Easton, Pennsylvania

August 7, 2014

A regular meeting of the Northampton County Council was held on the above date with the following present: Margaret L. Ferraro, President; Glenn A. Geissinger, Vice-President; Mathew M. Benol; Kenneth M. Kraft; Lamont G. McClure, Jr.; Scott Parsons; Hayden Phillips; Seth Vaughn; Robert F. Werner; Frank E. Flisser, Clerk to Council, and Philip D. Lauer, Solicitor to Council.

Prayer

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

Pledge of Allegiance

Mrs. Ferraro 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 July 24, 2014 meeting shall be approved.

Mr. Parsons seconded the motion.

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

Courtesy of the Floor

Mr. Stephen J. Barron, Jr., 2239 Lincoln Street, Bethlehem, PA - provided copies of e-mails between Sahl Communications and John A. Brown, County Executive (see Attachment #1).

Mr. Barron stated he filed several lawsuits with regard to the Sahl Communications contract. He further stated after the first lawsuit, Mr. Brown withdrew the contract and put it out for Request for Proposals.
Mr. Barron advised the Declaratory Judgment Action stood until he knew what was happening with the Request for Proposals. He further advised at that point, he reconsolidated and filed another Declaratory Judgment Action and then applied for Injunctive Relief with the Court.

Mr. Barron stated the Injunctive Relief had since been withdrawn, but the Declaratory Judgment Action was still in play. He further stated he felt County Council, because of their role as the governing body and their oversight role of the Administrative Code, needed to be aware of things that were going on immediately and he was going to make a request for additional oversight.

Mr. Barron advised the first e-mail had the heading of fundraising meeting notes and contained the names of Mr. Matthew Deibert, Mr. Brown and the e-mail address for Ms. Lucy Lennon.

Mr. Barron stated he was following three specific contracts that Mr. Brown entered into when he became the County Executive, which were Sahl Communications, Taggart and Associates and Integrity Personnel.

Mr. Barron advised in reading these e-mails, it was clear that Ms. Kimberly Plyler, Sahl Communications, was engaged in fundraising activity while she was being paid as the County’s press relations consultant. He further advised one of the documents, a schedule of sorts for Sahl Communications for the weeks of February 14, 2014 to March 21, 2014, did not reflect the fundraising, but showed she was employed by the County.

Mr. Barron stated the documents revealed messages that showed Ms. Plyler was having meetings with the County Executive to strategize public relations in County Council meetings. He further stated he failed to understand how she was representing the County while working in the interest of one branch of government and potentially against another.

Mr. Barron advised Ms. Plyler was helping with interviews with Reuters for the GOP and campaign for County Executive, which he found troubling.

Mr. Barron stated since Mr. Brown had been elected, he had been approached by several individuals who have said they met Mr. Deibert and he had done some fundraising or made requests
for donations for Mr. Brown, which he did not have a problem with, but there were some disturbing interactions with County vendors and members of the County’s boards and authorities where he made it very clear that if certain things were not done that Mr. Brown wished to be done, there would be consequences.

Mr. Barron advised the last three pages of documents were invoices for Integrity Personnel, a County vendor, for $24,000 that had very little documentation. Mr. Barron further advised when he requested the documentation, the secretary informed him that billing was done by the president of the company. He noted when he asked to speak with Mr. Deibert, she informed him that he was not in the office every day.

Mr. Barron stated there were a lot of questions that needed answers so he was going to be requesting more e-mails and billing records because something did not seem right with these two contracts specifically and possibly the third one.

In response to Mr. Benol’s question as to whether the lawsuit involving the e-mails was brought by him as the Controller or a private citizen, Mr. Barron advised as the Controller.

Mr. Kraft stated based on these e-mails, he sent a letter to Mr. Brown and asked for e-mails for the individuals mentioned and the thing he found extremely troubling was he received a letter from the Solicitor’s Office indicating it was going to be treated as a Right-to-Know request. He further stated County Council was the governing body and as a member, his request should not be treated as a Right-to-Know request because he had a right to this information.

When Mrs. Ferraro commented that was a question for County Council’s Solicitor, Mr. Lauer advised he did not have an immediate answer, but he would be willing to research the issue.

