A regular meeting of the Northampton County Council was held on the above date with the following present: Kenneth M. Kraft, President; Ronald R. Heckman, Vice President; John Cusick; Matthew H. Dietz; Margaret L. Ferraro; William B. McGee; Lori Vargo Heffner; Robert F. Werner; Tara M. Zrinski; Linda M. Zembo, Clerk to Council and Christopher T. Spadoni, Solicitor to Council.

Pledge of Allegiance

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

Approval of the Minutes

Mr. Cusick made the following motion:

Be It Moved By the Northampton County Council that the minutes of the June 7, 2018 meeting shall be approved.

Mr. Werner seconded the motion.

The minutes were approved by voice acclamation.

Courtesy of the Floor

Ms. Lynn Gerber, Gracedale Resident - stated the Cracker Barrel room used to be a smoking room and asked if it could be turned into a recreational room with a television set. She further stated yesterday they had an ice cream social and there were lines to get on and off the elevator.

Ms. Gerber advised classes were being held in an effort to hire more aides, but it seemed once they finished the classes they went elsewhere so she wondered if giving them more money would make them stay because right now there were aides working 12-16 hours a day and receiving time and half so perhaps some of that money could be used.

Ms. Gerber asked if there was an update on the mattress situation. She indicated she would wait a week for her concerns to be addressed and then she would go to the State.
Ms. Vargo Heffner stated she had asked them to track the people who took the classes to determine if the people who were leaving were the ones who took the classes.

Confirmation of Appointments/Reappointments

Mr. McGee introduced the following resolution:

RESOLVED, by the Northampton County Council that the following individuals shall be confirmed in their appointments/reappointments as indicated hereafter:

AREA AGENCY ON AGING ADVISORY COUNCIL

Reappointments: Term to Expire: 7/1/20
Frances G. Greene
32 Edinburgh Drive
Easton, PA 18045

JoAnne Hoodmaker Term to Expire: 7/2/20
4651 Cheryl Drive
Bethlehem, PA 18017

Lachlan P. Peeke
2380 Peeke Lane
Hellertown, PA 18055-1249

CHILDREN, YOUTH & FAMILIES ADVISORY BOARD

Appointment: Term to Expire: 6/18/20
Mary Jo Maff
3716 Barlow Place
Bethlehem, PA 18020

DRUG AND ALCOHOL ADVISORY BOARD

Appointment: Term to Expire: 6/30/20
Brooke C. Tesche, Ed.D.
1413 Sycamore Avenue
Easton, PA 18040
Reappointments:
John R. Judd
548 North New Street
Bethlehem, PA 18018

Patricia A. Reihl
4235 Fieldstone Drive
Easton, PA 18045

Mary L. Tirrell
1018 Honor Drive
Bethlehem, PA 18017

Linda M. Johnson
2495 Chestnut Lane
Easton, PA 18040

Cynthia Hanzl
687 Nazareth Pike
Nazareth, PA 18064

Michael Pollman
1019 Honor Drive
Bethlehem, PA 18017

FARMLAND PRESERVATION BOARD

Reappointment:
Farmer/Director/Township Supervisor
Roger Unangst
7317 Bath-Bethlehem Pike
Bath, PA 18014

LEHIGH VALLEY PLANNING COMMISSION

Reappointment:
Elected Official
Pamela J. Pearson
105 Fern Court
Easton, PA 18045

Terms to Expire: 6/30/20

Term to Expire: 6/30/21

Term to Expire: 12/31/18
Mental Health/Early Intervention & Developmental Programs Advisory Board

Appointment:  
Sonia N. Thorman  
414 Porter Street, Apt. 2  
Easton, PA 18042

Term to Expire: 1/23/21

Workforce Board Lehigh Valley

Reappointments:  
Private Sector Representative  
Constance Hood  
3576 Westminster Way  
Nazareth, PA 18064

Term to Expire: 6/30/21

Community Based Organization Representative - (ProJeCt of Easton)  
Janice D. Komisor  
609 Mixsell Street  
Easton, PA 18042

Mr. Kraft advised that Ms. Tesche’s appointment would be voted on separately.

As there were no questions or comments regarding the other appointments/reappointments, Mr. Kraft called for the vote.


This portion of the resolution was adopted by a vote of 9-0.

Ms. Vargo Heffner stated the bylaws of the Drug and Alcohol Board clearly indicated they had to have experience and expertise in drug and alcohol, which Ms. Tesche reported she did have in education, but not in treatment or prevention. She further stated Ms. Tesche also reported she was planning a for-profit recovery school through the Catholic Diocese and she could not see making a profit off of addicted children.

As there were no further questions or comments, Mr. Kraft called for the vote on the appointment of Ms. Tesche.
County Council Minutes -5-  June 21, 2018

The vote: McGee, "no"; Kraft, "no"; Vargo Heffner, "no"; Werner, "yes"; Zrinski, "no"; Cusick, "yes"; Dietz, "yes"; Ferraro, "yes" and Heckman, "no".

This portion of the resolution failed by a vote of 4-5.

The following amended resolution was adopted:

R. 74-2018 RESOLVED, by the Northampton County Council that the following individuals shall be confirmed in their appointments/reappointments as indicated hereafter:

AREA AGENCY ON AGING ADVISORY COUNCIL

Reappointments: 
Frances G. Greene
32 Edinburgh Drive
Easton, PA 18045

JoAnne Hoodmaker
4651 Cheryl Drive
Bethlehem, PA 18017

Lachlan P. Peeke
2380 Peeke Lane
Hellertown, PA 18055-1249

Term to Expire: 7/1/20
Terms to Expire: 7/2/20

CHILDREN, YOUTH & FAMILIES ADVISORY BOARD

Appointment:
Mary Jo Maff
3716 Barlow Place
Bethlehem, PA 18020

Term to Expire: 6/18/20

DRUG AND ALCOHOL ADVISORY BOARD

Reappointments:
John R. Judd
548 North New Street
Bethlehem, PA 18018

Terms to Expire: 6/30/20
County Council Minutes

Patricia A. Reihl
4235 Fieldstone Drive
Easton, PA 18045

Mary L. Tirrell
1018 Honor Drive
Bethlehem, PA 18017

Linda M. Johnson
2495 Chestnut Lane
Easton, PA 18040

Cynthia Hanzl
687 Nazareth Pike
Nazareth, PA 18064

Michael Follman
1019 Honor Drive
Bethlehem, PA 18017

FARMLAND PRESERVATION BOARD

Reappointment: Farmer/Director/Township Supervisor
Roger Unangst
7317 Bath-Bethlehem Pike
Bath, PA 18014

Term to Expire: 6/30/21

LEHIGH VALLEY PLANNING COMMISSION

Reappointment: Elected Official
Pamela J. Pearson
105 Fern Court
Easton, PA 18045

Term to Expire: 12/31/18

MENTAL HEALTH/EARLY INTERVENTION & DEVELOPMENTAL PROGRAMS ADVISORY BOARD

Appointment: Sonia N. Thorman
414 Porter Street, Apt. 2
Easton, PA 18042

Term to Expire: 1/23/21
WORKFORCE BOARD LEHIGH VALLEY

Reappointments:                                      Term to Expire: 6/30/21
Private Sector Representative
Constance Hood
3576 Westminster Way
Nazareth, PA 18064

Community Based Organization
Representative - (ProjECt of Easton)
Janice D. Komisor
609 Mixsell Street
Easton, PA 18042

County Executive Report

Mr. McClure advised he and Assistant County Solicitor Michael Corriere attended a meeting convened by Senator Lisa Boscola with representatives of the Chrin organization in an effort to resolve the dispute over the $25,000 they offered the County for three parcels in their development. He further advised Mr. James Chrin, who represented the family, showed a real willingness to work to resolve the dispute and in the end they agreed to pay the County $88,000 to lift the liens off the three parcels so he would be asking County Council to accept that offer in the near future.

