose Authority (GPA) were reviewed at the Economic Development Committee meeting held earlier this evening.

Mrs. Ferraro introduced the following resolution:

R. 111-2012 WHEREAS, Section 1004 of the Northampton County Home Rule Charter provides, “that each authority, board, and commission shall have the power to establish its rules of procedure, including methods of recruiting regular attendance at meetings; such rules of procedure shall not become effective unless the County Council by resolution approves them”.

NOW, THEREFORE, BE IT RESOLVED by the Northampton County Council that the ByLaws of the Northampton County General Purpose Authority shall be amended (sections barked with underline have been added and sections marked with strikeout have been deleted) as indicated hereafter, effective January 1, 2013:
SECTION 1. Number and Term of Office. The business and property of the Authority shall be managed and controlled by the Board of Authority. The board shall be composed of seven (7) members who shall be citizens residing within Northampton County, one (1) who shall be a member of Northampton County Council. Members shall be recommended by the Northampton County Executive and confirmed by vote of Northampton County Council for such terms, and the vacancies therein filled, as provided by law and the Articles of Incorporation of the Authority.

SECTION 2. Place of Meeting. The Board shall hold its meetings, maintain an office, and keep the books of the Authority except as may otherwise be provided by law) at such place or places in Northampton County, Pennsylvania, as the Board may by Resolution from time to time determine.

SECTION 3. Regular Meetings. Regular meetings of the Board shall be held on such times as designated by the Board by Resolution of the Authority. fourth Tuesday of May at 4:00 p.m., if not a legal holiday. If such meeting date should at any time fall on a legal holiday, then the meeting shall be held on the next succeeding business day which is not a legal holiday.

If any meeting dates are a legal holiday, then the same shall be held on the next succeeding business day or at such other time as may be determined by Resolution of the Authority. No notice shall be required for any such regular meeting of the Board. All meetings shall be held in accordance with the law and as required by these Bylaws. All meetings shall be held in compliance with the State of Pennsylvania Sunshine Law, 65 P.A.C.S.A. 701 et seq. (hereinafter referred to as Pennsylvania Sunshine Law).
SECTION 4. Special Meetings. Special meetings of the Board shall be held whenever called by the Chairman or by not less than three (3) members of the Board then in office. Calls for special meetings shall be by telephone or electronic mail in writing; shall be served upon the Secretary; and shall specify the purpose or purposes of the special meeting and provide notice of the date, time, place, and purpose of each special meeting. The Secretary shall give notice of the date, time, and purpose of each special meeting at least three (3) days before the meeting, or in case of an emergency at least twenty-four hours (24), to each member of the Board, but such notice may be waived by any member. At any meeting at which every member of the Board shall be present, even though without actual notice, any business of the Authority may be transacted.

SECTION 5. Annual Meeting. The Annual meeting of the Authority shall be the first meeting of the year.

SECTION 5. Public Meeting Notices. Public notice of the meetings of the Authority shall be given in accordance with the provisions of the Pennsylvania Sunshine Law, 65 P.S. §271, et seq., as amended from time to time.

SECTION 6. Quorum and Transaction of Business. A majority of the Board members then in office shall constitute a quorum for the transaction of business, but if at any meeting of the Board there shall be less than a quorum present, a majority of those present may adjourn the meeting from time to time until a quorum shall be present. All actions of the Board may be taken by vote of the majority of the members present at any meeting except that the election of officers, agents, and employees of the Authority, and the fixing of their compensation, and the acquisition, purchase, leasing, sale, transfer, or disposition of any projects, franchises, property (real, personal, or mixed; tangible or intangible), or any interest therein, must be by a majority of all Board members then in office, and except further that the alteration, amendment, or repeal of these Bylaws shall be as provided in Article IV hereof. One or more members may participate in any meeting of the Board, or of any committee thereof, by means of a conference telephone or similar communications equipment by means of which all persons participating in the meeting can hear and speak to one another.
at the same time. Participation in a meeting by such means shall constitute presence in person at the meeting and therefore shall be counted for the purpose of determining a quorum thereof, and shall entitle such member to exercise all rights and privileges to which such member might be entitled were the member personally in attendance, including the right to vote and any other rights attendant to presence in person at such meeting. In the case of an equality of tie votes, the Chairman, Vice Chairman, or Chairman pro tem, whichever may then be presiding, shall have a second or deciding vote.

