Easton, Pennsylvania

June 6, 2013

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

Mr. McClure made the following motion:

Be It Moved By the Northampton County Council that the minutes of the May 16, 2013 meeting shall be approved.

Mrs. Thierry seconded the motion.

The minutes were approved by voice acclamation, with Mr. Gilbert abstaining.

Presentation of Commendation: Department of Corrections Honor Guard

Mr. Cusick stated from time to time, County Council liked to take the opportunity to recognize employees who went above and beyond in their service to Northampton County and its citizens. He further stated the Department of Corrections Honor Guard had represented Northampton County well during many ceremonial functions held before the public and their dedication was something they wanted to recognize this evening.
Mrs. Thierry read and presented a proclamation to the Department of Corrections Honor Guard.

Mr. Arnold Matos, Director, Department of Corrections, advised on behalf of the Department of Corrections, he would like to thank County Council for recognizing the Honor Guard. He further advised this was a unit they were extremely proud of and it was a completely volunteer group.

Courtesy of the Floor

As no one signed in under Courtesy of the Floor, Mr. Cusick asked if there were any questions or comments from the public.

There were no respondents.

County Executive’s Report

Mr. Cusick stated due to the length of the agenda, he would forego his report.

Public Hearing on the Tower One Lease Ordinance

Mr. Cusick advised the following ordinance was introduced by Mrs. Ferraro and Mr. Dietrich at the meeting held May 16, 2013:

AN ORDINANCE AUTHORIZING NORTHAMPTON COUNTY TO LEASE A PORTION OF COUNTY OWNED PROPERTY AT 255 LEVIS ROAD, UPPER NAZARETH TOWNSHIP, NORTHAMPTON COUNTY, PENNSYLVANIA, TO T-MOBILE NORTHEAST LLC

WHEREAS, Northampton County Home Rule Charter Article 602(a)(6) provides that the Northampton County Council shall enact an ordinance for any act which "conveys or leases or authorizes that conveyance or lease of any real property of the County"; and

NOW, THEREFORE, BE IT HEREBY ORDAINED AND ENACTED by Northampton County Council that it does hereby authorize Northampton County to lease to Tower One Partners LLC, a portion
of County-owned property at 255 Levis Road (identified as Tax Parcel No. J7-13-9-PKB-242-Ac), Upper Nazareth Township, Northampton County, Pennsylvania, for an initial annual rent of $100 per year, plus 50% of the $3,000.00 monthly sublease rental rate, in accordance with the terms of the lease agreement, attached hereto and made a part hereof as Exhibit "A".

IT IS FURTHER ORDAINED AND ENACTED that the tenant shall add the County of Northampton as an additional insured on their liability policy.

Public Hearing

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

There were no respondents.

Mr. Todd Weaver, Deputy Director for System Management, Emergency Management Services, stated Tower One Partners LLC requested to lease space on their tower, which would bring in approximately $1800 a month in revenue. He further stated there would not be any interference with the County's 9-1-1 operation.

Mr. Cusick advised in order to rectify an error in the title of the ordinance, an amendment was necessary. He then introduced the following resolution:

R. 31-2013 WHEREAS, Bill No. 638 of 2013, the ordinance titled, "AN ORDINANCE AUTHORIZING NORTHAMPTON COUNTY TO LEASE A PORTION OF COUNTY OWNED PROPERTY AT 255 LEVIS ROAD, UPPER NAZARETH TOWNSHIP, NORTHAMPTON COUNTY, PENNSYLVANIA, TO T-MOBILE NORTHEAST LLC," was introduced at the May 16, 2013 County Council meeting.

NOW, THEREFORE, BE IT RESOLVED AND IT IS HEREBY RESOLVED by the Northampton County Council that Bill No. 638 of 2013, shall be amended as indicated hereafter (sections marked with strikeout have been deleted and sections marked with bold underline have been added):

Title: AN ORDINANCE AUTHORIZING NORTHAMPTON COUNTY TO LEASE A PORTION OF COUNTY OWNED PROPERTY AT 255 LEVIS ROAD, UPPER NAZARETH TOWNSHIP, NORTHAMPTON COUNTY,
PENNSYLVANIA, TO T-MOBILE-NORTHEAST TOWER ONE PARTNERS LLC

WHEREAS, Northampton County Home Rule Charter Article 602 (a)(6) provides that the Northampton County Council shall enact an ordinance for any act which "conveys or leases or authorizes that conveyance or lease of any real property of the County"; and

NOW, THEREFORE, BE IT HEREBY ORDAINED AND ENACTED by Northampton County Council that it does hereby authorize Northampton County to lease to Tower One Partners LLC, a portion of County-owned property at 255 Levis Road (identified as Tax Parcel No. J7-13-9-PKB-242-Ac), Upper Nazareth Township, Northampton County, Pennsylvania, for an initial annual rent of $100 per year, plus 60% of the $3,000.00 monthly sublease rental rate, in accordance with the terms of the lease agreement, attached hereto and made a part hereof as Exhibit "A".

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

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

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

Mr. Cusick asked if there were questions or comments on the ordinance, as amended.

AN ORDINANCE AUTHORIZING NORTHAMPTON COUNTY TO LEASE A PORTION OF COUNTY OWNED PROPERTY AT 255 LEVIS ROAD, UPPER NAZARETH TOWNSHIP, NORTHAMPTON COUNTY, PENNSYLVANIA, TO TOWER ONE PARTNERS LLC

WHEREAS, Northampton County Home Rule Charter Article 602 (a)(6) provides that the Northampton County Council shall enact an ordinance for any act which "conveys or leases or authorizes that conveyance or lease of any real property of the County"; and
NOW, THEREFORE, BE IT HEREBY ORDAINED AND ENACTED by Northampton County Council that it does hereby authorize Northampton County to lease to Tower One Partners LLC, a portion of County-owned property at 255 Levis Road (identified as Tax Parcel No. J7-13-9-PKB-242-Ac), Upper Nazareth Township, Northampton County, Pennsylvania, for an initial annual rent of $100 per year, plus 60% of the $3,000.00 monthly sublease rental rate, in accordance with the terms of the lease agreement, attached hereto and made a part hereof as Exhibit "A".

IT IS FURTHER ORDAINED AND ENACTED that the tenant shall add the County of Northampton as an additional insured on their liability policy.

Mr. Cusick called for a vote on the amended ordinance.

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

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

Consideration of the Coroner's Fee Schedule Resolution

Mr. Cusick stated County Council considered the Coroner's fee schedule at the meeting held May 16, 2013, however, due to some unanswered inquiries, it was tabled.

Mr. McClure made a motion to remove the resolution from the table.

Mr. Kraft seconded the motion.

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

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

The motion was passed by a vote of 9-0.
Mr. Parsons introduced the following resolution:

**R. 32-2013**

WHEREAS, Northampton County Ordinance #17-1979 provides that the fees charged by agencies and offices of Northampton County shall be set by the Northampton County Council by means of a resolution at such times and at such rates as deemed necessary.

NOW, THEREFORE, IT IS HEREBY RESOLVED, by the Northampton County Council that the Coroner’s Fee Schedule shall be amended to read as indicated hereafter, effective July 1, 2013:

<table>
<thead>
<tr>
<th>Current</th>
<th>Proposed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Coroner's Report</td>
<td>$ 50.00*</td>
</tr>
<tr>
<td>Toxicology Report</td>
<td>$ 50.00*</td>
</tr>
<tr>
<td>Autopsy Report</td>
<td>$100.00*</td>
</tr>
<tr>
<td>Cremation Permit Fee ($75.00 if invoicing is required)</td>
<td>$ 50.00</td>
</tr>
<tr>
<td>Slides/Microscopic Studies (Call for availability and Number) Each Slide</td>
<td>$ 25.00</td>
</tr>
<tr>
<td>Creation of Tissue Slides (Call for availability time Restricted) Plus Cost Per Slide</td>
<td>$550.00</td>
</tr>
<tr>
<td>Body Removal Transportation on Cases Not Requiring Transport for Forensic Testing</td>
<td>$325.00</td>
</tr>
<tr>
<td>Administration/Shipping Fee (Packaging/Mailing or Transfer of Specimens or Other Samples to Other Labs for Testing)</td>
<td>$ 50.00</td>
</tr>
<tr>
<td>Research Fee</td>
<td>$ 50.00/hr.</td>
</tr>
<tr>
<td>Disposition/Appearance</td>
<td>$100.00/hr.</td>
</tr>
<tr>
<td>Administrative Processing Fee</td>
<td>$ 45.00</td>
</tr>
<tr>
<td>Electronic Device Analysis</td>
<td>$650.00</td>
</tr>
<tr>
<td>Other Forensic Expert Reports not Described Above</td>
<td>$650.00</td>
</tr>
<tr>
<td>Non-Sufficient Funds Check Returned Fee</td>
<td>$ 25.00</td>
</tr>
<tr>
<td>Photographic Documentation if Approved by Coroner (Price per Print)</td>
<td>$ 15.00 $ 25.00</td>
</tr>
</tbody>
</table>

*Maximum Amount Allowed by State Law (Currently)

**IT IS FURTHER RESOLVED** that any other fee schedule inconsistent herewith is hereby repealed insofar as the same affects this fee schedule.

In response to Mr. McClure’s request for an explanation of Disposition/Appearance, Mr. Zachary Lysek, Coroner, advised that would not apply in criminal cases, but only to civil cases. He further advised he did not appear in a lot of civil cases, but felt it was appropriate that the County be compensated for the time he was unavailable.
As there were no further questions or comments, Mr. Cusick called for the vote.

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

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

Introduction of the Uniform Parcel Identifier Ordinance

Mr. Parsons and Mrs. Thierry introduced the following ordinance:

AN ORDINANCE OF NORTHAMPTON COUNTY COUNCIL, AMENDING NORTHAMPTON COUNTY ORDINANCE NO. 159-1989, ENTITLED THE "NORTHAMPTON COUNTY UNIFORM PARCEL IDENTIFIER ORDINANCE," AS FURTHER AMENDED BY ORDINANCE NO. 240-1994, ORDINANCE NO. 360-2000 AND ORDINANCE NO. 529-2010, BY REQUIRING THAT THE UNIFORM PARCEL IDENTIFIER ON THE TAX MAP MAINTAINED FOR THE ASSESSMENT OFFICE BE CERTIFIED AS TRUE AND CORRECT BY THE NORTHAMPTON COUNTY (GIS) MAPPING DIVISION, UPON EACH SUBSEQUENT CONVEYANCE AND TO PROVIDE FOR AN ADDITIONAL FEE FOR SAID SUBSEQUENT CERTIFICATION; FURTHER THIS ORDINANCE SETS FORTH THE SPECIFIC INFORMATION WHICH MUST BE SUPPLIED TO THE GIS DIVISION IN ORDER TO CONFIRM UNIFORM PARCEL IDENTIFIER CERTIFICATION.