Mr. McClure stated this matter could be considered another Bonusgate, not in scope because that was a statewide investigation of legislators, but in content.

Mr. McClure advised since the Bonusgate prosecutions, Pennsylvania law changed regarding public money being used for political purposes and in this case, there clearly was evidence that public resources were being utilized for political
purposes. He further advised before Bonusgate, most political and public corruption cases were prosecuted under the Crimes Code, but now there were laws pertaining to that kind of conduct before the County now.

Mr. McClure stated he wanted to see the Sahl Communications contract ended immediately without hesitation and no other contracts given to Integrity Personnel. He further stated if these things were done, then the County could avoid referring this matter to the authorities to determine if any laws were broken.

Mr. Werner advised there was now an individual in the Director of Administration position and that job description indicated that individual would handle and provide County Executive public relations work. He further advised since the Administration was concerned with saving public dollars and was seeking a 10% cut across the board, he was wondering why it was duplicating efforts and expending taxpayer dollars on a $76,500 a year contract for Sahl Communications when it was expending $88,000 a year salary for a Director of Administration that could do the job.

Mr. Werner stated the County should move to eliminate the concerns that were going to take place within the next few days by having the Director of Administration do the job he was intended to do and provide a positive impact on County Council.

Mr. Benol advised he understood where Mr. Barron was coming from, but he felt these e-mails were part of a political witch hunt because all of the e-mails should have been looked at. He further advised he felt the proper protocol would have been to send these e-mails to County Council’s Solicitor and not directly to its members.

In answer to Mr. Benol’s question as to whether he was proceeding with this because he felt there was wrong doing, Mr. Barron stated this was part of the discovery from the Declaratory Judgment Action. He further stated after reviewing the material, he felt it was something totally different and he could not sit on it especially when Bonusgate and other things were out there.
Mr. Barron advised he saw the invoices so he started tracking down information about Integrity Personnel and found Mr. Deibert worked for a County vendor while all this other stuff was going on and there was not sufficient documentation to support $24,000 being paid to them. He further advised he was elected by the people and he would be derelict in his duties if he did not question this and bring it to the governing body.

Mr. Barron stated Declaratory Judgment Actions took a very long time and he could not let taxpayer money for political purposes continue to be expended and then have a reporter questioned him about this later on. He further stated there was more information that needed to be gleaned from this that he could not get from his Declaratory Judgment Action because it was outside of its scope.

Mr. Barron advised it was not sent just to the County Council’s Solicitor because it was not pending legal action, but was part of e-mails he received and additional research he did as the Controller. He further advised he was actually bringing it to County Council to get the oversight required for this contract.

Mr. Barron stated although he believed the County Executive should be given the ability to do what he had to do, but no one should be able to circumvent the Administrative Code and potentially utilize public money for political gain.

Mr. Benol advised from where he was sitting this was just a continuation of a witch hunt. He further advised the time was coming when the County had to face a huge issue regarding its finances and he felt this was just smoke and mirrors to take attention away from it.

Mr. Benol read from the Home Rule Charter that the Controller “shall be the official of the County responsible for the internal control of the fiscal transactions of the County. During his term of office, the County Controller shall devote full time to the office and shall not actively engage in any other business or occupation. The salary of the full-time County Controller shall be established by the Northampton County Council in accordance with the Northampton County Home Rule Charter”.
Mr. Benol advised he read that because for someone to defend the letter of the law, he found it ironic that past County Council did not take action when Mr. Barron violated his office. He further advised to follow up on Mr. Kraft’s comments, he had also filed his request for certain e-mails because he believed there were other positions being used for political gain.

Mr. Werner stated the Home Rule Charter indicated the County Council, the County Executive or the Controller, jointly and severally, shall have the power to void any contract made in violation of any part of it. He further stated he believed there was something here of substance that had to be investigated. He noted if there was a conflict of interest with the hiring of a contractor or if privileges of a position were abused, the Home Rule Charter indicated they could be removed or dismissed.

Mr. McClure advised when it was discovered that Mr. Barron was teaching during the day, he immediately stopped doing it and in that same spirit, he was asking the County Executive to immediately stop the Sahl Communications contract.