Any member of the Board not present at a meeting at which action is taken by a majority of the members of the quorum may register his affirmation of the action so taken or his disaffirmance thereof by filing a writing to that effect with the Secretary within ten (10) days of the date on which such action is taken. The Chairman shall preside at all meetings. In his absence, the Vice Chairman shall preside. In the absence of the Chairman and Vice Chairman, the Board shall elect a Chairman pro tem.

SECTION 7. Order of Business. The order of business at any regular meeting of the Board shall be as follows:

(a) Review and approval of the minutes of prior meeting(s);

(b) Reports of committees;

(c) Reports of officers, staff, and consultants to the Board;

(d) Motions and resolutions;

(e) Miscellaneous business.

SECTION 8. Powers and Duties of the Board. The members of the Board shall have the general management and control of the business and affairs of the Authority, and shall exercise all powers that may be exercised or performed by the Authority under the existing laws, the Articles of Incorporation, and the Bylaws. Without prejudice to the general powers conferred by the preceding sentence, and any other powers conferred by or
duties imposed by these Bylaws, the Board shall have the following powers and duties, namely:

(a) Appointment of Agents. To appoint and, in its discretion, remove or retain such officers, agents, or servants not otherwise elected or appointed, permanently or temporarily, as it shall deem fit and proper, and to prescribe their duties and determine their compensations, and to require security in such instances and in such amounts as it shall deem fit, and to confer, by resolution, upon any appointed officer of the Authority the power to choose, remove, or suspend any officers, agents, or servants so appointed who may be under his supervision.

(b) Execution of Instruments. To determine, by resolution except as otherwise provided by statute or these Bylaws, who shall be authorized on behalf of the Authority to sign bills, notes, receipts, acceptances, endorsements, checks, releases, contracts, and other documents.

(c) Delegation of Powers. To delegate any of the powers of the Board in the current business of the Authority to any officer or agent, or to appoint any person or persons to be the agent or agents of the Authority, with such powers (including the power to subdelegate) and upon such terms as the Board shall see fit.

(d) Committees. To delegate from time to time to suitable committees any duties that are required to be executed during the intervals between the meetings of the Board, and such committees shall report to the Board when and as required.

(e) Election of Officers. To elect a Chairman, a Chair, a Vice Chair, a Secretary, a Treasurer, an Assistant Secretary, and an Assistant Treasurer, and to define their duties and limit the authority of all officers and agents of this Authority in any way they deem advisable, not contrary to the laws of the Commonwealth of Pennsylvania or the express provisions of the Articles of Incorporation or these Bylaws.

(f) Designation of Depositories. The Board shall designate the trust companies, banks, or other financial institutions in which shall be deposited the monies or securities of the Authority.
(g) Budget. The Board shall annually, at a regular meeting, establish a budget for the ensuing calendar year.

(h) Reports. The Board shall annually, during the annual meeting, meeting in each year, prepare in writing a report of the business and activities of the Board and the Authority for the calendar year immediately preceding such meeting, and shall submit copies of such report to the Board members and proper municipal authorities.

(i) Rules and Regulations. The Board may, from time to time, by resolution, adopt such rules and regulations for the use of the facilities of the Authority, as the Board may deem proper.

SECTION 9. Resignation of Board Members. Any member of the Board may resign at any time. Such resignation shall be made in writing to the County Executive and the Chair of the Authority, and shall take effect at the time specified therein. If no time is specified, the resignation shall take effect from the time of its receipt by the Secretary who shall accept such resignation, noting the day, hour, and minute of its reception. The acceptance of a resignation shall not be necessary to make it effective. The Secretary shall promptly notify the proper municipal authorities of the resignation of any member of the Board.