IT IS HEREBY ORDAINED AND ENACTED By the Northampton County Council, that Northampton County Ordinance No. 159-1989, as amended by Ordinance No. 240-1994, Ordinance No. 360-2000 and Ordinance No. 529-2010, is hereby amended as follows:

Section 1. Ordinance No. 159-1989 shall be amended by adding the following subsection:

VIII. CERTIFICATION REQUIRED

C. The party desiring to record an instrument shall provide the following information to the GIS Division in order for the GIS Division to certify the correctness of the Uniform Parcel Identifier:
1. The Uniform Parcel Identifier No. must appear at the top of the first page of the document(s) to be recorded, or as an attached exhibit for documents containing multiple parcels;

2. The grantor's name must be the same as the owner's name on the current assessment record;

3. The deed reference on the assessment record must be the same as on the prior deed;

4. The municipality is the same as it appears on the assessment record;

5. A legible, precise address (for each Uniform Parcel Identifier) must be placed on the document identifying the property (not applicable to deeds); and

6. If the conveyance in the proposed transfer represents a change of size and a description of the real estate, the owner shall provide the GIS Department with either a metes and bounds description based on a precise survey or a lot number and references to a recorded subdivision plan, which plan on its face shows metes and bounds, prepared by a professional land surveyor as required by the act of May 23, 1945 (P.L. 913, No. 367), known as the Professional Engineers Registration Law (63 P.S. § 148 et seq.). Any subdivision plan which was prepared prior to the effective date of the aforesaid act and which contains metes and bounds shall be acceptable for compliance with these provisions. This assignment of uniform parcel identifiers shall take place within one day of the presentation of the request for such assignment when accompanied by the survey or such subdivision plan. No metes and bounds description by survey or subdivision plan shall be required for any transfer, mortgage, release or other purpose involving a right-of-way, surface or subsurface easement, oil, gas or mineral lease or other interest, or any subsurface estate.

Section 2. The provisions of this Ordinance are severable. If any provision of this Ordinance, or its application to any person, entity or circumstance, is held invalid by a Court of competent jurisdiction, such
determined invalidity shall not affect any other provision or application of this Ordinance.

Section 3. The proper Officers and the personnel of Northampton County are hereby authorized and empowered to take all such further action and execute additional documents as they may deem appropriate to carry out the purpose of this Ordinance.

Section 4. The County Executive shall distribute copies of this Ordinance to the proper offices and other personnel of Northampton County whose further action is required to achieve the purpose of this Ordinance.

Section 5. Any ordinance or part of any ordinance conflicting with the provision of this Ordinance is hereby repealed insofar as the same affects this Ordinance.

Section 6. Effective Date: This Ordinance shall become effective thirty (30) days after enactment.

Mr. Cusick stated the public hearing, debate and possible vote was scheduled for County Council's June 20, 2013 meeting.

Introduction of the Ordinance Providing for Amendments to the 2013 Budget

Messrs. Cusick and Gilbert introduced the following ordinance:

AN ORDINANCE AMENDING THE 2013 NORTHAMPTON COUNTY BUDGET: DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT - COMMUNITY DEVELOPMENT GRANT, ECONOMIC DEVELOPMENT PASS THROUGH GRANTS; DEPARTMENT OF FISCAL AFFAIRS - BALANCING OF BUDGET; DEPARTMENT OF ADMINISTRATION - CONSERVATION DISTRICT, OPEN SPACE INITATIVE COUNTY PARKS; SHERIFF; DEPARTMENT OF CORRECTIONS - JAIL; DEPARTMENT OF HUMAN SERVICES - HOMELESS ASSITANCE, DEVELOPMENT FUND, BLOCK GRANTS, MENTAL HEALTH, DEVELOPMENTAL PROGRAMS, DRUG & ALCOHOL
## 2013
### BUDGET AMENDMENT

<table>
<thead>
<tr>
<th>ORG</th>
<th>ACCOUNT</th>
<th>ACCOUNT TITLE</th>
<th>CURRENT BUDGET</th>
<th>INCREASE (DECREASE)</th>
<th>REVISED BUDGET</th>
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<td>41120</td>
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<td>247,370</td>
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<td></td>
<td>68999</td>
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<td>Misc Intergovernmental</td>
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<td>10,000</td>
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<td></td>
<td>66999</td>
<td>Pooled Professional Services</td>
<td>299,700</td>
<td>10,000</td>
<td>309,700</td>
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<tr>
<td>23000</td>
<td>50200</td>
<td>Salaries Union Full Time</td>
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<td>56050</td>
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<td></td>
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<td>Workers' Compensation</td>
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<td></td>
<td>56200</td>
<td>Healthcare &amp; Dental</td>
<td>523,900</td>
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<td>558,900</td>
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### Administration - Conservation District
| | | | | | |

### Administration - OSI County Parks
| | | | | | |

### Sheriff
| | | | | | |

### Sheriff
<p>| | | | | | |
| | | | | | |</p>
<table>
<thead>
<tr>
<th>Code</th>
<th>Description</th>
<th>2015</th>
<th>2016</th>
<th>2017</th>
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<td>56300</td>
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<td>58550</td>
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**Corrections - Jail**

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<td>PCCD</td>
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<td>19,698</td>
<td>19,698</td>
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<td>Pooled Professional Services</td>
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**Human Services - Homeless Assistance**

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<tr>
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<th>2017</th>
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<tbody>
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<td>50600</td>
<td>Homeless Assistance</td>
<td>319,400</td>
<td>400</td>
<td>319,800</td>
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<tr>
<td>44010</td>
<td>Interest On investment</td>
<td>500</td>
<td>300</td>
<td>800</td>
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<tr>
<td>69999</td>
<td>Pooled Subcontracted Services</td>
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<td>320,600</td>
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**Human Services - Development Fund**

<table>
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<tr>
<th>Code</th>
<th>Description</th>
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<th>2016</th>
<th>2017</th>
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<tbody>
<tr>
<td>51100</td>
<td>Human Services Development</td>
<td>193,900</td>
<td>75,300</td>
<td>269,200</td>
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<td>44010</td>
<td>Interest On investment</td>
<td>200</td>
<td>400</td>
<td>600</td>
</tr>
<tr>
<td>69999</td>
<td>Pooled Subcontracted Services</td>
<td>194,100</td>
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**Human Services - Block Grants**

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<th>Code</th>
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<td>51200</td>
<td>Federal</td>
<td>100,000</td>
<td>110,000</td>
<td>210,000</td>
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**Human Services - Mental Health**

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<tbody>
<tr>
<td>57400</td>
<td>Base Allocation</td>
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<td>31,400</td>
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<td>41350</td>
<td>CHIPP</td>
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<td>41722</td>
<td>Gaming Authority Grant</td>
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</tr>
<tr>
<td>41550</td>
<td>Medical Assistance</td>
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<td>100</td>
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<td>42505</td>
<td>HealthChoices</td>
<td>31,900</td>
<td>4,000</td>
<td>35,900</td>
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<td>Interest on Investment</td>
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<td>17,100</td>
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<td>Pooled Subcontracted Services</td>
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**Human Services - Developmental Programs**

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<tr>
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<th>Description</th>
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<th>2016</th>
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<td>Early Intervention</td>
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<td>41570</td>
<td>MR Waiver</td>
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<td>Pooled Subcontracted Services</td>
<td>2,090,300</td>
<td>507,200</td>
<td>2,597,500</td>
</tr>
</tbody>
</table>
Effective Date:

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

Mr. Cusick advised the Finance Committee would be reviewing this budget amendment at their next meeting on June 19, 2013. He further stated the public hearing, debate and possible vote was scheduled for the County Council meeting on June 20, 2013.

Introduction of the 2013 Bond Issue Ordinance

Messrs. Gilbert and Parsons introduced the following ordinance:

AN ORDINANCE OF THE COUNCIL OF THE COUNTY OF NORTHAMPTON, NORTHAMPTON COUNTY, PENNSYLVANIA, AUTHORIZING AND DIRECTING THE ISSUANCE OF GENERAL OBLIGATION BONDS, SERIES OF 2013 (THE "BONDS") IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED TWENTY-FIVE MILLION DOLLARS ($25,000,000) PURSUANT TO THE LOCAL GOVERNMENT UNIT DEBT ACT OF THE COMMONWEALTH OF
AND PERFORM CERTAIN SPECIFIED, REQUIRED OR APPROPRIATE ACTS; AUTHORIZING THE EXECUTION OF DOCUMENTS FOR SETTLEMENT AND THE PAYMENT OF ISSUANCE EXPENSES; PROVIDING FOR THE INVESTMENT OF THE PROCEEDS OF THE BONDS PENDING APPLICATION THEREOF; DECLARING THAT THE DEBT TO BE INCURRED IS WITHIN THE LIMITATION IMPOSED BY THE ACT; AUTHORIZING AND DIRECTING PROPER OFFICERS OF THE COUNTY TO DELIVER THE BONDS UPON EXECUTION AND AUTHENTICATION THEREOF, UPON RECEIPT OF PROPER PAYMENT OF THE BALANCE DUE THEREFOR, AND ONLY AFTER SPECIFIED APPROVAL, AS REQUIRED, OF THE DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT OF THE COMMONWEALTH OF PENNSYLVANIA; SETTING FORTH CERTAIN COVENANTS RELATING TO THE FEDERAL TAX STATUS OF THE BONDS; PROVIDING FOR COMPLIANCE WITH SECURITIES AND EXCHANGE COMMISSION RULE 15c2-12; COVENANTING TO PAY OVER AT SETTLEMENT SUFFICIENT MONIES TO PROVIDE FOR THE PAYMENT OF THE PRIOR 2006 BONDS TO BE REFUNDED IN ACCORDANCE WITH THE REFUNDING PROGRAM AND AUTHORIZING AND DIRECTING CERTAIN OTHER ACTIONS AND APPROVING DOCUMENTATION WITH RESPECT TO THE REFUNDING; PROVIDING FOR THE ISSUANCE OF IRREVOCABLE INSTRUCTIONS TO THE PAYING AGENT FOR THE 2006 BONDS SUBJECT TO EARLY OPTIONAL REDEMPTION TO CALL SAID BONDS FOR REDEMPTION ON A CERTAIN SPECIFIED DATE, AND ESTABLISHING THE FORM OF SUCH IRREVOCABLE INSTRUCTIONS AND THE NOTICE OF REDEMPTION; PROVIDING FOR NOTICE TO ANY BOND INSURER; PROVIDING FOR COMPLIANCE WITH SECURITIES AND EXCHANGE COMMISSION RULE 15c2-12; PROVIDING FOR SEVERABILITY OF PROVISIONS OF THE ORDINANCE; PROVIDING FOR REPEAL OF ALL ORDINANCES OR PARTS OF ORDINANCES SO FAR AS THE SAME SHALL BE INCONSISTENT; PROVIDING WHEN THIS ORDINANCE SHALL BECOME EFFECTIVE.

