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. Cusick led County Council in the pledge of allegiance.

Approval of the Minutes

Mrs. Thierry made the following motion:

Be It Moved By the Northampton County Council that the minutes of the October 9, 2012 and November 1, 2012 meetings shall be approved.

Mr. Kraft seconded the motion.

The minutes were approved by voice acclamation.

Courtesy of the Floor

Mr. Jim Reilly, 1986 Sanbrook Drive, Bethlehem, PA – stated he felt the Local Economic Revitalization Tax Assistance (LERTA) was a good tool, but as a construction worker in the Lehigh Valley, he noticed out of State plates doing the work so he wanted to know what was given back to the taxpayers when they gave out LERTAs, Neighborhood Improvement Zones and Keystone Opportunity Zones. He further stated when these types of things were approved, he would like the elected officials to encourage
the use of local workers from the Lehigh Valley and pay a decent and fair wage especially during these economic times.

Ms. Ellen Lott, The Nature Conservancy, Long Pond, PA – advised she wanted to thank the County for continuing to fund the open space program and provided a letter from The Nature Conservancy (see Attachment #1) urging County Council to keep the money in the budget for 2013. She further advised she was impressed that the County was funding open space, farmland preservation and parks because The Nature Conservancy had several projects under negotiation and they could not be done without the County.

Mr. Ron Angle, Upper Mount Bethel Township, PA – stated he was dismayed to learn that the County Executive submitted a budget with no tax increase because he believed County Council would not vote for it during an election year. He stated there was enough money in the budgetary reserve to retire the Swaption, but instead the County took out a loan for $9.3 million and indebted the public for probably double that amount.

Mr. Angle advised the County was now balancing next year’s budget by dipping into the budgetary reserve for approximately $15 million. He further advised the County could not continue to spend money at the rate it currently was without raising taxes.

Mr. Angle stated the auditors also gave the County a lot of credit for having a wonderful bond rating and the reason for that was because year after year, it had a healthy budgetary reserve.

Mr. Angle advised he also found it inappropriate in the midst of all this deficit spending to raise the County Executive’s pay by $10,000 and the County Council President’s pay by $300.

Mr. Stephen Barron, County Controller – stated at the Personnel and Finance Committee meeting yesterday, he provided a letter regarding the Archives building and he hoped everyone would read it because in the near future, discussions were going to be held regarding a Human Services building.
Mr. Barron advised also at yesterday’s meeting, Mr. Doran Hamann, Acting Director of Fiscal Affairs, indicated $40 million would be left at the end of this year. He further advised last year there were a lot of discussions regarding some of the proposals that were supposedly going to bring the County down, however, all these things were accomplished and there was still $40 million left.

Mr. Barron stated County Council should be commended for holding the line financially and making sure the Administration made spending cuts and did not bring forth outlandish budget amendments.

Mr. Jack D’Allesandro, Bangor, PA – advised during the Gracedale controversy, the people were told the only way the Swaption could be paid off was if Gracedale was sold, but apparently that was not the case.

Mr. Richard Sigfried, Palmer Township, PA – stated during this past election, the County experienced a great turnout of voters, but there were some issues that arose at some of the polling places that really needed to be addressed.

Mr. Cusick advised he had also heard about significant problems both in Forks and Palmer Townships so he hoped the Administration and Voters Registration would meet with those township supervisors to see if there was a better way to handle it.

Northampton County Citizens Academy Graduation

Mr. Cusick stated the initial class of the Citizens Academy completed their review of Northampton County government and would be conducting its graduation at this time.

Mr. John Stoffa, County Executive, advised this idea came from the City of Bethlehem who held a Citizens Academy last year and again this year. He further advised the purpose was to familiarize citizens with the principal activities of running local government and he hoped it would encourage some of them to get involved in some of the activities they were exposed to.
Mrs. Camille Bartlett, Deputy Director of Administration, congratulated the graduates and gave a special thanks to those individuals who came and talked to them about various topics regarding their government.

Mr. Tom Miller stated he was a graduate of Bethlehem’s first Citizens Academy and by participating in the County’s, he came to realize the duties of the County were very different than those of the City. He further stated he really appreciated this program and hoped it would continue.

Ms. Francine Korpics Heft advised she wanted to thank Ms. Bartlett for the wonderful job she did, Mr. Stoffa and County Council for the opportunity and all the various speakers. She further advised she was proud to be a taxpayer of Northampton County.

Mr. Robert Williams stated he wanted to thank all those involved in the program because every week it exceeded his expectations. He further stated all the speakers were very professional, extremely knowledgeable and really cared about them understanding what they did. He noted he also felt they cared about the taxpayers and wanted to serve and do the best job they could. Further, he felt they really focused on the tax dollars and about the efficiency and effectiveness of County government.

Mr. Williams advised he was a very proud citizen and member of this community. He further advised everyone did an excellent job and he wished the Federal government was as efficient and effective as County government.

Mr. Cusick stated he wanted to thank all the graduates for their interest in County government and he felt often times a lot of the services the County provided and the people who provided them went unnoticed.

**Discover Lehigh Valley: Mike Stershic**

Mr. Cusick advised Mr. Mike Stershic, President, Discover Lehigh Valley (DLV), was present to review the 2012 Annual Report and Financial Statements of DLV. He further advised representatives from the State Theatre and the Lehigh Valley
Chamber of Commerce Foundation (LVCCF) also planned to address County Council regarding their Hotel Tax requests.

Mr. Stershic stated for their fiscal year ending June 30, 2012, the state of tourism in the Lehigh Valley was pretty good, but weather really had an impact on it, noting one of the reasons was because the weather for the Lehigh Valley was broadcasted in Philadelphia and New York areas and people were waiting until the last minute to make their reservations. He further stated their job industry was seeing a more rapid growth than other industries.

Mr. Stershic advised they won the Addy Awards Best of Show for their escape from New Jersey campaign and their website continued to receive accolades. He further advised they were fortunate enough to bid for and win the Midlantic Tourism Public Relations Alliance meeting so they had 75 travel writers from around the country staying at the Hotel Bethlehem for three days.

In answer to Mr. Cusick’s question as to whether he believed they would continue to see a substantial increase in the Hotel Tax revenues, Mr. Stershic stated he believed the County was going to see an increase in Hotel Tax revenues over time as the rates were holding and unfortunately, there were still people coming here that were affected by Superstorm Sandy.

In response to Mr. Cusick’s question as to what was his relationship with the Airport Authority and could there be improvements with regard to tourism in that area, Mr. Stershic advised most of the visitors drove here just because of location, but that did not mean the opportunity was not there for growth in the terms of the number of people who came here by air travel. He further advised they have been working with the Airport Authority for many years to improve their relationship with airlines and provide information that would get more airlines to have flights into the Lehigh Valley International Airport. He noted they considered this a top priority and would continue to work with them.

Mr. McClure stated $50,000 of Hotel Tax revenue would be used to do a feasibility study for a convention center so he wondered how many conventions were turned down because the County did not have a convention center.
Mr. Stershic advised it was hard to say because they did not go after them because they knew they did not have the accommodations, but he knew of 30 they did turn down within the past two years alone. He further advised there was usually a bid process involved with specifications that had to be met so they could not respond to them.

In answer to Mr. McClure’s question as to where the center could be located that would make it attractive to conventions, Mr. Stershic stated he felt near the Sands in South Bethlehem would be a good location because it was accessible.

Mr. McClure advised he agreed that would be the most feasible location because of all the attractions that were in that area.

Ms. Shelley Brown, President and Chief Executive Officer, State Theatre, introduced Ms. Denise Smith, Vice President of Development, and Mr. Robert Episcopo, Secretary of their Board of Directors.

Ms. Smith stated they were present to advocate for the funds that were in the proposed budget for the State Theatre through the Hotel Tax. She further stated not only were they responsible for caring for this beautiful historic building that was on the National Register of Historic Places, but also for driving economic development and tourism to the Lehigh Valley.

Ms. Smith advised the State Theatre had been around for more than 100 years and was a cornerstone of that district of Downtown Easton. She further advised that approximately 32 years ago, after years of struggling, a community group stepped in to save the theatre and at that time it was placed on the National Register of Historic Places and became a 501c3 nonprofit organization.

Ms. Smith stated she believed it was within the last 20 years, they have had an enormous impact on the Lehigh Valley in terms of arts, culture, tourism, economic development, improving the perception of the City of Easton and the quality of life.

Ms. Brown provided two maps that showed in 1990, there were only a few venues that featured headliner talents and in 2012, it showed how that had changed (see Attachment #2). She advised years ago when they tried to recruit talent, the talent
did not even know where Easton was, but now the Leigh Valley was recognized as a place to go and there were actually bidding wars to get the talent. She further advised it was great that there were a lot of venues for everyone, but it was getting very competitive to get the talent and they were a nonprofit competing against for profit venues.

Ms. Brown stated they averaged between 80-100 performances a year with sometimes more than 100,000 patrons and according to their surveys, 50% or more also visited a restaurant in the area. She further stated they were the only venue within a 60 mile radius that had a 5% amusement tax placed on their tickets. She noted they have been doing that since 2006 and just passed the $1 million mark in remittance to City.

Ms. Brown advised they have a volunteer block watch group, private security and a trolley that went from the parking garage to the theatre. She further advised they probably added a minimum of $40,000 from the parking into the City’s coffers.

Ms. Smith stated they estimated there was almost $8 million of economic impact each year that was generated by the State Theatre, which was split pretty evenly between what people spent at the theatre and in the community. She further advised they gave approximately 200 donations a year to the other nonprofit organizations throughout the community to support their efforts.

Ms. Smith advised as a nonprofit theatre, their financial model was extraordinarily fragile. She further advised in good times, nonprofit theatre was a very dicey financial model, but with business conditions as they were, they were quite threatened. She noted she would have previously described their model as delicate, but stable, however, now they would define it as delicate and not quite as stable.

Ms. Smith stated the reason they were here tonight was to press upon County Council how significantly important it was for them to continue to receive funding from the County.

