Easton, Pennsylvania                                   February 4, 2016

A regular meeting of the Northampton County Council was held on the above date with the following present: John Cusick, President; Seth Vaughn, Vice President; Mathew M. Benol; Matthew H. Dietz; Margaret L. Ferraro; Glenn A. Geissinger Kenneth M. Kraft; Hayden Phillips; Robert F. Werner; Linda M. Zembo, Clerk to Council, and Philip D. Lauer, Solicitor to Council.

Prayer

Mr. Cusick led County Council in prayer.

Pledge of Allegiance

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

Approval of the Minutes

Mr. Kraft made the following motion:

Be It Moved By the Northampton County Council that the minutes of the January 21, 2016 meeting shall be approved.

Mr. Geissinger seconded the motion.

The minutes were approved by voice acclamation.

Courtesy of the Floor

Mr. Bernie O’Hare, Nazareth, PA – stated there was a time when clergy from different congregations led County Council in prayer, however, for one member of County Council to do so was in clear violation of the First Amendment of the United States Constitution.
Controller's Report

Mr. Stephen Barron, Controller, advised he would like consideration given to posting the employees’ W-2 forms online because the current employee online system could accommodate doing that and it would save postage costs.

County Executive Report

Mr. John A. Brown, County Executive, stated looking at the unaudited numbers for last year, Gracedale was showing an operating loss of $2.1 million, noting $7.7 million was budgeted. He further advised they will continue to work to make Gracedale revenue neutral, but he wanted to congratulate all the employees and individuals who had a hand in bringing about this success.

Mr. Brown advised these numbers also showed there would be approximately $31 million in the General Fund, which was $33.5 million at the beginning of 2015. He further advised during the course of the year, they moved $10 million to the Human Services Capital Fund and $2.4 million to round out the Stabilization Fund.

Mr. Brown stated the things put into place during the past two years were now translating to the County’s bottom line. He further stated there was still a lot of work to do, but overall the County was moving in the right direction.

Mr. Phillips advised he was happy the County was doing better and cutting costs, but better calculations with regard to the budget have to be done.

Mr. Brown agreed, however, with departments such as Gracedale that had so many changes it was hard to get an accurate prediction, but they were getting better and will continue to work on it.

In answer to Mr. Werner’s question as to whether the funds would be available if the County became a member of the Intergovernmental Transfer program, Mr. Brown replied they would be.

With regard to the Transue property conservation easement extension, Mr. Cusick advised Upper Mount Bethel was withdrawing their contribution and since the original resolution listed their contribution, it would have to be amended and presented at the next meeting.

Mr. Kraft stated the Central Moravian Church fee simple acquisition was being extended until they obtained the closing paperwork.

Consideration of the Codification Resolution for the Period Ending December 31, 2015:

Mr. Cusick advised Northampton County Home Rule Charter Section 606 (c) required the County Council, by resolution, to adopt a codification of all ordinances, as amended, having the force and effect of law, and of the Charter, as amended. The Codification was an annual housekeeping matter that arranged the ordinances in an index format.

Mr. Cusick introduced the following resolution:

R. 13-2016 WHEREAS, Northampton County Charter Section 606(c) requires the Northampton County Council to provide, by resolution, a codification of all ordinances, as amended, having the force and effect of law and of the Charter, as amended.

NOW, THEREFORE, BE IT RESOLVED by the Northampton County Council that the attached codification, for the period ending December 31, 2015, shall be adopted this 4th day of February 2016.

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


The resolution was adopted by a vote of 9-0.
Consideration of the Pennsylvania Act 160 Compliance Resolutions: a. Appointment of Risk Manager; b. Form and Content

Mr. Cusick stated Pennsylvania Act 106 - the County Officer and Employee Fiscal Security Act - required Pennsylvania Counties to annually adopt a resolution designating a County employee as Risk Manager and also to establish by resolution the form, content and bond coverage for certain employees. The following two resolutions would put the County into compliance with Pennsylvania Act 106.