WHEREAS, the County of Northampton, Northampton County, Pennsylvania (the "County"), is a Local Government Unit, as defined in the Pennsylvania Local Government Unit Debt Act, 53 Pa.C.S. Chs. 80-82 (the "Act"); and

WHEREAS, the County did previously authorize, issue and sell a certain series of obligations designated as its General Obligation Bonds, Series of 2006 (the "2006 Bonds"), dated March 15, 2006, in the aggregate principal amount of $13,440,000, for the purpose of advance refunding of the new
money portion of 1999 Bonds allocated to capital projects (and to pay the cost of issuance for the 2006 Bonds);

WHEREAS, the 1999 Bonds were issued to: (i) currently refund all of the County's then outstanding General Obligation Bonds, Series of 1992 (the "1992 Bonds"); (ii) currently refund all of the County's then outstanding General Obligation Bonds, Series of 1993 (the "1993 Bonds"); (iii) advance refund all of the County's then outstanding General Obligation Bonds, Series of 1996 (the "1996 Bonds"); (iv) finance the costs of certain capital "Projects" of the County under the Act; and (v) pay the costs related to the issuance of the 1999 Bonds; and

WHEREAS, all of the 2006 Bonds still outstanding, maturing on and after August 15, 2014, are subject to redemption prior to maturity, at the option of the County, on or after August 15, 2013, upon payment of the principal amount together with accrued interest to the date fixed for redemption; and

WHEREAS, the Council, in order to effect a debt service savings resulting from currently available interest rates, has determined to currently refund the remaining 2006 Bonds, maturing on or after August 15, 2014, in accordance with the provisions of Section 8241 of the Act, by providing for the payment of the interest to and principal at maturity or redemption on such 2006 Bonds on August 15, 2013, pursuant to a refunding program (the "Refunding Program"), encompassing the refunding of the 2006 Bonds; and

WHEREAS, additionally and as part of the Refunding Program, as submitted to the County by its financial consultant, VALCO Capital, Ltd. (the "Financial Consultant"), the necessary funds will be deposited with U.S. Bank, National Association, successor in interest to Wachovia Bank, National Association, the paying agent for the 2006 Bonds, in the capacity of the paying Agent (the "2006 Paying Agent"), the funds so deposited with the 2006 Paying Agent to be held uninvested in cash and applied by the 2006 Paying Agent. The principal to be directly deposited with the Paying Agent, is adequate as to amount and to pay the interest on and principal at maturity or redemption of the 2006 Bonds still outstanding; and

WHEREAS, the Council has determined to undertake various County capital projects including the reconstruction of County bridges, renovations and acquisitions of generators at the
WHEREAS, the County has obtained actual bids and/or realistic estimates from its qualified professionals of the costs of the County Improvements, as such costs are defined in Section 8006 of the Act, and has determined to permanently finance a portion of such costs by the issuance of bonded indebtedness under the Act; and

WHEREAS, the Council has determined to implement the foregoing financing of the Refunding Program and County Improvements, including the reimbursement of costs thereof, by authorization, issuance and sale of the County's General Obligation Bonds, Series of 2013 (the "Bonds"); and

WHEREAS, the proceeds of the Bonds, after payment of costs of issuance, together with any other monies available or to be available for the purpose, will provide necessary monies for the funding of the Refunding Program and the County Improvements, including the reimbursement of costs thereof; and

WHEREAS, the Council, in contemplation of the authorization, issuance and sale of the Bonds, has determined that the Bonds shall be offered for sale, which sale shall be private sale by invitation, in accordance with Section 8107 of the Act, which it believes is in the best interests of the County and has requested the Financial Consultant, to circulate an Invitation to Bid (the "Invitation to Bid") on behalf of the County; and

WHEREAS, the Council has received and reviewed a Bid (the "Bond Purchase Agreement") to purchase the Bonds from (the "Underwriters" or "Investment Bankers"), and, upon the recommendation of the Financial Consultant has determined to accept the Bid; and

WHEREAS, the Council desires to award the Bonds to the Investment Bankers at private sale by invitation and to accept their Bid in the form submitted, the Bid together with the Invitation to Bid constituting a Bond Purchase Agreement with the Investment Banker; to authorize issuance of nonelectoral debt in the aggregate principal amount of the Bonds pursuant to the "Financing Study" prepared by the Financial Consultant; and to take appropriate action and to authorize such action in
connection with the Refunding Program and County Improvements, all in accordance with and pursuant to provisions of the Act.

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

Section 1. The Council does authorize and direct the issuance of its General Obligation Bonds, Series of 2013, pursuant to this Ordinance, in the aggregate principal amount of $___________, for the purposes of carrying out the funding of the County Improvements, including the reimbursement of the costs thereof, and the Refunding Program, and paying the cost of issuing Bonds. The Bonds will be general obligations of the County payable from the general revenues of the County.

Section 2. (a) A brief description of the County Improvements, for which a portion of the debt evidenced by the Bonds will be incurred, is contained in the preamble hereof. The County hereby determines that the estimated useful lives of the capital improvements composing the County Improvements, to be, at least, from 5 to 30 years, and the amortization of the Bonds funding such County Improvements has been structured to fully amortize on a level or earlier basis each component of the capital improvements before the expiration of their respective useful lives.

(b) A brief description of the Refunding Program for which a portion of the debt is to be incurred, of which the Bonds shall be evidence, is contained in the preamble hereof. The realistic estimated useful lives of the capital projects financed by the 2006 Bonds and the 1999 Bonds, which were "Projects" as defined in Section 8002 of the Act, were previously determined to be as follows:

(i) The amortization of the 2006 Bonds were structured to fully amortize on a level or earlier basis each component of the Projects of the 2006 Bonds and 1999 Bonds before the expiration of their useful lives. The useful lives of such Projects is not less than previously determined, and the portion of the 2013 Bonds, the proceeds of which are designated to the Refunding Program, as structured will fully amortize on a level or earlier basis each component of the Projects before the expiration of their useful lives.
Section 3. The Bonds shall be combined for sale, and shall be sold at private sale by invited bid, which this Council has determined to be in the best interests of the County. The Council has determined that the debt, of which the Bonds shall be evidence, shall be nonelectoral debt of the County. The Bonds may be sold in one or more series.

Section 4. (a) The Bonds shall be dated as of date of delivery ("Dated Date"), and shall bear interest payable semiannually on February 15 and August 15 of each year, beginning February 15, 2014, or such other date as may be determined by the parties, to the registered owners thereof, at the rate per annum stated thereon, from the interest payment date next preceding the date of registration and authentication of a Bond, unless the Bond is registered and authenticated as of an interest payment date, in which event the Bond shall bear interest from such interest payment date, or unless the Bond is registered and authenticated prior to the Record Date next preceding February 15, 2014, in which event the Bond shall bear interest from the Dated Date, or unless, as shown by the records of the Paying Agent (hereinafter identified), interest on the Bond shall be in default, in which event the Bond shall bear interest from the date on which interest was last paid on the Bond, until said principal sum is paid. Payment of interest on a Bond shall be made to the registered owner thereof whose name and address shall appear, at the close of business on the last day next preceding each interest payment date (the "Record Date"), on the registration books maintained by the Paying Agent, irrespective of any transfer or exchange of the Bond subsequent to such Record Date and prior to such interest payment date, unless the County shall be in default in payment of interest due on such interest payment date. In the event of such default, such defaulted interest shall be payable to the person in whose name the Bond is registered at the close of business on a special record date for the payment of such defaulted interest established by notice mailed by the Paying Agent to the registered owner of the Bond not less than fifteen (15) days preceding such special record date. Such notice shall be mailed to the person in whose name the Bond is registered at the close of business on the fifth (5th) day preceding the date of mailing. Interest on the Bonds will be computed on the basis of a 360-day year, consisting of twelve 30 day months.

(b) If any interest payment date for the Bonds shall
be a Saturday, Sunday or legal holiday or a day on which banking institutions in the City of Philadelphia, where the Pennsylvania corporate trust office of the Paying Agent is located are authorized by law or executive order to close, then the date for payment of such principal or interest on the Bonds shall be the next succeeding day which is not a Saturday, Sunday or legal holiday or day on which such banking institutions are authorized to close, and payment on such date shall have the same force and effect as if made on the nominal date established for such payment.

(c) Depository Trust Company ("DTC") will act as securities depository for the Bonds. The ownership of one fully registered Bond for each maturity of each series, each in the aggregate principal amount of such maturity, will be registered in the name of Cede & Co., as nominee for DTC. So long as Cede & Co. is the registered owner of the Bonds, as nominee of DTC, references herein to the Bondholders, Bond owners or registered owners of the Bonds shall mean Cede & Co. and shall not mean the beneficial owners of the Bonds.

(d) DTC is a limited-purpose trust company organized under the laws of the State of New York, a member of the Federal Reserve System, a "clearing corporation" within the meaning of the New York Uniform Commercial Code, and a "clearing agency" registered pursuant to the provisions of Section 17A of the Securities Exchange Act of 1934, as amended. DTC was created to hold securities of its participants (the "DTC Participants") and to facilitate the clearance and settlement of securities transactions among DTC Participants in such securities through electronic book-entry changes in accounts of the DTC Participants, thereby eliminating the need for physical movement of securities certificates. DTC Participants include securities brokers and dealers, banks, trust companies, clearing corporations, and certain other organizations, some of whom (and/or their representatives) own DTC. Access to the DTC system is also available to others such as banks, brokers, dealers and trust companies that clear through or maintain a custodial relationship with a DTC Participant, either directly or indirectly (the "Indirect Participants").

(e) Beneficial ownership interests in the Bonds may be purchased by or through DTC Participants. Such DTC Participants and the persons for whom they acquire interests in the Bonds as nominees will not receive a bond certificate, but
each DTC Participant will receive a credit balance in the records of DTC in the amount of such DTC Participant's interest in the Bonds, which will be confirmed in accordance with DTC's standard procedures. Beneficial owners of Bonds will not receive certificates representing their beneficial ownership interests in the Bonds, unless use of the book-entry only system is discontinued as described below.

(f) Transfers of beneficial ownership interests in the Bonds which are registered in the name of Cede & Co., as nominee of DTC, will be accomplished by book entries made by DTC and in turn by the DTC Participants and Indirect Participants who act on behalf of the beneficial owners of Bonds. For every transfer and exchange of beneficial ownership in the Bonds, the beneficial owner may be charged a sum sufficient to cover any tax, fee or other governmental charge that may be imposed in relation thereto.

(g) For so long as the Bonds are registered in the name of DTC or its nominee, Cede & Co., the County and the Paying Agent will recognize only DTC or its nominee, Cede & Co., as the owner of the Bonds for all purposes, including notices and voting. Conveyance of notices and other communications by DTC to DTC Participants, by DTC Participants to Indirect Participants, and by DTC Participants and Indirect Participants to beneficial owners of the Bonds, will be governed by arrangements among DTC, DTC Participants, Indirect Participants and beneficial owners, subject to any statutory and regulatory requirements as may be in effect from time to time.

(h) Payments made by the Paying Agent to DTC or its nominee shall satisfy the County's obligations with respect to the Bonds to the extent of the payments so made.

(i) Principal, redemption price and interest payments on the Bonds shall be made by the Paying Agent to DTC or to its nominee, Cede & Co., as registered owner of the Bonds. Disbursement of such payments to the beneficial owners shall be solely the responsibility of DTC, the DTC Participants and, where appropriate, Indirect Participants. Upon receipt of moneys, DTC's current practice is to credit immediately the accounts of the DTC Participants in accordance with their respective holdings shown on the records of DTC. Payments by DTC Participants and Indirect Participants to beneficial owners shall be governed by standing instructions of the beneficial
owners and customary practices, as is now the case with municipal securities held for the accounts of customers in bearer form or registered in "street name." Such payments shall be the sole responsibility of such DTC Participant or Indirect Participant and not of DTC, the County or the Paying Agent, subject to any statutory and regulatory requirements as may be in effect from time to time.