Ms. Brown advised ten years ago, they started the Freddy Awards to really engage the schools and students in art programs and now they were being urged to continue to hold them.
Ms. Brown stated they really have tried every way they could think of to get funding even adding a $3 fee per ticket dedicated to theatre restoration. She further stated the decision as to where a performer would appear was made by agents, not the performer, and they were more concerned with money aspect.

In response to Mr. McClure’s question as to why their request went from $25,000 to $60,000, Ms. Brown replied she felt it was a mixed blessing that people did not know they were a nonprofit and always appeared solvent. She added there was always a fear with a nonprofit that if they made their case too urgent, it would frighten people into not buying tickets or putting money into the organization.

Ms. Brown advised presenting theater in a nonprofit world was a tenuous thing at best and they have been reluctant to come forward in the past to state their case as urgently as they should have, but now they felt they had to.

Mr. McClure stated he thought they were going to indicate it was for a specific thing and would be a one-time increase, but now he was concerned they were going to look for an increase year after year for their bottom line. He further stated there were a lot of wonderful cultural players who did not have the ability to bring the kind of acts the State Theatre could who were also going to need funding so this was the dilemma they faced going forward.

Ms. Smith advised they were in a really competitive situation right now because a lot of the performers were going to other venues for more money. She further advised she felt it was time that people really looked at what the State Theatre brought to the community. She further advised at the end of the day, ticket revenues only covered two thirds of their expenses and the other third came from the community.

Ms. Smith stated they have been working very diligently to make sure they were fiscally responsible with every dollar they spent. She further stated the State Theatre was not only a historical building, but it contributed in many different ways to the economy of the City and the surrounding areas.
Ms. Brown advised for a long time, they have not let people know the truth about the operation of the State Theatre, but now they would be remiss if they did not make people aware of the competitive situation they were now facing. She further advised this was an economic project for downtown Easton because it brought people to the area.

Mrs. Ferraro stated it made a difference to her to know they actually had to enter bidding wars to get the acts they did. She further stated anyone that had ever dealt with a historic building or home knew what a money pit they could be and they have done a marvelous job.

Mr. Gilbert advised he was impressed with what they were able to do statistically as a nonprofit compared to others of their size and to get the entertainment they have gotten. He further advised there was a resurgence of downtown Easton and it was now competitive in bringing in tourism from the Bethlehem and Allentown market places.

Mr. Gilbert stated for a long time the athletes have gotten all the accolades and now the students of the arts had a venue where they could be celebrated and County Council had a responsibility to serve them. He further stated he not only saw the State Theatre being the icon it was, but it was about the community as a whole.

In answer to Mr. Dietrich’s question as to whether they received any financial support from the City of Easton, Ms. Smith advised they did not, but they had an excellent relationship with them in terms of police presence, planning, codes and everything in terms of being an entity in Easton.

Mr. Dietrich stated the State Theatre did a great job of supporting the City directly and indirectly, but it concerned him they did not receive any financial support from them.

In response to Mr. Parsons’ question as to how many members did they have, Ms. Brown replied they had approximately 3,000 contributing memberships, but their contributions were not huge.

In answer to Mr. Parsons’ question as to how many of those were from Northampton County, Ms. Smith advised she could provide numbers as far as the patrons and they were 39% from
Northampton County, 24% from Lehigh County, 20% from New Jersey and 17% from other areas.

In response to Mr. Werner’s statement that they received funding from the Pennsylvania Council of the Arts and the National Endowment of the Arts, Ms. Smith replied they only received funding from the Pennsylvania Council of the Arts.

Mr. Werner stated the National Endowment of the Arts had more than $150 million as of 2012 so he believed they should seek some of that funding.

Ms. Smith advised she had been actively looking to see where they would fit because they had a number of very particular silos which they had trouble fitting into.

In answer to Mr. Werner’s comment that the City had been fundamental in their renovations, Ms. Brown stated they received Rural Community Assistance Program funds in the amount of $2.25 million from the Commonwealth wherein the City was the grantee and they were the sub-grantee.

In response to Mr. Werner’s question as to what part the sponsors played, Ms. Smith advised the average cost for an artist and the program was approximately $150,000 and their sponsorships ranged from $3,000-$5,000 so it only covered a portion of the cost to put on a show.

Mr. Cusick suggested they meet with Congressman Matt Cartwright and his staff and talk about the National Endowment for the Arts grants.

Ms. Marilyn Kessner, Executive Vice President Regional Chambers and Borough Business Revitalization Program (BBRP), Greater Lehigh Valley Chamber of Commerce Foundation, provided a handout entitled, “Main Street Lehigh Valley” (see Attachment #3). She then introduced Ms. Sharon Davis, Bureau Business Revitalization Coordinator, who worked in Bangor, Pen Argyl and Bath and Ms. Mary Himmelberger, Bureau Business Revitalization and Regional Chamber Coordinator, who worked in Hellertown.

Ms. Kessner stated she wanted to thank the County for the support they have provided over the years for this program, which had been in existence since 2005.
Ms. Kessner advised 53 new business were established and within the last three years, they have received accreditation and several awards. She further advised they helped secure more than $978,000 in grant funding that contributed to approximately $2 million project total and have completed 112 façade projects.

Ms. Kessner stated the funding partnerships have really contributed to accomplishing their projects and then reviewed some of these projects. She further stated every borough had to recommit with a $10,000 budget item, which Hellertown had done and it was believed the other boroughs would too.

Ms. Kessner advised they really wanted to attract businesses to fill the empty storefronts. She further advised they were also working with DLV to get maps and guides out there.

Ms. Kessner stated they were working to get Regional State Designation for possible linkage of trails and waterways, to regionalize the Slate Belt area and with the Small Business Development Center.

Mr. Parsons commented if anyone had a chance to visit Bangor, they should take a look at the mural because it was very impressive and that this program was a great benefit to that area.

In answer to Mr. Cusick’s question as to whether there were any other boroughs involved, Ms. Kessner advised Wilson did participate for five years and then they dropped out. She further advised they were trying to get Nazareth and Northampton involved.

In response to Mr. Gilbert’s question as to why these boroughs either dropped out or have not gotten involved, Ms. Kessner replied she believed it was due to their budgets.

Confirmation of Appointments

Mr. Cusick stated the Personnel Committee met yesterday to consider the County Executive’s appointments to the Comprehensive Economic Development Strategy Committee (CEDS-LVEDC), Children, Youth and Families, Conservation District and
Mr. Kraft introduced the following resolution:

R. 88C2012 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 COMMITTEE (CEDS- LVEDC)**

Appointment: Alicia M. Karner  
Term to Expire: 12/31/15  
129 South Second Street  
Bangor PA 18013

**CHILDREN, YOUTH AND FAMILIES ADVISORY BOARD**

Appointments: Tracy A. Piazza  
Term to Expire: 11/1/14  
411 Apple Blossom Road  
Easton PA 18040

Katherine V. Calandra  
Term to Expire: 11/10/14  
740 Maple Street  
Bethlehem PA 18018

**CONSERVATION DISTRICT**

Appointment: Joel Geiger  
Term to Expire: 12/31/14  
206 Monocacy Drive  
Bath PA 18014

Re-appointments: Brian Fulmer  
Terms to Expire: 12/31/16  
653 Jones Hill Road  
Pen Argyl PA 18072-9762
As there were no questions or comments, Mr. Cusick called for the vote.


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

Dr. Pearce advised he had served on the Mental Health, Early Intervention and Developmental Programs Advisory Board for three years and the organizers of the committee have been so impressive.

County Executive Report

Mr. Stoffa stated he was trying to get a lease for the Human Services building to County Council in December.
Mr. Stoffa advised Northampton County had 149 precincts and on Election Day something went wrong in two of them so he felt the County had been judged pretty harshly because of those two. He further advised he felt Elections did an excellent job considering the week before there was no power.

Mr. Stoffa stated in 2012, 130,774 or 62.46% of registered voters voted, noting in 2008, it was 138,000 or 66% so there were approximately 8,000 fewer voters in this election. He further stated in Forks, there were 14 additional registered voters in 2012 than in 2008 and of those 1,752 people voted in 2012 and 1,891 voted in 2008. He noted in Palmer, there were 135 fewer registered voters in 2012 than in 2008 and of those 1,588 people voted in 2012 and 1,771 voted in 2008.

Mr. Stoffa advised the Judge of Elections at these two locations were elected and appointed their own staff so the County had no control over them. He further advised absentee ballots were about the same as they were in 2008, but the provisional ballots were much higher in 2012.

Mr. Stoffa stated he felt voting in Pennsylvania was horrible because voting only took place on one day so he would like to form a committee to look at the situation that would hopefully include some of the State representatives. He further stated if anyone on County Council wished to be a part of this committee to let him know.

Mr. Kraft advised the employees at the Election Office did an amazing job with all the issues that arose and to have only two polls affected was remarkable. He further advised he would like to be part of that committee.

Mr. Werner stated he would also be interested in being part of the committee.

Public Hearing on the Ordinance Titled, “AN ORDINANCE AMENDING NORTHAMPTON COUNTY ORDINANCE NO. 141-1988, ALSO KNOWN AS THE NORTHAMPTON COUNTY REAL ESTATE RULES AND REGULATIONS ORDINANCE”

Mr. Cusick advised the following ordinance was introduced by Mrs. Ferraro and Mr. Gilbert at the meeting held November 1, 2012:
AN ORDINANCE AMENDING NORTHAMPTON COUNTY ORDINANCE NO. 141-1988, ALSO KNOWN AS THE NORTHAMPTON COUNTY REAL ESTATE RULES AND REGULATIONS ORDINANCE


NOW, THEREFORE, BE IT HEREBY ORDAINED AND ENACTED by the Northampton County Council that, ordinance No. 141-1988, the ordinance titled, “AN ORDINANCE OF THE COUNTY OF NORTHAMPTON PROVIDING FOR RULES AND REGULATIONS GOVERNING THE USE OF THE NORTHAMPTON COUNTY PARK SYSTEM AND OTHER REAL ESTATE OWNED OR LEASED BY THE COUNTY OF NORTHAMPTON AND PROVIDING PENALTIES FOR VIOLATION OF SAME,” 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 PROVIDING FOR RULES AND REGULATIONS GOVERNING THE USE OF THE NORTHAMPTON COUNTY PARK SYSTEM AND OTHER REAL ESTATE OWNED OR LEASED BY THE COUNTY OF NORTHAMPTON AND PROVIDING PENALTIES FOR VIOLATION OF SAME

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

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SECTION 1. TITLE - This Ordinance shall be known as the Northampton County Real Estate Rules and Regulations.