Appointment of Risk Manager

Mr. Cusick introduced the following resolution:

R. 14-2016 WHEREAS, on November 23, 2011, Act 106 became immediately effective, authorizing counties to obtain individual bonds, blanket bonds or crime insurance covering County officers and employees, replacing prior requirements that certain individual officers of the County have separate bonds; and

WHEREAS, pursuant to sub-section 1130(a) of the Act which requires County Council, as the governing body of the County of Northampton, to establish a procedure by which it “shall annually determine the form and required amount of required security that will be reasonably sufficient to protect against the risks of loss in compliance with this subchapter;” and

WHEREAS, sub-section 1130(b) of the Act permits the County Council to appoint a risk manager to “compile and submit information relevant to the determination of an amount of required security under subsection (a);” and

WHEREAS, section 1129 of the Act requires that “the form and contents of a bond and insurance obtained in compliance with this subchapter shall be approved by the governing body of the County, after review by the County solicitor and consultation with the County risk manager...;” and

WHEREAS, Northampton County Council Resolution 71-2013, enacted on September 5, 2013 designated the Director of the Department of Administration or his/her designee to serve as “risk manager” for the purposes of Act 106; and
WHEREAS, prior to the close of every calendar year the amount of security that the risk manager recommends that the County maintain during the succeeding year and otherwise to provide the information as set forth below to enable County Council to place into force the bond and insurance required by the Act for the succeeding year; and

WHEREAS, following a review by the County’s Solicitor, the Director of Administration is recommending that County Council approve the following levels of security as provided under the County’s insurance policy through the County Commissioners Association of Pennsylvania (CCAP) and its Pennsylvania Counties Risk Pool (PCoRP) program and additional security through bonds that are required by law.

THEREFORE IT IS HEREBY RESOLVED that the County shall hereby accept the following level of security to cover public officials including members of County Council and the County Executive:

1. Crime coverage through the County’s insurance policy with PCoRP, which covers all County officials and employees for fraud, embezzlement, theft, forgery and other criminal acts up to $1 million per occurrence.

2. A Wire Transfer Bond in the amount of $4 million, which provides additional security above the maximum of $1 million crime coverage under PCoRP for certain County employees authorized to initiate wire transfers.

3. A Treasurer’s Bond in the amount of $72,000 which is coverage required by the state based on revenue collection levels, and is still required since Act 106 does not apply to County Treasurers acting as tax collectors as provided in Section 4 of the Local Tax Collection Law.

4. A Magisterial District Justice Bond in the amount of $55,000 per Magisterial District Justice since Act 106 does not apply to those officials.

As there were no questions or comments, Mr. Cusick called for the vote.
The vote: Cusick, "yes"; Ferraro, "yes"; Geissinger, "yes"; Kraft, "yes"; Phillips, "yes"; Vaughn, "yes"; Werner, "yes"; Benol, "yes" and Dietz, "yes".

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

Form and Content

Mr. Cusick introduced the following resolution:

R. 15-2016 WHEREAS, on November 23, 2011, Act 106 became immediately effective, authorizing Counties to obtain individual bonds, blanket bonds or crime insurance covering County officers and employees, replacing prior requirements that certain individual officers of the County have separate bonds; and

WHEREAS, pursuant to sub-section 1130(a) of the Act which requires County Council, as the governing body of the County of Northampton, to establish a procedure by which it "shall annually determine the form and required amount of required security that will be reasonably sufficient to protect against the risks of loss in compliance with this subchapter;" and

WHEREAS, sub-section 1130(b) of the Act permits the County Council to appoint a risk manager to "compile and submit information relevant to the determination of an amount of required security under subsection (a);" and

WHEREAS, section 1129 of the Act requires that "the form and contents of a bond and insurance obtained in compliance with this subchapter shall be approved by the governing body of the County, after review by the County Solicitor and consultation with the County risk manager...;".

THEREFORE IT IS HEREBY RESOLVED that the County shall hereby adopt the following procedure for compliance with the provisions of the Act:

1. County Council is designating the Director of the Department of Administration, or his/her designee to serve as "risk manager" for purposes of this Act.

2. The Director of Administration or his/her designee is hereby designated to compile and submit information to County Council prior to close of every calendar year
as to the amount of security that the risk manager recommends that the County maintain during the succeeding year and otherwise to provide the information as set forth below to enable County Council to place into force the bond and insurance required by the Act for the succeeding year.