(j) The County and the Paying Agent cannot and do not give any assurances that DTC, the DTC Participants or the Indirect Participants will distribute to the beneficial owners of the Bonds (I) payments of principal or redemption price of or interest on the Bonds, (II) certificates representing an ownership interest or other confirmation of beneficial ownership interests in Bonds, or (III) redemption or other notices sent to DTC or Cede & Co., its nominee, as the registered owner of the Bonds, or that they will do so on a timely basis or that DTC, DTC Participants or Indirect Participants will serve and act in the manner described in this Official Statement. The current "Rules" applicable to DTC are on file with the Securities and Exchange Commission, and the current "Procedures" of DTC to be followed in dealing with DTC Participants are on file with DTC.

(k) Neither the County nor the Paying Agent will have any responsibility or obligation to any DTC Participant, Indirect Participant or beneficial owner or any other person with respect to: (1) the Bonds; (2) the accuracy of any records maintained by DTC or any DTC Participant or Indirect Participant; (3) the payment by DTC or any DTC participant or Indirect Participant of any amount due to any beneficial owner in respect of the principal or redemption price of or interest on the Bonds; (4) the delivery by DTC or any DTC Participant or Indirect Participant of any notice to any beneficial owner which is required or permitted under the terms of this Resolution to be given to Bondholders; (5) the selection of the beneficial owners to receive payment in the event of any partial redemption of the bonds; or (6) any other action taken by DTC as Bondholder.

(l) DTC may determine to discontinue providing its service with respect to the Bonds at any time by giving notice to the County and the Paying Agent and discharging its responsibilities with respect thereto under applicable law. In addition, the County may discontinue the book-entry only system
for the Bonds at any time if it provides thirty (30) days' notice of such discontinuation to the Paying Agent and DTC that continuation of the book-entry only system is not in the best interests of the County. Upon the giving of such notice, the book-entry only system for the Bonds will be discontinued unless a successor securities depository is appointed by the County.

Section 5. The Bonds shall be issued in the aggregate principal amounts, shall be numbered consecutively within maturities, and shall mature on the dates, and in the amounts, and shall bear interest at the rates and require the amortization payments to the sinking fund hereinafter established, all as set forth in the schedules contained in the attached Schedule "A" of this Ordinance.

Section 6. The Bonds are subject to mandatory redemption prior to maturity from monies to be deposited in the sinking fund, upon payment of the principal amount together with interest to the date of such redemption, as set forth in Schedule "B" attached to this Ordinance.

Section 7. The Bonds shall be subject to redemption prior to maturity, at the option of the County, upon payment of the principal amount, together with accrued interest to the date fixed for redemption, as set forth in Schedule "C" attached to this Ordinance.

Section 8. Bonds subject to redemption and issued in denominations larger than $5,000 may be redeemed in part. For the purposes of redemption, such Bonds shall be treated as representing that number of Bonds which is obtained by dividing the denomination thereof by $5,000, each $5,000 portion of such Bonds being subject to redemption. In the case of partial redemption of such Bonds, payment of the redemption price shall be made only upon surrender of the Bond in exchange for Bonds of like form, series and maturity, of authorized denominations in aggregate amount equal to the unredeemed portion thereof.

(a) Any redemption of Bonds pursuant to Section 6 and 7 above shall be made after notice by mailing by first class mail a notice thereof to the registered owners of all Bonds to be redeemed and to any bond insurer then insuring the Bonds, not
less than thirty (30) days but not more than forty-five (45) days prior to the date fixed for redemption, or after waivers of such notice executed by the registered owners of all Bonds to be redeemed shall have been filed with the Paying Agent. Failure to mail any notice or any defect therein or in the mailing thereof, with respect to any particular Bond, shall not affect the validity of the proceedings for redemption of any other Bond. Any notice of redemption mailed in accordance with these requirements shall be conclusively presumed to have been duly given, whether or not such registered holder actually receives the notice. Notice having been so given or waived, and provision having been made for redemption from funds on deposit with the Paying Agent, all interest on the Bonds called for redemption accruing after the date fixed for redemption shall cease, and the registered owners of the Bonds called for redemption shall have no security, benefit or lien under this Ordinance or any right except to receive payment of the principal of and accrued interest on such Bonds to the date fixed for redemption.

(b) Any such notice shall be dated, shall be given in the name of the County, and shall state the following information:

(i) the identification numbers and the CUSIP numbers, if any, of the Bonds being redeemed, provided that any such notice shall state that no representation is made as to the correctness of CUSIP numbers either as printed on such Bonds or as contained in the notice of redemption and that reliance may be placed only on the identification numbers contained in the notice or printed on such Bonds;

(ii) any other descriptive information needed to identify accurately the Bonds being redeemed, including, but not limited to, the original issuance date and maturity date of, and interest rate on, such Bonds;

(iii) in the case of partial redemption of any Bonds, the respective principal amounts thereof to be redeemed;

(iv) the redemption date;

(v) the redemption price;

(vi) that on the redemption date the redemption price will become due and payable upon each such Bond or portion thereof called for redemption, and that interest thereon shall
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cease to accrue from and after said date; and

(vii) the place where such Bonds are to be surrendered for payment of the redemption price, which place of payment shall be the principal corporate trust office of the Paying Agent for the Bonds;

(c) In addition to the foregoing notice, further notice of any redemption of Bonds hereunder shall be given, at least two (2) business days in advance of the mailed notice to Bondholders, by first class mail to all agencies or depositories to which notice is required by the Continuing Disclosure Agreement (as hereinafter defined), and to all registered securities depositories then in the business of holding substantial amounts of obligations of types comprising the Bonds (such depositories now being Depository Trust Company of New York, New York), and to one or more national information services that disseminate notices of redemption of obligations such as the Bonds (such as Financial Information Inc.'s "Daily Called Bond Service", Kenny Information Services' "Called Bond Service", Moody's "Municipal and Government", and Standard & Poor's "Called Bond Record"). Such further notice shall contain the information required in the notice to Bondholders. Failure to give all or any portion of such further notice shall not in any manner defeat the effectiveness of a call for redemption if notice thereof is given to the Bondholders as prescribed above.

(d) If the redemption date for any Bonds shall be a Saturday, Sunday, legal holiday or a day on which banking institutions in the city where the applicable corporate trust office of the Paying Agent is located are authorized by law or executive order to close, then the date for payment of the principal and interest upon such redemption shall be the next succeeding day which is not a Saturday, Sunday, legal holiday or a day on which such banking institutions are authorized to close, and payment on such date shall have the same force and effect as if made on the nominal date of redemption.

(e) If at the time of mailing a notice of optional redemption the County shall not have deposited with the Paying Agent for the Bonds moneys sufficient to redeem all the Bonds called for redemption, such notice may state that it is
conditional, that is, subject to the deposit of the redemption moneys with the Paying Agent not later than the opening of business on the redemption date, and such notice shall be of no effect unless such moneys are so deposited.

Section 9. The Council shall and does accept the proposal of the Investment Bankers for purchase of the Bonds, which Bonds shall be and are awarded to the Investment Bankers, in accordance with the terms and conditions of the Bond Purchase Agreement, at private sale, by invitation at dollar prices of $________ for the Bonds (which consists of the par amount of the Bonds, (plus reoffering premium) or less original issue discount of $________ and less an underwriting discount of $________); together with accrued interest from the dates thereof to the date of delivery thereof in each case, the Underwriters having submitted their proposal in accordance with provisions of the Act. Appropriate officers of the County are authorized and directed to execute the Bond Purchase Agreement. The Financing Study as submitted by the Financial Consultant is hereby accepted and approved. The Preliminary Official Statement relating to the Bonds in the form presented is hereby approved and the prior distribution thereof authorized and ratified. The Preliminary Official Statement is (as of its date) deemed final within the meaning of Rule 15c2-12(b)(1) under the Securities Exchange Act of 1934. The Underwriters are hereby authorized to distribute copies of the Official Statement for the Bonds as finally executed, to persons who may be interested in the purchase of the Bonds, and are directed to deliver copies to all actual purchasers of the Bonds. The County Executive is hereby authorized and directed to execute the final Official Statement for the Bonds in such form as he or she may approve.

Section 10. The Council does hereby designate, subject to its acceptance, U.S. Bank, National Association, a banking institution having corporate trust offices in the City of Philadelphia, Pennsylvania, as the "Paying Agent" for purposes of the Bonds.

Section 11. The principal of and premium, if any, on the Bonds shall be payable at the corporate trust offices of U.S. Bank, National Association, located in Philadelphia, Pennsylvania, in its capacity as Paying Agent, and interest thereon is payable by check mailed to the registered owner at the address shown on the registration books as of the close of
business on the Record Date set forth elsewhere herein and in the face of the Bonds, in lawful moneys of the United States of America, without deduction of any tax or taxes now or hereafter levied or assessed thereon under any present or future law of the Commonwealth of Pennsylvania (the "Commonwealth"), which tax or taxes this County assumes and agrees to pay; provided, however, that the foregoing shall not be applicable to gift, estate or inheritance taxes or to other taxes not levied or assessed directly on the Bonds or the interest paid thereon.

Section 12. The forms of the Bonds, and of the Paying Agent’s Certificates of Authentication to be endorsed thereon, with appropriate insertions, omissions and variations, shall be substantially as set forth in Schedule "D" attached to this Ordinance.

Section 13. The Bonds shall be executed in the name of and on behalf of this County by the signature or facsimile signature of the County Executive of the County, and the official seal of this County or a facsimile thereof shall be affixed thereunto, attested by the signature or facsimile signature of the Clerk to County Council. Bonds executed and bearing signatures or facsimile signatures as above provided may be issued and shall, upon request of the County, be authenticated by the Paying Agent, notwithstanding that one or more of the officers signing such Bonds shall have ceased to hold office at the time of issuance or authentication or shall not have held office at the date of the Bonds. U.S. Bank, National Association, in its capacity as Paying Agent, hereby is authorized, requested and directed to authenticate the Bonds by execution of the Certificate of Authentication endorsed on the Bonds by a duly authorized officer. No Bonds shall be valid until the Certificate of Authentication shall have been duly executed by the Paying Agent, and such authentication shall be proof that the registered owner is entitled to the benefit of the Ordinance.

Section 14. The Bonds shall be issued only in registered form, without coupons, as provided, may be exchanged for a like aggregate principal amount of the same series and maturity of other authorized denominations, and the following conditions in addition to those set forth in the Bond forms themselves shall apply with respect thereto:
(a) The County shall keep, at a corporate trust office of the Paying Agent, books for the registration and transfer of the Bonds, and hereby appoints the Paying Agent its registrar and transfer agent to keep such books and make such registrations and transfers under such reasonable regulations of the County or the registrar and transfer agent may prescribe, and as set forth in the forms of Bonds herein. Registrations and transfers shall be at the expense of the County, but the Bondholder shall pay any taxes or other governmental charges on all registrations and transfers and shall pay any costs of insuring Bonds during shipment.

(b) Bonds may be transferred upon the registration books upon delivery to the Paying Agent of such Bond, accompanied by a written instrument or instruments of transfer, in form and with guaranty of signature satisfactory to the Paying Agent, duly executed by the owner of the Bonds to be transferred or his attorney-in-fact or legal representative, containing written instructions as to the details of the transfer of such Bonds, and other information requested by the County pursuant to the Ordinance or by the Paying Agent in its regulations. No transfer of any Bond will be effective until entered on the registration books and until payment from the registered owner of all taxes and governmental charges incidental to such transfer is received.