SECTION 2. DEFINITIONS - Except where the context clearly indicates otherwise, the following terms as used in this Ordinance shall have the following meanings:

A. The term "Park System" shall mean any lands or facilities owned or leased by the County of Northampton and designated or used by the County of Northampton, Division of Parks and Recreation for park purposes.

B. The term "Park Employee" shall designate all employees of the County of Northampton, Division of Parks and Recreation.

C. The term "Department" shall mean the County of Northampton, Department of Public Works, Division of Parks and Recreation.

D. The term "Real Estate" shall mean any lands or facilities owned or leased by the County of Northampton and shall include but not be limited to the real estate comprising the Park System.
E. The titles Sheriff and Superintendent of Parks and Recreation shall mean the official or designee(s).

SECTION 3. PARK PERMITS

A. Application for a Park permit shall be made upon the official forms of the Department and shall be accompanied by the required fee except where a free Park permit may be issued.

B. Application for a Park permit may be made at the Department Office, other designated locations, or a request may be made by telephone for an application. Applications and the fee must be in the Department Office well in advance of the requested Park permit or as specified. Fees are required from all commercial or for-profit organizations for use permits.

C. Any gathering or group of people consisting of ten (10) or more persons must first obtain a Park permit to use the Park System.

D. A Park permit is required for the consumption of alcoholic beverages at any Park site or recreational facility.

E. In the event more applications for reservations are received than space is available, such applications shall be considered in the order received by the Department.

F. No person under the age of eighteen (18) years shall be issued a permit to use the Park system unless accompanied by a person eighteen (18) years of age or older.

G. The holder of a special facility use or group permit issued by the Department shall be held responsible for the actions and conduct of the other persons in his party.

H. All visitors to the Parks must comply with all rules of the Department while within the Park system.

SECTION 4. SPECIAL PARK PERMITS - No person shall install equipment or make any alterations or adjustments to existing equipment or facilities within the Park system without the specific approval in writing of the Department.
SECTION 5. HOURS - No person shall be permitted within the Park system between sunset of any day and sunrise of the following day except upon the issuance of a permit by the Department pursuant to the procedure set forth in SECTION 3 hereof within the Park system, or except where allowed by special park regulations.

SECTION 6. DESTRUCTION OR ABUSE OF BUILDINGS, PROPERTY, EQUIPMENT, MARKERS, MONUMENTS, AND OTHER PROPERTIES

No person shall, on County real estate,

A. Destroy, deface, alter, change, or remove any monument, stone marker, bench mark, stake, post, or blazed trail, marking or designation of any boundary line or survey line.

B. Cut, break, mark upon or otherwise injure any building equipment, bridge, drain, wall, foundation, lamp post, fence, gate, hedge, or other structure of installation.

C. Deface, destroy, or remove any placard, notice, or sign, whether permanent or temporary, posted, or exhibited within the Park System, or on any County owned real estate.

D. Injure, deface, alter, write upon, destroy, remove or tamper with in any way, any real or personal property or equipment, including, without limitation, vegetation, owned by, or under the jurisdiction of the County.

SECTION 7. DESTRUCTION OF PLANT LIFE AND NATURAL SURROUNDINGS

No person shall, on County real estate,

A. Cut, remove, or destroy any trees, sapling, seedling, bush or shrub, whether alive or dead, or chip, blaze, box, girdle, trim, or otherwise deface or injure any tree or shrub, or break or remove any branch, foliage, tree or shrub, or pick, gather, uproot, remove, or destroy any flower, fruit, plant or grass except with a permit issued by the Department.
B. Remove or cause to be removed, any natural or man-made material, artifacts, or archeological, or historical items, or to dig any sod, earth, humus, peat, boulder, rock, gravel, or sand, except with a permit issued by the Department.

C. The use of a metal detector requires a County permit. All substances found are the property of Northampton County.

SECTION 8. FIRES

Open fires are prohibited on County property, except as indicated hereafter. Further, no person shall, on County real estate,

A. Set or cause to be set on fire any tree, woodland, brushland, grassland, or meadow.

B. Build any fire except within the fireplaces, grills, receptacles, or open spaces approved and designated by the Department for such purpose.

C. Drop, dump, throw, or otherwise scatter lighted matches, ashes, burning cigars, cigarettes, tobacco paper, or other flammable material.

D. Leave fires unattended at any time or not fully extinguished before being abandoned.

SECTION 9. ANIMALS, BIRDS AND REPTILES

No person shall, on County real estate,

A. Pursue, catch, attempt to catch, strike, molest, wound, or kill any bird, animal or reptile or any nest, lair, den, burrow, or the like of any animal; except, such limited areas which the Department may from time to time designate as authorized hunting and fishing areas, in accordance with the Fish and Game laws of the Commonwealth of Pennsylvania.

B. Hunt, fish or trap except in accordance with the laws of the Commonwealth of Pennsylvania and as authorized by the Department.
C. Permit his dog, or other pet to pursue, catch, wound, or kill any bird, animal or reptile or to disturb the nests, dens, home or place of refuge of any other animal or bird, except as allowed under hunting laws of the Commonwealth of Pennsylvania in designated hunting areas.

D. Drive or pursue any wild bird or animal from the confines of the Park, within the Park System, except under legal hunting procedures where allowed by the Department in Designated hunting areas.

SECTION 10.  HUNTING AND TRAPPING

No person shall, on County real estate,

A. Trap, hunt or allow his dog or other pet to hunt any wild bird or animal except in regulated shooting grounds, fields, or training areas opened to hunting and trapping by the Department in compliance with State laws.

B. Hunt or pursue any wild bird or wild animal that had been wounded or injured outside the Park and had taken refuge within the Park, without being accompanied by Park system personnel, within the Park system, except as allowed under hunting laws of the Commonwealth of Pennsylvania adjacent to Parks where hunting is allowed by the Department.

SECTION 11.  REGULATED SHOOTING GROUNDS ON COUNTY OWNED REAL ESTATE

The Department may set aside areas open to the public for the purpose of hunting and trapping, and for target shooting ranges. Such areas will be regulated by the State and Federal laws concerning them, and violation of those regulations will be a direct violation of this section.

SECTION 12.  FIELD TRIAL AREAS ON COUNTY OWNED REAL ESTATE

A. The Department may set aside areas on a permit basis to be used as field trial areas. Such areas will be open in compliance with Pennsylvania Game Laws.
No person shall,

B. Bring his or her pet or animal into any field trial area during designated periods.

C. Bring his or her dog or other pet into any field trial area unless said dog or pet holds a current year's license.

D. Allow his or her dog or other pet to be other than in complete control.

E. Possess any firearm or ammunition in the field trial area except for designated gunners for trial purposes.

SECTION 13. FISHING

A. Fishing within the Park system waters shall be permitted only in such areas and at such times as are designated by the Department. In all cases, the Pennsylvania fishing laws shall be applicable to all Park System waterways. The failure to comply with such Pennsylvania Fish Commission fishing laws shall be in a direct violation of this section.

No person shall,

B. Fish in any wildlife sanctuary or outdoor education area or any place where "No Fishing" signs have been posted by the Department.

C. Fish without being the holder of a current resident or nonresident fishing license as may be required by applicable Pennsylvania Fish Commission laws, within the Park system.

SECTION 14. CONTRABAND

All game, animals, fowl, birds, fish and other aquatic animals, live, hunted, killed, taken or destroyed, bought, sold, bartered or possessed contrary to any of the provisions of SECTION 8 thru 13 of this ordinance shall be declared to be contraband, and the same shall be subject to seizure and confiscation and shall be turned over to the Department for disposal.
SECTION 15. SWIMMING, BATHING AND WADING ON COUNTY REAL ESTATE

No person shall,

A. Swim (including tubing), bathe or wade between sunset and sunrise in any of the water courses, lakes, pools, ponds or sloughs unless by permit.

B. Swim (including tubing), bathe or wade except at such times and places as may be designated for such purposes.

C. Carry or consume any food or beverage or have in possession any glass or metal container at any swim area or in the water adjacent to the above mentioned areas unless otherwise designated.

D. Bathe (including tubing) in any Department operated pool/beach area unless said swimming area is open for operation.

E. Bathe, swim (including tubing) or wade in any water area designated as "Unsafe for Swimming" at such time or times within the sole discretion of the Department, within the Park system.

SECTION 16. BOATING AND OTHER WATERCRAFT

No person shall,

A. Use or navigate any boat, yacht, canoe, raft, or other watercraft upon any watercourse, lagoon, lake, pond or slough except at such time or places as may be provided or designated for such purpose.

B. Operate a watercraft unless it complies with the Fish and Boat Code Act 1980-175, 30 Pa. C.S., and the regulations promulgated by the Pennsylvania Fish Commission.

C. Use air mattresses, inner tubes and inflatable devices except in designated swimming areas. These may not be used elsewhere. Tubing is not allowed except within designated swimming areas on County property.
D. Use a boat or other watercraft in any park area unless registered with the Department and supplies with approved and the required number of personal floatation devices and said craft must be used only in a safe, orderly manner so as not to endanger any person or property.

E. Operate watercraft propelled by internal combustion engines on any County owned or leased waters without written Department permission, within the Park system.

F. Launch and retrieval of watercraft and tubers on County property by commercial or for-profit organizations requires payment of a fee and permit form from the Department.