Mr. McClure stated the County sent $13 million to the Intergovernmental Transfer fund and two weeks later got back $17 million.

Mr. McClure advised yesterday he attended the Lehigh Valley Planning Commission Executive Board meeting where they engaged in a consultation to determine what their salaries should be and the conclusion was that the incumbent individuals would receive an average raise of 5.8% with the people at the top getting 10-12% and Ms. Becky Bradley receiving 16.13%. He further advised the raises were voted on and approved with his being the lone dissenting vote.

With regard to the General Purpose Authority (GPA), Mr. McClure stated it appeared reform was coming and the resignations of Mrs. Ferraro and former County Council member J. Michael Dowd would allow them to move forward and bring it back to its original purpose. He further stated the GPA would still
be the owner of the bridges, but there would be no big legal fees generated.

Mr. McClure advised the County had banned the use of sludge on County-owned farmlands and the Farmland Preservation application had a voluntary check-off on it was forwarded to the State to determine if it was in compliance with the Right-to-farm Act.

In answer to Mr. Cusick’s question as to whether he knew what was going to be done with the Cracker Barrel Room, Mr. McClure stated he was in discussions with Mr. Michael Emili, Director of Public Works, and it would probably be a recreational room.

In response to Mr. Cusick’s question as to the issue with the elevators, Mr. Emili advised he felt it was due to the number of residents looking to use the elevator at one time, but he would look into the matter.

Mr. Heckman stated in the past the County Executive was a member of the GPA.

Mr. McClure advised he had requested the Controller audit the GPA finances regarding the bridges.

Executive Session

Ms. Vargo Heffner made a motion to enter into Executive Session to discuss possible litigation.

Ms. Zrinski seconded the motion.

The motion was passed by an acclamation voice vote.

Mr. Kraft stated County Council entered into Executive Session at 6:52 p.m. and reconvened at 7:03 p.m. with no action being taken.

Public Hearing on the 2018 Budget Amendment Ordinance

Messrs. Heckman and Cusick introduced the following ordinance at the June 7, 2018 meeting:
AN ORDINANCE AMENDING THE 2018 NORTHAMPTON COUNTY BUDGET: OFFICE OF THE SOLICITOR; DEPARTMENT OF HUMAN RESOURCES; DEPARTMENT OF ADMINISTRATION - CONSERVATION DISTRICT AND EMERGENCY MANAGEMENT TASK FORCE EQUIPMENT; DEPARTMENT OF THE PUBLIC DEFENDER; DEPARTMENT OF FISCAL AFFAIRS - BALANCING OF BUDGET; COURTS - COURT ADMINISTRATION AND PROBLEM SOLVING COURTS; DEPARTMENT OF PUBLIC WORKS; DEPARTMENT OF HUMAN SERVICES - HOMELESS ASSISTANCE, DEVELOPMENT FUND, BLOCK GRANTS, CHILDREN, YOUTH & FAMILIES, AREA AGENCY ON AGING, HEALTHCHOICES, MENTAL HEALTH, DEVELOPMENTAL PROGRAMS AND DRUG & ALCOHOL

### 2018 BUDGET AMENDMENT

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**Human Resources**

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**Administration - Emg Mgt Task Force Equip**

**Public Defender**

**Fiscal Affairs - Balancing Of Budget**
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**Human Services - Area Agency On Aging**

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**Human Services - HealthChoices**

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**Human Services - Drug & Alcohol**

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<th>Description</th>
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<td>61000</td>
<td>41240</td>
<td>Treatment Block Grant</td>
<td>593,700</td>
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**Summary - Budget Amendment**

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Effective Date:

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

Public Hearing

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

There were no respondents.

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


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

Public Hearing on the Ordinance Entitled, “AN ORDINANCE OF THE NORTHAMPTON COUNTY COUNCIL APPROVING THE CONVEYANCE OF NORTHAMPTON COUNTY BRIDGE 15 TO THE COUNTY OF NORTHAMPTON FROM THE GENERAL PURPOSE AUTHORITY”

Ms. Vargo Heffner and Mr. Werner introduced the following ordinance at the June 7, 2018 meeting:

AN ORDINANCE OF THE NORTHAMPTON COUNTY COUNCIL APPROVING THE CONVEYANCE OF NORTHAMPTON COUNTY BRIDGE 15 TO THE COUNTY OF NORTHAMPTON FROM THE GENERAL PURPOSE AUTHORITY

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, leases or authorizes the purchase, conveyance or lease of any real property of the County”; and

WHEREAS, on October 20, 2016, Northampton County Council adopted an ordinance entitled, “AN ORDINANCE OF THE COUNTY COUNCIL OF NORTHAMPTON COUNTY APPROVING THE COUNTY BRIDGE CONVEYANCE AND REHABILITATION PROGRAM BY ENDORSING THE P3 BRIDGE
PROJECT SERVICE AGREEMENT BETWEEN THE COUNTY OF NORTHAMPTON AND THE NORTHAMPTON COUNTY GENERAL PURPOSE AUTHORITY AND BY APPROVING THE CONVEYANCE OF 33 COUNTY BRIDGES TO THE GENERAL PURPOSE AUTHORITY PURSUANT TO THE P3 AGREEMENT”, which included Northampton County Bridge 15; and

WHEREAS, at the General Purpose Authority meeting held on June 5, 2018, the General Purpose Authority unanimously voted to convey Northampton County Bridge 15 at no cost to Northampton County.

NOW, THEREFORE, BE IT HEREBY ORDAINED AND ENACTED by Northampton County Council that Northampton County Bridge 15 shall be conveyed to the County of Northampton by the General Purpose Authority.

Public Hearing

Ms. Stephanie Brown - no address provided - advised she did not want to see this bridge fast tracked to be torn down. She further advised she was told at the last meeting that the bridge was not historic, but it had been around for generations and should be preserved.

Mr. McClure stated this bridge was put on the Transportation Improvement Plan and one of the things the Pennsylvania Department of Transportation had to do was an historical analysis before any work was done.

Mr. Kraft advised this ordinance only transferred the bridge back to the County from the P3 Project.

Mr. Cusick stated it was the County’s original intention to work with Lower Saucon Township to repair it, but it was since found to be no longer repairable.