(c) In all cases of the transfer of a Bond, the Paying Agent will enter the transfer of ownership in the registration books and, if requested, will authenticate and deliver in the name of the transferee or transferees a new fully registered Bond or Bonds of authorized denominations of the same series, maturity and interest rate for the aggregate principal amount which the registered owner is entitled to receive at the earliest practicable time in accordance with the other provisions of this Ordinance.

(d) The County and the Paying Agent will not be required to issue or transfer or exchange any Bonds during a period beginning at the close of business on the fifteenth (15th) day next preceding any date of selection of Bonds to be redeemed and ending at the close of business day on which the applicable notice of redemption is given, or to transfer any Bonds which have been selected or called for redemption in whole or in part until after the redemption date.
(e) If any Bond shall become mutilated, the County shall execute and the Paying Agent shall thereupon authenticate and deliver a new Bond of like tenor and denomination in exchange and substitution for the Bond so mutilated, but only upon surrender to the Paying Agent of such mutilated Bond for cancellation, and the County and the Paying Agent may require reasonable indemnity therefor. If any Bond shall be reported lost, stolen or destroyed, evidence as to the ownership and the loss, theft or destruction thereof shall be submitted to the County and the Paying Agent; and if such evidence shall be satisfactory to both and indemnity satisfactory to both shall be given, the County shall execute, and thereupon the Paying Agent shall authenticate and deliver, a new Bond of like tenor and denomination. The cost of providing any substitute Bond under the provisions of this Section shall be borne by the Bondholder for whose benefit such substitute Bond is provided. If any such mutilated, lost, stolen or destroyed Bond shall have matured or be about to mature, the County may, with the consent of the Paying Agent, pay to the owner the principal amount of and accrued interest on such Bond upon the maturity thereof and the compliance with the aforesaid conditions by such owner, without the issuance of a substitute Bond therefor.

Every substituted Bond issued pursuant to this subsection shall constitute an additional contractual obligation of the County, whether or not the Bond to have been destroyed, lost or stolen shall be at any time enforceable by anyone, and shall be entitled to all the benefits of this Ordinance equally and proportionately with any and all other Bonds duly issued hereunder.

All Bonds shall be held and owned upon the express condition that the foregoing provisions are exclusive with respect to the replacement or payment of mutilated, destroyed, lost or stolen Bonds and shall preclude any and all other rights or remedies, notwithstanding any law or statute existing or hereafter enacted to the contrary with respect to the replacement or payment of negotiable instruments, investments or other securities without their surrender.

(f) Pending preparation of definitive Bonds, or by agreement with the purchasers of all Bonds, the County may issue and, upon its request, the Paying Agent shall authenticate in lieu of definitive Bonds one or more temporary printed or typewritten Bonds in denominations of $5,000 and multiples
thereof, of substantially the tenor recited above, in fully registered form. Upon request of the County, the Paying Agent shall authenticate definitive Bonds in exchange for and upon surrender of an equal principal amount of temporary Bonds. Until so exchanged, temporary Bonds shall have the same right, remedies and security hereunder as definitive Bonds.

Section 15. The County covenants to and with holders or registered owners of the Bonds which shall be outstanding, from time to time, pursuant to the Ordinance, that the County shall include the amount of the debt service, as set forth in the appropriate schedule annexed to Section 5 hereof, for each fiscal year of this County in which such sums are payable, in its budget for such fiscal year, shall appropriate such amounts to the payment of such debt service and duly and punctually shall pay or shall cause to be paid not later than the due date thereof to the sinking fund hereinafter established the principal of each of the Bonds and the interest thereon on the dates and place and in the manner stated therein according to the true intent and meaning thereof; and, for such budgeting, appropriation and payment, this County shall and does pledge, irrevocably, its full faith, credit and taxing power. As provided in the Act, the foregoing covenant of this County shall be enforceable specifically.

Furthermore:

(a) There is created pursuant to Section 8221 of the Act, a sinking fund for the Bonds, to be known as the "Sinking Fund--General Obligation Bonds, Series of 2013" or the "2013 General Obligation Bonds Sinking Fund", which sinking fund shall be administered in accordance with applicable provisions of the Act.

(b) From the funds deposited in the Sinking Fund, the Paying Agent, without further action of the County, is hereby authorized and directed to pay the principal of and interest on the Bonds of each respective issue, and the County hereby covenants that such monies, to the extent required, will be applied to such purpose, as follows: The Paying Agent shall pay all interest on the Bonds as and when the same shall become due and payable and the principal on all Bonds, as and when such Bonds shall mature by their express terms, or by reason of selection by lot under any mandatory redemption provisions applicable thereto.
(c) The Paying Agent from time to time, may invest and/or deposit money which shall be in its possession hereunder and which shall not be required for application to payment of principal and/or interest with respect to the Bonds, in such manner as may be permitted by applicable laws of the Commonwealth of Pennsylvania, for such period of time as will not affect adversely the availability of such money as and when required for application to payment of principal and/or interest with respect to the Bonds for the account and benefit of the County; provided, however, that no such investment and/or deposit shall be made which, in any manner: (1) may impair the principal amount thereof; or (2) may cause the Bonds issued by the County under this Ordinance to be "arbitrage bonds" within the meaning of the Internal Revenue Code of 1986, as amended, including applicable regulations promulgated, from time to time, in connection therewith and pursuant thereto.

(d) If at any time the Paying Agent shall hold in the 2013 Bonds Sinking Fund monies which are in excess of those required to provide for the payment of interest previously due, and principal on Bonds, of each respective, already matured though not yet presented, and such excess monies shall not be required within thirty (30) days to meet the payment of interest on, and principal of Bonds, next maturing or to be called for mandatory redemption; and the County shall not otherwise be in default hereunder; then in that event the Paying Agent shall, upon direction from the County, utilize such excess funds for the purchase of any of the Bonds, as shall be available for purchase, at the lowest available price, but in no case at more than par, with accrued interest to the date of the purchase.

(e) All monies deposited in the Sinking Fund, for the payment of the Bonds and interest thereon, which have not been claimed by the owners thereof after two years from the date when payment is due, except where such monies are held for the payment of outstanding checks, drafts or other instruments of the Paying Agent, shall be returned to the County. Nothing contained herein shall relieve the County of its liability to the holders of unpresented Bonds.

Section 16. The County appoints U.S. Bank, National Association, as the Sinking Fund Depository with respect to the 2013 Bonds Sinking Fund, created pursuant to Section 15 of this Ordinance.
Section 17. The following additional terms and conditions shall apply, as appropriate, to the Bonds:

(a) Should the County fail to provide the Paying Agent with sufficient funds, payable to the appropriate sinking fund, at appropriate intervals, so as to enable the Paying Agent to pay the principal and interest on the Bonds as and when due, or should the County, through the Paying Agent, fail to make such payments as and when due, or should the County fail to perform any other covenant or condition contained in this Ordinance and running to the benefit of the holders or registered owners of the Bonds, or contained in the Act as applicable to the Bonds, such failure shall constitute a default by the County, and the registered owners of the Bonds shall be entitled to all the rights and remedies provided by the Act in the event of default. If any such default occurs, the Paying Agent may, and upon written request of the owner of 25 per cent of the aggregate principal amount of the Bonds then outstanding accompanied by indemnity in such form and in such amount as the Paying Agent shall designate or a Court of competent jurisdiction shall set and establish, shall bring suit upon the Bonds, or by other appropriate legal or equitable action restrain or enjoin any acts by the County which may be unlawful or in violation of the rights of the owners of the Bonds.

(b) With respect to the Bonds hereunder, all such Bonds which shall be paid, purchased or redeemed by the County or the Paying Agent pursuant to the terms and provisions of this Ordinance shall be canceled and cremated or otherwise destroyed by the Paying Agent, which shall then furnish the County with a Certificate of Cremation or Destruction.

(c) The Bonds hereunder shall be deemed to be no longer outstanding if provision for payment at maturity or at redemption, such redemption having been irrevocably undertaken, shall have been made in a manner authorized under Section 8250(b) of the Act.

(d) With respect to the Bonds hereunder, the County may from time to time and at any time, adopt a supplemental ordinance in order to: (1) cure any ambiguity or formal defect or omission in this Ordinance or in any supplemental ordinance or (2) grant to or confer upon the owners of the Bonds any additional rights, remedies, powers, authority, or security that
may be lawfully granted to or conferred upon them. This Ordinance may also be amended or modified from time to time, except with respect to the principal or interest payable upon the Bonds, or with respect to the dates of maturity or redemption provisions of the Bonds, and in the case of any such permitted amendment or modification, a certified copy of the same shall be filed with the Paying Agent, following approval in writing by the owners of not less than 67 percent in principal amount of the Bonds then outstanding, other than Bonds provision for payment or redemption of which has been made prior to the effective date thereof as provided in sub-section (c) above, and the written consent of any municipal bond insurance company then insuring the Bonds.

(e) So long as the Bonds shall be insured as to payment to any extent by the bond insurer (the "Bond Insurer") set forth in Schedule "E" hereof, any terms, conditions and covenants set forth in Schedule "E" shall apply.

Section 18. The County Executive, the Director of Fiscal Affairs and the Acting Finance Director, respectively, of this County, which shall include their duly qualified successors in office, if applicable, are authorized and directed as appropriate; (a) to prepare, to certify and to file the debt statement required by Section 8110 of the Act; (b) to prepare and file, as required with the Department of Community and Economic Development (the "Department") of the Commonwealth, statements required by Section 8024, 8025 or 8026 of the Act, which are necessary to qualify certain nonelectoral and lease rental debt of this County and, if necessary, the debt which will be evidenced by the bonds to be issued hereunder; (c) to prepare, execute and to file the application with the Department, together with a complete and accurate transcript of the proceedings relating to the incurring of debt, of which debt the Bonds, upon issue, will be evidence, as required by Section 8111 of the Act; (d) to pay or to cause to be paid to the Department all proper filing fees required by the Act in connection with the foregoing; and (e) to take other required necessary and/or appropriate action.

Section 19. The officers and officials of this County, including the County Executive, the Director of Fiscal Affairs and the Acting Finance Director, are hereby authorized and directed to execute and deliver such other documents and to take such other action as may be necessary or appropriate in order to
effect the execution, issuance, sale and delivery of the Bonds, all in accordance with this Ordinance.

Section 20. The County Executive is authorized and directed to contract with the U.S. Bank, National Association, for its services as Sinking Fund Depository and as Paying Agent in connection with the Bonds, and with the bond insurer (the "Bond Insurer") designated in the attached Schedule "E", if any, and is authorized and directed to execute on behalf of the County at the appropriate time, a Paying Agent Agreement with the U.S. Bank, National Association, as Paying Agent for the Bonds, a Continuing Disclosure Agreement or Certificate, and a commitment to purchase bond insurance from the Bond Insurer. The County Executive, Director of Fiscal Affairs and Acting Finance Director are authorized to approve payment by the Paying Agent at settlement on the sale of the Bonds of all costs and expenses incidental to such issuance and sale including the bond insurance in accordance with the estimates contained in the Financing Study.

Section 21. The portion of the proceeds of the sale of the Bonds allocated to the County Improvements, after payment of the costs of issuance, shall be invested, pending application to the payment of costs of the County Improvements, in investments (the "Investments"), which are legal investments for Counties under the laws and statutes of the Commonwealth of Pennsylvania, and further, to the extent not invested in direct obligations of the United States, such Investments shall be adequately collateralized by such obligations. The County Executive, Director of Fiscal Affairs and Acting Finance Director are hereby authorized and directed to make appropriate arrangements for the Investments.

