Easton, Pennsylvania \hspace{1cm} May 17, 2012

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; Kenneth M. Kraft; Scott Parsons; Barbara A. Thierry; Robert F. Werner; Frank E. Flisser, Clerk to Council, and Philip D. Lauer, Solicitor to Council. Absent were Bruce A. Gilbert and Lamont G. McClure, Jr.

Prayer

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

Pledge of Allegiance

Mrs. Thierry led County Council in the pledge of allegiance.

Approval of the Minutes

Mrs. Ferraro made the following motion:

Be It Moved By the Northampton County Council that the minutes of the May 3, 2012 meeting shall be approved.

Mr. Kraft seconded the motion.

The minutes were approved by voice acclamation.

Courtesy of the Floor

Mr. Jack Dalessandro, Bangor, PA – stated at the last meeting, he provided copies of documents supporting allegations that the County was assisting Mr. Bernie O=Hare and Mr. Ron Angle in their lawsuit to invalidate petition signatures and he hoped they had time to review them.
Mr. Dalessandro advised Mr. John Stoffa, County Executive, had stated he believed nothing was improper and that the resolution passed by County Council authorized him to block the petition.

Mr. Dalessandro then provided copies of Resolution No. 71-2012 pertaining to alternate ownership of Gracedale, as well as a list of billable hours for employees of Eckert Seamans Cherin & Mellott, LLC, (see Attachment #1). He stated he saw nothing in that resolution that gave Mr. Stoffa the right to spend $31,546 to support a lawsuit by two private individuals and the taxpayers deserved their money back.

Ms. Ellen Lott, The Nature Conservancy, Long Pond, PA - advised she wanted to encourage County Council to buy land to protect it because there were a lot of long-lasting benefits. She provided some excerpts of studies regarding these benefits (see Attachment #2), as well as a Nature Conservancy magazine (see Attachment #3). She further advised County Council could play a role in what Northampton County would look like in the future.

Mr. Donald Miles, Bethlehem, PA - stated he was here as Chairman of the Lehigh Valley Sierra Club and Chairman of the Open Space Committee of the City of Bethlehem South Side Vision 2014 Neighborhood Program to indicate their support to preserve the integrity of the Northampton County Open Space Initiative. He further stated if government did not support open space, it was not going to be supported.

Mr. Miles advised in 2002, the County had a referendum and two out of three voters voted to endorse the open space program and in 2006, a half mill tax was dedicated to provide money to acquire open space in wild areas, for farmland and for public parks. He further advised in the past, this money had been raided to do other things so the organizations that he spoke for urged County Council to use that half mill tax money for the purpose that the voters voted for or repeal the tax.

Ms. Judith Henckel, Upper Mount Bethel Township, PA - stated while County Council was thinking about permanent funding or making sure there was a budget they could rely on, she did not want them to forget the open space areas.
Ms. Sherry Acevedo, Delaware and Lehigh National Heritage Corridor (DLNHC) - advised under the DLNHC, they managed the Lehigh Valley Greenways Conservation Landscape Initiative in partnership with the Pennsylvania Department of Conservation and Natural Resources (DCNR). She further advised they understood the budget issues and there may not be a sense of urgency as far as development threats, but there were.

Ms. Acevedo extended an invitation to the Lehigh Valley Greenways Steering Committee Meeting that would be held on June 19, 2012, at the Kirkridge Retreat Center (see Attachment #4).

In answer to Mr. Cusick’s question as to what DCNR’s budget outlook was, Ms. Acevedo stated it was still up in the air, however, they remained positive.

In response to Mr. Cusick’s question as to whether the Delaware Canal towpath was going to be repaired, Ms. Acevedo advised that was a capital project with DCNR and the plans were being worked on.

Mr. Mario Martinez, Forks Township, PA - stated he received an e-mail from Mr. Steve Barron, Northampton County Controller, that indicated more than $31,000 of taxpayer money was used for a private matter.

Mr. Steve Barron, Northampton County Controller - advised Mr. Cusick also received the same e-mail in which he made a very clear request to Mr. Mark Stewart of Eckert Seamans Cherin & Mellott, LLC, to turn over additional documentation. He further advised he invited Mr. Stewart, Mr. Stoffa and members of the Administration to sit down and meet with him to go through the bills to determine what exactly went on in an effort to resolve this matter.