Mr. William Hissam, Strausser Enterprises, 1108 Van Buren Road, Easton, PA – stated his employees have been contacted asking why they threw the senior citizens out of the Shull Building. He further stated they were not happy that the senior citizen center left the building after having been tenants for approximately 20 years. He noted they felt it was a benefit to the people in the community, the County and them.

Ms. Deborah Mertz, 3815 Dogwood Road, Danielsville, PA – advised she worked for the Area Agency on Aging as the Senior Center Director for the Easton Senior Center located in Center Square. She further advised this program was developed to allow seniors to stay in their homes for a longer period of time.

Ms. Mertz advised for years they have been told they could not leave downtown Easton because of senior housing, but between the three buildings, she had a total of eight individuals who attended the senior center. She further advised when she asked why they did not attend the center, they replied the reasons were there was no parking and crime.
Ms. Mertz stated she recently attended seminars on baby boomer generations and how programs and services would have to change in order to help this growing segment of the population. She further stated she felt the current location could not meet these needs, but the Forks Township location could begin to meet them.

Ms. Mertz advised the location sat amid three 55 and older communities and the facility was completely renovated with ample parking. She further advised it also provided outdoor space that would allow for games and gardening.

Ms. Mertz stated she felt this move was the first step in the transition that would be required in providing services to the new demographic of seniors. She further stated she hoped County Council would look at this proposal as an investment in the current and future seniors of the Easton area.

Mr. Jack Dalessandro, Bangor, PA - advised he understood the Sands owned the Bethlehem Steel property including the blast furnaces.

Mr. Kraft stated they did own it and leased it back to ArtsQuest and PBS 39.

Mr. Dalessandro advised Furnace A was owned by the Federal government and Furnace B, C and D had radioactive isotopes in them and there was no way to get them out.

Mrs. Ferraro stated she believed that was a Superfund site and it had to be cleaned up before anything was done.

County Executive's Report

Mr. Brown advised certain members of County Council have been threatening lawsuits and alleging misconduct by the County Executive Office for the last several months. He further advised the threats were obviously hollow, allegations unfounded and represented merely an opinion of a minority with an axe to grind.

Mr. Brown stated the latest allegations were equally unfounded and it was troubling they were being made while simultaneously the accuser acknowledges no evidence supporting
it. He further stated the purpose of these ongoing threats and allegations appear to simply be to promote personal political agendas, obstruct initiatives being presented by this Administration and distract the public from the financial crisis that was actually facing the County.

Mr. Brown advised while certain minority members of this County Council have not been successful in doing anything, but launching allegations, it appeared the Controller’s Office had fallen into the same modus operandi of working against the Administration for no other reason than to promote a personal political agenda, obstructing initiatives being presented by this Administration and distract the public from the financial crisis facing the County.

Mr. Brown stated the lawsuit filed several months ago by the Controller’s Office was baseless, unfounded and should never have been filed. He further stated despite being considered absurd, the Controller continues to perpetuate the lawsuit by changing the original scope and basis.

Mr. Brown advised unfortunately the unfounded allegations, hollow threats and perpetual absurd lawsuit were doing nothing but costing the taxpayers tens of thousands of dollars. He further advised Sahl Communications had not and was not acting in any political support role on behalf of the County Executive’s Office so those accusations were again without merit.

Mr. Brown stated as County Executive it was his responsibility to represent the County and to further the County’s initiatives in multiple ways, including meeting with elected and government officials on the Federal, State and local levels. He further stated it included proactive outreach to business communities that were the source for job growth and economic development.

Mr. Brown advised this Administration was committed to smart growth and its objectives were to operate the County in a cost-effective manner, insure efficient delivery of services both internally and externally, keep taxes as low as possible without sacrificing core operations and grow economy and strengthen communities. He further advised their approach and mission was to deliver superior services to the taxpayers, noting the employees were the key to successful and smart
Mr. Brown stated communication and understanding were critical to provide needed services, as well as outreach and education. He further stated the financial challenges the County was facing were deep, noting in 2012, County Council approved $18 million in spending over the revenue base, in 2013, that number was $14 million and in 2014, that number was $18 million.

Mr. Brown advised in March, the independent auditor reported the County’s unassigned General Fund balance as of December 31, 2013 was $11.1 million. He further advised for the 2015 budget, which they were beginning to look at, the unassigned General Funds were insufficient to support structural spending and operational habits.