Section 22. It is declared that the debt to be incurred by the issuance of the Bonds hereby, together with any other indebtedness of the County, is not in excess of any limitation imposed by the Act upon the incurring of non-electoral debt by the County.

Section 23. Proper officers of the County are authorized and directed to deliver the Bonds upon execution and authentication thereof as provided for herein, to the Investment Bankers, but only upon receipt of proper payment of the balance due therefore, and only after the Department has certified its approval pursuant to Section 8204 of the Act.
Section 24. The County hereby covenants with the registered owners, from time to time, of the Bonds that no part of the proceeds of the Bonds or of any moneys on deposit with the Paying Agent and Sinking Fund Depository hereunder will be used, at any time, directly or indirectly, in a manner which, if such use had been reasonably expected on the date of issuance of the Bonds, would have caused the Bonds to be "arbitrage bonds" or "private activity bonds" within the meaning of Sections 141 and 148 of the Internal Revenue Code of 1986 (the "Code") and the Regulations thereunder (the "Regulations") proposed or in effect at the time of such use and applicable to the Bonds, and that it will comply with the requirements of that section of the Code and the Regulations throughout the term of the Bonds.

(a) If the gross proceeds of the Bonds are invested at a yield greater than the applicable yield on the bonds and are not expended within six months from the date of issuance, or within eighteen (18) months thereafter if Section 1.148-7(d) of the Regulations shall be applicable, or within two (2) years thereafter if Section 148(f)(4)(c) of the Code shall be applicable, the County covenants that it will "Rebate" to the U.S. Treasury, at the times and in the manner required by the Code, all investment income derived from investing the proceeds of the Bonds in an amount which exceeds the amount which would have been derived from the investment of the proceeds of the Bonds at a yield not in excess of the yield on the Bonds. Provided however, that the County Executive and Director of Fiscal Affairs are hereby authorized on behalf of the County to exercise an election to pay, in lieu of Rebate, a penalty pursuant to Section 148(f)(4)(c)(vii) of the Code, which election, if made in their discretion, shall be contained in the County's Non-Arbitrage Certificate with respect to the Bonds issued at closing thereon, and shall thereupon become binding upon the County, in which case the County shall pay the appropriate penalties, as applicable, as and when due, in lieu of Rebate.

Section 25. The County does hereby covenant and agree, for the benefit of the holders, and beneficial owners, of the Bonds from time to time, that it will comply with the requirements of Rule 15c2-12 of the Securities and Exchange Commission ("SEC") with respect to municipal securities disclosure, and authorizes the County Executive to execute and comply with an appropriate Continuing Disclosure Certificate or
Section 26. The County covenants that, concurrently with the delivery of the Bonds to the Underwriters, there will be paid over to and for the account of the Paying Agent by the County an amount of money which, together with other available monies, will be sufficient to provide necessary funds required by the Refunding Program reflected in the schedules attached to the Financing Study and to provide payment of interest to and principal on August 15, 2013, for those 2006 Bonds maturing on or after August 15, 2013 and for the cost of retirement or redemption on such date of 2006 Bonds then outstanding and being refunded in accordance with the Refunding Program.

(a) The County further covenants that the Bonds will not be delivered to the Underwriters unless and until the County prior to or concurrently with such delivery, shall have taken or shall take all action as shall be necessary and/or appropriate to implement and effectuate provisions for the aforesaid defeasance of the 2006 Bonds by refunding pursuant to the Refunding Program. The intent and purpose of the foregoing is to insure that the County will take such action and will cause such action to be taken and will do such things and will cause the Paying Agent to do such things, prior to or concurrently with delivery of the Bonds, as shall be necessary and/or appropriate to implement and effectuate provision of the aforesaid defeasance of the 2006 Bonds, so that simultaneously with delivery of the Bonds to the Underwriters, for purposes of the Act, such 2006 Bonds no longer shall be considered to be outstanding, and the County shall be deemed to have made appropriate provisions of the retirement of the outstanding non-electoral debt which was evidenced thereby.

(b) To the extent necessary, the County shall enter into appropriate escrow agreement (the 2006 Bonds Escrow Agreement), with the Escrow Agent/2006 Paying Agent to cause and require the Escrow Agent/2006 Paying Agent to take actions necessary in order to carry out the Refunding Program. There is created pursuant to Section 8221 of the Act, a sinking fund for the 2006 Bonds to be refunded under the 2006 Bonds Escrow Agreement to be known as "Escrow Fund", which Sinking Fund shall be administered in accordance with the Act.

Section 27. The County hereby covenants that the portion
of the proceeds of the Bonds allocated to the Refunding Program, after the payment of costs and expenses with respect to the issuance of the Bonds, shall be deposited with U.S. Bank, National Association, as 2005 Paying Agent, to provide the appropriate and required funds to refund the 2006 Bonds pursuant to the Refunding Program. The County further covenants that the principal amount of such funds so deposited, and the interest to be earned thereby, if any, together with any other available funds deposited thereunder, shall be adequate, with respect to the 2006 Bonds to be refunded, to make all payments of interest as due, and principal at maturity or redemption, according to the Refunding Program. The County further covenants that the amounts so deposited with said 2006 Paying Agent as aforesaid or as otherwise paid to the 2006 Paying Agent shall also be adequate to pay all fees for the services to be performed by the Paying Agent, including the retirement of the 2006 Bonds when called for redemption, or the County will pay such costs and any other incidental costs and expenses. The remaining proceeds of the Bonds shall be allocated to the County Improvements and deposited as directed by the County.

Section 28. The County hereby desires that the 2006 Paying Agent utilize the proceeds allocated to the Refunding Program, and any other funds available, and any other funds to be deposited thereunder for the purpose, and that such total funds will be adequate to implement the Refunding Program.

Section 29. The County does hereby authorize and direct the issuance of irrevocable instructions (the "Irrevocable Instructions") to the Paying Agent for the 2006 Bonds, calling for the redemption of the 2006 Bonds being refunded and maturing on or after August 15, 2014, such Instructions and the Notice of Redemption to be given thereby to be substantially in the forms set forth in Schedule "F" hereof.

Section 30. In the event that any provision, section, sentence, clause or part of this Ordinance shall be held invalid, such invalidity shall not affect or impair any remaining provision, section, sentence, clause or part of this Ordinance, it being the intent of the County that such remainder shall be and shall remain in full force and effect.

Section 31. All ordinances or parts of ordinances, insofar as the same shall be inconsistent herewith, shall be and the same expressly are repealed.
Section 32. This Ordinance shall be effective in accordance with Section 8003 of the Act.

Mr. Cusick stated the Finance Committee would be reviewing this ordinance at the meeting being held on June 19, 2013. He further stated a public hearing and debate was scheduled for the June 20, 2013 County Council meeting, with the final vote being held on the July 2, 2013 County Council meeting.

Introduction of the Ordinance Providing for the Sale of the Wolf Building

Mr. Kraft and Mrs. Thierry introduced the following ordinance:

AN ORDINANCE PROVIDING FOR THE SALE OF THAT CERTAIN PARCEL OF REAL PROPERTY COMMONLY KNOWN AS THE WOLF BUILDING LOCATED AT 45 NORTH 2ND STREET, CITY OF EASTON, NORTHAMPTON COUNTY, PENNSYLVANIA

WHEREAS, Northampton County Home Rule Charter Article 602 (a) (6) provides that the Northampton County Council shall enact an ordinance for any act which "(6) purchases, conveys, leases or authorizes the purchase conveyance or lease of any real property of the County".

NOW, THEREFORE, BE IT HEREBY ORDAINED AND ENACTED by the Northampton County Council that it does hereby agree to sell to the Building Development Group, LP, in consideration for the sum of one million nine hundred twenty-five thousand ($1,925,000.00), that certain parcel of real property commonly known as the Wolf Building, located at 45 North 2nd Street, Easton, PA 18042, Northampton County, Pennsylvania, consisting of 3.396 acres, more or less, and known as Northampton County Parcel Identifier Nos. L9NE3C-6-18 and L9NE3C-6-18A. The terms and conditions of the sale shall be in accordance with the Agreement of Sale, a copy of which is attached hereto and made a part hereof as Attachment "A".
Effective Date: This ordinance shall become effective thirty days after the date of enactment.

Mr. Cusick advised the Finance Committee will be reviewing this ordinance at the June 19, 2013 meeting and the public hearing, debate, and possible vote was scheduled for the June 20, 2013 meeting.

Consideration of Open Space Initiative Project Resolutions:

Mr. Cusick stated the Northampton County Open Space Advisory Board met on May 30, 2013 and recommended approval of these projects.

Mr. Parsons introduced the following resolution:

Northampton Park Play Equipment 2013 Capital Improvements Plan: Northampton Borough

R. 33-2013 WHEREAS, the County of Northampton implemented the Northampton County Initiative by enacting the Northampton County Open Space Ordinance #423-2004 on November 5, 2004; and

WHEREAS, the Northampton County Open Space Advisory Board has recommended approval of the of Borough of Northampton 2013 Capital Improvements, Park Play Equipment Project; and

WHEREAS, the Northampton County funding will be used as follows:

Property Owner: Borough of Northampton

Site Location: Municipal Park Playground - Smith Lane, Canal Street Park - Canal Street, 26th Street Park Playground
NOW, THEREFORE, BE IT RESOLVED by the Northampton County Council:

(1) The Northampton County Council hereby approves the Borough of Northampton 2013 Capital Improvements, Park Play Equipment Project. Further, the Northampton County Executive, through the office of the Program Administrator of the Northampton County 21st Century Open Space Initiative, or his/her designee, is directed to take any and all steps necessary to administer and complete Northampton County's obligations in this project.

(2) The Northampton County Council further directs the Northampton County Executive to appropriate $99,454.50 as the Northampton County contribution to the Borough of Northampton 2013 Capital Improvements, Park Play Equipment Project.

Ms. Maria Bentzoni, Farmland Preservation Administrator, advised the Borough of Northampton had an allocation of $166,691 and they were requesting $99,454.50 to put Americans With Disability Act accessible playground equipment throughout three of the Borough parks, to remove the existing and outdated equipment throughout the Borough-wide park and to remove the existing and outdated equipment throughout two of the Borough neighboring parks. She further advised this was consistent with the Borough Comprehensive Plan.

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

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

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

Fisk Field Camera: Wilson Borough

Mr. Parsons introduced the following resolution:

R. 34-2013    WHEREAS, the County of Northampton implemented the Northampton County Initiative by enacting the Northampton County Open Space Ordinance #423-2004 on November 5, 2004; and

WHEREAS, the Northampton County Open Space Advisory Board has recommended approval of the of Borough of Wilson Fisk Field Camera Project; and

WHEREAS, the Northampton County funding will be used as follows:

Property Owner: Borough of Wilson

Site Location: 1700 Wood Ave., Easton, PA,

Parcel Identification:

Park Development Description: First security system in Park, Department facility operations,

Appraised Value: No acquisition involved

Municipal Allocation:

County Grant Request: $16,343.55 (45%)

Other Grants: $19,975.45 (55%) 2012 Northampton

NOW, THEREFORE, BE IT RESOLVED by the Northampton County Council:

(1) The Northampton County Council hereby approves the Borough of Wilson Fisk Field Camera Project. Further, the Northampton County Executive, through the office of the Program
Administrator of the Northampton County 21st Century Open Space Initiative, or his/her designee, is directed to take any and all steps necessary to administer and complete Northampton County's obligations in this project.