In answer to Mr. Parsons’ question as to whether there was a committee that would handle this issue, Mr. Cusick stated when it came to fiscal issues, the Controller would first conduct his investigation and then make a report.

Mr. Barron advised he could make a report and present it to County Council, but unless they were willing to take some kind
Of action to prevent it from happening again, he did not have the ability to bring a surcharge action.

Mr. Barron stated he may come back to County Council if he did not get cooperation from Eckert Seamans Cherin & Mellott LLC because it was very clear in the contract they signed that they had to turn over information that he requested. He further stated he did not have subpoena power so he may have to ask County Council to subpoena the records.

Confirmation of Appointments

Mr. Cusick advised the Personnel Committee met on May 16, 2012, to review appointments to the Lehigh Valley Economic Development Corporation - Comprehensive Economic Development Strategy Committee, the Drug and Alcohol Advisory Board, the Farmland Preservation Advisory Board and the Industrial Development Authority.

Mr. Kraft introduced the following resolution:

R. 34-2012 RESOLVED, by the Northampton County Council that the following individuals shall be confirmed in their appointments/re-appointments as indicated hereafter:

**COMPREHENSIVE ECONOMIC DEVELOPMENT STRATEGY (CEDS) - LVEDC COMMITTEE**

Appointments: Terms to Expire: 12/31/14
Virginia G. Gonzalez
3480 Hecktown Road
Bethlehem PA 18020

Joseph M. Kelly, Esq.
915 Linden Street
Bethlehem PA 18018
County Council Minutes  -5-  May 17, 2012

DRUG AND ALCOHOL ADVISORY BOARD

Re-appointments:  Terms to Expire:  6/30/14
John R. Judd
548 North New Street
Bethlehem PA 18018

Bonnie S. Coyle, M.D., M.S.
5984 Kesslersville Road
Nazareth PA 18064

Mary Tirrell Ensslin
189 Treeline Drive
Pen Argyl PA 18072

Sally M. Gillispie
3130 Center Street
Bethlehem PA 18017-1106

Christine M. McLaren
Lehigh University
39 University Drive, Box F513
Bethlehem PA 18015

FARMLAND PRESERVATION BOARD

Re-appointment:  Term to Expire:  7/6/15
Roger Unangst
7317 Bethlehem-Bath Pike
Bath PA 18014

INDUSTRIAL DEVELOPMENT AUTHORITY

Appointment:  Term to Expire:  3/17/17
Francis X. @Bud@ Hackett
201 East Macada Road
Bethlehem PA 18017

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

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

The resolution was adopted by a vote of 7-0.

County Executive=s Report

Mr. Stoffa stated the first Gracedale Advisory Board meeting will be held at 11:00 a.m., on Friday, June 1, 2012, in the Tower One Conference Room at Gracedale.

Mr. Stoffa provided a breakdown, as of today, of the $37 million that was recommended by the voters when the referendum was initiated and included the funding for 2012 (see Attachment #5). He advised he felt a discussion had to be held to determine what County Council wanted to do with the remaining funding.

Mr. Kraft stated as the Monocacy Creek floods now, he would like to see development halted upstream from Bethlehem because if it was allowed, the historic area of Bethlehem was going to get washed away.

Public Hearing on the Ordinance Titled, AAN ORDINANCE OF THE COUNTY OF NORTHAMPTON, EASTON, PENNSYLVANIA, PROVIDING FOR AMENDMENTS TO THE 2012 NORTHAMPTON COUNTY BUDGET®

Mr. Cusick advised this ordinance was introduced by Messrs. Gilbert and Parsons at the meeting held May 3, 2012. He further advised the Finance committee reviewed this matter at their meeting yesterday and it was recommended that it be presented to the whole of County Council.