Mr. Brown stated revenues have remained flat, increasing only an average of approximately $961,000 a year while personnel expenses continue to increase at approximately $3.8 million per year. He further stated the Administration’s approach moving forward had been to review each department for operational improvements and identify areas where the County was leaking cash and financial assets through outmoded or inefficient processes.

Mr. Brown advised some of these areas they have shared in the past and included callouts that they estimated cost the County at least $2.5 million a year.

Executive Session

Mr. Lauer stated he would like to enter into Executive Session to discuss an issue that kept being brought up and a litigation issue where he required some guidance from County Council.

Mr. Benol made a motion to enter into Executive Session.

Mr. Kraft seconded the motion.

Mr. Lauer advised County Council entered in Executive Session at 7:10 p.m. and remained until 7:29 p.m. where a discussion was held regarding issues relating to some ongoing
litigation.

In response to Mr. McClure’s question as to whether he intended to end the Sahl Communications contract, Mr. Brown stated he made all the statements he intended to make.

Public Hearing on Area Agency on Aging Greater Easton Senior Center Lease Agreement Ordinance

Mrs. Ferraro advised the following ordinance was introduced by Messrs. Vaughn and Parsons at the meeting held July 17, 2014:

AN ORDINANCE OF THE NORTHAMPTON COUNTY COUNCIL
AUTHORIZING THE COUNTY EXECUTIVE OF THE COUNTY OF
NORTHAMPTON, EASTON, PENNSYLVANIA, TO LEASE A PORTION
OF THE PROPERTY LOCATED AT 3201 SULLIVAN TRAIL,
EASTON, PA

WHEREAS, Northampton County Administrative Code Article
XIII, Section 13.15 Purchase, Sale and Lease of Real Estate
Section c. (1) Purchase/Sale/Lease of Real Estate, provides, “The
County Executive, or his designee, may negotiate a contract for
the purchase, sale or lease (with the County as lessor or
lessee) of real estate. Any such purchase/sale/lease shall be
approved by County Council, and no such contract shall bind the
County nor shall any conveyance be lawful, until County Council
approves of the terms of the purchase/sale/lease.”; and

WHEREAS, Northampton County Home Rule Charter Article 602
(a) (6) provides that the Northampton County Council shall enact
an ordinance for any act which "purchases, 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 the
County Executive of the County of Northampton, Easton,
Pennsylvania, to lease a portion of the property located at 3201
Sullivan Trail, Easton, PA 18040, the portion of the property
consists of approximately 8,000 rentable square feet of space.
The terms and conditions of the lease shall be in accordance
with the lease agreement, a copy of which are attached hereto
and made a part hereof as Attachment "A".
Effective Date: This ordinance shall become effective thirty days after the date of enactment.

Public Hearing

Mrs. Ferraro asked if there were any questions or comments from the public.

There were no respondents.

Mrs. Ferraro asked if there were any questions or comments from members of County Council.

Mr. Geissinger stated his concern was the County was going to be denying necessary services to individuals who wanted to utilize these facilities. He further stated from the research he conducted, he found the impact on those using the facilities would be minimal and the advantages were greater so he would be supporting this ordinance.

As there were no further questions or comments, Mrs. Ferraro called for the vote.

The vote: Vaughn, "yes"; Parsons, "yes"; Ferraro, "yes"; Geissinger, "yes"; Kraft, "yes"; McClure, "no"; Phillips, "yes"; Werner, "no" and Benol, "no".

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

Sheriff Residency

Mr. Kraft advised at the last meeting, the County Executive's appointments were confirmed, however, he was unable to attend that meeting to voice his concerns. He further advised Northampton County had been around for 262 years and it never had a Sheriff that resided outside of the County let alone the State of Pennsylvania.

Mr. Kraft stated no other County had a Sheriff that resided outside of their County and he did not believe that out of 748 registered police officers in this County one could not be found that was qualified for the position.
Mr. McClure advised he voted against the Sheriff's appointment, noting he had made it very well known that he believed the Sheriff should be an elected position. He further advised the Sheriff was scheduled to take his oath of office on Monday, but he would like to see him commit to moving to Northampton County before he did so.