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


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

Ms. Vargo Heffner and Mr. McGee introduced the following ordinance at the June 7, 2018 meeting:

AN ORDINANCE AUTHORIZING PREPARATION AND SUBMISSION OF A DECLARATION OF TAKING AND RELATED DOCUMENTATION FOR A PORTION OF THE LANDS OF WAYNE E. CACCIOLA AND CHERYL A. CACCIOLA, HUSBAND AND WIFE

WHEREAS, Northampton County Council has determined that it is necessary and appropriate to acquire a Permanent Right of Way Easement and a Temporary Construction Easement for a project involving replacement, repair and or maintenance of Bridge No. 143 for the safety of the traveling public for the below-stated property owners; and

WHEREAS, a description of the property condemned from owners Wayne E. Cacciola and Cheryl A. Cacciola, Husband and Wife sufficient for its identification is set forth in Exhibit "1" being part of the same property more particularly described in the Office of the Recorder of Deeds in and for Northampton County Deed Book Volume 2014-1, Page 122231 located in the Borough of Bath, Northampton County, Pennsylvania also identified as Tax Parcel No. H5-9-1-0520F (Cacciola property); and

WHEREAS, Condemnor, Northampton County condemns a Temporary Construction Easement of 17,726.74 square feet from the Cacciola property. A copy of the plot plan showing the entire property and portion of land condemned and legal description of the condemned land is attached as Exhibits "1 and 2"; and

WHEREAS, Northampton County is permitted to acquire land and interests in land by Eminent Domain pursuant to the Eminent Domain Code, 26 Pa. C.S.A. Section 302 et seq. as amended.

NOW, THEREFORE, IT IS HEREBY ORDAINED AND ENACTED by the Northampton County Council as follows:

1. All “Whereas” clauses are hereby incorporated into this Resolution.
2. That the County Solicitor's office, is hereby authorized and directed to prepare, and the proper officers to execute, a Declaration of Taking and Notice of Condemnation in accordance with the provisions of the Pennsylvania Eminent Domain Code of 2006, as amended.

3. That the Northampton County Solicitor is hereby authorized and directed to file the Declaration of Taking in the office of the Prothonotary of Northampton County.

4. That the Northampton County Solicitor is authorized and directed to record the Notice of Filing of Declaration of Taking.

5. That Northampton County, acting by and through Northampton County Council and the Northampton County Executive and/or the Northampton County Solicitor's office, is hereby authorized and directed to pay, or to offer to pay, within sixty days from filing of the herein above mentioned Declaration of Taking, just compensation to each Condemnee as provided for and pursuant to Section 307 of the Eminent Domain Code.

6. That the Northampton County Solicitor's office is hereby authorized and directed to send the Notice required by Section 305 of the Eminent Domain Code to the record owner of the property or interest in property to be condemned by certified mail per Section 305(b) of the Eminent Domain Code.

Public Hearing

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

There were no respondents.

In answer to Mr. Cusick's question as to why there was a taking, Mr. Corriere advised there was a conservation easement.

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

The vote: Vargo Heffner, "yes"; McGee, "yes"; Werner, "yes"; Zrinski, "yes"; Cusick, "yes"; Dietz, "yes"; Ferraro, "yes"; Heckman, "yes" and Kraft, "yes".

The ordinance was adopted by a vote of 9-0.
Introduction of an Ordinance Entitled, "AN ORDINANCE PROVIDING FOR THE CONVEYANCE OF A 50 FOOT WIDE RIGHT-OF-WAY OWNED BY NORTHAMPTON COUNTY, LOCATED IN UPPER NAZARETH TOWNSHIP, TO PPL ELECTRIC UTILITIES CORPORATION TO UNDERTAKE THE CONSTRUCTION, RECONSTRUCTION, OPERATION AND MAINTENANCE OF ITS OVERHEAD AND UNDERGROUND ELECTRIC AND COMMUNICATION FACILITIES INCLUDING TWO (2) POLES AND ONE (1) ANCHOR GUY"

Mr. McGee and Ms. Zrinski introduced the following ordinance:

AN ORDINANCE PROVIDING FOR THE CONVEYANCE OF A 50 FOOT WIDE RIGHT-OF-WAY OWNED BY NORTHAMPTON COUNTY, LOCATED IN UPPER NAZARETH TOWNSHIP, TO PPL ELECTRIC UTILITIES CORPORATION TO UNDERTAKE THE CONSTRUCTION, RECONSTRUCTION, OPERATION AND MAINTENANCE OF ITS OVERHEAD AND UNDERGROUND ELECTRIC AND COMMUNICATION FACILITIES INCLUDING TWO (2) POLES AND ONE (1) ANCHOR GUY

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 the conveyance or lease of any real property of the County; and

WHEREAS, the PPL Electric Utilities Corporation (hereinafter referred to as "PPL") intends to construct, reconstruct, operate and maintain its electric and communication facilities including two (2) poles, one (1) anchor guy and overhead and underground facilities including wires, cables, fixture and necessary apparatus; and

WHEREAS, PPL has requested the right of ingress and egress to and from said lines for any of the aforesaid purposes; also the right to cut down any and all trees within twenty-five (25) feet each side of centerline of the overhead electric/communication line and the right to trim any and all trees within twenty-five (25) feet each side of centerline of the overhead electric/communication line; also the right to cut down any and all trees within five (5) feet each side of centerline of the underground electric/communication line and the right to trim any and all trees within five (5) feet each side of centerline of the underground electric/communication line; and
WHEREAS, PPL has also requested the right to remove brush along said lines which in the judgment of PPL menace the said lines, the right to permit the attachment of wires and cables of any other person or company to said lines and the right to relocate to conform to new or relocated highway limits any poles or facilities erected hereunder along a highway, whether within or outside the highway limits; and

WHEREAS, PPL expressly agrees to restore the property to substantially the same condition that the property was in prior to installation, maintenance or repair of the electric facilities; and

WHEREAS, PPL has created a plan entitled "Grant of Right-of-Way" over property located along Penn Allen Road situated in the Township of Upper Nazareth, Northampton County, PA, a true and correct copy of which is attached hereto and made a part hereof as Exhibit "A" and which details the overhead and underground facility project; and

WHEREAS, The County Council of Northampton believes it is in the public's best interest to grant such public utility easement right-of-way.

NOW, THEREFORE, BE IT HEREBY ENACTED AND ORDAINED by the Northampton County Council as follows:

1. County Council hereby Grants and Conveys to PPL Electric Utilities Corporation, a Deed of Right-of-Way for public utility easement over the lands of Northampton County, identified as Tax Parcel No. J7 14 3 PKB 0432C as more fully detailed in Exhibit "A".

2. The Grant of Right-of-Way for a public utility easement, referenced above, shall include a description attached hereto and made part hereof as Exhibit "A" and shall provide rights to PPL Electric Utilities Corporation as described and set forth in the Grant of Right-of-Way attached hereto and made a part hereof.

Mr. Kraft stated the public hearing, debate and possible vote will be held at the July 5, 2018 meeting.
Consideration of Personnel Request Resolutions: a) Court Administration; b) Department of Human Services

Court Administration

Mr. McGee introduced the following resolution:

R. 75-2018 IT IS HEREBY RESOLVED by the Northampton County Council that one (1) full-time position of Court Processing/Operations Officer, pay grade CN/CR 18-3C, salary $35,238, shall be eliminated in the Department of Court Administration, effective June 21, 2018.

BE IT FURTHER RESOLVED by the Northampton County Council that one (1) full-time position of Executive Secretary, pay grade CS 19-2B, salary $40,798, shall be created in the Department of Court Administration, effective June 21, 2018.

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

The vote: McGee, "yes"; Werner, "yes"; Zrinski, "yes"; Cusick, "yes"; Dietz, "yes"; Ferraro, "yes"; Heckman, "yes"; Kraft, "yes" and Vargo Heffner, "yes".