AN ORDINANCE AMENDING THE 2012 NORTHAMPTON COUNTY BUDGET: DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT - COMMUNITY DEVELOPMENT GRANTS, REVOLVING LOAN; DEPARTMENT OF ADMINISTRATION - GROWING GREENER GRANT, HAZARD MITIGATION ASSIST; DEPARTMENT OF FISCAL
AFFAIRS – LONG TERM DEBT, BALANCING OF BUDGET; SHERIFF; CAPITAL IMPROVEMENTS – ARCHIVES BUILDING; COURT SERVICES – ARCHIVES; COURTS – COURT ADMINISTRATION; DEPARTMENT OF HUMAN SERVICES – CHILDREN, YOUTH AND FAMILIES, MENTAL HEALTH, DRUG AND ALCOHOL

### 2012 BUDGET AMENDMENT

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<th>KEY</th>
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<td>Swaption Settlement</td>
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### Fiscal Affairs - Balancing Of Budget

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### Sheriff

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### Capital Improvements - Archives Bldg

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### Court Services - Archives

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### Courts - Court Administration

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### Human Services - Children, Youth & Families
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<td>41575 Miscellaneous - Intergovernmental</td>
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**Human Services - Mental Health**

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**Human Services - Drug & Alcohol**

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**Summary - Budget Amendment**

27,915,724
In accordance with Northampton County Home Rule Charter 705 (e) this ordinance shall become effective upon the date of enactment.

Public Hearing

Mr. Cusick asked if there was anyone from the public who wished to comment. There were no respondents.

Mr. Cusick asked if any member of County Council had any questions or comments.

Mr. Dietrich stated there were a lot of cuts in Human Services, but looking at the bottom line, this budget was increasing spending by almost $28 million for the Archives Building, paying the Swaption outright and increasing the number of part time workers. He further stated those three items total approximately 95% of the spending and as he did not support any of those three items, he could not support this amendment.

Mr. Cusick advised he did not agree with paying the Swaption out right, but the majority of County Council did and it was something that had to be done. He further advised he believed the right decision was made with the Courts because they needed extra help and he rather have an additional person than have someone working more hours.

Mr. Cusick stated one of the things that made the Archives Building possible was the Records Improvement Fee because that would be used to reimburse the funds that were being expended now. He further stated a large portion of the purchase was coming from that fee.

Mr. Kraft advised the Records Improvement Fee paid for the Archives Building and without the cost of having the records transported back and forth, the money used for the infrastructure to the building would be paid off in a short amount of time and then those fees could start generating revenue. He further advised the paying off of the Swaption was something that was voted on as a solution to the problem. He noted he also felt that the hiring of another Court position was
discussed and found to be needed.

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

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

The ordinance was adopted by a vote of 6-1.

Public Hearing on the City of Easton LERTA Tax Abatement Ordinance

Mr. Cusick stated this ordinance was introduced by Mr. Werner and Mrs. Ferraro at the meeting held May 3, 2012. He further stated the Economic Development Committee reviewed this matter at their meeting held May 3, 2012.

AN ORDINANCE PROVIDING FOR PROPERTY TAX EXEMPTIONS IN THE CITY OF EASTON, PENNSYLVANIA, FOR CERTAIN DETERIORATED INDUSTRIAL, COMMERCIAL OR OTHER BUSINESS PROPERTY, PURSUANT TO ACT 76 of 1977, 72 P.S. 4722 ET SEQ.

WHEREAS, the County of Northampton is a County organized and operating under the laws of the Commonwealth of Pennsylvania; and

WHEREAS, the City of Easton has established a district wholly within the City of Easton municipal boundaries pursuant to the Local Economic Revitalization Tax Assistance Act (LERTA) at Title 72 P.S. Section 4725(A); and

WHEREAS, a public hearing was held to discuss the district on Wednesday, April 4, 2012, before the Planning Commission of the City of Easton.

NOW, THEREFORE, BE IT HEREBY ORDAINED AND ENACTED By the Northampton County Council, as follows:

SECTION 1. DEFINITIONS
As used in this Ordinance, the following words and phrases shall have the meaning set forth below:

(a) **ADETERIORATED PROPERTY@** Any industrial, commercial, residential or other property owned by an individual, association or corporation, and located in the LERTA district areas or parcels, as provided by map and parcel list by ordinance of the Northampton County Council or any such property which has been the subject of an order by the City requiring the unit to be vacated, condemned or demolished by reason of noncompliance with laws, ordinances or regulations.

(b) **AIMPROVEMENT@** Repair, construction or reconstruction, including alterations and additions, having 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.

(c) **ALERTA@** Local Economic Revitalization Tax Assistance Act

(d) **ALERTA DISTRICT@** Areas or parcels identified by the Northampton County Council as set forth in this Ordinance.