Mr. McClure stated according to the Pennsylvania Constitution and the County Code, in order to be elected Sheriff, the individual had to be a resident of the County one year previous to their election. He further stated Northampton County, as a Home Rule County, could not completely turn its back on the constitution or the County Code.

Mr. McClure advised the way he read the Home Rule enabling legislation, the original constitutional framework of the elected Sheriff needed to be in front of the voters specifically, but he was not sure that ever happened. He further advised what he was certain of was there was not the contemplation that a Sheriff could be hired who was not a resident of Pennsylvania.

Mr. McClure stated he was well qualified, but the issue that he would not relocate to Northampton County concerned him. He further stated the Supreme Court limited the police powers of the Sheriff in Pennsylvania, but he would still be using them over the people who came into the Courthouse.

Mr. Werner advised he agreed the Sheriff was well qualified, but his resume indicated he was the current owner of Adaptive Investigations and Consulting LLC and as the Sheriff was a full time position, he wanted to make sure that he dedicated all the necessary time to this position.

Mr. Kraft stated that was why as Chairman of the Personnel Committee he wanted to delay the appointments until the next meeting so the resumes could be reviewed, but he was told that they had waited seven months for these appointments so they were going to be put forth to County Council.

Mr. Werner advised his other concern was the websites he researched indicated his firm investigations encompassed government work and if there were Pennsylvania clients involved, there could be a conflict.
Mr. David Dalrymple stated his intention was to be a full time Sheriff and he would terminate his work with his firm on Monday.

In answer to Mr. McClure's comment that he believed the law required him to live in Pennsylvania and he wanted him to move here, Mr. Dalrymple advised he lived just a little more than six miles from the Courthouse and to allow his children to continue their education, he could not move his family.

In response to Mr. Werner's question as to whether he felt he had clients in this area that he would have worked with in civil litigation or investigative work, Mr. Dalrymple stated not in Northampton County.

In answer to Mr. Werner's question as to whether there had been any discussions regarding his being a full time Sheriff, Mr. Dalrymple advised he never considered continuing his business while being a full time Sheriff, but there was some clean-up work to be done. He further advised he planned to do that work on weekends or on scheduled days off while he phased out of that business.

Mr. Dalrymple stated there was never any intent on his part to keep the business going, take on any new work or be anything but a full time Sheriff.

Consideration of the Resolution Titled, "A Resolution Approving the FY 2014 Community Development Block Grant Annual Action Plan for the County of Northampton"

Mrs. Ferraro advised this resolution was reviewed at the Economic Development Committee meeting held August 7, 2014. She then introduced the following resolution:

R. 78-2014

A RESOLUTION APPROVING THE FY 2014 COMMUNITY DEVELOPMENT BLOCK GRANT ANNUAL ACTION PLAN FOR THE COUNTY OF NORTHAMPTON

WHEREAS, the County of Northampton has prepared an Annual Action Plan for the County covering the period October 1, 2014 to September 30, 2015; and
WHEREAS, the purpose of the Annual Action Plan is to identify housing and community development needs and to develop specific goals and objectives to address those needs over a one-year period and is a requirement of the U.S. Department of Housing and Urban Development which the County must meet in order to receive Federal housing and community development funds; and

WHEREAS, the County of Northampton has prepared an Annual Action Plan for Fiscal Year 2014 (FY 2014 AAP) which includes the funding application for the Community Development Block Grant (CDBG) Program, said application having been duly reviewed and considered, together with supporting documentation which took into account blight in the community, needs of low and moderate income families, environmental factors, fiscal considerations and the maintenance of local effort in community development activities; and

WHEREAS, the activities that comprise the FY 2014 AAP will be funded through the County’s FY 2014 allocation of CDBG funds as well as by substantially amending past Annual Action Plans to utilize uncommitted funds to support activities in the FY 2014 AAP.

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

1. That the FY 2014 AAP for FY 2014 CDBG funds and the substantial amendment are hereby in all respects approved. The County Executive is hereby directed to file a copy of said application with the minutes of this meeting.

2. That it is cognizant of the conditions that are imposed in the undertaking and carrying out of community development activities with Federal financial assistance.