3. In the course of performing the duties assigned under above, the Department of Administration and the Solicitor shall confer to determine the form and content of the bond and insurance would comply with the provisions of the Act.

4. At least two weeks prior to the close of every calendar year the Department of Administration shall present to County Council for its consideration and approval the form and amount of the required security, together with a recommendation as to the bond or policy satisfying the criteria set forth in the Act.

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

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

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

Consideration of the Acceptance of Donation for Area Agency on Aging - 2016 Senior Games Resolution

Mr. Vaughn introduced the following resolution:

WHEREAS, Northampton County Home Rule Charter Section 202 (10) provides that County Council shall have, among others, the following powers: "to accept on behalf of the County any gifts of real property and to provide for the acceptance by any agency on behalf of the County of other gifts;" and

WHEREAS, the Area Agency on Aging was contacted by the Marketing Division at Humana who desired to take part in sponsoring the Area Agency on Aging 2016 Senior Games by making a $200.00 donation. In return for the donation, Humana would have a table at the event to distribute bottled water, which
they will supply, as well as literature. Humana also requests recognition in the Area Agency on Aging newsletter.

**NOW, THEREFORE, BE IT RESOLVED** by the Northampton County Council that it does hereby accept the donation of $200.00 on behalf of the Area Agency on Aging 2016 Senior Games.

Mr. John Mehler, Area Agency on Aging Administrator III, advised the Area Agency on Aging had been sponsoring the Senior Games for approximately 28 years with volunteers and other organizations providing various types of in-kind support.

Mr. Mehler stated this year they were contacted by Humana who asked if they could make a cash donation in return for having a table at the event and recognition in their newsletter.

Mr. Kraft advised essentially they were buying advertising rather than just making a donation.

In response to Mr. Werner's question as to whether they had received cash donations before for this event, Mr. Mehler indicated this was the first one.

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

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

The resolution failed by a vote of 3-6.

Consideration of Open Space Initiative Project Resolutions:
Municipal Park Grant Applications: a. Williams Township - Recreation and Trails Area; b. City of Bethlehem - Elmwood and Martin Luther King Parks Rehabilitation

**Williams Township - Recreation and Trails Area**

Mr. Dietz introduced the following resolution:

R. 16-2016 **WHEREAS,** the County of Northampton implemented the Northampton County Open Space Initiative 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 Williams Township Recreation and Trails Area Project located in Williams Township; and

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

<table>
<thead>
<tr>
<th>Property Owner:</th>
<th>Williams Township</th>
</tr>
</thead>
<tbody>
<tr>
<td>Site Location:</td>
<td>Raubsville Road, Parcel ID# N9 16 1 08362</td>
</tr>
<tr>
<td>Park Development Description:</td>
<td>Construction of a 7,500 foot paved walking trail, two pedestrian bridges, access road and trailhead</td>
</tr>
<tr>
<td>Phase II Municipal Allocation:</td>
<td>$90,812.70</td>
</tr>
<tr>
<td>County Grant Request:</td>
<td>$63,812.70 (50%)</td>
</tr>
<tr>
<td>Municipal Contribution</td>
<td>$90,512.30 (50%)</td>
</tr>
<tr>
<td>Other Grants:</td>
<td>$50,000 Community Investment Partnership Program (requested)</td>
</tr>
<tr>
<td></td>
<td>$250,000 Pennsylvania Greenways, Trails and Recreation (requested)</td>
</tr>
</tbody>
</table>

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

(1) The Northampton County Council hereby approves the Williams Township Recreation and Trails Area Project. Further, the Northampton County Executive, through the office of the Program Administrator of the Northampton County 21st Century Open Space Initiative, or his 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 $63,812.70 as the Northampton County contribution to the Williams Township Recreation and Trails Area Project. Should an amount be less than the sum approved by County Council, the remaining balance shall be placed back into the appropriate fund from which it was allocated.

As there were no questions or comments, Mr. Cusick called for the vote.
The vote: Dietz, "yes"; Phillips, "yes"; Vaughn, "yes"; Werner, "yes"; Benol, "yes"; Cusick, "yes"; Ferraro, "yes"; Geissinger, "yes" and Kraft, "yes".