(e) **ALOCAL TAXING AUTHORITY@** The City of Easton, the Easton Area School District, the County of Northampton or any other governmental entity having the authority to levy real property taxes within the City of Easton.

(f) **AMUNICIPAL GOVERNING BODY@** The County of Northampton.

SECTION 2. **ELIGIBLE AREAS**
The Northampton County Council determines that the area specified, by the attached map (refer to Exhibit AA@) and parcel list (refer to Exhibit AB@) as the deteriorated area to form the LERTA District.

SECTION 3. 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 Revenue Appeals Board of Northampton County.

(c) Exemption shall not apply to any County-wide re-assessment.

SECTION 4. EXEMPTION SCHEDULE

Subject to the conditions, requirements, and limitations set forth in this Ordinance, taxpayers making assessable improvements to deteriorated property located in the LERTA district may apply for and may be granted a real estate tax exemption limited to the amounts in Section 3 above subject to the following schedule:

(a) For the first year immediately following the date upon which the improvement becomes assessable, 100% or the eligible assessment shall be exempted;

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

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

(d) For the fourth year immediately following the date upon which the improvement becomes assessable, 70% of the eligible assessment shall be exempted.
(e) For the fifth year immediately following the date upon which the improvement becomes assessable, 60% of the eligible assessment shall be exempted.

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

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

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

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

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

(k) After the tenth year the exemption shall terminate.

(l) 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.

SECTION 5. NOTICE TO TAXPAYERS

(a) There shall be placed in the City of Easton, Bureau of Planning and Codes, on prominent display, the following:

NOTICE TO TAXPAYERS

Under the provisions of City of Easton Ordinance No. 2521, as amended, you may be entitled to a property tax exemption on your contemplated alterations in certain designated areas of the City. An application for exemption may be secured from the City of Easton and must be filed with the City of Easton at the time a building or alteration permit is secured.
(b) At the time a building or alteration permit is secured for construction upon an existing deteriorated property for which an exemption is requested, the taxpayer shall apply to the City of Easton's Bureau of Planning and Codes or any successor agency thereto for the exemption provided for in this Ordinance.

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 Easton, Bureau of Planning and Codes.
6. Any or all such additional information the City of Easton may require.

SECTION 6. PROCEDURE FOR OBTAINING EXEMPTION

A copy of the request for exemption shall be forwarded by the City of Easton to the appropriate County administrative agency responsible for the assessment and valuation of real property for tax purposes. Upon completion of the improvement, the taxpayer shall notify the City of Easton and the appropriate County administrative agency so that the agency 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 of Easton will then obtain from the appropriate County administrative agency the amount of the assessment eligible for exemption and will notify the taxpayer. The Finance Director is authorized to make refunds, if applicable, only after the appropriate County administrative agency has notified the
Finance Director of its separate assessment upon the improvement for which an exemption is requested. Appeals from the reassessment and the amount eligible for the exemption may be taken by the taxpayer of the City of Easton as provided by law.

SECTION 7. TERMINATION

This Ordinance shall be effective thirty (30) days after the date of enactment and shall terminate on December 31, 2017, unless otherwise repealed by the Northampton County Council. Any property tax exemptions granted under the provisions of this Ordinance shall be permitted to continue according the exemption schedule found in Section 4, unless any such property tax exemption is rescinded in accordance with the default provisions of this Ordinance, even if this Ordinance expires or is repealed.

SECTION 8. HEARING BOARD

A Tax Abatement Hearing Board shall consist of the City Administrator of the City of Easton, the Director of the Department of Community and Economic Development of the City of Easton, the Director of Fiscal Affairs of the County of Northampton and the Chief Operating Officer of the Easton Area 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 City of Easton as to the eligibility of a particular property for the
(6) The Board shall meet upon notice of the Chairman 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;

(9) For the purposes of this Ordinance, every action of the Board shall require a simple majority of the members in attendance. Attendance at the hearing by three (3) members of the Board shall be required to constitute a quorum for a meeting and for action on an appeal.

SECTION 9. 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 the Ordinance would have been adopted if such illegal, invalid or unconstitutional sections, clauses or sentences had not been included herein.

SECTION 10. CONTINGENCY

Notwithstanding any other provisions of this Ordinance, this Ordinance shall remain in full force and effect conditioned upon the Easton Area School District and the County of Northampton enacting similar ordinances or resolutions with identical deteriorated areas as those designated by the Council of the City of Easton.
SECTION 11. 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 unabated assessment and tax rate.