SECTION 17. CAMPING ON COUNTY REAL ESTATE

No person shall,

A. Camp, or erect or maintain a tent, shelter, or structure on County property either individually or as part of a public assembly, except in such areas as may be provided and designated for such purposes by the Department. Structures erected by the County as part of County property or as part of a temporary exhibition in connection with an authorized special event are exempt from this prohibition. No person or group shall camp without a permit issued by the Department.

B. Have more than two cars, two tents, or one camper trailer to occupy an individual camp site unless otherwise specified. Each car must be registered on the camp permit.

C. Cause, create or make any noise or disturbance which is a hindrance to the peace, quiet and tranquillity of the camping area.

D. Wash dishes at pumps or drinking fountains; to fail to clean camp sites daily or to discharge waste waters or any other wastes, except into designated containers or dumping stations.

E. Dig a trench or make any excavation on any camp site.

F. Occupy a camp site after check out time on the last day covered by the permit.
G. Occupy a camp site contrary to assignment as may be made by the Department's authorized representative.

H. Camp with a self-contained house trailer, camper trailer or camper bus except in camp sites provided for that purpose and it must not exceed the designated length.

I. Enter upon the camp site of another or be within twenty (20) feet of any tent, shelter or cabin of another, whether occupied or not, without first obtaining an invitation or permission to do so by the person to whom the camp site or cabin has been issued a permit within the Park system.

SECTION 18. CONTINUOUS CRUISING IN AND NEAR CAMPGROUNDS OR PICNIC AREAS

No person shall continuously cruise in any motor driven vehicle in, through, and around camp areas or picnic areas within the Park system.

SECTION 19. OPERATION AND PARKING OF MOTORIZED DRIVE VEHICLES ON COUNTY REAL ESTATE

It shall be unlawful for persons operating a motor vehicle on lands owned or leased by the County of Northampton to commit any violation of the Motor Vehicle Code of the Commonwealth of Pennsylvania, including but not limited to the following infractions enumerated below. For violations of Section 19, the Department of the County Sheriff and the Parks Superintendent or his or her agent shall be empowered to issue fines consistent with the current schedule of fines for infractions under this subsection which also constitute infractions of the Motor Vehicle Code of the Commonwealth of Pennsylvania. For infractions which are violations of this subsection only, the Sheriff or County Parks Superintendent or his or her agent shall be authorized to issue a citation/ticket according to the following schedule: $15.00 per violation if the citation/ticket is paid within 14 business days including the date on which it was issued. The fine shall increase to $30.00 per citation/ticket if the citation/ticket is not paid after 14 business days of its issuance. All fines for violation of this subsection shall be payable to the County of Northampton.
For infractions which are violations of subsection S only, the Sheriff or County Parks Superintendent or his/her agent shall be authorized to issue a citation/ticket according to the following schedule: $50.00 per violation if the citation/ticket is paid within 14 business days including the date on which it was issued. The fine shall increase to $70.00 per citation/ticket if the citation/ticket is not paid after 14 business days of its issuance. All fines for violation of the subsection shall be payable to the County of Northampton.

Violations of the Motor Vehicle Code which are not specifically enumerated herein shall be incorporated by reference and shall constitute a violation of this County Ordinance.

No person shall, while on land owned or leased by the County of Northampton,

A. Park outside of designated parking areas, including but not limited to: on a sidewalk, within 15 feet (or the current Commonwealth parking distance limit) of a fire hydrant; within 20 feet (or the current Commonwealth distance limit) from a crosswalk at an intersection; within 30 feet (or the current Commonwealth designated distance limit) of a stop sign.

B. Operate a vehicle and stop, stand or park said vehicle in any place marked as a passenger or loading zone, other than for expeditious loading or unloading of passengers, or for the unloading and delivery or pick up and loading of materials.

C. Operate a vehicle and stop, stand or park such vehicle upon any roadway or in any parking area in such manner as to form an obstruction to traffic thereon or to block the exit or removal of another vehicle, including but not limited to double parking; parking in a fashion which creates a risk of damage or harm to other vehicles or drivers; parking in a fashion which disrupts access of emergency vehicles to a designated area.

D. Drive upon or park upon any lawn or grassy area not designated as a parking area unless specifically authorized to do so by the Department authority in charge of the management of said lawn.
E. Operate and stop, stand or park a vehicle in such a manner as to block any fire lane, fire trail, camp site road, maintenance road, boat ramp or bike/hike/horse trail.

F. Operate a vehicle and park in any place where “No Parking” signs have been erected.

G. Park a vehicle on County property for purposes other than use of the specific facility or County services, or on County business.

H. Operate and park a vehicle in such a manner as to block the exit or removal of another vehicle which does not exhibit a current Pennsylvania vehicular registration or inspection certificate.

I. Operate and park a vehicle in such a manner as to take up more than one designated parking spot.

J. Operate a motor vehicle in excess of fifteen (15) miles per hour in any park unless a higher rate of speed has been posted.

K. Operate a vehicle in any park, or place other than roadways open to and regularly traveled by the general public except for vehicles authorized by the Department for the purpose of maintenance, improvement, or patrol, or in an area set aside as a special use area.

L. Operate and/or park any vehicle upon any property or roadway intentionally, knowingly, recklessly or carelessly disregarding the rights and safety of others or in a manner so as to endanger any person or property.

M. Operate any type of minibike, trail bike, all-terrain vehicle, snowmobile, or other vehicle that is not or cannot be registered for operation on the public highways except in areas designated and designed for their purpose, and then only with the Department approval and appropriate permit.

N. Fail to yield the right-of-way to any person riding a horse, hiking and or biking on marked trails where such trails cross streets or roadways.
O. Fail to come to a complete stop at a stop sign. Stop signs are authorized at the following sites:

I. Courthouse/Government Center - Intersection with Government Center loop road entrances with Washington Street and Union Street.

II. Gracedale - Intersection of the main entrance with Gracedale Avenue (LR480070), and the intersection of the north entrance with LR480082.

III. Louise W. Moore Park:
   a. West intersection of the park road with Country Club Road (T454).
   b. East intersection of the park road with Country Club Road (T454).

IV. Minsi Lake/Bear Swamp:
   a. Intersection of the western Minsi Lake park entrance with Blue Mountain Drive (T726).
   b. Intersection of the eastern Minsi Lake park entrance with Brogler Road (T7005) and Johnsonville Road (LR48032).
   c. Intersection of the Bear Swamp park entrance with Johnsonville Road (LR48032).

V. Wy-Hit-Tuk Park - Intersection of the park entrance with PA Route 611.

VI. Northampton and Bath Railroad Right-of-Way Trail:
   a. East and West intersection of the trail with Airport Road (LR480086).
   b. East and West intersection of the trail with Weaversville Road (LR48049).
   c. East and West intersection of the trail with Jacksonville Road (T503).
VII. Mud Run Park - Intersection of the park entrance with Mud Run Road (T660).

VIII. Mt. Jack Park - Intersection of the park entrance at Doe Hollow with the Riverton to Portland Road (LR48073).

IX. Fry's Run Park - Intersection of the park entrance with Royal Manor Road (T418).

P. Fail to yield at a yield sign.

Q. No person shall park a vehicle on County property for the principal purpose of washing, cleaning, greasing, or making mechanical repairs on such vehicles except when necessitated by an emergency on any vehicle.

R. Use park roadways as thoroughfares; permits are required for the operation of or the parking of commercial and farm equipment; prior authorization is required for the parking of a truck or trailer on County real estate.

S. For violations of Section 19, the Department of the County Sheriff and the Parks Superintendent can issue tickets with fines of $15.00, for each violation, payable to the County of Northampton.

S. No parking of any vehicle not bearing a registration plate issued to a handicapped person or disabled veteran or displaying a current handicapped placard as prescribed by the State Vehicle Code in a spot signed for parking for handicapped persons.

T. No person shall park a vehicle on County property for the principal purpose of displaying such vehicle for sale.

U. No persons shall park any vehicle on County property in excess of posted time limitations by sign or meter.

V. No person shall park a vehicle or allow a vehicle to be parked on County property for an extended amount of time, defined as 7 days or more without permission from the County Executive or his designee.
In conjunction with and in addition to SECTION 19, Subsection A thru S of this Ordinance, the motor vehicle code of the Commonwealth of Pennsylvania shall apply to all Northampton County owned or leased real estate.

SECTION 20. HORSES AND OTHER BEASTS OF BURDEN

No person shall,

A. Ride or lead a horse or pony upon any property administered by or under the jurisdiction of the Department except on specifically designated and posted areas or bridle trails.

B. Ride a horse in a careless, negligent or reckless manner so as to create a nuisance or to endanger the life, property or persons within the Park system.

SECTION 21. SKATEBOARDING, ROLLER SKATING, ROLLER BLADING, SCOOTERING OR BICYCLING ON COUNTY REAL ESTATE

No person shall,

A. Operate a bicycle unless as close to the right-hand curb or right-hand side of the path, trail or roadway as conditions will permit.

B. Operate any bicycle while upon any path, trail or roadway to carry any person upon the handlebar or frame of the bicycle, except in the case where a bicycle is equipped to carry more than one person.

C. Operate a bicycle upon such paths, trails or roadways that are posted by the Department before sunrise and after sunset unless otherwise permitted.

D. Leave or park any bicycle upon any road or parking lot that is open to the public on which motor vehicles may be driven.

E. Leave or park bicycles in walkways or active play areas, but should use appropriate racks when available.
F. Ride or operate a bicycle, or BMX bicycle on grass, hillsides, steep slopes, in play areas, in picnic areas, on ball fields, or in congested areas. BMX bicycles must be operated in specially designated areas and only when the operator is wearing an approved helmet, approved safety clothing and using an inspected bicycle.

G. Skateboard, roller skate, roller blade, or operating a bicycle or scooter on County property, except at such times and upon such places as may be designated or maintained for such purposes and in compliance with all applicable helmet laws. In all other areas, these activities are prohibited. No person shall skateboard, roller skate, roller blade, or operate a bicycle or scooter in a manner, which is unreasonable for the existing conditions or which endangers the safety of persons (including themselves) or property. Stunt riding and trick riding are hereby deemed to be inherently dangerous and are prohibited.