3. That the County Executive of the County of Northampton is authorized to execute and file the application for financial assistance for such amounts as the U.S. Department of Housing and Urban Development is willing to make available to carry out the CDBG Program.

4. That the County Executive of the County of Northampton is hereby authorized to provide such assurances and/or certifications as required by the U.S. Department of Housing and
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Urban Development and also any additional or revised data which may be requested during the review of said applications.

As there were no questions or comments, Mrs. Ferraro called for the vote.

The vote: Ferraro, "yes"; Kraft, "yes"; McClure, "yes"; Parsons, "yes" Phillips, "yes"; Vaughn, "yes"; Werner, "yes" Benol, "yes" and Geissinger, "yes".

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

Consideration of the Local Share Account Program Resolution

Mrs. Ferraro stated this resolution was also reviewed at the Economic Development Committee meeting. She then introduced the following resolution:

R. 79-2014 WHEREAS, the Pennsylvania Race Horse Development and Gaming Act (Act 2004-71) as amended has established the Pennsylvania Gaming Local Share Account ("Local Share Account") under the Commonwealth Financing Authority (CFA) for the purpose of distributing 2% of gross terminal revenues of certain licensed gaming facilities in orderly and timely fashion to support and enhance community and economic well-being and mitigate the impact of gaming and related activities; and

WHEREAS, the Commonwealth of Pennsylvania through the CFA provides counties contiguous to Monroe County the opportunity to apply for eligible public interest projects, community improvement projects, economic development projects and reasonable administrative fees; and

WHEREAS, the County of Northampton desires to submit an application to the CFA for an economic development project to develop an industrial park off of Route 33 in Wind Gap Borough, Plainfield and Bushkill Townships.

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

1. The proposed project to be funded by a grant from the Local Share Account program through the CFA is hereby eligible
and approved.

2. The County Executive is authorized and directed to execute a Local Share Account application in the amount not to exceed $400,000 to the Pennsylvania Department of Community and Economic Development on behalf of the CFA.

3. The project includes the development of an industrial park off of Route 33 in Wind Gap Borough, Plainfield and Bushkill Townships and a capping of the tire pit on site as required by Pennsylvania Department of Environmental Protection.

As there were no questions or comments, Mrs. Ferraro called for the vote.

The vote: Ferraro, "yes"; Parsons, "yes"; Phillips, "yes"; Vaughn, "yes"; Werner, "yes"; Benol, "yes" Geissinger, "yes"; Kraft, "yes" and McClure, "yes".

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

Consideration of the Resolution Titled, "A Resolution of The County Council of Northampton County Adopting the By-Laws of the Northampton County Nursing Home (Gracedale) Advisory Board"

Mrs. Ferraro advised in accordance with the Northampton County Home Rule Charter Section 1004. (b), a resolution was being considered approving the bylaws of the Gracedale Advisory Board.

Mr. Werner introduced the following resolution:

R. 80-2014

A RESOLUTION OF THE COUNTY COUNCIL OF NORTHAMPTON COUNTY ADOPTING THE BY-LAWS OF THE NORTHAMPTON COUNTY NURSING HOME (GRACEDALE) ADVISORY BOARD

WHEREAS, the Northampton County Nursing Home (Gracedale) Advisory Board was created via the enactment, on March 20, 2012, of Northampton County Ordinance No. 546-2012, the ordinance titled, "AN ORDINANCE AMENDING NORTHAMPTON COUNTY ADMINISTRATIVE CODE ARTICLE XV AUTHORITIES, BOARDS AND COMMISSIONS, AND
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PROVIDING FOR THE CREATION OF THE GRACEDALE ADVISORY BOARD”; and

WHEREAS, Ordinance No. 586-2012, the ordinance titled, “AN ORDINANCE AMENDING ORDINANCE NO. 546-2012 AND PROVIDING FOR CHANGES IN THE COMPOSITION OF THE GRACEDALE ADVISORY BOARD,” was enacted on July 22, 2014, and it increased the membership of the Gracedale Advisory Board from a minimum of nine to a maximum of fifteen members; and

WHEREAS, Northampton County Charter Section 1004.(b) Rules of Procedure, provides that “Each authority, board, and commission shall have the power to establish its rules of procedure, including methods of requiring regular attendance at meetings; such rules of procedure shall not become effective unless the County Council by resolution approves them.”; and

WHEREAS, the Gracedale Advisory Board has recently approved an amendment to its By-Laws.