SECTION 12. 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 Section 12.

SECTION 13. REPEAL

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

Section 14. EFFECTIVE DATE

This Ordinance shall take effect thirty (30) days after date of enactment and shall remain in effect thereafter from year to year, unless repealed, until December 31, 2017.

Public Hearing

Mr. Cusick asked if there was anyone from the public who wished to comment on this ordinance. There were no respondents.

Mr. Cusick asked if there were any members of County Council who wished to address this issue.

In response to Mr. Dietrich=s question as to whether there was anyone present from the City of Easton, Mr. Cusick advised they made a presentation at the Economic Development Committee
meeting. He further advised his only concern was the number of parcels that were included in this LERTA.

Mr. Kraft stated he was also concerned about the size of the proposal, but he understood how a LERTA worked. He further stated the County was not losing any taxes it currently received for those properties and it was a vehicle to have them improved, which would eventually increase their tax value.

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

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

The ordinance was adopted by a vote of 6-1.

Update on the Northampton County 21st Century Open Space Initiative - Maria Bentzoni

Mr. Cusick asked Ms. Maria Bentzoni, Farmland Preservation Administrator, to provide an update on the Northampton County 21st Century Open Space Initiative.

Ms. Bentzoni provided a power point presentation regarding the Northampton County Open Space Initiative (see Attachment #6), as well as some documents with regard to the Open Space Initiative (see Attachment #7). She advised the Mission Statement of Northampton County had been, in recent years, in question as to what was the basis of the Open Space Initiative.

Ms. Bentzoni stated some of the things it was to cover was to preserve biological diversity, protect the natural habitat of plants and animals, preserve significant geological features, preserve the quality of the County’s water resources, provide citizens an opportunity to experience and learn about the County’s important natural features, preserve greenways and linkages throughout the County and protect the natural beauty of Northampton County. She then reviewed the process involved when choosing the projects.

Ms. Bentzoni advised some of the benefits of open space were it reduced the tax burden on residents, improved property values, attracted business investments, reduced spending on
infrastructure and promoted healthy lifestyles and public health.

Ms. Bentzoni stated in 2002, the voters of Northampton County approved an Open Space referendum that authorized the County Council to borrow $37 million bond. She further stated that $37 million was not borrowed, however, a half mill tax increase to fund a pay as you go initiative was put into place that would generate $3.7 million per year for open space. She noted she constantly got asked where were those funds from people, but she could not provide an answer to them.

Ms. Bentzoni advised without local funds, they did not have the resources to apply for matching grants that had become available. She further advised with grant funds being severely cut at the State level, now more than ever, they had to look at the County and local levels for funding.

Mr. Parsons stated he felt they had an excellent process in place and the Open Space Advisory Board was very committed so anything County Council could do to support their efforts would be beneficial to all.

In answer to Mr. Cusick’s question as to what was the outlook on the State budget for open space, Ms. Bentzoni advised farmland preservation funding for 2012 was secure at this point. She further advised for 2013 and 2014, Governor Tom Corbett planned to withdraw the cigarette tax and the intention was to replace it with some type of other Grower Greener funding. She noted for 2014, the cigarette tax and the additional funding for farmland preservation were slated to be cut. Therefore, she urged County Council to contact the State legislators and adopt a resolution requesting the cigarette tax not be withdrawn.

Introduction of the Ordinance Amending the Municipal Park Section of the Northampton County 21st Century Open Space Initiative

Mr. Cusick stated the Northampton County Open Space Advisory Board recommended changes to the Municipal Park Acquisition and Development Sections of the NORTHAMPTON COUNTY 21ST CENTURY OPEN SPACE INITIATIVE GUIDELINES. He further stated
the public hearing, debate and possible vote would take place at the June 7, 2012 meeting.