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

Department of Human Services

Mr. McGee introduced the following resolution:

R. 76-2018 IT IS HEREBY RESOLVED by the Northampton County Council that one (1) full-time position of Aging Care Manager Supervisor 2, pay grade HS-40, salary $50,623, shall be created in the Department of Human Services, effective June 21, 2018.

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

The vote: McGee, "yes"; Zrinski, "yes"; Cusick, "yes"; Dietz, "yes"; Ferraro, "yes"; Heckman, "yes"; Kraft, "yes"; Vargo Heffner, "yes" and Werner, "yes".

The resolution was adopted by a vote of 9-0.
Consideration of a Donation to the Department of Human Services - Area Agency on Aging Division Resolution

Ms. Vargo Heffner introduced the following resolution:

R. 77-2018  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

NOW, THEREFORE, BE IT RESOLVED by the Northampton County Council that it does hereby accept the donation of $300.00 to the Department of Human Services - Area Agency on Aging Division on behalf of the First United Church of Christ of Easton to be used at the Easton Area Lifestyle Campus.

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

The vote: Vargo Heffner, "yes"; Cusick, "yes"; Dietz, "yes"; Ferraro, "yes"; Heckman, "yes"; Kraft, "yes"; McGee, "yes"; Werner, "yes" and Zrinski, "yes".

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

Consideration of Open Space Initiative Project Resolutions: a) Indian Trail Park Stream Restoration Project - Lehigh Township; b) Recreation, Parks and Open Space Plan Update Project - Lower Nazareth Township; c) Bridge Inspection and Alternatives to Repurpose Bridges for Trail Use Project - West Easton and Wilson Boroughs; d) Valley View Overlook Fee Simple Acquisition Project

Indian Trail Park Stream Restoration Project - Lehigh Township

Ms. Zrinski introduced the following resolution:

R. 78-2018  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 Indian Trail Park Stream Restoration Project located in Lehigh Township; and

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

Property Owner: Lehigh Township

Site Location: 3821 Lehigh Drive, Northampton, PA 18067

Parcel Identifications: J3SE211; J3SE212; J3SE311

Site Information: Approximately 550 linear feet of stream restoration

County Grant Request: $50,000.00 (25%)

Other Grants: $90,000.00 (46%) PA Department of Conservation & Natural Resources;
$36,158.31 (19%) NorCo Livable Landscape Funds;
$20,000.00 (10%) Lehigh Township

Description of Project: Excessive Stormwater flow has degraded approximately 650 linear feet of streambank. The site is creating severe erosion on the back side of the Lehigh Township Historical Society building, undermining a portion of the foundation and a pedestrian bridge connecting to portions of the park. Immediate restoration and regrading of the streambanks will allow for better flow and repair of safety concerns.

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

(1) The Northampton County Council hereby approves the Indian Trail Park Stream Restoration Project. Further, the Northampton County Executive, through the office of the Program
Administrator of the Northampton County Livable Landscapes Program, 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 $50,000.00 of Livable Landscape funds as the Northampton County contribution to the Indian Trail Park Stream Restoration 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. Kraft called for the vote.

The vote: Zrinski, "yes"; Dietz, "yes"; Ferraro, "yes"; Heckman, "yes"; Kraft, "yes"; McGee, "yes"; Vargo Heffner, "yes"; Werner, "yes" and Cusick, "yes".

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

Recreation, Parks and Open Space Plan Update Project - Lower Nazareth Township

Ms. Zrinski introduced the following resolution:

R. 79-2018 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 Recreation, Parks and Open Space Plan Update Project located in Lower Nazareth Township; and

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

Site Location: Lower Nazareth Township

Site Information: Planning will be conducted within Lower Nazareth Township

County Grant Request: $27,500.00 (50%)
Other Grants: $27,500.00 (50%) Lower Nazareth Township

Description of Project: An update to the existing 1989 Parks, Recreation and Open Space Plan. Plan will focus on recreation, land preservation and park issues.

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

(1) The Northampton County Council hereby approves the Recreation, Parks & Open Space Plan Update Project. Further, the Northampton County Executive, through the office of the Program Administrator of the Northampton County Livable Landscapes Program, 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 $27,500.00 of Livable Landscape funds as the Northampton County contribution to the Recreation, Parks & Open Space Plan Update 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.

Mr. Cusick requested the Administration look into reinstating the Municipal Park Program.

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

The vote: Zrinski, "yes"; Ferraro, "yes"; Heckman, "yes"; Kraft, "yes"; McGee, "yes"; Vargo Heffner, "yes"; Werner, "yes"; Cusick, "yes" and Dietz, "yes".

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

Bridge Inspection and Alternatives to Repurpose Bridges for Trail Use Project - West Easton and Wilson Boroughs

Ms. Zrinski introduced the following resolution:
R. 80-2018 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 Bridge Inspection and Alternatives to Repurpose Bridges for Trail Use Project located in the Boroughs of West Easton and Wilson; and

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

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<th>Property Owners:</th>
<th>Boroughs of West Easton and Wilson</th>
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<tr>
<td>Site Location:</td>
<td>Bridges over Iron Street and Spring Street</td>
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<tr>
<td>Parcel Identifications:</td>
<td>M9NW2A 2 1; L9SW3D 10 1</td>
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<tr>
<td>Site Information:</td>
<td>Two abandoned rail bridges to be studied for trail use</td>
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<tr>
<td>County Grant Request:</td>
<td>$24,500.00 (50%)</td>
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<tr>
<td>Other Grants:</td>
<td>$18,375.00 (37.5%) West Easton Borough $6,125.00 (12.5%) Wilson Borough</td>
</tr>
<tr>
<td>Description of Project:</td>
<td>A PennDOT approved bridge inspection is needed to further the development of a regional trail system through Wilson Borough and West Easton Borough. This segment of trail can be extended to the border of West Easton from the existing Wilson Trail with potential overpasses.</td>
</tr>
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</table>

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

(1) The Northampton County Council hereby approves the Bridge Inspection and Alternatives to Repurpose Bridges for Trail Use Project. Further, the Northampton County Executive, through the office of the Program Administrator of the Northampton County Livable Landscapes Program, 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 $24,500.00 of Livable Landscape funds as the Northampton County contribution to the Bridge Inspection and Alternatives to Repurpose Bridges for Trail Use 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. Kraft called for the vote.


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

Valley View Overlook Fee Simple Acquisition Project

Ms. Zrinski introduced the following resolution:

R. 81-2018  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 Valley View Overlook Fee Simple Acquisition Project located in Upper Mount Bethel Township; and

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

Property Owner: Pieter Knibbe

Site Location: 3320 Valley View Drive, Upper Mount Bethel Township

Parcel Identifications: B9 1 2 013; B9 1 2A 03131

Site Information: 58.58 acres, wooded, very high-conservation identity, Regional Significance – Martins Creek Watershed & State Significance –
NOW, THEREFORE, BE IT RESOLVED By the Northampton County Council:

(1) The Northampton County Council hereby approves the Valley View Overlook Fee Simple Acquisition Project. Further, the Northampton County Executive, through the office of the Program Administrator of the Northampton County Livable Landscapes Program, 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 $150,000.00 of Livable Landscape funds as the Northampton County contribution to the Valley View Overlook Fee Simple Acquisition 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. Kraft called for the vote.