(2) The Northampton County Council further directs the Northampton County Executive to appropriate $16,343.55 as the Northampton County contribution to the Borough of Wilson Fisk Field Camera Project.

Ms. Bentzoni stated the cameras that were being installed would allow monitoring of the softball and football fields, restrooms, concessions and parking lot. She further stated the cameras would consist of a pan tilt zoom feature that would allow them to link directly to the Wilson Police Department and the data could be shared with the Easton Police Department.

Ms. Bentzoni advised this would also allow them to have real time footage that was recorded and stored for approximately 30 days. She further advised this was the first security system in the park.

Mr. McClure stated, in the future, more consideration should be given to purchasing cameras from Open Space funding.

Mr. Cusick advised the County did invest funds in Fisk Field so he felt the investment should be protected.

Ms. Bentzoni stated every time this issue came up, it was seriously discussed by the Open Space Advisory Board and the Administration and it was determined because of the significant amount of money that had been invested in these parks, not only by the County, but by the matching grants and the municipalities, the security feature was not only there to protect the financial investment, but also the security issues they experienced.

Mr. McClure advised he agreed that the parks would be used more if the people felt safe using them, but he felt it was something that should be given a lot of consideration in the future.

As there were no further questions or comments, Mr. Cusick called for the vote.
The vote: Parsons, "yes"; McClure, "yes"; Kraft, "no"; Gilbert, "yes"; Ferraro, "yes"; Dietrich, "yes"; Cusick, "yes"; Werner, "yes" and Thierry, "yes".

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

24th Street Bike Path: Wilson Borough

Mr. Parsons introduced the following resolution:

R. 35-2013 WHEREAS, the County of Northampton implemented the Northampton County Initiative by enacting the Northampton County Open Space Ordinance #423-2004 on November 5, 2004; and

WHEREAS, the Northampton County Open Space Advisory Board has recommended approval of the of Borough of Wilson 24th Street Bike Path Project; and

WHEREAS, the Northampton County funding will be used as follows:

Property Owner:
Borough of Wilson

Site Location:
Former ConRail right-of-way in Avona Heights

Parcel Identification:

Park Development Description:
Development of $1,500 feet of a 12' wide pathway, connection to Palmer

Appraised Value:
No acquisition involved

Municipal Allocation:
$14,470.64 (51%)

County Grant Request:
$14,076.00 (49%)

Other Grants:

NOW, THEREFORE, BE IT RESOLVED by the Northampton County Council:
(1) The Northampton County Council hereby approves the Borough of Wilson 24th Street Bike Path Project. Further, the Northampton County Executive, through the office of the Program Administrator of the Northampton County 21st Century Open Space Initiative, or his/her designee, is directed to take any and all steps necessary to administer and complete Northampton County's obligations in this project.

(2) The Northampton County Council further directs the Northampton County Executive to appropriate $14,076.00 as the Northampton County contribution to the Borough of Wilson 24th Street Bike Path Project.

Ms. Bentzoni stated this project was a continuation of the Palmer Trail that goes through a portion of Wilson Borough. She further stated a salvage contractor has already removed the rails from the right-of-way so there was some remediation going on.

Ms. Bentzoni advised the development of 1500 feet of a 12' wide path would connect into the Palmer Trail system that already existed. She further advised this trail would provide an alternative transportation route between residential, commercial, educational and recreational areas and was a critical link.

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

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

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

Heil Park Recreational Fields: City of Easton

Mr. Parsons introduced the following resolution:

R. 36-2013 WHEREAS, the County of Northampton implemented the Northampton County Initiative by enacting the Northampton County Open Space Ordinance #423-2004 on November 5, 2004; and
WHEREAS, the Northampton County Open Space Advisory Board has recommended approval of the City of Easton Heil Park Recreational Fields Project;

WHEREAS, the Northampton County funding will be used as follows:

Property Owner: City of Easton

Site Location: 815 Packer Street, Easton, PA, 18042 Northampton County

Parcel Identification:

Park Development Description: Development of a combination country walking path and additional

Appraised Value: No acquisition involved

Municipal Allocation:

County Grant Request: $213,000.00 (50%)

Other Grants: $213,000.00 (50%) 2010 PCDCNR Grant

NOW, THEREFORE, BE IT RESOLVED by the Northampton County Council:

(1) The Northampton County Council hereby approves the City of Easton Heil Park Recreational Fields Project. Further, the Northampton County Executive, through the office of the Program Administrator of the Northampton County 21st Century Open Space Initiative, or his/her designee, is directed to take any and all steps necessary to administer and complete Northampton County's obligations in this project.

(2) The Northampton County Council further directs the Northampton County Executive to appropriate $213,000.00 as the Northampton County contribution to the City of Easton Heil Park Recreational Fields Project.

Ms. Bentzoni stated these funds were for the development of the youth track and field facility, new softball and baseball fields, a combination of a lacrosse and soccer field, additional play areas, additional parking and a cross county walking path.
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In answer to Mr. Dietrich's question as to why it took so long for the City of Easton to use the grant funds from 2010, Ms. Bentzoni advised it sometimes took nine months to receive the award and then leverage it with another grant.

Mr. Gilbert stated a lot of volunteer work went into this park to get it to where it was presently.

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

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

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

Recreational Park Rehabilitation: Moore Township

Mr. Parsons introduced the following resolution:

R. 37-2013 WHEREAS, the County of Northampton implemented the Northampton County Initiative by enacting the Northampton County Open Space Ordinance #423-2004 on November 5, 2004; and

WHEREAS, the Northampton County Open Space Advisory Board has recommended approval of the Moore Township Recreation Park Rehabilitation Project; and

WHEREAS, the Northampton County funding will be used as follows:

Property Owner: Moore Township

Site Location: 635 English Road, Bath, PA 18014
Northampton County

Parcel Identification:

Park Development Description: Installation of dugouts at Gestl Field, installation of 3 picnic areas, replacement and upgrades to
existing trash receptacles, installation of fencing along Coyle Field, installation of blacktop on entrance roadway.

Appraised Value: No acquisition involved
Municipal Allocation: $42,144.00 (50%)
County Grant Request: $42,144,00 (50%)
Other Grants:

NOW, THEREFORE, BE IT RESOLVED by the Northampton County Council:

(1) The Northampton County Council hereby approves the Moore Township Recreation Park Rehabilitation Project. Further, the Northampton County Executive, through the office of the Program Administrator of the Northampton County 21st Century Open Space Initiative, or his/her designee, is directed to take any and all steps necessary to administer and complete Northampton County's obligations in this project.

(2) The Northampton County Council further directs the Northampton County Executive to appropriate $42,144.00 as the Northampton County contribution to the Moore Township Recreation Park Rehabilitation Project.

Ms. Bentzoni stated this was a shovel ready application and Moore Township had originally requested $93,000. She further stated applications were received from 13 municipalities that exceeded the $1 million allocation so Moore Township was asked to alter their application and choose their priority projects. She noted if one of the applications did not go through this year, Moore Township would be able to come back and ask for the balance of their application.

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

The vote: Parsons, "yes"; Kraft, "yes"; McClure, "yes"; Thierry, "yes"; Werner, "yes"; Cusick, "yes"; Dietrich, "yes"; Ferraro, "yes" and Gilbert, "yes".
The resolution was adopted by a vote of 9-0.

Johnson Park Dam Removal and Restoration of Natural Resources: City of Bethlehem

Mr. Parsons introduced the following resolution:

R. 38-2013 WHEREAS, the County of Northampton implemented the Northampton County Initiative by enacting the Northampton County Open Space Ordinance #423-2004 on November 5, 2004; and

WHEREAS, the Northampton County Open Space Advisory Board has recommended approval of the City of Bethlehem Johnston Park Dam Removal and Restoration of Natural Resources Project; and

WHEREAS, the Northampton County funding will be used as follows:

Property Owner: City of Bethlehem

Site Location: City of Bethlehem Historic Colonial Industrial Quarter, Monocacy Creek, Northampton County

Parcel Identification:

Park Development Description: The removal of a 50 foot wide, 6 foot high dam and stream, stream bank stabilization and naturalization, enhancement of stream habitat, restore riverine functions, establish a riparian buffer zone

Appraised Value: No acquisition involved

Municipal Allocation: $33,500.00 (22%)

County Grant Request: $58,800.00 (39%)

Other Grants: $58,800.00 (39%) PA DCNR

NOW, THEREFORE, BE IT RESOLVED by the Northampton County Council:
(1) The Northampton County Council hereby approves the City of Bethlehem Johnston Park Dam Removal and Restoration of Natural Resources Project. Further, the Northampton County Executive, through the office of the Program Administrator of the Northampton County 21st Century Open Space Initiative, or his/her designee, is directed to take any and all steps necessary to administer and complete Northampton County's obligations in this project.

(2) The Northampton County Council further directs the Northampton County Executive to appropriate $59,800.00 as the Northampton County contribution to the City of Bethlehem Johnston Park Dam Removal and Restoration of Natural Resources Project.

Ms. Bentzoni advised the City of Bethlehem had determined after environmental studies had been done that the removal of the dam would be best for the stream and the aquatic life and fisheries.

Mr. Parsons stated there was some discussion whether this would qualify for Open Space funding, but since there was no acquisition involved, it was determined it would not.

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

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

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

Rehabilitation of Monocacy Creek at Illick's Mill; City of Bethlehem

Mr. Parsons introduced the following resolution:

R. 39-2013 WHEREAS, the County of Northampton implemented the Northampton County Initiative by enacting the Northampton County Open Space Ordinance #423-2004 on November 5, 2004; and
WHEREAS, the Northampton County Open Space Advisory Board has recommended approval of the City of Bethlehem Rehabilitation of Monocacy Creek at Illick’s Mill Project; and

WHEREAS, the Northampton County funding will be used as follows:

- Property Owner: City of Bethlehem
- Site Location: City of Bethlehem Monocacy Creek at Illick’s Mill Park, Northampton
- Site Information: Approximately three acres
  Park Development Description: The removal of existing inadequate buffers, excavation of existing stream bank, installation of riparian buffer zone, prevention of erosion and sedimentation
- Appraised Value: No acquisition involved
- Municipal Allocation: $12,680.00 (5%)
- County Grant Request: $119,789.00 (47.5%)
- Other Grants: $119,789.00 (47.5%) PA DCNR

NOW, THEREFORE, BE IT RESOLVED by the Northampton County Council:

(1) The Northampton County Council hereby approves the City of Bethlehem Rehabilitation of Monocacy Creek at Illick’s Mill Project. Further, the Northampton County Executive, through the office of the Program Administrator of the Northampton County 21st Century Open Space Initiative, or his/her designee, is directed to take any and all steps necessary to administer and complete Northampton County’s obligations in this project.

(2) The Northampton County Council further directs the Northampton County Executive to appropriate $119,789.00 as the Northampton County contribution to the City of Bethlehem Rehabilitation of Monocacy Creek at Illick’s Mill Project.

Mr. Parsons stated this was another project where there was considerable discussion about whether Open Space funding should be used and again because there was no acquisition, it did not qualify for those funds.
As there were no questions or comments, Mr. Cusick called for the vote.


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

Consideration of the Emergency Solutions Grant Resolution

Mr. Cusick advised the Economic Development Committee met earlier today where this resolution was considered.