Mr. Parsons and Mr. Dietrich introduced the following ordinance:

AN ORDINANCE PROVIDING FOR AMENDMENTS TO THE NORTHAMPTON COUNTY 21ST CENTURY OPEN SPACE INITIATIVE GUIDELINES

WHEREAS, the Northampton County Council adopted ordinance #423-2004, the ordinance titled, AN ORDINANCE ESTABLISHING THE NORTHAMPTON COUNTY OPEN SPACE INITIATIVE, ACCEPTING THE REPORT OF THE NORTHAMPTON COUNTY COUNCIL OPEN SPACE COMMITTEE PREPARED WITH THE ASSISTANCE OF THE LEHIGH VALLEY PLANNING COMMISSION, CREATING THE NORTHAMPTON COUNTY OPEN SPACE ADVISORY BOARD AND ESTABLISHING ITS DUTIES, AND PROVIDING FOR THE ADMINISTRATION OF THE OPEN SPACE INITIATIVE, at the meeting held November 4, 2004. The ordinance was signed by the County Executive on November 5, 2004 and it became effective as such on December 5, 2004. The NORTHAMPTON COUNTY 21ST CENTURY OPEN SPACE INITIATIVE GUIDELINES were subsequently amended via the enactment of ordinances #468-2007 and #533-2011; and

WHEREAS, the Northampton County Open Space Advisory Board, at its meeting held May 10, 2012, reviewed and approved changes to the MUNICIPAL PARK ACQUISITION AND DEVELOPMENT Section of the Northampton County 21st Century Open Space Initiative Guidelines.

NOW, THEREFORE, BE IT HEREBY ORDAINED AND ENACTED by the Northampton County Council that the revised Northampton County 21st Century Open Space Initiative Guidelines (a copy of which is attached hereto and labeled as Exhibit AA) are hereby approved.

Section I. Short Title

This Ordinance shall be known as, and may be cited as, AN ORDINANCE PROVIDING FOR AMENDMENTS TO THE NORTHAMPTON COUNTY 21ST CENTURY OPEN SPACE INITIATIVE GUIDELINES.

Section II. Repealer

Any Ordinance or any part of any other ordinance
conflicting with the provisions of this Ordinance is hereby repealed.

Section III. Effective Date

This Ordinance shall become effective thirty (30) days after the date of enactment.

Consideration of Collective Bargaining Unit Agreements: a. Youth Detention Center Unit; b. Court Appointed Non-Professional Unit; c. Court Related Non-Professional Unit

Mr. Cusick advised the Personnel Committee met on May 16, 2012 to review these Collective Bargaining Unit Agreements.

Mr. Kraft introduced the following resolutions:

Youth Detention Center Unit

R. 35-2012 WHEREAS, Northampton County Charter Section 202 (12) provides that, At the County Council shall have the power to approve any collective bargaining agreements with officers and employees.

NOW, THEREFORE, IT IS HEREBY RESOLVED by the Northampton County Council that the Collective Bargaining Unit Agreement between the County of Northampton and AFSCME District Council 88, the Youth Detention Center Unit, shall be approved this 17th day of May 2012.

Court Appointed Non Professional Unit

R. 36-2012 WHEREAS, Northampton County Charter Section 202 (12) provides that, At the County Council shall have the power to approve any collective bargaining agreements with officers and employees.

NOW, THEREFORE, IT IS HEREBY RESOLVED by the Northampton County Council that the Collective Bargaining Unit Agreement between the County of Northampton and AFSCME District Council 88, the Court-Appointed Non-Professional Unit, shall be approved this 17th day of May 2012.

Court Related Non Professional Unit
R. 37-2012  

WHEREAS, Northampton County Charter Section 202 (12) provides that, the County Council shall have the power to approve any collective bargaining agreements with officers and employees.

NOW, THEREFORE, IT IS HEREBY RESOLVED by the Northampton County Council that the Collective Bargaining Unit Agreement between the County of Northampton and AFSCME District Council 88, the Court-Related Non-Professional Unit, shall be approved this 17th day of May 2012.

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

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

The resolutions were adopted by a vote of 6-1.


Mr. Cusick stated the Finance Committee reviewed these contract approval requests at their meeting held May 16, 2012.

Mr. Cusick introduced the following resolution:

FAMILY Answers - Prison Re-Entry Coordinator Services

R. 38-2012  

WHEREAS, Northampton County Administrative Code Article XIII Procurement and Disposition of County Property, Section 13.16 Contracts and Agreements c. (1) requires approval of County Council for "...any contract exceeding $100,000, which was awarded using the Competitive Negotiation, Negotiation After Competitive Sealed Bidding, and Non-Competitive Negotiation source selection methods. For contracts with renewal clauses, the entire potential payout if all renewal clauses are exercised under the terms of the contract must be considered when determining if Council approval is necessary"; and

WHEREAS, on April 25, 2012, the Northampton County Council received a request from the County Executive for County Council
to adopt a resolution approving a three year contract which totals $236,726 with Family Answers Inc. for re-entry coordinator services. Further, there is an option for two one (1) year renewals, at the sole option of the County, and the additional expenditures for the two optional years would total approximately $169,000.