ARTICLE II

OFFICERS

SECTION 1. Officers. The officers of the Authority, except those elected by delegated authority, pursuant to Article I, Section 8 shall be a Chairman, a Vice Chairman, a Treasurer, a Secretary, an Assistant Secretary, and an Assistant Treasurer, and such other officers as shall from time to time be provided for by the Board. Such officers shall be elected annually at the regular meeting of the Board held in December of each year, and shall hold office for one (1) year from the first day of January next succeeding and until their respective successors have been duly elected and qualified. Provided, however, that all officers, agents, and employees of the
Authority shall be subject to removal at any time in accordance with the County Charter, these Bylaws, and the law generally, by the affirmative vote of a majority of the whole Board.

SECTION 2. Powers and Duties of the Chairman Chair. The Chairman Chair shall be the chief executive officer of the Authority. He shall preside at all meetings of the Board. He shall may sign and execute all authorized bonds, contracts, notes, evidences of indebtedness, warrants or orders in the name of the Authority for the payment of money as directed by the Board, or other obligations in the name of the Authority, except in cases where the signing and execution thereof shall be expressly delegated by the Authority or these Bylaws, to other officer(s) of the Authority. He shall sign warrants or orders in the name of the Authority for the payment of money as directed by the Board. He shall from time to time make such reports of the affairs of the Authority as the Board may require, and shall present a report of the preceding year's business to the Board at its January meeting in each year. He shall do and perform such other duties as may time to time be assigned to him by the Board.

SECTION 3. Powers and Duties of the Vice Chairman Chair. The Vice Chairman Chair shall possess the power and may perform the duties of the Chairman Chair in his absence or disability. He shall do and perform such other duties as may be from time to time assigned to him by the Board.

SECTION 4. Powers and Duties of the Secretary. The Secretary shall keep the minutes of all meetings of the Board. He shall attend to the giving and serving of all notices of the Authority; he shall sign with the Chairman in the name of the Authority all contracts, bonds, notes, evidences of indebtedness, or other obligations authorized by the Board, and when so ordered by the Board, he shall affix the seal of the Authority thereto; he shall have charge of such books and papers as the Board may direct, all of which shall, at all reasonable times, be open to the examination of any member of the Board upon application to the Secretary. The Secretary shall attend all meetings of the Authority, in general perform all of the
duties incident to the office of the Secretary, subject to the
control of the Board, and shall do and ensure that the staff
keeps the records of the Authority, records of all votes, and
keeps a record of proceedings of the Board of the Authority, and
shall perform such other duties as may be from time to time
assigned to him by the Board. The Secretary shall ensure that
the seal of the Authority is kept in safe custody by staff, and
shall ensure that the seal of the Authority is affixed by staff
to all proceedings and resolutions of the Board of the Authority
and to all contracts and instruments authorized to be executed
by the Authority. The Secretary shall deliver all books and
papers of the Authority in his possession to his successor
immediately upon his qualification, or to the Board when so
required by the Board.