Mrs. Ferraro introduced the following resolution:

R. 40-2013

RESOLUTION OF THE COUNTY OF NORTHAMPTON AUTHORIZING THE FILING OF A REQUEST FOR REVISION OF THE 2012 EMERGENCY SOLUTIONS GRANT WITH THE DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT, COMMONWEALTH OF PENNSYLVANIA

WHEREAS, the Commonwealth of Pennsylvania through the Department of Community and Economic Development (PA DCED) has awarded FFY 2012 Emergency Solutions Grant (ESG) Program funds to the Northampton County Department of Community and Economic Development (NCDCED) on behalf of Catholic Charities, Diocese of Allentown and Victory House of Lehigh Valley in order to provide Homelessness Prevention and Rapid Re-housing Assistance; and

WHEREAS, Victory House of Lehigh Valley has requested approval to modify its budget so as to allow funds to be used for the eligible categories of Rental Assistance and Financial Assistance; and

WHEREAS, the PA DCED requires approval of the governing
body as a condition of submitting this revision request to the PA DCED.

NOW, THEREFORE, BE IT RESOLVED AND IT IS HEREBY RESOLVED by the Northampton County Council that:

1. The NCDCED, on behalf of the County of Northampton, is authorized to request a revision to its ESG Program from the PA DCED in order to incorporate the Financial Assistance as an allowable use of funds by Victory House of Lehigh Valley.

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

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

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


Mr. Cusick stated the County Executive requested County Council approve two Administrative Code Article XIII contracts.

MorganRail

Mr. Cusick introduced the following resolution:

R. 41-2013

WHEREAS,

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

WHEREAS, on May 24, 2013, the Northampton County Council received a request from the County Executive for County Council to adopt a resolution endorsing a contract, in the amount of $47,708.25, with MorganRail, Inc. for the removal and
replacement of existing approach guide rail at five County bridges.

NOW, THEREFORE, BE IT RESOLVED that the Northampton County Council does hereby concur with the recommendation of the County Executive, as set forth in the attached documentation, to award a contract to MorganRail, Inc. for the removal and replacement of existing approach guide rail at five County bridges.

Mr. Tom Kohler, Department of Public Works Bridge Division, advised many of the County's old bridges had guide rails and almost every year new rules and regulations came out as to what the length and style had to be so as they received money, they were upgrading them, but it had been approximately 8-9 years since they have done any upgrading. He further advised these five bridges had short rails that no longer met the standards or had been damaged.

Mr. Kohler stated they received three bids with the highest one actually came in at the estimated cost and the other two bidders came in almost $20,000 below it. He further advised they took the lowest bidder, who had done work for the County previously without any issues.

Mr. Kohler advised all four corners were being replaced on Bridge 34 in Upper Mount Bethel Township and all four ends of Bridges 41, 57, 185 and 195 in Lower Mount Bethel Township were being replaced.

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

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

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

Xerox

Mr. Cusick introduced the following resolution:

R. 42-2013 WHEREAS, Northampton County
Administrative Code Article XIII Procurement and Disposition of County Property, Section 13.16 Contracts and Agreements c.(2) requires approval of County Council for “any contract where costs are to be funded with monies outside of the County’s General Fund, such as those funded through bonded indebtedness.”

WHEREAS, on May 28, 2013, the Northampton County Council received a request from the County Executive for County Council to adopt a resolution endorsing a contract, in the amount of $65,994.00, with Xerox. The cost paid to Xerox on a pass through basis as part of the IT Outsourcing Agreement contract. Xerox is providing project management and other services associated with the implementation and ongoing support of the LaserFiche ECM Criminal Division records pilot project.

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

Mr. Albert Jordan, Xerox Director of Information Services, stated the project was to automate and scan the Criminal Division records. He further stated the dollar amount was associated with purchase of software and services of the company that did the implementation and their job was to make sure it was done right. He noted it was titled under their contract so they would have control of that vendor and would pass through the funds, but there were no charges to them.

Ms. Leigh Ann Fisher, Clerk of Courts - Criminal Division, advised every file they sent to Superior Court was photocopied before being sent so when it was returned, her office would have an original and copy. She further advised it took a lot of paper and manpower hours to do the photocopying. She noted she spoke to someone at Superior Court who informed her they would be going paperless by the end of this year or early next year.

In answer to Mr. Cusick’s question as to whether it would be compatible with the Civil Division system, Ms. Fisher replied their system consisted of scanning to microfilm or microfiche required by the State for retention so the paper could be destroyed. She further replied this system would move the documents into an electronic format where automated workflows could be utilized. She noted this was basically a pilot
project, but could potentially be used throughout the County.

In response to Mr. McClure's question as to whether the files could be electronically submitted to Superior Court at this time, Ms. Fisher stated Montgomery County was currently doing it through a pilot program.

In answer to Mr. McClure's question as to how much it would cost for this County-wide, Mr. Jordan advised he could work up an estimate. He further advised the bulk of the costs would be for the licenses and software, noting the management and running of it was part of his office's contract.

In response to Mr. McClure's question as to whether each office would have its own unique system, Ms. Fisher stated once this program was purchased it was theirs so the only thing they would have to purchase would be licenses, which was approximately $600 per license.

Mr. Jordan advised his office's responsibility would be to determine how to customize it for each division.

Mrs. Ferraro stated she would like to see a long range plan for getting the County upgraded to do its work electronically as much as possible.

Mr. Jordan advised that would have to be done at the Administration level.

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

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

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

Economic Development Committee Report

Mrs. Ferraro stated at the Economic Development Committee meeting, a discussion was held with regard to the Braden Airpark (Braden). She stated she learned that the airpark was unique because the length of the runway and because it was grandfathered in, if it remained idle until a decision was made,
those provisions could be lost.

Mrs. Ferraro advised a vote on the airpark was scheduled for the May 28, 2013 meeting of the Lehigh-Northampton Airport Authority (Authority), but due to some dissention, they decided to table it for 30 days. However, all of a sudden, they were going to take a vote on June 13, 2013 so she was very curious as to what was the rush to sell this airpark.

Mrs. Ferraro stated there have been rumors that Lehigh University wanted to purchase the airpark for some of their projects, but she could not believe that they would not wait a year so it could be determined whether someone else may be interested in taking it over and preserve it as an airpark.

Mrs. Ferraro advised that like Gracedale, they should look at other options and perhaps, make an interim decision. She further advised it was mentioned by a former member of the Authority that when Braden was purchased, they had to come to County Council to change the Authority’s charter so she wondered if they would have the approval of County Council and the Lehigh County Commissioners to sell it.

Mrs. Ferraro made a motion that the Authority not move on the sale of Braden Airpark for one year. Further, in the interim, the Home Rule Charter should be researched to see if it had to be approved by County Council and to have a group formed with representatives of the Authority and Forks Township and interested individuals from the aviation community to discuss ways to preserve it.

Mr. Parsons seconded the motion.

Mr. Dietrich stated he believed the consensus was, and which evidenced by the previous adoption of a resolution by County Council, that the Braden Airpark should not be sold so he did not see a reason for giving them a year.

Mrs. Ferraro advised she did not think the research had been done to make it a viable airpark so she felt they should be asked to hold off and put together a good representation of people to do that research.
Mr. Parsons stated he believed they should not be allowed to vote on it for a year.

Mr. Kraft advised there used to be a flight school that ran the airpark, but when they wanted a two year lease, they were only offered a month-to-month lease so they went to the Poconos, which resulted in the Authority hiring several people to run it and do maintenance for a salary.

Mr. Kraft stated he wondered what would happen to the fueling station they just built for State Police helicopters for emergency refueling. He further stated he agreed with Mr. Dietrich that they should be told not to sell it because it was the only public air facility in Northampton County.

Mr. McClure advised he understood the feelings behind this, but he had an issue with the independency of an authority and this resolution would only be viewed as a suggestion.

Mr. Werner stated they made a bad decision that was costing them $26 million and their solution was to go after Braden, which he was opposed to. He further stated there has been no explanation as to why they were not going after the large corporations that owed them money.

Mr. Werner advised they have heard from the community and he felt it was County Council’s job to let the Authority know that it was wrong to sell the airpark.

Mrs. Ferraro stated she would be willing to rescind her motion.

Mr. Cusick advised a letter will be sent to all the members of the Authority enclosing County Council’s previous resolution indicating its opposition to the sale. He further then asked Mr. Lauer to look into the provisions of the Home Rule Charter and for the Administration to look at whatever legal options were available.

Mr. Lauer stated he would look into the matter with Mr. Daniel Spengler, County Solicitor, but any action would have to be done on the part of the Administration.

In response to Mr. Gilbert’s question as to the position of the Forks Township Supervisors, Mr. Cusick advised the Board of
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Supervisors were in a precarious position because if it was sold, they would have to approve or disapprove a development plan. He further advised he believed in their heart they wanted to keep it, but from an official standpoint, they had to remain neutral.

Open Space Advisory Board Liaison/Open Space Committee Report

Mr. Parsons stated he wanted to remind everyone there would be an Open Space Advisory Board meeting at 4:00 p.m. on June 13, 2013, followed immediately by an Open Space Committee meeting.

Finance Committee Report

Mr. Cusick advised there were a lot of issues to be discussed at the Finance Committee meeting on June 19, 2013, so he urged everyone to attend.

Lehigh Valley Planning Commission (LVPC) Liaison Report

Mr. Cusick stated the Executive Board of the LVPC voted to extend an offer to a new director and based on that decision, a vote could be taken later this month.

Gracedale Advisory Board Liaison Report

Mr. Werner advised there would be a Gracedale Advisory Board meeting at 4:00 p.m., on June 13, 2013.

In answer to Mr. Cusick's question regarding an update on the bed sale, Mr. Ross Marcus, Director of Human Services, stated they received eight responses to their letters so they would be working internally to determine the best way to proceed.

In response to Mr. Cusick's question as to whether there had been discussion with the Department of Public Welfare regarding the beds due to the situation in Erie County, Mr. Marcus advised they sold their beds a few months ago so they were taking that as a sign of hope.

Legislative Breakfast
Mr. Werner stated that Mrs. Ferraro, Mr. Marcus and himself attended the Legislative Breakfast.

Mr. Marcus advised they were informed for the income to be received this fiscal year, the State was off by a half of billion.

Mr. Werner stated they learned that there was supposed to be another piece of legislation that would help Bill 461, which was the bill that would allow the Counties who wished to participate in the Human Services Block Grant to do so.

Mr. Marcus requested everyone to approach their representatives to have them support the opening of the block grant to any interested Counties.

In answer to Mr. McClure’s question as to what services were mandated, Mr. Marcus advised they were usually those centered on protection. He further advised they had to cut one and three quarter million dollars this year from services mostly in the area of prevention because they were not mandated.

Council Clerk’s Report

Mr. Flisser stated the meetings in July would be held on Tuesday, July 2, 2013, and Thursday, July 18, 2013.

Solicitor’s Report

Mr. Lauer advised a Preliminary Injunction Hearing was held with regard to the ambulance service and the Judge asked for additional things to be filed tomorrow.

Adjournment

Mr. Parsons made a motion to adjourn.

Mrs. Thierry seconded the motion.

The motion to adjourn passed unanimously by acclamation.
June 6, 2013

Frank E. Flisser
Clerk to Council

(J:\2013\nccmin\060613)