SECTION 22. TRESPASS ON COUNTY REAL ESTATE

No person shall,

A. Drive or cause to be driven any horse, cattle, sheep, goats, swine or other livestock upon or across any property administered by or under the jurisdiction of the Department without a permit.

B. Enter upon any grounds that have been posted by the Department with "No Trespassing" or "Special Wildlife" signs, or any sign that would indicate that the area is not open to the general public without first obtaining a permit issued by the Department.

C. Enter any building that is not open to and regularly used by the public.

D. Without authorization, enter or remain upon any County property or within any structure during such times when such property or structure has been designated as closed by a sign, the Department or the Northampton County Sheriff.

E. Enter upon or disturb any construction or equipment on County property except for authorized County personnel.

SECTION 23. PEDDLING AND SOLICITING ON COUNTY REAL
Estate

No person shall peddle or solicit business of any nature whatever or collect any funds for any service or charity, or to distribute handbills or other advertising matter, to post unauthorized signs on any lands, water structures or property administered by or under the control of the Department or to use such lands, waters, structures or property unless first obtaining a permit from the Department. The use of County property or facilities by a commercial or for-profit organization requires the payment of a fee and the obtaining of a permit from the Department.

SECTION 24.  UNLAWFUL OBSTRUCTION

No person shall force, threaten, intimidate, fence, enclose or by any other means, prevent or obstruct any person from entering, leaving or making full use of the Park system unless under the jurisdiction of the Department consistent with the terms of this ordinance and other applicable statutes, rules and regulations, and then only by persons authorized to do so by the Department within the Park system.

SECTION 25.  HINDERING EMPLOYEES AND LAW ENFORCEMENT OFFICERS ON COUNTY REAL ESTATE

No person shall interfere with, use profanity toward, or in any manner hinder any employees or agents of the County, or law enforcement officers who are performing their official duties.

SECTION 26.  RESISTING PARK EMPLOYEES OR LAW ENFORCEMENT OFFICERS

No person shall,

A. Interfere with or use profanity toward any Park employee or law enforcement officer in the performance of his duties; or fail or refuse to obey any lawful command or refuse to assist any Park employee during an emergency in the performance of his duties within the Park system.

B. Fail to comply with a lawful order of any law enforcement officer, an authorized employee of the Department or
the direction of any sign erected by, or at the direction of, the Department or the Northampton County Sheriff.

SECTION 27. IMPERSONATION OF A PARK EMPLOYEE OR LAW ENFORCEMENT OFFICER

No person shall impersonate any Park employee or law enforcement officer for any reason whatsoever within the Park system.

SECTION 28. DRUGS AND NARCOTICS ON COUNTY REAL ESTATE

No person shall possess or be under the influence of any illegal drug or narcotic while in or upon any property administered by or under the jurisdiction of the Department. Any illegal drugs or narcotics in the possession of anyone shall be confiscated by the Park employee or law enforcement officer.

SECTION 29. ALCOHOLIC BEVERAGES

No person shall possess, without a special permit, or be under the influence of any alcoholic beverage while in or upon any property administered by or under the jurisdiction of the Department. Any alcoholic beverage in any persons possession without a permit, shall be confiscated by the Park employee or law enforcement officer. With a permit, alcoholic beverages may be possessed only in association with a picnic and accompanying the serving of food and in accordance with the regulations of the Department and laws of the Commonwealth of Pennsylvania.

SECTION 30. PERSONAL CONDUCT ON COUNTY REAL ESTATE

No person shall

A. Engage in any violent, abusive, loud, boisterous, vulgar, lewd, wanton, obscene or otherwise disorderly conduct tending to create a breach of the peace, or to disturb or annoy others, while in or on any property administered by or under the jurisdiction of the Department.

B. Commit any indecent or immoral act tending to debauch the morals or manners of the public while in or on any property
SECTION 31. DISORDERLY BEHAVIOR

A. A person who commits any of the following actions shall be deemed to be engaging in disorderly behavior in violation of these rules when such person:

(1) engages in a course of conduct or commits acts that unreasonably alarm or seriously annoy another person;
(2) throws stones, other objects or missiles which may inflict bodily injury or damage to persons or property;
(3) obstructs vehicular or pedestrian traffic;
(4) climbs upon any wall, fence, structure or monument;
(5) engages in or encourages fighting or violent or threatening behavior;
(6) engages in a course of conduct or commits acts that endangers the safety of others or creates an unreasonable risk of damage to real or personal property;
(7) deposits bodily wastes upon grounds or other surfaces;
(8) makes or causes noise at a rate of over 95 decibels outdoors or 90 decibels indoors for an unreasonable period of time;
(9) throws away or discards any lighted match, cigar, cigarette, charcoal or other burning object other than in a receptacle provided for that purpose;
(10) operates any wheeled vehicle, snowmobile, or other equipment in such a manner as to endanger other persons or property or in such a manner so as to create an unreasonable noise or disturbance;
(11) swims or wades in any pool or fountain.
SECTION 32. LOITERING FOR ILLEGAL PURPOSES

A. A person shall be guilty of loitering for illegal purposes in violation of these rules when such person:

(1) loiters or remains on any County property for the purpose of engaging or soliciting another person to engage in sexual activity; or

(2) loiters or remains on any County property for the purpose of unlawfully using, possessing, purchasing, distributing, selling or soliciting marijuana, alcohol or any controlled substance.

SECTION 33. USE OF ESCALATORS AND STAIRWAYS

No person shall use an escalator or stairway for other than its intended purpose. No person shall walk or run on an escalator in the opposite direction of its rotation. No person shall ride a bicycle, scooter, operate a vehicle, skateboard, roller blade, or roller skate upon any escalator or stairway. No person shall bring a cart or baby stroller or baby carriage upon any escalator or stairway.

SECTION 34. RUNNING OR JOGGING

No person shall run or jog in the interior area of a building on County property.

SECTION 35. HITCHHIKING

No person shall solicit a ride or hitchhike on County property. No person shall pick up a hitchhiker on County property.

SECTION 36. MINORS
No person having custody or control of a minor shall permit such minor to do any act in violation of a rule or regulation of the County. Minors under 14 years of age shall at all times while on County property be under the supervision and control of a parent, guardian or responsible custodian.

SECTION 37. USE OF LOUDSPEAKER, RADIO, PHONOGRAPH, TAPE RECORDERs OR TELEVISION

No person shall,

A. Use a loudspeaker, public address system, amplified musical instruments, or amplifier within or upon Department property without a permit issued by the Department.

B. Play or cause to play any musical instrument, radio, phonograph, tape recorder, television, stereo tape, etc., in a loud or boisterous manner which tends to disturb or annoy any visitor.

C. Possess any radio, phonograph, stereo tape, or television while using the outdoor education areas unless a permit is issued. Tape recorders may be used for the purpose of recording only.

SECTION 38. FIREWORKS ON COUNTY REAL ESTATE

No person shall fire, discharge, or have in their possession any rocket, firecracker or other fireworks or any substance of an explosive nature unless the Department issues a permit.

SECTION 39. FIREARMS, HATCHETS AND KNIVES, ETC. ON COUNTY REAL ESTATE

No person shall,

A. Bring into or upon County real estate, nor have in his possession, nor discharge, or set off anywhere upon said properties, a revolver, pistol, shotgun, rifle, air rifle, air gun, water gun or any gun, rifle, firearm, or bow or other weapon that discharges projectiles either by air, explosive
substance or by any other force. Except that this section shall not apply to any deputy sheriff, police officer, peace officer, park employee or other duly appointed law enforcement officer while carrying out the duties and responsibilities of his position nor to any person while on or in those areas which may from time to time be designated as hunting areas by the Department or while upon designated target ranges or areas.

B. Possess any type of knife, hatchet or ax unless engaged in camping for an appropriate use.

C. Possess any of the above items in this section; otherwise the Park employee or law enforcement officer shall confiscate any article or weapon in the possession of any person which is in violation of this section.

SECTION 40. POSSESSION OF FIREARMS OR OTHER DANGEROUS WEAPONS IN A COURT FACILITY AND/OR IN THE COURTHOUSE

The policies regarding the possession of firearms or other dangerous weapons in a Court facility and/or in the Courthouse shall be in accordance with Section 913 of the Pennsylvania Crimes Code and/or the issuance of a Court Order by the Northampton County Court of Common Pleas.

SECTION 41. HOT AIR BALLOONS, AIRCRAFT AND PARACHUTISTS ON COUNTY REAL ESTATE

No person shall make any ascent in any balloon or aircraft, or any descent in or from any balloon, aircraft or parachute unless authorized by the Department within the Park system.

SECTION 42. LITTERING, DUMPING AND POLLUTION OF WATERS ON COUNTY REAL ESTATE

No person shall,

A. Discard, deposit, dump, litter or allow to blow away any refuse of any kind or nature except by placing said refuse in containers provided for such purpose.
B. Bring or dispose of any type of trash, refuse or debris in any park whether disposing of it in receptacles or not, if such refuse did not result from Park usage within the Park system.

C. Deposit household or commercial refuse on County property.

SECTION 43. **SKATING AND COASTING ON COUNTY REAL ESTATE**

No person shall,

A. Skate, sled, snowshoe, walk or go upon any ice, or ski except at such times and upon such places which may be designated or maintained for that purpose.

B. Coast with hand sleds, bobsleds, carts or other vehicles, on wheels or runners, except at such times and places as may be designated or maintained for that purpose within the Park system.

SECTION 44. **PUBLIC EXHIBITION ON COUNTY REAL ESTATE**

No person shall exhibit any machines, animals or indulge in any aerobatic exhibitions, nor shall any person carry on any performance or do anything whatsoever which shall cause persons to congregate as to interfere with the proper use of such property by the general public, or to obstruct the passage of vehicles or persons, without first having obtained a permit from the Department.

SECTION 45. **ANIMALS AND BIRDS ON COUNTY REAL ESTATE**

No person shall,

A. Cause any animal or fowl to run at large, except in designated areas.

B. Bring, drive or lead any animal onto County real estate except that horses may be ridden by persons in charge
thereof or driven before a vehicle attached thereto in areas as may be designated for riding or driving by the Department by permit.