NOW, THEREFORE, BE IT RESOLVED by County Council of Northampton County that the amended By-Laws of the Gracedale Advisory Board are hereby approved this 7th day of August, 2014. A true and correct copy of said Gracedale Advisory Board By-Laws are as follows:

“Gracedale Advisory Board
By-Laws

ARTICLE I
Name

1. On March 20, 2012, Northampton County Council amended the Administrative Code to create the “Northampton County Nursing Home (Gracedale) Advisory Board,” to be commonly known as the Gracedale Advisory Board.

2. This name shall not be changed without the approval of the County Executive and Northampton County Council.

ARTICLE II
Purpose
1. The mission of Gracedale is to meet the medical, psycho-social, and spiritual needs of the residents of Gracedale Nursing Home while maintaining the highest possible standards of care in the most efficient manner. The Gracedale Advisory Board will assist in meeting this mission.

2. The Advisory Board shall have the following responsibilities:

   A. To review Gracedale programs and advise the staff on the planning, coordination and delivery of service;

   B. To participate in the development of planning documents to guide the future of the facility;

   C. To participate in the evaluation of the quality of the care and services provided by regularly reviewing data and comparing it to established benchmarks;

   D. To assist staff in the review of resident, family and employee satisfaction surveys;

   E. To recommend methods for organizing community and group support; and

   F. To assist in the development and implementation of a marketing plan.

3. The Gracedale Advisory Board shall function in cooperation with the Gracedale Administrator and the facility’s senior management. However, there may be occasion when it would be appropriate for the Advisory Board to make recommendations directly to the Northampton County Executive or members of his/her Administration.

   ARTICLE III
   Membership

1. According to the enabling legislation, there shall be a minimum of nine and a maximum of fifteen members of the Gracedale Advisory Board, one of whom shall be a member of Northampton County Council.

2. All members shall be residents of Northampton County.

3. When vacancies occur on the Advisory Board, a Nominating Committee shall be appointed by the Chair to recommend new members to the Advisory Board. The nomination of such persons shall be approved by the Advisory Board at a regular meeting; the approval shall constitute a recommendation to the County Executive for formal appointment to the Advisory Board, with ratification by Northampton County Council.
4. The term of Advisory Board members shall be for two years. Members may be re-elected for three consecutive terms. Initial appointees with a one-year term may serve three, full, two-year terms.

5. An Advisory Board member who fails to attend three consecutive meetings or six meetings in a year may be asked by the Chair of the Advisory Board to resign or his/her name may be removed from the Advisory Board membership by a majority vote of the Advisory Board. A reminder of this provision will be sent to any member who has missed two consecutive meetings or five meetings in a year.

Article IV
Meetings

1. Regular meetings of the Advisory Board shall be held monthly on the second Thursday of the month, at 4:30 PM, at Gracedale.

2. Special meetings of the Advisory Board may be called by the Chair in cases of an emergency.

3. The agenda for all meetings shall be prepared jointly by the Gracedale Administrator and the Chair of the Advisory Board, and shall be e-mailed to all Advisory Board members at least one week before the meeting.

4. Five members of the Advisory Board shall constitute a quorum.

Article V
Officers

1. There shall be the following officers: Chair, Vice-Chair and Secretary.

2. Officers shall be elected at the September meeting of the Advisory Board, and shall serve a one-year term. Officers may be elected to two consecutive terms.

3. Duties of Officers:
   
   A. The Chair shall preside at all meetings of the Advisory Board and at such other meetings, as may be called by the Advisory Board. The Chair shall appoint all committees of the Council and shall be an ex-officio member of all committees. The Chair shall vote at committee meetings only when there is a tie.

   B. The Vice Chair, in the absence of the Chair, shall preside at all meetings of the Advisory Board and at such other meetings, as may be called by the Advisory Board. The Vice Chair shall perform such other duties as may be requested by the Chair.
C. The Secretary (or his/her designee) shall keep minutes of each meeting. The minutes will be approved by the membership and will be available to the general public upon request. A copy of all minutes will be maintained at the office of the Gracedale Administrator. The Secretary shall perform such other duties as may be requested by the officers.

