Easton, Pennsylvania September 1, 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; Linda M. Zembo, Clerk to Council, and Philip D. Lauer, Solicitor to Council. Absent was Robert F. Werner.

Prayer

Mr. Cusick led County Council in a moment of silence.

Pledge of Allegiance

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

Approval of the Minutes

Mr. Dietz made the following motion:

Be It Moved By the Northampton County Council that the minutes of the August 18, 2016 meeting shall be approved.

Mr. Benol seconded the motion.

The minutes were approved by voice acclamation.

Courtesy of the Floor

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

There were no respondents.

Controller’s Report

Mr. Barron stated he had no report.
County Executive’s Report

Mr. Brown was not present and Ms. Catherine Allen, Acting Director of Administration, indicated there was no report.

Consideration of Resolution Amending Resolution No. 36-2015

Mr. Dietz introduced the following resolution:

R. 91-2016  WHEREAS, at the Parks and Open Space Committee meeting held on August 18, 2016, County Council received a request to amend the scope of work for the Playground and Park Improvements Grant for Upper Nazareth.

IT IS, THEREFORE, HEREBY RESOLVED, By the Northampton County Council that resolution No. 36-2015 shall be amended as indicated hereafter (sections marked with strikeout have been deleted and sections marked with **bold underline** have been added):

**Number 36-2015**

**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 Playground and Parking Improvement Project located in Upper Nazareth Township; and

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

<table>
<thead>
<tr>
<th>Property Owner:</th>
<th>Upper Nazareth Township</th>
</tr>
</thead>
<tbody>
<tr>
<td>Site Location:</td>
<td>Hillside Park; Newport Park; Creekside Park; Tuskes Park</td>
</tr>
<tr>
<td>Park Development Description:</td>
<td>Bonded rubberized mulch at three (3) park playground areas; and paved parking lot with ADA accessible spots.</td>
</tr>
<tr>
<td>Appraised Value:</td>
<td>No acquisition involved</td>
</tr>
</tbody>
</table>
NOW, THEREFORE, BE IT RESOLVED by the Northampton County Council:

(1) The Northampton County Council hereby approves the Playground and Parking Improvement 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 $104,640.03 $75,922.43 as the Northampton County contribution to the Playground and Parking Improvement Project.

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

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

The resolution was adopted by a vote of 8-0.

Consideration of Resolution Opposing Senate Bill 1282 and House Bill 1101

Mr. Cusick introduced the following resolution:

R. 92-2016 WHEREAS, the Northampton County Recorder of Deeds Mission Statement is to record, copy, scan, index and proofread for accuracy all documents relating to real estate, and to make collections and disbursements to the proper agencies associated with the recording of the documents; and
WHEREAS, the Goals and Objectives of the Northampton County Recorder of Deeds is to ensure that real estate records are accurately recorded and can be researched and obtained by lawyers, title companies and the public and to index and scan older hard copy books into digital images; and

WHEREAS, when a condominium association declaration (i.e., bylaws) is amended, those amendments must be recorded by the County Recorder of Deeds. Counties also index these amendments against each individual property in the association, to assure that a property owner can find all of the information related to his property without having to separately research the condominium association; and

WHEREAS, two bills, Senate Bill 1282 and House Bill 1101, would prohibit Counties from collecting fees to index condominium association amendments against individual parcels. This creates a disincentive for Counties to index this information, to the disservice of property owners and others who rely on the complete and accurate public records maintained by the Recorder of Deeds; and

WHEREAS, a proposed amendment has also been circulated that would outright prohibit Counties with UPT systems from indexing these amendments against individual parcels unless expressly requested to do so by the condominium association; and

WHEREAS, the House Urban Affairs Committee has scheduled these bills for consideration when the House returns the week of September 19, 2016; and

WHEREAS, the County Commissioners Association of Pennsylvania (CCAP) and the Northampton County Council opposes any attempt to weaken the standards to which public record and document maintenance are held or to reduce the fees Counties are authorized to collect for this purpose; and

WHEREAS, CCAP and the Northampton County Council opposes Senate Bill 1282 and House Bill 1101 because they would:

1. make it more difficult for individuals researching a property to have confidence that they have accessed the full set of information related to that property;

2. create a fairness issue where other property owners that are not in communities are forced to pay the per parcel fee while those in communities are not; and
WHEREAS, the County Recorder of Deeds’ office exists to keep an accurate, reliable and transparent system of all land records; and

WHEREAS, condominium association bylaws often impose conditions and restrictions on the individual properties, such as limitations on additional structures or the appearance of the property; and

WHEREAS, when the County Recorder of Deeds’ office records an amendment to a condominium association’s bylaws, it is also indexed to the record of each individual property within the association to allow the property owner to easily find all filings related to his property with his property records; and

WHEREAS, while an aggregate bill may be large, the indexing fee is the same fee per parcel that would be assessed on a parcel in a condominium association as on anyone else who needs to file a change to their individual deed.