SECTION 5. Powers and Duties of the Treasurer. The
Treasurer shall be the financial officer of the Board. receive
and have charge of all money, bills, notes, and similar property
belonging to the Authority, except as otherwise directed by the
Board, and shall have the power to issue receipts and
acknowledgments for the payment of money and delivery of checks,
drafts, notes, acceptances, or other evidences of indebtedness
to the Authority except as otherwise directed by the Board. He
shall have the duty and the power of opening and keeping special
accounts with such banks, trust companies, and other financial
institutions as may be designated from time to time by
resolution of the Board, and, to the extent that such accounts
are not insured, require such security from any such financial
institutions as may be directed by the Board or required by law.
The Treasurer shall ensure that the staff has the care and
custody of all funds of the Authority. When necessary or proper,
he shall endorse on behalf of the Authority, for collection,
checks, notes, and other obligations, and shall deposit the same
to the credit of the Authority in the financial institutions
designated by the Board as aforesaid, jointly with such other
officers as may be designated by resolution of the Board. He may
sign all checks made by the Authority, and shall pay out and
dispose of the same under the direction of the Board; he shall
sign all interest bearing coupons attached to authorized bonds
of the Authority by facsimile signature whenever required by the
Board. The Treasurer shall ensure the staff keeps regular books
of accounts showing receipts and expenditures, and he shall
render to it a statement of his accounts at all regular meetings
or more often when requested; he shall enter regularly in books
of the Authority to be kept by him for the purpose, full and accurate account of all monies received and paid by him on account of the Authority; he shall, at all reasonable times, exhibit his books and accounts to any member of the Board upon application; and he shall perform all acts incident to the position of Treasurer, subject to the control of the Board. He shall give a bond with sufficient corporate surety in such amount as may be determined by resolution of the Authority, the cost of which shall be paid by the Authority, to assure the faithful performance of his duties as such Treasurer. Upon leaving office, the Treasurer shall transfer and deliver all funds, securities, books, records, and papers of the Authority in his custody or possession to his successor, immediately upon his qualification. He shall permit all books, records, and accounts of the Authority kept by him and in his custody or possession to be examined from time to time by such auditor or auditors as the Board shall direct.

SECTION 6. Powers and Duties of the Assistant Secretary and Assistant Treasurer. The Assistant Secretary and Assistant Treasurer shall possess the power and may perform the duties of the Secretary and of the Treasurer in case of their absence or disability. They shall do and perform such other duties as may be from time to time assigned to them by the Board.

SECTION 7. Solicitor. The Authority's Solicitor shall be responsible for providing legal counsel to the Board of the Authority and to its employees, and subject to the Board's ultimate decision making responsibility, shall address and be responsible for all legal matters concerning the Authority.

SECTION 8. Subordinate Officers, Committees, and Agents. The Board may from time to time elect such officers and appoint such committees and employees as it deems necessary to exercise its powers, duties and functions, as prescribed by law. These appointments include, but are not limited to, the Solicitor, Auditor, and Executive Director. The selection and compensation of such personnel shall be determined by the Board of the Authority subject to the laws of the Commonwealth of Pennsylvania.
SECTION 9. Signing Authority. All officers of the Authority as well as the Executive Director shall be authorized signers on all Authority accounts, as well as any other transactions necessary to conduct the business of the Authority.

ARTICLE III

CHECKS, NOTES, ETC.

SECTION 1. Methods of Payment, Endorsing, Authorizing, Etc. Payments shall be made by drafts, checks, or other orders, all of which shall be signed to such two of the officers of the Board as the Board shall by resolution provide. Payments shall be made only pursuant to warrants or orders signed by the Chairman or Vice-Chairman in the name of the Authority, as directed by the Board or pursuant to resolution of the Board. Bills receivable, drafts, and other evidence of indebtedness to the Authority shall be endorsed for the purpose of discount or collection by the Treasurer or such officer or officers of the Authority as the Board shall from time to time by resolution designate. No bonds, bills, or notes shall be executed by or on behalf of the Authority unless the Board shall by resolution authorize the same.

ARTICLE IV III

AMENDMENT OF BYLAWS

SECTION 1. Method of Alteration, Amendment, or Repeal of Bylaws. The Bylaws of the Authority shall be subject to alteration, amendment, or repeal by a majority vote of all Board members then in office at any regular or special meeting of the Board, provided: (a) that notice of such proposed alteration, amendment, or repeal shall have been given in writing to each member at least ten (10) days prior to the regular or special meeting at which action thereon is to be taken, or without any such notice by unanimous vote at any meeting of the Board when all of the members are present. ; and further provided (b) that the county council of Northampton County of South Whitehall
Township shall have approved all such alterations, amendments, and repeals prior to the effective date thereof.