C. No dogs are allowed at Louise W. Moore Park, Wy-Hit-Tuk Park, or in any County conservation area except for seeing eye dogs.

D. Bring, drive, lead or carry any dog, animal or pet which is unleashed or on a leash more than six (6) feet in length. Animals must be under the immediate control of a competent person except for animals used in hunting or field trails by permit. No pets are allowed in picnic areas or the children's play areas. Pet owners must remove all feces deposited by their pets on County property.

E. Permit his dog or pet to enter any public building or to be upon any designated swimming area except for a trained seeing eye dog.

F. Permit any horse or other animal to stand unattended unless in the charge of a competent person.

G. Torture, ill-treat or neglect any animal or fowl.

H. Bring any pet or animal into any park area unless said pet or animal has been properly inoculated and has a current year's license, if so required.

I. Allow any pet or animal to enter into any water area except in those areas designated as dog training areas where retriever dogs may enter the water for training purposes and in designated hunting areas.

J. Allow any pet or animal to run at large which is deemed after due consideration by the Park employee or law enforcement officer a threat to the public health, safety and welfare; therefore, it shall be the responsibility of every park employee or law enforcement officer to kill the animal if other means are not available or prove unsuccessful.
No person shall use any restrooms on County property or any fixture or equipment therein for other than its intended purpose. Prohibited activities include, but are not limited to, bathing, washing clothes or sleeping.

SECTION 47. SMOKING

No person shall smoke in any area, building or portion of a building, structure or portion of a structure, on County property where signs are in place advising that smoking is prohibited at such locations.

SECTION 48. FIRE PROTECTION EQUIPMENT

No person shall tamper with fire protection equipment on County property.

SECTION 49. FEES, CHARGES AND PERMITS

A. The Department shall have the authority to issue a fee schedule for permits, set the amount of deposits, and prescribe conditions. Such revenue shall be used for recreation, park and conservation purposes.

B. No person shall use any facility, land or area for which a fee or charge has been established by the Department without payment of such fees or charge.

C. No person shall enter upon or use any County property without having paid applicable charges or fees.

SECTION 50. SECURITY IDENTIFICATION CARDS

A. No person shall convey or lend their Northampton County security identification card to another person(s) for the purpose of allowing said person(s) to gain unauthorized entry onto County property.

B. Any person found to be in possession of a Northampton County security identification card who is unauthorized to carry
such a card shall be subject to criminal prosecution and/or
disciplinary action.

C. All lost or stolen Northampton County security
identification cards shall be immediately reported to the
Northampton County Information Services Division, 669 Washington
Street, Easton, PA 18042-7483.

D. Upon separation from County service or termination of
contractual services, the Northampton County security
identification card shall be surrendered to the issuing agent. Failure to do so may result in criminal prosecution and/or
disciplinary action.

SECTION 51.  EMERGENCY POWERS

Nothing in these rules shall,

A. Prohibit or hinder duly authorized agents of the
Department of any police officers from performing their official
duties.

B. Prohibit the Department from establishing rules and
regulations required to protect the health, welfare and safety
of park visitors and County owned or leased real estate.

SECTION 52.  TOWING VEHICLES

The Sheriff of Northampton County and the Superintendent of
Parks and Recreation shall be responsible for the removal of
illegally parked vehicles from County owned real estate.

SECTION 53.  ENFORCEMENT

A. This ordinance shall be enforced by law enforcement
officers and law enforcement agencies, which shall include
County security officers.

B. It shall be the duty of the Superintendent of Parks
and Recreation to assure to the enforcement of this ordinance.

SECTION 54.  PENALTIES AND ARRESTS
Any person who violates any provision of this Ordinance shall, for every such offense, upon conviction thereof, in a summary proceeding before a District Magistrate, be sentenced to pay a fine of not less than Five ($5.00) dollars nor more than Three Hundred ($300.00) dollars and/or to undergo imprisonment for a term of not more than thirty (30) days. Where such violator has removed, destroyed, damaged, defaced or befouled the recreation, park or other County owned or leased real estate or the contents thereof, the cost of maintenance, repair or replacement shall be charged to such person or group in addition to any fine. Further use of recreation, park and reservation facilities may be denied to violators of this Ordinance in addition to the imposition of fines. All prosecutions shall he brought in the name of the County of Northampton. All fines shall be paid to the County of Northampton and are for the maintenance of County parks.

SECTION 55. SEVERABILITY

The provisions of this Ordinance are severable; and if any part hereof shall be held to be unconstitutional or otherwise invalid by any Court, such decision shall not affect or impair any of the remaining provisions of the Ordinance. It is declared to be the intent of the Northampton County Council that this Ordinance would have been adopted even if such invalid provision had not been included therein.

SECTION 56. ORDINANCE REPEAL

All Ordinances and resolutions or parts of Ordinances and resolutions insofar as they are inconsistent herewith are hereby repealed.

Public Hearing

Mr. Cusick asked if there were any questions or comments from the public.

There were no respondents.

Mrs. Thierry asked since she missed the last meeting if a brief explanation of the ordinance could be provided.
Sheriff Randall Miller stated the changes to this ordinance were related to the parking situation in all of the County’s garages and lots because the original ordinance dealt more with parks and agricultural areas. He further advised these changes were based on both Bethlehem’s and Allentown’s rules and regulations and it would make enforcement easier.

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 Elected Officials Salary Ordinance

Mr. Cusick advised the following ordinance was introduced by Mr. Kraft and Mrs. Ferraro at the meeting held November 1, 2012:

AN ORDINANCE PROVIDING FOR COMPENSATION OF Elected Officials IN THE COUNTY OF Northampton

WHEREAS, Northampton County Home Rule Charter Section 106. Compensation provides that, The County Council shall have the power by ordinance to set the salary of each elected official. No ordinance shall increase or decrease the salary of an elected official during his term of office. No ordinance which increases or decreases the salary of an elected official shall take effect less than one (1) year after its date of enactment.

NOW, THEREFORE, IT IS HEREBY ORDAINED AND ENACTED By the Northampton County Council that:

I. Effective January 1, 2014, the County Executive of the County of Northampton shall be compensated on a per annum basis in the amount of ninety-five thousand dollars ($95,000.00).
II. Effective January 1, 2014, the members of the Northampton County Council shall be compensated on a
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per annum basis in the amount of nine thousand five hundred dollars ($9,500.00). The President of County Council shall receive an additional eight hundred dollars ($800.00) per annum as compensation for his/her responsibilities as presiding officer.

IT IS FURTHER ORDAINED AND ENACTED that the Northampton County Council shall review the salaries of all Northampton County Elected Officials within four years of the effective date of this ordinance.

Public Hearing

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

Mr. Ron Angle - stated he did not understand why this change was even being brought forth because the people in the County were facing economic hard times. He further stated he heard they had to increase the salary of the County Executive to get qualified candidates, but he did not think that was true.

Mr. Dietrich advised he was always against elected officials voting for their own pay raises whether it affected them directly or not. He further advised in this economy, it was definitely the wrong time to even consider this.

Mrs. Thierry remarked she also could not support this ordinance and agreed with the comments of Mr. Angle and Mr. Dietrich.

Mr. Kraft stated he was presenting this ordinance because he was looking at the salaries of elected officials in the townships under the purview of the County Executive. He further stated they looked at what had previously been proposed some years ago and brought it down to $95,000, noting there were individuals running townships that were making more than $110,000.

With regard to the salary of the County Council President, Mr. Kraft advised he had asked for a $500 bump, but it was brought down to $300. He further advised he thought the
increase was warranted because the President went to every meeting and they should be compensated for their travel time.

Mr. Cusick stated there were several township managers in the Lehigh Valley that made substantially more than the County Executive. Furthermore, he had the Department of Human Services review employee salaries and in 2011, there were 37 County employees that made more than the County Executive.

Mr. Cusick advised the County Executive oversaw a budget of more than $300 million and 2,000 employees. He further advised if you looked at the Career Service raises over the years, this raise would be in line with them.

Mrs. Ferraro stated the Gracedale employees were asked to give back and she did not think anyone ran for County Executive because of the money and if they did, then they were running for the wrong reason. She further stated they should not be looking at the township salaries, but maybe they should be rolling back some of their salaries.

Mrs. Ferraro advised in the history of County Council, most of the County Executives had retired from a job and received a pension and this was just an additional salary for them.

Mrs. Thierry stated she agreed with Mrs. Ferraro that a second look should be given to the township salaries because she wondered how many could actually afford those salaries right now.

Mr. McClure advised there was a lot of debate about $10,300 and it made him wonder why there was not a lot of debate during the Hotel Tax presentations. He further advised the Main Street initiative was a wonderful program, but he did not feel it qualified for tourism dollars and the GLVCCF did not need the County’s tax money to fund this project.

Mr. McClure stated they were not even discussing whether the County should be in the business of sustaining for profit concert promoters. He further stated it may be because it was coming from the Hotel Tax and other people were paying that tax, but they were our friends and relatives who came to this area for a variety of reasons. Therefore, he felt there should be a lot more discussion regarding these issues.
As there were no further questions or comments, Mr. Cusick called for the vote.


The ordinance failed by a vote of 2-7.