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

City of Bethlehem - Elmwood and Martin Luther King Parks Rehabilitation

Mr. Dietz introduced the following resolution:

R. 17-2016 WHEREAS, the County of Northampton implemented the Northampton County Open Space Initiative 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 Elmwood and Martin Luther King Parks Rehabilitation Project located in the City of Bethlehem; and

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

<table>
<thead>
<tr>
<th>Property Owner:</th>
<th>City of Bethlehem</th>
</tr>
</thead>
<tbody>
<tr>
<td>Site Location:</td>
<td>Elmwood Park: 800 Block of Dellwood Street&lt;br&gt;Martin Luther King Park: 433 Carlton Street</td>
</tr>
<tr>
<td>Park Development Description:</td>
<td>Elmwood Park: Installation of play Structures, swing set and rubber matting&lt;br&gt;Martin Luther King Park: Installation of play structure and swing set</td>
</tr>
<tr>
<td>Phase II Municipal Allocation:</td>
<td>$934,371.17</td>
</tr>
<tr>
<td>County Grant Request:</td>
<td>$63,000 (50%)</td>
</tr>
<tr>
<td>Municipal Contribution</td>
<td>$63,000 (50%)</td>
</tr>
</tbody>
</table>

NOW, THEREFORE, BE IT RESOLVED By the Northampton County Council:
(1) The Northampton County Council hereby approves the Elmwood and Martin Luther King Parks 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 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 $63,000 as the Northampton County contribution to the Elmwood and Martin Luther King Parks Rehabilitation Project in the City of Bethlehem. Should an amount be less than the sum approved by County Council, the remaining balance shall be placed back into the appropriate fund from which it was allocated.

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

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

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

Presentation Regarding the Northampton County Livable Landscapes Program Guidelines

Mr. Cusick advised Mr. Bryan Cope, Open Space Coordinator, provided a document containing some recommendations to be considered regarding the Northampton County Livable Landscapes Program Guidelines.

Mr. Dietz stated he believed the intention was to have the guidelines mirror the State program.

Elections

Mr. Kraft advised he would like to have an accounting as to the costs and savings involved in the County handling the set-up of the election machines.

Mr. Brown stated he did not have the numbers at this time, but he would present them at the next meeting.
Gracedale - NTT and Xerox

In answer to Mr. Werner's question as to whether there was any update on the meeting between NTT and Xerox, Mr. Vaughn advised there would be a presentation at the next Human Services Committee meeting.

Lehigh-Northampton Airport Authority (LNAA) Liaison Report

Mr. Geissinger stated there was a new Executive Committee at LNAA with Mr. J. Michael Dowd being the Chairman and discussions would be continuing between Northampton and Lehigh Counties and LNAA.

In response to Mr. Cusick's question as to the status of LNAA's request to extend their charter, Mr. Geissinger advised that was part of the discussions taking place. He further advised the Lehigh County Commissioners had some things they wanted to explore further and once they completed them the discussion would be taken up by Northampton County Council.

Prison Advisory Board Liaison Report

Mr. Kraft stated with the latest Academy graduating class the Correction Officers staff at the Prison would be at 100%.

Gracedale Advisory Board Liaison Report

Mr. Werner advised House Bill 1062 was going to the Senate next week. He further advised the Intergovernmental Transfer Program would bring in significant funds to Gracedale, but they would be based on the number of Counties that would participate.

Mr. Werner stated the census held at approximately 670 on a consistent basis during the past six months. He further stated he would like everyone to keep an open mind when the 501 (c)(3) presentation was made because there were a lot of facets to it.
Lehigh Valley Planning Commission Liaison Report

Mr. Phillips advised he attended a Freight Advisory Board meeting where approximately 70 individuals who were involved with the freight industry were present. He further advised the discussion was regarding how the municipalities could cope with the influx of the freight industry.

Solicitor’s Report

Mr. Lauer stated he was asked by Mr. Kraft to review the propriety of an ordinance that was enacted over four years ago. He further stated he was still reviewing it and would report back at the next meeting.

Adjournment

Mr. Kraft made a motion to adjourn the meeting.

Mr. Werner seconded the motion.

The motion to adjourn passed unanimously by acclamation.

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Linda M. Zembo
Clerk to Council