ARTICLE V

INDEMNIFICATION

SECTION 1. Legal Representation.

(a) The Authority, upon written request and approval by a vote of the Board of Directors, shall provide legal representation to any person who was or is a Board Member, employee, agent or servant of the Authority when an action is threatened or brought against such person and it is alleged that the acts or omissions which gave rise to the claim were within the scope of the office or duties of such person, unless or until there is a judicial determination that such acts or omissions were not within the scope of the office or duties of such person.

(b) The Authority upon written request may, but is not obligated to, provide legal representation to any person who was or is a Board member, employee, agent or servant of the Authority when an action is threatened or brought against such person and it is not alleged that the acts or omissions which gave rise to the claim were within the scope of the office or duties of such person.

(c) If pursuant to Section 1(b) above, the Authority does not provide legal representation, the Authority shall reimburse any present or former Board member, employee, agent or servant of the Authority for reasonable expenses of such person’s legal defense if there is a judicial determination that the acts or omissions were, or that such person in good faith reasonably believed that such acts or omissions were, within the scope of such person’s office or duties; provided, however, that the Authority need not reimburse such person when there is a judicial determination that such acts or omissions constituted a crime, actual fraud, actual malice or willful misconduct.
(d) In any instance where the Authority provides legal representation to a present or former Board member, employee, agent or servant of the Authority, the Authority shall assume exclusive control of the defense. If legal counsel provided by the Authority determines that the interests of the Authority and the present or former Board member, employee, agent or servant are conflicting, the Authority shall obtain the written consent of such person for such representation or supply independent representation.

SECTION 2. Indemnity.

(a) The Authority shall indemnify any person who was or is a Board member, employee, agent or servant of the Authority for the payment of any judgment on a suit where it is judicially determined that such person’s acts or omissions caused the injury and were, or such person in good faith reasonably believed such acts or omissions were, within the scope of his or her office or duties; provided, however, if it is judicially determined that such acts or omissions constituted a crime, actual fraud, actual malice or willful misconduct, the Authority may withhold indemnification pursuant to Section 2(b) below.

(b) The Authority shall indemnify any person who was or is a Board member, employee, consultant, agent or servant of the Authority against all reasonable costs and expenses (including without limitation judgments, penalties, fines, amounts paid in settlement, etc.) incurred in any actual or threatened investigation or proceeding (whether civil, criminal, administrative or otherwise) if such person, in acting as a Board member, employee, consultant, agent or servant of the Authority: (i) acted in good faith, and (ii) in a manner such person believed to be in the best interest of the Authority, and (iii) with respect to criminal matters, without knowledge that such actions were unlawful. As to (i) and (ii) above, it shall be presumed that a person acted in good faith and in a manner such person believed to be in the best interest of the Authority unless and until it shall be finally adjudged that such person acted in a manner which such person knew not to be in good faith or knew not to be in the best interests of the Authority; or the Authority: (iv) shall determine that such person acted in a manner which such person knew not to be in good faith or knew not to be in the best interests of the Authority, and (v) shall
have received the opinion of its independent counsel that indemnification may be improper under the circumstances. As to (iii) above, a conviction or judgment (whether after trial or based on a plea of guilty or nolo contendere or otherwise) shall not be deemed an adjudication adverse to the person to be indemnified unless it shall also be adjudged in such conviction or judgment that such person knew such actions to be unlawful.

(c) It is the intent and obligation of the Authority to indemnify each former and present Board member, employee, agent or servant in accordance with this indemnity provision and to the maximum extent permitted by law. If any portion of this Article V is determined or judicially declared to be illegal or unenforceable, then the remaining portions of this Article V shall be interpreted so as to provide the maximum indemnity permitted by law.