Public Hearing on the Ordinance Providing for Amendments to the 2012 Northampton County Budget

Mr. Cusick advised the following ordinance was introduced by Messrs. Cusick and Gilbert at the meeting held November 1, 2012:

AN ORDINANCE AMENDING THE 2012 NORTHAMPTON COUNTY BUDGET: DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT - COMMUNITY DEVELOPMENT GRANT, GAMING HOST COUNTY TABLES, GAMING HOST COUNTY SLOTS, HOTEL TOOM RENTAL TAX; 2012 GENERAL OBLIGATION BOND ISSUE - SERIES A & B; DEPARTMENT OF FISCAL AFFAIRS - BALANCING OF BUDGET; DEPARTMENT OF ADMINISTRATION - GAMING AUTHORITY GRANTS, CONSERVATION DISTRICT, EMERGENCY MANAGEMENT; CORONER; DEPARTMENT OF PUBLIC WORKS - PARKS & RECREATION, LOUISE MOORE PINE BEQUEST; DEPARTMENT OF HUMAN SERVICES - PASS THROUGH GRANTS, HOMELESS ASSISTANCE, DEVELOPMENT FUND, CHILDREN, YOUTH & FAMILIES, AREA AGENCY ON AGING, HEALTHCHOICES, MENTAL HEALTH, DEVELOPMENTAL PROGRAMS, DRUG & ALCOHOL, GRACEDALE; CAPITAL PROJECTS - JUVENILE JUSTICE CENTER, PARKING DECK RENOVATION, BRIDGE RENOVATIONS
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### Human Services - Children, Youth & Families

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<tr>
<td></td>
<td>41145 Healthy Beginnings</td>
<td>2,355,400</td>
<td>28,200</td>
<td>2,383,600</td>
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<tr>
<td></td>
<td>41173 SSI with Medicare</td>
<td>6,001,300</td>
<td>175,500</td>
<td>6,176,800</td>
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<tr>
<td></td>
<td>41175 SSI without Medicare</td>
<td>22,136,400</td>
<td>2,088,400</td>
<td>24,224,800</td>
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<tr>
<td></td>
<td>41180 Temp Assist Needy Families</td>
<td>9,237,500</td>
<td>(537,000)</td>
<td>8,700,500</td>
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<tr>
<td></td>
<td>41345 Categorically Needy</td>
<td>3,523,500</td>
<td>(468,700)</td>
<td>3,054,800</td>
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<tr>
<td></td>
<td>41555 Medically Needy</td>
<td>142,800</td>
<td>(15,400)</td>
<td>127,400</td>
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<tr>
<td></td>
<td>44010 Interest on Investments</td>
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</tr>
<tr>
<td>57101</td>
<td>69999 Pooled Subcontracted Services</td>
<td>12,290,560</td>
<td>(537,000)</td>
<td>11,753,560</td>
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<tr>
<td>57102</td>
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<td>3,511,990</td>
<td>28,200</td>
<td>3,540,190</td>
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<tr>
<td>57103</td>
<td>69999 Pooled Subcontracted Services</td>
<td>6,438,670</td>
<td>175,500</td>
<td>6,614,170</td>
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<tr>
<td>57104</td>
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<td>24,741,133</td>
<td>2,027,600</td>
<td>26,768,733</td>
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<tr>
<td>57105</td>
<td>69999 Pooled Subcontracted Services</td>
<td>1,755,990</td>
<td>(841,600)</td>
<td>914,390</td>
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<tr>
<td>57106</td>
<td>69999 Pooled Subcontracted Services</td>
<td>4,097,285</td>
<td>2,027,600</td>
<td>26,768,733</td>
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<td>57107</td>
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<td>585,395</td>
<td>(15,400)</td>
<td>569,995</td>
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### Human Services - Mental Health

<table>
<thead>
<tr>
<th>Code</th>
<th>Description</th>
<th>Base Allocation</th>
<th>CHIPP</th>
<th>HealthChoices</th>
<th>Interests on Investments</th>
<th>Pooled Subcontracted Services</th>
<th>Pooled Subcontracted Services</th>
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<tbody>
<tr>
<td>57400</td>
<td>41330 Base Allocation</td>
<td>3,092,100</td>
<td>103,800</td>
<td>3,195,900</td>
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<td></td>
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<tr>
<td></td>
<td>41350 CHIPP</td>
<td>9,062,300</td>
<td>(77,900)</td>
<td>8,984,400</td>
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<tr>
<td></td>
<td>42505 HealthChoices</td>
<td>31,900</td>
<td>7,400</td>
<td>39,300</td>
<td></td>
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<tr>
<td></td>
<td>44010 Interest</td>
<td>45,000</td>
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<td>5,526,500</td>
<td>18,300</td>
<td>5,544,800</td>
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### Human Services - Developmental Programs

<table>
<thead>
<tr>
<th>Code</th>
<th>Description</th>
<th>Early Intervention</th>
<th>Base Allocation</th>
<th>Medical Assistance</th>
<th>MR Waiver</th>
<th>Pooled Subcontracted Services</th>
<th>Pooled Subcontracted Services</th>
<th>Pooled Subcontracted Services</th>
<th>Pooled Subcontracted Services</th>
</tr>
</thead>
<tbody>
<tr>
<td>59400</td>
<td>41400 Early Intervention</td>
<td>2,997,800</td>
<td>413,300</td>
<td>3,411,100</td>
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<td></td>
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<tr>
<td></td>
<td>41330 Base Allocation</td>
<td>2,056,500</td>
<td>(150,500)</td>
<td>1,906,000</td>
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<tr>
<td></td>
<td>41550 Medical Assistance</td>
<td>920,200</td>
<td>(70,200)</td>
<td>850,000</td>
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<td></td>
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<td></td>
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<tr>
<td></td>
<td>41570 MR Waiver</td>
<td>955,500</td>
<td>(47,500)</td>
<td>908,000</td>
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<tr>
<td>60100</td>
<td>69999 Pooled Subcontracted</td>
<td>269,300</td>
<td>145,100</td>
<td>414,400</td>
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### Human Services - Drug & Alcohol

<table>
<thead>
<tr>
<th>Code</th>
<th>Description</th>
<th>Base Allocation</th>
<th>BHSI</th>
<th>Compulsive &amp; Problem Gambling</th>
<th>Act 198 Fee</th>
<th>DUI Fines</th>
<th>Interest On Investment</th>
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<tbody>
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<td>61000</td>
<td>41330 Base Allocation</td>
<td>726,800</td>
<td>7,800</td>
<td>734,600</td>
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<tr>
<td></td>
<td>41340 BHSI</td>
<td>255,700</td>
<td>7,200</td>
<td>262,900</td>
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<tr>
<td></td>
<td>41373 Compulsive &amp; Problem Gambling</td>
<td>135,900</td>
<td>(2,500)</td>
<td>133,400</td>
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<td></td>
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<tr>
<td></td>
<td>42105 Act 198 Fee</td>
<td>164,300</td>
<td>(15,300)</td>
<td>149,000</td>
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<tr>
<td></td>
<td>43030 DUI Fines</td>
<td>123,400</td>
<td>(12,900)</td>
<td>110,500</td>
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<tr>
<td></td>
<td>44010 Interest On Investment</td>
<td>2,000</td>
<td>600</td>
<td>2,600</td>
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<tr>
<td></td>
<td>45030</td>
<td>Miscellaneous</td>
<td>200</td>
<td>200</td>
<td>400</td>
<td>62100</td>
<td>69999</td>
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**Human Services - Gracedale**

<table>
<thead>
<tr>
<th></th>
<th>63000</th>
<th>41550</th>
<th>Medical Assistance</th>
<th>37,155,000</th>
<th>(1,403,000)</th>
<th>35,752,000</th>
<th>41560</th>
<th>Medicare</th>
<th>8,481,000</th>
<th>(23,000)</th>
<th>8,458,000</th>
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<tr>
<td></td>
<td>42590</td>
<td>Patient Income</td>
<td>10,320,000</td>
<td>(190,000)</td>
<td>10,130,000</td>
<td>77100</td>
<td>County Contribution Program</td>
<td>5,356,145</td>
<td>(856,000)</td>
<td>4,500,145</td>
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<td></td>
<td>63500</td>
<td>56200</td>
<td>Healthcare &amp; Dental</td>
<td>5,101,000</td>
<td>(1,972,000)</td>
<td>3,129,000</td>
<td>64100</td>
<td>61999</td>
<td>Pooled Occupancy Cost</td>
<td>1,501,272</td>
<td>(500,000)</td>
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**Capital Project - Juvenile Justice Center**

<table>
<thead>
<tr>
<th></th>
<th>42201</th>
<th>44010</th>
<th>Interest On Investment</th>
<th>-</th>
<th>400</th>
<th>400</th>
<th>84100</th>
<th>Justice Center Expansion</th>
<th>156,808</th>
<th>400</th>
<th>157,208</th>
</tr>
</thead>
</table>

**Capital Project - Parking Deck Renovation**

<table>
<thead>
<tr>
<th></th>
<th>42202</th>
<th>44010</th>
<th>Interest On Investment</th>
<th>-</th>
<th>1,100</th>
<th>1,100</th>
<th>82090</th>
<th>Parking Deck Renovations</th>
<th>414,834</th>
<th>1,100</th>
<th>415,934</th>
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</table>

**Capital Project - Bridge Renovations**

<table>
<thead>
<tr>
<th></th>
<th>42203</th>
<th>44010</th>
<th>Interest On Investment</th>
<th>-</th>
<th>800</th>
<th>800</th>
<th>87500</th>
<th>Bridges</th>
<th>314,679</th>
<th>800</th>
<th>315,479</th>
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</table>

**Summary - Budget Amendment**

<table>
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<tr>
<th></th>
<th>84100</th>
<th>Justice Center Expansion</th>
<th>156,808</th>
<th>400</th>
<th>157,208</th>
</tr>
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</table>

**Effective Date:**

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 were any questions or comments from the public.
Mr. Ron Angle – advised the County was making budgetary transfers and some of them had to be done, but he did not hear any discussion about the overall finances of the County. He further advised the County spent $9.3 million to finance the Swaption, which should not have been done, and taking $15 million from the budgetary reserve to balance the budget without cutting spending.

Mr. Angle stated it appeared Mr. Stoffa talked to some of the members of County Council who indicated they would not support a tax increase since it was an election year, but he should have presented an honest budget because it was not a balanced budget. He further stated during the Reibman Administration, year after year a budget was presented without a tax increase, but in the end it created a 68% tax increase.

Mr. Angle advised the County was going to see the effect of this in its bond rating because every year the auditors indicated the reason it had such a high rating was because of its healthy budgetary reserve.