The vote: Zrinski, "yes"; Kraft, "yes"; McGee, "yes"; Vargo Heffner, "yes"; Werner, "yes"; Cusick, "yes"; Dietz, "yes"; Ferraro, "yes" and Heckman, "yes".

The resolution was adopted by a vote of 9-0.
Consideration of a HOME Investment Partnership Program (HOME) Agreement Resolution

Mr. McGee introduced the following resolution:

R. 82-2018  WHEREAS, on June 15, 2018, Northampton County Council received a HOME Investment Partnership Cooperation Agreement by and between the City of Easton (hereinafter referred to as “Easton”) and the County of Northampton (hereinafter referred to as “Northampton”), all political subdivisions of the Commonwealth of Pennsylvania; and

WHEREAS, Title II of the National Affordable Housing Act of 1990 provides for the creation of the HOME Investment Partnerships Program (hereinafter referred to as “HOME”); and

WHEREAS, the United States Department of Housing and Urban Development (hereinafter referred to as “HUD”) has established regulations as listed in 24 CFR Part 92 for the administration and implementation of the HOME Program; and

WHEREAS, under 24 CFR Part 92, the regulations provide for the establishment of housing consortia by units of general local government to enter into cooperation agreements to access HOME funds that they individually do not have an entitlement grant amount under the HOME funding formula; and

WHEREAS, Easton and Northampton have agreed to form a HOME Consortium to obtain an entitlement grant under the HOME Program to provide affordable housing for their low income constituents.

NOW, THEREFORE, the parties to this Agreement do hereby agree as follows:

SECTION I - DEFINITIONS:

The definitions contained in 24 CFR Part 92, Subpart A., paragraph 92.2 are incorporated herein by reference and made a part hereof, and the terms defined in this section have the following meanings given them:

A.  “Act” means Title II, of the Cranston-Gonzalez National Affordable Housing Act [P. L. 101-625], 42 U.S.C. 12701 (d) et seq.].
B. "Consolidated Plan" means the comprehensive plan and application, as set forth in 24 CFR Part 91, which encompasses the local community's housing needs and focuses on affordable housing for low income households.

C. "Consortium" means geographically contiguous units of general local government consolidated into a single unit, acting as a Participating Jurisdiction (PJ) for the HOME Program.

D. "Consortium Council" means a representative body that is comprised of the member jurisdictions of the Consortium that oversees the operation and administration of the local HOME Program.

E. "HOME Program" means a procedure established for the use of funds made available from HUD through the Act to carry out multi-year housing strategies through acquisition, rehabilitation and new construction of housing and tenant-based rental assistance.

F. "Housing Strategy" means the Consolidated Plan as set out in 24 CFR Part 91 and encompasses a local government's housing needs with a focus on affordable housing for low-income families.

G. "HUD" means the United States Department of Housing and Urban Development.

H. "Member" means a unit of local government which is a signatory to this Agreement and therefore a member of the Consortium for the purpose of carrying out eligible activities under 24 CFR Part 92.

I. "Participation of Jurisdiction" (PJ) means a unit of local government or Consortium that has been designated by HUD to administer a HOME Program grant.

J. "Regulations" means 24 CFR Part 92 HOME Investment in Affordable Housing Implementing Regulations as issued by HUD.

K. "Representative Member" means the unit of local government designated as the lead entity which is the one member to act in a representative capacity for all members for the purposes of this Agreement. The Representative Member will assume overall
responsibility for ensuring that the Consortium's HOME Program is carried out in compliance with the requirements of 24 CFR Part 92.350(a)(5) and will assume responsibility for the requirements concerning the Consolidated Plan.

SECTION II - PURPOSE:

The purpose of this Agreement is to form a Consortium of two (2) units of local government, geographically located and contiguous, for designation as a Participating Jurisdiction (hereinafter referred to as a "PJ") under the Act, which said PJ to be known and hereinafter which may be referred to as The Easton and Northampton County HOME Consortium.

The signatory parties to this Agreement agree to cooperate in undertaking or assisting in undertaking housing assistance activities under the HOME Program in compliance with HUD regulations and the local Consolidated Plans of the of the Member jurisdiction.

SECTION III - ADMINISTRATION:

A. Easton and Northampton, including the incorporated communities in each county, mutually agree that Northampton shall act as the Representative Member for all participants in the Easton and Northampton County HOME Consortium for the purposes of the Act.

B. Easton and Northampton, including the incorporated communities in each county, mutually agree that Northampton County, in its role as Representative Member, is granted the overall responsibility for ensuring that the Easton and Northampton County HOME Consortium’s Program is carried out in compliance with the requirements of the HOME Program.

C. Easton, as an incorporated community in Northampton County, agrees to fully participate and cooperate with Northampton in the development and preparation of the Consolidated Plan for their portion of the Consortium Area.
D. Easton and Northampton, including the incorporated communities in the county, shall participate jointly in the development of the Easton and Northampton County HOME Consortium's Program. The Consortium will form a council known as the Easton and Northampton County HOME Consortium Council. Each Member of the Consortium will appoint three (3) representatives to the Council. Easton and Northampton will mutually agree and appoint a Chairperson for the Consortium Council, who will be in addition to the number of representatives appointed by the Members.

E. The Consortium Council will adopt a set of By-Laws and will define a strategy and programs in sufficient detail to accommodate the collective and individual needs and priorities of any and all of the Members constituting the Easton and Northampton County HOME Consortium. The Members shall review and approve the strategy and programs for the annual use of HOME funds, as well as have the opportunity to review and approve any program changes or amendments prior to action being taken by the Representative Member's governing body.

F. Easton and Northampton shall be entitled up to the amount of HOME Program funding based on the annual sharing percentage allocation by HUD to each Member of the Consortium, as established by United States Census data, as part of the total allocation to the Easton and Northampton County HOME Consortium. Members of the Consortium may elect to combine their allocations to carry out collaborative HOME activities.

Any funds allocated to Members but remaining unobligated for a period of up to fifteen (15) months after the initial allocation date will be recaptured and redistributed by the HOME Consortium Council. Any funds recaptured will be offered to the other Member for reprogramming for eligible activities in accordance with the HOME Program Regulations. The final decision for distribution of these funds will be made by the HOME Consortium Council. If, after the three (3) year participation period ends, any party terminates this agreement in whole or in part, all funds expended or unexpended on a project will become the property of the remaining parties to this agreement and the disposition or completion of
uncompleted work on the project will become the responsibility of the remaining parties pursuant to the conditions of this paragraph. Ownership of all personal property acquired by virtue of the execution of or performance under this Agreement is vested in the parties pursuant to the prorated share of funds allocated to them, but the parties shall not take legal title to any real property, including, but not limited to, easements.

G. The HOME Consortium Council may amend the Consortium Agreement to increase its Members in the Consortium if the areas are coterminous with the existing boundaries of the area. These new Members will be entitled to funding based on the annual sharing percentage criteria established by HUD as a percentage of the total allocation to the Consortium for the next funding period.