(d) Any person entitled to indemnity pursuant to this Section 2 shall, as a precondition to such indemnity, inform and consult with the Authority prior to incurring any cost or expense for which indemnity is requested. Payment of expenses to be indemnified shall be made as and when incurred by the person to be indemnified, except as otherwise directed by the Authority.

SECTION 3. Additional Rights. The obligations of the Authority as set forth in this Article V shall:

(a) Be in addition to and supplemental to any rights of indemnity pursuant to any insurance contracts;

(b) Be in addition to and supplemental to any right of indemnity pursuant to the “Political Subdivision Tort Claims Act” (42 Pa.C.S.A. §8541, et seq.) or any other right to indemnity; and –

(c) Not constitute a waiver of any immunity which might be available to the person entitled to indemnity.

SECTION 4. Obligation to Cooperate. The obligations of the Authority under this Article V are conditioned upon the cooperation with the Authority of the person benefited by the provisions of this Article V; and in the event such person shall
fail or refuse to cooperate with the Authority as reasonably requested by the Authority, then the Authority may recover all costs and expenses expended on behalf of such person.

ARTICLE VI

MISCELLANEOUS

SECTION 1. Corporate Seal. The corporate seal of the Authority shall consist of two concentric circles between which the name of the Authority and the word "Pennsylvania" shall be inscribed, and within the smaller circle the words "Incorporated 1962 1999" shall be inscribed.

SECTION 2. Rates and Charges. The Board may fix, alter, charge, and collect such fees and charges as it deems appropriate, for the use of its facilities, for the services it renders, to pay for its projects, to provide for the payment of its expenses and for the construction, improvement, repair, maintenance, and operation of its facilities and properties, for principal, cost and interest expenses on its debt obligations, and to fulfill the terms and provisions of any agreements made with the purchasers or holders of any such obligations, as the Board may from time to time by resolution determine.

SECTION 3. Annual Examination of Records. The financial records of the Authority shall be kept on a calendar year basis. The financial records, books, and accounts of the Authority shall be examined audited annually during before the end of the month of March February by a certified public accountant who shall be designated by resolution of the Board. The said annual financial audit shall cover the immediately preceding calendar year.

As there were no questions or comments, Mr. Cusick called for the vote.

The resolution was adopted by a vote of 9-0.

Consideration of the 2013 Gracedale Private Pay Rate

Mr. Cusick advised this rate allowed for the maximization of Medical Assistance and Medicare revenues and was an annual housekeeping matter.

Mr. Dietrich introduced the following resolution:

R. 112-2012 RESOLVED, By the Northampton County Council that effective January 1, 2013, the Gracedale Private Pay Rate shall be $280.00 per day.

Mr. Dietrich stated when Gracedale prepared its operating budget, in order for it to recoup a lot of its financial reimbursements from Medicaid and Medicare, it had to determine the cost and divide it by the number of beds that were available.

As there were no further questions or comments, Mr. Cusick called for the vote.


The resolution was adopted by a vote of 9-0.

Economic Development Committee Report

Mrs. Ferraro advised the Economic Development Committee met earlier in the evening and the items presented at tonight’s meeting were discussed.
Lehigh Valley Planning Commission (LVPC) Liaison Report

Mr. Cusick stated the LVPC was updating the Hazardous Mitigation Plan and would present it to County Council sometime next year.

Upcoming Meetings

Mr. Cusick advised the Personnel and Finance Committees would be holding their meetings, starting at 4:00 p.m., on Wednesday, December 12, 2012. He further advised the next County Council meeting would be held at 4:00 p.m., on Thursday, December 13, 2012.

Solicitor’s Report

Mr. Lauer stated he received correspondence from a law firm interested in pursuing some legal action relating to the Swaption and indicated they would be back in touch with him. He further stated all information would be presented to County Council and also referred to Mr. Longenbach.

Adjournment

Mr. Kraft made a motion to adjourn.

Mrs. Thierry seconded the motion.

The motion passed by acclamation.

Frank E. Flisser
Clerk to Council