NOW, THEREFORE, BE IT RESOLVED that the Northampton County Council opposes the legislation contained in Senate Bill 1282 and House Bill 1101.

BE IT FURTHER RESOLVED that the Northampton County Council urges the members of the Pennsylvania General Assembly to oppose SB 1282 and HB 1101 for the reasons set forth above.

Mr. Cusick advised an e-mail was received from Ms. Andrea Suter, Recorder of Deeds, indicating the Recorder of Deeds Association of Pennsylvania also opposed this legislation. He further advised the County Commissioners Association of Pennsylvania sent a request for Counties to oppose these two bills because it would create unfairness issues between condominium associations and regular property owners and the Recorder of Deeds Office would lose out on revenue.

Ms. Suter stated another concern the Recorder of Deeds Association of Pennsylvania had if these bills passed it would open the door for other entities to try to avoid these fees.

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

The resolution was adopted by a vote of 8-0.

Consideration of Resolution Amending Resolution No. 72-2016

Mr. Dietz introduced the following resolution:

R. 93-2016  WHEREAS, at the meeting held on June 16, 2016, the Northampton County Council adopted Resolution No. 72-2016 awarding a contract to Bi-State Construction for the replacement of Bridge No. 102; and

WHEREAS, on August 26, 2016, the Northampton County Council received a request from the Department of Public Works to amend Resolution No. 72-2016 as indicated hereafter (sections marked with bold underline have been added):

Number 72-2016

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 June 14, 2016, the Northampton County Council received a request from the County Executive for County Council to adopt a resolution approving a Pennsylvania Department of Transportation contract with Bi-State Construction, JMT Engineering and Norfolk Southern for the replacement of Bridge No. 102, totaling $4,051,000, but since it is part of the Pennsylvania Department of Transportation Improvement Program the County's responsibility will be $202,550, the Federal reimbursement will be $3,240,800 and the State reimbursement will be $607,650.

NOW, THEREFORE, BE IT RESOLVED that the Northampton County Council does hereby concur with the recommendation of the County Executive to award a Pennsylvania Department of Transportation contract to Bi-State Construction, JMT Engineering and Norfolk Southern.
Southern for the replacement of Bridge No.102, as set forth in the attached documentation.

Mr. Stan Rugis, Director of Public Works, advised this resolution was being amended due to the way the County pays sub-contractors.

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

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

The resolution was adopted by a vote of 8-0.

Economic Development Committee Report

Mrs. Ferraro stated at the Economic Development Committee meeting held earlier this evening a presentation was received regarding the Green Knights Industrial Park 2 that involved the development of the Beers property.

Mrs. Ferraro advised Ms. Robin Zmoda, Pen Argyl Borough Manager, and Mr. Alan Jennings, Community Action Committee of the Lehigh Valley, about the creation of a Neighborhood Partnership Program.

Mrs. Ferraro stated Mr. Tim Herrlinger, Acting Director of the Department of Community and Economic Development, provided an update on the projects and programs that office was handling. She further stated he also introduced Mr. Frank Brooks, who was hired as the new Community and Economic Development Specialist.

Mrs. Ferraro advised a discussion was held with regard to having the October Economic Development Committee meeting held at SteelStacks in Bethlehem so a tour could be taken of the Bethlehem Tax Increment Financing projects. She further advised as they would be in Bethlehem it was suggested the County Council meeting also be held in the Blast Furnace Room.

Mr. Kraft stated he felt it was a good idea to hold meetings in different parts of the County to allow people who might not want to travel to Easton to attend.
In answer to Mr. Vaughn's question as to whether there was any legal reason why the meetings could not be held elsewhere, Mr. Lauer advised he did not think so, but he would review that issue as well as the recording of meetings.

Mrs. Ferraro made a motion to hold the Economic Development Committee meeting and the County Council meeting on October 6, 2016 at the SteelStacks/ArtsQuest facilities.

Mr. Kraft seconded the motion.

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

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

The motion was passed by a vote of 8-0.

Airport Authority Liaison Report

Mr. Geissinger stated the Airport Authority Board of Governors met and approved the ongoing multi-modal project for $5.1 million with 95% of the funding being provided to the Federal and State.

In response to Mr. Cusick's question as to whether there were any updates regarding Braden Airpark, Mr. Geissinger advised there were a number of items that were looked at regarding its abilities to lease development on that land to increase its revenue.

Budget Hearing Dates

Mr. Cusick stated he sent the members of County Council a list of dates for the budget hearings and as he received no comments they are now considered the sanctioned dates.

Council Clerk's Report

Mrs. Zembo advised there have been some issues with the current transcription machine so a new machine would be ordered and the money taken from County Council's budget.
In response to Mr. Kraft's question regarding the replacement of a bulb for the projector, Mrs. Zembo stated they were getting quotes on a new projector because it was more than just a bulb issue.

Adjournment

Mr. Kraft made a motion to adjourn the meeting.

Mr. Benol seconded the motion.

The motion to adjourn passed unanimously by acclamation.

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Linda M. Zembo
Clerk to Council