H. Nothing in this Agreement will preclude the ability of Easton and Northampton, including the incorporated communities in each county, either individually or jointly in applying for financial assistance under the Commonwealth of Pennsylvania’s HOME Program. Furthermore, it is expressly agreed and understood that any specific projects eligible for HOME funding may be submitted to the HOME Consortium Council by any consortium Member, any participating municipality located in the member counties, any authority and/or nonprofit housing agency for funding under the Consortium’s annual HOME entitlement funds.

I. Each Member is responsible for submitting in a timely manner to the Representative Member all information necessary for participation in the Easton and Northampton County HOME Consortium as defined in the regulations. This includes all information necessary for the Consolidated Plan, the program descriptions, certifications, written agreements with sub-recipients and performance reports. Easton will submit this documentation to Northampton in order to insure a coordinated effort.

J. Each Member shall be responsible for any required matching funds for specific eligible projects as determined by HUD submitted by that particular Member. However, this does not limit the use of excessive
local match from one Member to another. The HOME Consortium Council will track the match funds and the excess match will be used to off-set the future match requirements.

K. Each Member shall be responsible for the following:

1. Appoint three (3) representatives to the Easton and Northampton County HOME Consortium Council for a term of three (3) years.

2. Fill vacancies on the Consortium Council in a timely manner and ensure the attendance of their appointees at meetings.

3. Provide information required for the preparation of revisions to the existing Five Year Consolidated Plan.

4. Conduct an annual housing needs public hearing for the use of HOME funds.

5. Adopt by resolution and renew annually the participation in the Easton and Northampton County HOME Consortium.

6. Be responsible for determining local housing needs and the use of HOME funds to address those needs.

7. Provide an annual description of proposed project activities in accordance with the annual budget and distribution of funds.

8. Obtain written agreements for the expenditures of HOME funds from sub-recipients, contractors, homebuyers, etc. and provide copies to the Representative Member.

9. Provide documentation for matching funds or donations to the HOME Program.

10. Maintain files and documentation for compliance with Federal regulations and make these files available for review and monitoring by HUD, its authorized agent, and/or the Representative Member.
11. Prepare, process and forward requisitions of funds to the Representative Member.

12. Receive payments of funds from the Representative Member and pay sub-recipients, contractors, homebuyers, etc. in a timely manner.

13. Review and approve any amendment to this Agreement.

14. Agree to affirmatively further fair housing in the use of the HOME funds.

15. Agree to have the same program year start date for its HOME and CDBG funds. This program year will begin on October 1st and end on September 30th, though the City of Easton is permitted a transition period, upon HUD approval.

L. The Representative Member shall be responsible for the overall administration of the HOME Program and complying with the Federal guidelines. In particular the following are the duties and responsibilities:

1. Provide staff to manage the HOME Program.

2. Revise the existing Five Year Consolidated Plan, as necessary, to include the HOME Program and statistical information on the other consortium Members.

3. Prepare a new five year Consolidated Plan beginning with FY 2019 through FY 2023, and every five (5) year period thereafter, that includes the Consolidated Plan of the other Members.

4. Prepare and submit all required notices, plans, performance reports, plan amendments and other documentation as required by HUD.

5. Ensure that the program and activities are in compliance with the Federal regulations.

6. Provide the other members with "guide form" contracts, agreements, advertisements, etc.
7. Hold a public hearing on the annual HOME Program and adopt the budgets and activities outlined by the HOME Consortium Council.

8. Assist the other Consortium Members in meeting the citizen participation requirements of HUD.

9. Review and approve all project funding agreements for each activity.

10. Monitor the other Members for compliance with the Federal regulations.

11. Prepare an environmental review record for the HOME Program and secure the release of funds from HUD for program activities.

12. Provide guidance and assistance to the other Members to ensure compliance with the Federal labor standards.

13. Prepare and execute all written agreement with sub-recipients, contractors, etc. who receive HOME funds.

14. Maintain files on each project activity for monitoring by HUD.

15. Prepare and maintain the HOME match log as required by HUD.

16. Prepare the annual Consolidated Annual Performance and Evaluation Report (CAPER) for annual submission to HUD.

17. Establish and maintain a local HOME fund account including Federal drawdowns, program income, etc.

18. Process Federal drawdowns of funds from the U.S. Treasury for project activities.

19. Process payment requisitions and requests for funds from the other Members for project activities.

20. Prepare an annual budget showing the distribution of HOME funds to each Member.
21. Prepare monthly financial statements on expenditures, commitment of funds and remaining balances for each Member and their project activities.

22. Contract for an annual audit of the HOME Program by an outside independent auditing firm.

23. Supervise the closeout of annual grants with HUD.

24. Contract with an outside planning consulting firm for assistance in administering the HOME Program, as necessary.

M. The HOME Consortium Council shall be formed to oversee the program and provide guidance on the use of funds. The specific duties and responsibilities of the Consortium Council is as follows:

1. Each Member of the HOME Consortium shall have three (3) representatives to the Consortium Council.

2. Provide guidance and direction in promoting and affirmatively further fair housing with in Northampton County, Pennsylvania.

3. Define an overall strategy and programs based on the needs of the Members.

4. Establish priorities for the use of HOME funds.

5. Approve the allocation and distribution of funds among the Members based on the HUD annual sharing percentage and allocation of each Member as a percentage of the total HOME Grant allocation to the Easton and Northampton County HOME Consortium.

6. Reallocate funds that are uncommitted or unobligated after fifteen (15) months after the approval by HUD of the annual HOME grants.

7. Provide advice on the eligibility and feasibility of specific project activities.
8. Ensure that any required matching funds are provided by the Members from the non-Federal funds portion of HOME assisted projects.

9. Review and approve any amendments to the Agreement.

10. Review and approve documentation submitted by non-profit organizations for designation as a local Community Housing Development Organization (CHDO).

11. Monitor and recertify annually any CHDO's.

12. Advertised requests for proposals from designated CHDO's for use of set-aside funds.

13. Adopt and assure compliance with affirmative marketing policies and procedures.

14. Approve the annual Consolidated Plan with regard to the use of HOME funds.

15. Adopt a set of by-laws for the administration of the HOME Program.

N. In accordance with Section 91.402 of the Consolidated Plan Final Rule, Northampton has a program year that begins on October 1st and ends on September 30th each year, the HOME funds will also have the same program year start and end date. Easton agrees to work with HUD on a plan to have the same program year.

SECTION IV - AFFIRMATIVE MARKETING POLICIES AND PROCEDURES:

A. Statement and Policy -

In accordance with the Easton and Northampton County HOME Consortium's commitment of non-discrimination and equal opportunity in housing, the Consortium hereby establishes procedures to affirmatively market units assisted under the HOME Investment Partnerships Program. These procedures are intended to further the objectives of Title VII of the Civil Rights Act of 1988 and Executive Order 11063. In addition, the Consortium will abide by and establish a
minority outreach program in accordance with 24 CFR 92.350 (a)(5).

1. The **Consortium** believes that individuals of similar economic levels in the same housing market area should have available to them a like range of housing choices regardless of their race, color, religions, sex, familial status, disability or national origin. Individuals eligible for public housing assistance or who have minor children should have available to them a like range of housing choices.

2. The **Consortium** will carry out this policy through affirmatively marketing procedures designed for the **HOME Investment Partnership Program**.