NOW, THEREFORE, BE IT RESOLVED that the Northampton County Council does hereby concur with the recommendation of the County Executive to award a contract to Family Answers, Inc., as set forth in the attached documentation.

Mr. Robert Meyers, Director of Corrections, stated they had two entities respond to their Request for Proposal. He further stated both programs were reviewed and found to be qualified, however, they decided to recommend the Family Answers program.

Mr. Meyers advised the Re-entry Coordinator position would play a key role in their vision of reducing recidivism and working toward returning a better citizen to the community when they were released from the prison. He further advised they would also assist the prison in obtaining funding because right now funding was tied to a lot of grants, which were difficult to get, and serve as a conduit to the community in setting up support for individuals getting out of prison so they had a better chance of staying out.

In response to Mr. Cusick’s question as to whether this program would be at the new facility exclusively, Mr. Meyers stated it would be applied to every part of the prison system.

Mr. Meyers advised he was retiring on July 6, 2012, but he wanted to thank Northampton County for the career it had afforded him.

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

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

The resolution was adopted by a vote of 7-0.

Manpower - Temporary Personnel Services

Mr. Cusick introduced the following resolution:
WHEREAS, Northampton County Administrative Code Article XIII Procurement and Disposition of County Property, Section 13.16 Contracts and Agreements c. (1) requires approval of County Council for "...any contract exceeding $100,000, which was awarded using the Competitive Negotiation, Negotiation After Competitive Sealed Bidding, and Non-Competitive Negotiation source selection methods. For contracts with renewal clauses, the entire potential payout if all renewal clauses are exercised under the terms of the contract must be considered when determining if Council approval is necessary"; and

WHEREAS, on April 27, 2012, the Northampton County Council received a request from the County Executive for County Council to adopt a resolution approving a three year contract which totals an estimated $210,000, which is based on actual 2010 and 2011 expenditures, with Manpower for temporary personnel services.

NOW, THEREFORE, BE IT RESOLVED that the Northampton County Council does hereby concur with the recommendation of the County Executive to award a contract to Manpower, as set forth in the attached documentation.

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

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

The resolution was adopted by a vote of 7-0.

Communications System: Parking Deck Surveillance System

Mr. Cusick introduced the following resolution:

R. 40-2012 WHEREAS, Northampton County Administrative Code Article XIII Procurement and Disposition of County Property, Section 13.16 Contracts and Agreements c. (2) requires approval of County Council for Aany contract where costs are to be funded with monies outside of the County=s General Fund, such as those funded through bonded indebtedness.@

WHEREAS, on May 10, 2012, the Northampton County Council received a request on behalf of the County Executive for County
Council to adopt a resolution endorsing a contract, in the amount of $24,945.00, with Communications Systems, Inc. for the parking deck surveillance system.

NOW, THEREFORE, BE IT RESOLVED that the Northampton County Council does hereby concur with the recommendation of the County Executive, as set forth in the attached documentation, to award a contract to Communications Systems, Inc. for the parking deck surveillance system.

Sheriff Randall Miller stated the contract before County Council tonight was basically a way to solve and document the problems the County was having on its properties, specifically the parking deck.

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

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

The resolution was adopted by a vote of 7-0.

CCAP - Property and Liability Insurance

Mr. Cusick introduced the following resolution:

R. 41-2012 WHEREAS, Northampton County Administrative Code Article XIII Procurement and Disposition of County Property, Section 13.16 Contracts and Agreements c. (1) requires approval of County Council for "...any contract exceeding $100,000, which was awarded using the Competitive Negotiation, Negotiation After Competitive Sealed Bidding, and Non Competitive Negotiation source selection methods. For contracts with renewal clauses, the entire potential payout if all renewal clauses are exercised under the terms of the contract must be considered when determining if Council approval is necessary"; and

WHEREAS, on May 16, 2012, the Northampton County Council received a request from the County Executive for County Council to adopt a resolution approving a one year renewal contract,
NOW, THEREFORE, BE IT RESOLVED that the Northampton County Council does hereby concur with the recommendation of the County Executive to award a contract to the County Commissioners Association of Pennsylvania, as set forth in the attached documentation.