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 General Purpose Authority (GPA) Moravian College Project Resolution

Mr. Cusick stated the GPA arranged for low cost financing for various projects that are being considered by Moravian College. He further stated one of the conditions of obtaining this low cost financing was that County Council certified that the particular project was desirable for the health, safety and welfare of the citizens of the County and this was accomplished by the adoption of a resolution. He noted the County’s full faith, credit or taxing power was not pledged as a guarantee for the funds being borrowed by Moravian College and the College, itself, was the guarantor for the bonds being floated.
Mr. Cusick introduced the following resolution:

R. 89-2012

A RESOLUTION OF THE COUNTY COUNCIL OF THE COUNTY OF NORTHAMPTON, PENNSYLVANIA, APPROVING THE FINANCING BY THE NORTHAMPTON COUNTY GENERAL PURPOSE AUTHORITY OF CERTAIN CAPITAL PROJECTS FOR THE BENEFIT OF MORAVIAN COLLEGE, A PENNSYLVANIA NOT-FOR-PROFIT CORPORATION SERVING THE PUBLIC; DECLARING THAT IT IS DESIRABLE FOR THE HEALTH, SAFETY AND WELFARE OF THE PEOPLE OF THE COUNTY OF NORTHAMPTON, PENNSYLVANIA, AND THE AREA SERVED BY MORAVIAN COLLEGE AND THE CAPITAL PROJECTS TO HAVE THE PROJECTS PROVIDED BY AND FINANCED THROUGH THE AUTHORITY; AND AUTHORIZING OTHER NECESSARY AND APPROPRIATE ACTION

WHEREAS, the Northampton County General Purpose Authority (the “Authority”) is a municipality authority incorporated and existing under and governed by the provisions of the Municipality Authorities Act of the Commonwealth of Pennsylvania, 53 Pa. C.S. §5601, et. seq., Act 22 of 2001, effective June 19, 2001, which codifies and amends the Municipality Authorities Act of 1945, amended and supplemented (the “Authorities Act”); and

WHEREAS, the Authorities Act permits the Authority to assist in the financing or refinancing of buildings and facilities for eligible educational institutions; and

WHEREAS, Moravian College (the “College”), has represented to the Authority that it qualifies as an “eligible educational institution” under the regulations of the Authority and for purposes of the Authorities Act and is a nonprofit corporation existing under laws of the Commonwealth of Pennsylvania (the “Commonwealth”); and

WHEREAS, the College is requesting that the Authority finance, refinance and/or reimburse a project (the “2012 Project”) consisting of, among other things, all or any of the following: (a) refunding all or any portion of the outstanding Pennsylvania Higher Educational Facilities Authority Revenue
Bonds (Association of Independent Colleges and Universities of Pennsylvania Financing Program - Moravian College Project), Series 2005 DD2 (the “2005 Bonds”) issued for the benefit of the College; (b) financing the acquisition, design, construction, renovation, equipping and furnishing of new facilities and improvements and additions to the existing facilities of the College, including, but not limited to, the Collier Hall of Science; (c) financing site and infrastructure improvements and various other capital improvements to the College's existing facilities and the acquisition of capital equipment for use in or in connection with the facilities of the College; (d) funding, if applicable, a debt service reserve fund for the Bonds (as hereinafter defined) and/or other necessary reserves; and (e) financing contingencies and paying the costs and expenses incident to the issuance of the Bonds, including bond insurance or other credit enhancement, if advantageous to the College; and

WHEREAS, in order to finance the Project, the Authority will issue its College Revenue Bonds (Moravian College Project), Series B of 2012 (the “Bonds”) on behalf of the College; and

WHEREAS, the County of Northampton, Pennsylvania (the “County”) approves the financing of the 2012 Project for the benefit of the College, and has determined that it is in the best interests of the people in the County and the area served by the College and the 2012 Project, and is desirable for the health, safety and welfare of the people in the County and in the area served by the College and the 2012 Project to have the 2012 Project provided, and undertaken, by the Authority.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY COUNCIL OF THE COUNTY, AS FOLLOWS:

1. In connection with the financing of the 2012 Project by the Authority, the Council hereby declares it to be desirable for the health, safety and welfare of the people of the County and in the area served by the College and the 2012 Project, to have the 2012 Project provided by, and financed through, the Authority.

2. The approval granted hereby shall not, in any way, pledge or obligate the credit or taxing power of the County, nor shall the County be liable for the payment of the principal of,
or interest on, any obligations issued by the Authority in connection with the 2012 Project.

3. The County acknowledges that the Authority is entitled to rely upon, and will rely upon, the findings and determinations of the County as set forth in Paragraph 1 above.

4. This Resolution shall become effective immediately.

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

6. All resolutions or parts of resolutions inconsistent herewith are hereby repealed.

Ms. Anne Reid, Finance Executive, Moravian College, advised they were asking for approval for potentially $14 million, but would probably only end up borrowing about $10.6 million. She further advised the money would be used for renovations and upgrades to their Hall of Science.

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


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

Introduction of the City of Bethlehem Tax Abatement Ordinance

Mr. Cusick stated County Council had administered a tax abatement ordinance for the City of Bethlehem for several years and it was requesting reauthorization of their LERTA program, together with certain changes.
Mr. Kraft and Mrs. Ferraro introduced the following ordinance:

AN ORDINANCE AMENDING NORTHAMPTON COUNTY ORDINANCE NO. 474-2007, CITY OF BETHELHEM LOCAL ECONOMIC REVITALIZATION TAX ASSISTANCE (LERTA) PROGRAM


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 477,436.167 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 “P7-22-2-4A”, currently owned by “Lehigh Valley Industrial Park”. 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 intersection of the centerline of Shimersville Road with the extension of the northern boundary line of Northampton County Parcel “P7-22-2-4” currently owned by “Lehigh Valley Industrial Park”. Said point being located at 2,638,858.750 Feet East and 476,021.833 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 “P7-22-2-4” in a northwesterly direction to a point being the northeast corner of Northampton County Parcel “P7-22-2-4”, The southeast corner of Northampton County Parcel “P7-22-1”, the Southwest corner of Northampton County Parcel “P7-8-2” and the Northeast corner of Northampton County Parcel “P7-15-3” currently owned by “Tecumseh Redevelopment Inc.”. 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 “P7-15-3” 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 continuing 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 for Northampton County Parcel “P7-15-3” and the centerline of Applebutter Road. Said point being located at 2,640,523.500 Feet East and 476,363.417 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 owner 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 “P7-22-2-4A”. 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 2nd Street and the 2nd 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 2nd Street to a point being the intersection of West 2nd Street and East 2nd 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 2nd Street to the intersection of East 2nd 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 2,625,927.833 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

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. 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

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

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 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

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
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, 2013 and shall terminate on December 31, 2017 unless otherwise repealed by Council. No later than August 1, 2012 December 7, 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, 2017. 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, 2013 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.

Mr. Cusick advised the public hearing, debate and possible vote would be scheduled for the December 6, 2012 meeting, but right now Ms. Alicia Karner, Economic Development Analyst, was going to give a power point presentation regarding this matter (see Attachment #4).

Ms. Karner stated the City of Bethlehem was required via ordinance to report on the LERTA every time it came up for renewal.

Mr. Joe Kelly, City of Bethlehem Director of Community and Economic Development, advised this was a partnership of all the governmental entities that allowed for the redevelopment of Bethlehem’s brownfields. He further advised this program had been in place since 1984 and reviewed its history showing how it was a wonderful tool for redevelopment and allowed them to remain competitive, which added to the success of the City.

Mr. Kelley stated they were not only looking to expand the LERTA, but increasing the renewal period from two to five years because it would create less work in obtaining the approvals and provide more stability to the projects.

Mr. Kelly advised there have been 81 LERTA zone projects of which 35 were active, three were new and one just completed construction. He then reviewed some of the benefits of the LERTA projects and described the Southside area being proposed for the renewed and expanded LERTA.

Mr. McClure commented the County had an ordinance that required that 80% of a particular workforce on a project it was engaged in had to be residents of the Lehigh Valley so he wondered if the City was committed to that requirement.

Mr. Kelly stated in speaking with contractors they realized the benefits of hiring local workers, but whether they would commit to a certain number, he could not comment on.
Mr. Kelly advised LERTA was the most fiscally responsible tool for redevelopment and expansion of a community’s industrial tax base, for neighboring communities to become aggressive with their own incentives and expanding the boundaries encouraged development opportunities outside the brownfields.

Mr. Kraft stated he hoped that some kind of commitment could be made to use local workers for these projects due to the Lehigh Valley’s high unemployment rate.

In answer to Mr. McClure’s question as to whether Majestic would do their project without the LERTA, Mr. Kelly advised he could not say it would not be done, but they have indicated they could not do it without the LERTA.

Consideration of the County Detectives Association Act 111 Interest Arbitration Award

Mr. Cusick stated the County Detectives Interest Arbitration award was reviewed at yesterday’s Personnel Committee meeting.

Mr. Kraft introduced the following resolution:

R. 90-2012 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 Northampton County Detectives Act 111 Interest Arbitration Award, between the County of Northampton and the Northampton County Detectives, shall be approved this 15th day of November 2012.

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


The resolution was adopted by a vote of 9-0.
Human Services Committee Meeting Report

Mr. Dietrich advised there was a Human Services Committee meeting earlier this evening and the management of Premiere Healthcare Resources provided a year in review regarding Gracedale. He further advised he felt there were a lot of positive comments and things looked good moving forward.

Finance Committee Meeting Report

Mr. Cusick stated at the Finance Committee meeting there was a report from the Controller regarding the process that led to the questions about the Archives figures received from the Administration. He further stated time was spent reviewing the budget amendments and they also talked about potentially using some of the $252,000 received from Marcellus Shale for bridges.

Mental Health/Early Intervention and Development Programs Advisory Board Liaison Report

Mr. Dietrich advised there were still some vacancies on this board and if anyone wished to be part of it to please let the County Executive know.

Adjournment

Mr. McClure made a motion to adjourn.

Mrs. Thierry seconded the motion.

The motion passed by acclamation.

Frank E. Flisser
Clerk to Council