B. **Responsibility for Informing the Public, Potential Tenants, and Owners About Federal Fair Housing Laws and Affirmative Marketing Policies:**

The **Consortium** will inform the public, potential tenants and owners about its Fair Housing and Affirmative Marketing Policy in the following manner:

1. Information regarding this policy will be included in the materials prepared by the **Consortium** for program marketing including press releases, advertising, program brochures and application packages. The Equal Housing Opportunity logo type and slogan will be used in all printed information.

2. The **Consortium** will sponsor “Owner’s Workshops” to discuss procedures and program requirements, including the affirmative marketing policy. Participating Owners shall be advised orally and in writing of this policy.

3. Provide information sheets to tenants of buildings to be rehabilitated through the **HOME Program**, including information on this policy and their rights under the Fair Housing Laws.

C. **Requirements For Owners to Inform the General Public About Available Units Rehabilitated or Assisted Under the HOME Program.**
In order to undertake out the Consortium's affirmative marketing policy the property owner shall certify that to the extent there are vacant units in properties rehabilitated or assisted through the HOME Program. These units will be marketed in a good faith effort to attract tenants or homebuyers regardless of their race, color, religion, sex, familial status, disability or national origin. In marketing units, the owner shall agree to:

1. At least thirty (30) days prior to the date of expected availability or vacancy (when possible), contact the two local Northampton County Housing Authorities and advise of the pending vacancy in order to receive referrals for tenants receiving housing assistance provided by the local Northampton County Housing Authority and the Easton Housing Authority the owner shall be relieved of any additional responsibility under this policy.

2. In advertising vacant units for rent, the following procedures shall be followed:
   a. The owner shall use forms of media likely to reach persons of all minority or majority groups, including those persons identified as least likely to apply (e.g. use of community organizations, churches, fair housing groups or housing counseling agencies).
   b. The owner shall use the Equal Housing Opportunity logo, slogan (Equal Housing Opportunity) or statement in all advertising, including signs placed on property.

3. The owner shall display a fair housing poster in the rental office.

4. The owner shall comply with the requirements of Title VI and Title VIII of the Civil Rights Acts of 1964 and 1968, respectively, which provide that (1) no person is to be excluded from participation in, be denied the benefit of or be subjected to discrimination under any program or activity receiving financial assistance hereunder
and (2) no person shall discriminate in the sale or rental of housing, the financing of housing, or the provision of services, including in any way making available or denying a dwelling to any person, because of race, color, religion, sex, disability or national origin.

5. The owner shall not discriminate against any person because of their eligibility for housing assistance or because of the fact that they have minor children in the household.

6. The owner shall maintain and provide to the Consortium information on race, ethnicity and gender characteristics of:

   a. Existing tenants occupying the housing units before rehabilitation;

   b. Tenants moving from and, initially after rehabilitation, to completed units; and,

   c. Applicants for tenancy within ninety (90) days following completion of rehabilitation. Owner may, at his/her sole discretion, maintain this information on applicants following this initial ninety (90) day period to demonstrate compliance with this policy.

7. The owner shall maintain appropriate records to document his/her good faith effort to affirmatively market units as required by this policy including, but not limited to, copies of advertisements, special notices, etc.

D. Assessment and Corrective Action:

The effectiveness of the affirmative marketing will be assessed as follows:

1. The Consortium will review information, required to be maintained by the owner in Parts C.6 and C.7 above. If the required steps were taken, the Consortium will determine that good faith efforts have been made.
2. Where there is evidence that the owner has failed to take appropriate actions as called for above, including receipt of complaints by prospective tenants regarding discriminatory actions by the owner, the Consortium will proceed to contact the owner to investigate the nature of the complaint, actions taken by the owner and corrective actions to be taken by the owner in marketing the next available unit. The Consortium reserves the right to require additional affirmative marketing procedures from those described if it is determined necessary to achieve a good faith effort by the owner.

3. The Consortium shall at least examine annually whether or not persons from a variety of racial and ethnic groups in the market area applied for or became tenants of units that were affirmatively marketed. If such groups are not represented at least proportionally to their presence in the market area, the Consortium will review this policy to determine what changes, if any, will make the policy more effective in reaching these groups.

SECTION V - TERMS OF THE AGREEMENT:

A. Term of Agreement:

This Agreement shall be in effect for a period of three (3) fiscal years, subject to annual renewal for any additional period of time needed to complete all phases of the project(s) for which the Members receive HOME funds and expend those HOME funds, for each of which annual renewal periods shall be limited to three (3) fiscal years; provided that, in addition to the right of non-renewal, all parties hereto shall have the right to terminate this Agreement on any three (3) year anniversary of the date of this agreement by giving to the other parties thirty (30) days' written notice of such termination. It is Easton's and Northampton's intentions to remain Members of the Consortium for the period necessary to carry out all activities that will be funded for the three (3) Federal Fiscal Years of 2019, 2020, and 2021 provided that the Consortium qualifies as a Participating Jurisdiction under the HOME Investment Partnership Program by approval of
annual renewals of this agreement and subject to said renewals will take necessary steps to provide budget allocations for funding purposes.

B. Amendment:

Prior to the adoption of any amendment to this Agreement, partial or complete termination of this Agreement, including the incorporation of changes necessary to meet the requirements for a subsequent three (3) year Consortium designation period, all of the Members must sign and agree to submit to HUD any revisions for its approval, including adding new Members to the Consortium.

C. Designation Period:

This Agreement covers the initial designation period of the Federal Fiscal Years of 2019, 2020, and 2021 which the Consortium is to qualify to receive HOME funds. Members are prohibited from withdrawing from the Consortium during this period.

D. Automatic Renewal:

The Representative Member and all Members agree that this Agreement shall automatically be renewed for the Consortium's participation in successive qualification periods of three (3) federal fiscal years each. No later than the date specified by HUD's consortia designation notice or HOME Consortia web page, the Representative Member shall notify each Member in writing of its right to decide not to participate in the Consortium for the next qualification period and the Representative Member shall send a copy of each notification to the HUD Field office.

1. If a Member decides not to participate in the Consortium for the next qualification period, the Member shall notify the Representative Member and the Representative Member shall notify the HUD Field Office, before the beginning of the new qualification period.

2. Before the beginning of each new qualification period, the Representative Member shall submit to the HUD Field Office a statement of whether or not any amendments have been made to this agreement, a copy of each amendment to this
agreement and, if the Consortium’s membership has changed, the state certification required under 24 CFR Sub-part 91.101(a)(2)(i). The Consortium shall adopt any amendments to this Agreement that are necessary to meet HUD requirements for consortium agreements in successive qualification periods.

3. The automatic renewal of the Agreement will be void if: the Representative Member fails to notify a Member or the HUD field office as required under this automatic renewal provision or fails to submit a copy of each amendment to this Agreement as required under this automatic renewal provision.

E. Authority to Amend the Agreements:

All of the Members of the Consortium must sign and approve all amendments to this Agreement.