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

The vote: Cusick, Ayes@; Kraft, Ayes@; Parsons, Ayes@; Thierry, Ayes@; Werner, Ayes@; Dietrich, Ayes and Ferraro, Ayes@.

The resolution was adopted by a vote of 7-0.

Consideration of the PennDOT Transportation Improvement Program Resolution

Mr. Cusick advised the Finance Committee reviewed this resolution at its meeting held May 16, 2012, and voted to present it to the whole of County Council for consideration.

Mr. Cusick introduced the following resolution:

R. 42-2012 WHEREAS, the County Council of Northampton County desires to adopt the attached Enhanced Modified Policy and Procedure for Consultant Selection for the Reconstruction and Rehabilitation of County Owned Bridges; and

WHEREAS, these procedures shall be used for the orderly determination of the need to use consulting engineering firms, qualification and selection of firms, and general administration and monitoring of the engineering agreements in order to receive State or Federal design funding for projects over $100,000; and

WHEREAS, upon being notified of the need to initiate engineering services on a project, the County's Director of Public Works shall analyze the County resources to determine if the services of a consulting firm are necessary; and

WHEREAS, a detailed scope of work, describing the project, its location, and services required, will be prepared. The
request for letters of interest from consulting firms interested in performing the required engineering services will be advertised in newspapers of local daily circulation; and

WHEREAS, PennDOT has prepared a consultant selection procedure that has been approved by the Federal Highway Administration.

NOW, THEREFORE, BE IT RESOLVED by the County Council of Northampton County, pursuant to the laws of Pennsylvania, to adopt this resolution signifying their intent to adopt the attached Enhanced Modified Policy and Procedures for Consultant Selection for the Reconstruction and Rehabilitation of County owned bridges.

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

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

The resolution was adopted by a vote of 7-0.

Consideration of the Elections Division Fee Increase Resolution

Mr. Cusick stated the Finance Committee reviewed this resolution at their meeting held May 16, 2012 and voted to recommend it to the whole of County Council for approval.

Mr. Cusick introduced the following resolution:

R. 43-2012 WHEREAS, Northampton County Ordinance No. 17-79 provides that fees charged by agencies and offices of the County of Northampton shall be set by the Northampton County Council by means of a resolution, at such times and at such rates as deemed necessary; and

WHEREAS, the County Executive has requested an increase in certain fees charged by the Elections Division, Department of Administration.

NOW, THEREFORE, BE IT RESOLVED by the Northampton County Council that it does hereby concur with the recommendation of the County Executive, as set forth on the attached documentation, to amend certain fees charged in the Elections Division, Department of Administration. Further, the attached shall constitute the fees charged in the Elections Division, Department of Administration, effective June 1, 2012.
As there were no questions or comments, Mr. Cusick called for the vote.

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

The resolution was adopted by a vote of 7-0.

Open Space Committee Report

Mr. Parsons stated there will be an Open Space Committee meeting in the near future as soon as a date could be set.

Human Services Committee Report

Mr. Dietrich advised there was no Human Services Committee meeting this evening, however, there would be one at 5:00 p.m., on June 7, 2012.

Finance Committee Report

Mr. Cusick stated at the next Finance Committee meeting, they would be reviewing the LarsonAllen Independent Audit report.

9-1-1 Liaison Report

Mr. Parsons advised he asked to receive a quarterly report on the number of calls they received and workers' compensation claims, which he would then forward to County Council.

Gracedale Liaison Report

Mr. Werner stated the Gracedale Advisory Board would be holding its first meeting on June 1, 2012.

Mr. Werner advised a meeting would be held at Gracedale on May
May 17, 2012

24, 2012, to discuss the human services budget.

Northampton County Gaming Revenue and Economic Redevelopment Authority (Gaming Authority) Liaison Report

Mr. Kraft advised the Gaming Authority was going to meet on May 21, 2012, to award the restricted funds.

Adjournment

Mr. Kraft made a motion to adjourn.

Mr. Cusick seconded the motion.

The motion passed by acclamation.

Frank E. Flisser
Clerk to Council