Article VI
Conflict of Interest

An Advisory Board member must absent himself/herself from all deliberations concerning programs or funding for projects with which his/her organization is directly involved. The conflict of interest will be stated and recorded as part of the minutes and will include refraining from any discussion, comments, or voting on matters pertaining to the program or contract.

Article VII
Parliamentary Authority

The rules contained in the latest edition of “Robert’s Rules of Order” shall be the parliamentary authority.”

Article VIII
Amendments

1. These by-laws may be amended by members of the Advisory Board after consideration of such amendments at two regular meetings. Notice of the proposed amendments shall be given to members at least one week before the regular meeting at which such proposed amendments are to be presented. Formal adoption of such proposed amendments shall take place at a subsequent meeting, provided notice has been given to members at least one week before the regular meeting at which the vote will take place.

2. A two-thirds majority vote of the members present at a regular or properly called meeting at which a quorum is present shall be required to amend these by-laws.”

As there were no questions or comments, Mrs. Ferraro called for the vote.

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

**Introduction of the Residency Requirement Ordinance**

Mrs. Ferraro stated at the request of Mr. Parsons, an ordinance was drafted which would institute a residency requirement for certain County employees. She further stated this ordinance was being introduced at this meeting and the public hearing, debate and possible vote would be held at the August 21, 2014 meeting.

Messrs. Parsons and Werner introduced the following ordinance:


**BE IT HEREBY ORDAINED AND ENACTED** by the Northampton County Council that:

**SECTION I - RESIDENCY REQUIREMENT**

A. An individual appointed to serve in the position of: (a) Sheriff, (b) Coroner, (c) Recorder of Deeds, (d) Register of Wills/Clerk of Courts - Orphans' Court Division, (e) Clerk of Courts - Civil Division, (f) Clerk of Courts - Criminal Division, (g) Director of Administration, (h) Director of Fiscal Affairs, (i) Director of Court Services, (j) Director of Human Services, (k) Director of Public Works, (l) Public Defender, (m) County Solicitor, (n) Director of Corrections, (o) Director of Human Resources, and (p) Director of Community and Economic Development, of the County of Northampton, Easton, Pennsylvania, shall be a citizen of the United States and shall reside...
continuously in the County of Northampton.

B. The terms and conditions of this ordinance shall be prospective in nature and shall not apply to an individual serving in the position of: (a) Sheriff, (b) Coroner, (c) Recorder of Deeds, (d) Register of Wills/Clerk of Courts - Orphans' Court Division, (e) Clerk of Courts - Civil Division, (f) Clerk of Courts - Criminal Division, (g) Director of Administration, (h) Director of Fiscal Affairs, (i) Director of Court Services, (j) Director of Human Services, (k) Director of Public Works, (l) Public Defender, (m) County Solicitor, (n) Director of Corrections, (o) Director of Human Resources, and (p) Director of Community and Economic Development, of the County of Northampton, Easton, Pennsylvania, on the effective date of this ordinance.

C. An individual appointed to serve in the position of: (a) Sheriff, (b) Coroner, (c) Recorder of Deeds, (d) Register of Wills/Clerk of Courts - Orphans' Court Division, (e) Clerk of Courts - Civil Division, (f) Clerk of Courts - Criminal Division, (g) Director of Administration, (h) Director of Fiscal Affairs, (i) Director of Court Services, (j) Director of Human Services, (k) Director of Public Works, (l) Public Defender, (m) County Solicitor, (n) Director of Corrections, (o) Director of Human Resources, and (p) Director of Community and Economic Development, of the County of Northampton, Easton, Pennsylvania, on or after the effective date of this ordinance, shall have one year to comply with the residency requirement set forth in Section I. A.

SECTION II - EFFECTIVE DATE

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

Conservation District Liaison Report

Mrs. Ferraro advised the Conservation District would be holding their annual meeting on August 12, 2014.
Mr. Parsons stated the Farmland Preservation Board met Tuesday evening and the farms from 2012-2013 have been closed out.

Adjournment

Mr. McClure made a motion to adjourn.

Mrs. Ferraro seconded the motion.

The motion to adjourn passed unanimously by acclamation.

Frank E. Flisser
Clerk to Council