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


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

Consideration of an Easton & Northampton County HOME Consortium Cooperation Agreement Resolution

Mr. McGee introduced the following resolution:

WHEREAS, on June 15, 2018, the Northampton County Council received a request authorizing participation in the proposed Easton and Northampton County Home Consortium for the three year period of October 1, 2019 to September 30, 2021; and

WHEREAS, Title II of the National Affordable Housing Act of 1990, as amended, provides for the creation of the HOME Investment Partnership Program (hereinafter referred to as "HOME"); and
WHEREAS, the HOME regulations established by the U.S. Department of Housing and Urban Development (hereinafter referred to as HUD) at 24 CFR Part 92, authorizes units of general local government to form a Housing Consortium, enter into a Housing Consortium Cooperation Agreement for a three (3) year period, and allows for recertification of Consortia; and

WHEREAS, the County of Northampton has an Urban County designation from HUD, and as such receives Community Development Block Grant (CDBG) funds and may join along with other jurisdictions to form a Housing Consortium; and

WHEREAS, the County of Northampton has determined that by forming a consortium with the City of Easton (an Entitlement City) and with Northampton County (an Urban County) would enable the Housing Consortium to receive an annual entitlement grant under the HOME Program from HUD; and

WHEREAS, the County of Northampton has determined that obtaining funding under the HOME Program will increase the County’s ability to provide affordable housing for the low and moderate income residents living in the County of Northampton; and

WHEREAS, a Housing Consortium Agreement for a three (3) year period with an automatic renewal clause has been presented to the Northampton County Council.

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

1. The County of Northampton agrees to cooperate with the City of Easton to form the proposed Easton & Northampton County HOME Consortium to access Federal HOME funds.

2. The County of Northampton agrees to become the Representative Member of the HOME Consortium.

3. The County of Northampton agrees to remain in the Easton & Northampton County HOME Consortium for a minimum period of three (3) consecutive years beginning October 1, 2019 and ending on September 30, 2021.

4. The County of Northampton agrees and authorizes the automatic renewal of the Cooperation Agreement for successive qualification periods and agrees that the Cooperation Agreement will remain in effect until at
least the HOME funds from each of the Federal Fiscal Years of the Agreement are expended on eligible activities.

5. That the Chief Elected Official and proper officers of the County of Northampton are hereby authorized to execute the Cooperation Agreement to form the Easton & Northampton County HOME Consortium.

6. The Northampton County Solicitor is hereby authorized to prepare the Ordinance and any other documents required by The Intergovernmental Cooperation Act as set forth in 53 Pa. C.S.A. 2301 et al.

Mr. Cusick made a motion to change the wording in number 5 from Chief Elected Official to County Executive.

Mr. Dietz seconded the motion.

Mr. Kraft called for the vote on the motion.

The vote: Cusick, "yes"; Dietz, "yes"; McGee, "yes"; Vargo Heffner, "yes"; Werner, "yes"; Zrinski, "yes"; Ferraro, "yes"; Heckman, "yes" and Kraft, "no".

The motion passed by a vote of 8-1.

Mr. Kraft called for the vote on the following amended resolution:

R. 83-2018 WHEREAS, on June 15, 2018, the Northampton County Council received a request authorizing participation in the proposed Easton and Northampton County Home Consortium for the three year period of October 1, 2019 to September 30, 2021; and

WHEREAS, Title II of the National Affordable Housing Act of 1990, as amended, provides for the creation of the HOME Investment Partnership Program (hereinafter referred to as "HOME"); and

WHEREAS, the HOME regulations established by the U.S. Department of Housing and Urban Development (hereinafter referred to as HUD) at 24 CFR Part 92, authorizes units of general local government to form a Housing Consortium, enter into a Housing Consortium Cooperation Agreement for a three (3) year period, and allows for recertification of Consortia; and
WHEREAS, the County of Northampton has an Urban County designation from HUD, and as such receives Community Development Block Grant (CDBG) funds and may join along with other jurisdictions to form a Housing Consortium; and

WHEREAS, the County of Northampton has determined that by forming a consortium with the City of Easton (an Entitlement City) and with Northampton County (an Urban County) would enable the Housing Consortium to receive an annual entitlement grant under the HOME Program from HUD; and

WHEREAS, the County of Northampton has determined that obtaining funding under the HOME Program will increase the County's ability to provide affordable housing for the low and moderate income residents living in the County of Northampton; and

WHEREAS, a Housing Consortium Agreement for a three (3) year period with an automatic renewal clause has been presented to the Northampton County Council.

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

1. The County of Northampton agrees to cooperate with the City of Easton to form the proposed Easton & Northampton County HOME Consortium to access Federal HOME funds.

2. The County of Northampton agrees to become the Representative Member of the HOME Consortium.

3. The County of Northampton agrees to remain in the Easton & Northampton County HOME Consortium for a minimum period of three (3) consecutive years beginning October 1, 2019 and ending on September 30, 2021.

4. The County of Northampton agrees and authorizes the automatic renewal of the Cooperation Agreement for successive qualification periods and agrees that the Cooperation Agreement will remain in effect until at least the HOME funds from each of the Federal Fiscal Years of the Agreement are expended on eligible activities.

5. That the County Executive and proper officers of the County of Northampton are hereby authorized to execute the Cooperation Agreement to form the Easton & Northampton County HOME Consortium.
6. The Northampton County Solicitor is hereby authorized to prepare the Ordinance and any other documents required by the Intergovernmental Cooperation Act as set forth in 53 Pa. C.S.A. 2301 et al.

The vote: McGee, "yes"; Vargo Heffner, "yes"; Werner, "yes"; Zrinski, "yes"; Cusick, "yes"; Dietz, "yes"; Ferraro, "yes"; Heckman, "yes"; and Kraft, "yes".

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

Consideration of a City Revitalization Block Grant for the City of Easton Resolution

Mr. McGee introduced the following resolution:

R. 84-2018 WHEREAS, on June 15, 2018, Northampton County Council received a request from the Northampton County Department of Community and Economic Development to approve a City Revitalization Block Grant (CRBG) for the City of Easton; and

WHEREAS, the City of Easton presented their proposal to the Northampton County Community and Economic Development Committee on June 7, 2018; and

WHEREAS, the design/engineering/permitting of the project is complete and the project is ready to move forward with bidding and construction; and

WHEREAS, the $50,000 CRBG funds will be matched with $225,545 in additional project costs of which $15,000 has already been spent on design.

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

1. It hereby approves the City of Eastor's CRBG proposal (attached hereto at Exhibit "A") not to exceed $50,000 for the N. 13th Street Pedestrian Improvements.

2. The County Executive of the County of Northampton is authorized to execute grant agreements with the applicants not to exceed the approved amount using Northampton County Local Share Table Games Revenues.
As there were no questions or comments, Mr. Kraft called for the vote.

The vote: McGee, "yes"; Werner, "yes"; Zrinski, "yes"; Cusick, "yes"; Dietz, "yes"; Ferraro, "yes"; Heckman, "yes"; Kraft, "yes" and Vargo Heffner, "yes".

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

Consideration of Resolution Regarding the General Purpose Authority and P3 Projects

Mr. Kraft introduced the following resolution:

R. 85-2018 WHEREAS, by Ordinance No. 605-2016, enacted on March 3, 2016, Northampton County Council approved a Public Private Partnership (P3) project to repair or replace 33 bridges located within Northampton County; and

WHEREAS, at no time has Northampton County Council approved a P3 for any other purpose; and

WHEREAS, at a June 20, 2018 meeting of Northampton County Council attended by representatives of the Northampton County General Purpose Authority (GPA), County Council learned the following:

- Former County Executive John A. Brown told the GPA, in February 2017, that he would like to use P3 for another 66 bridges, a new jail or adaptive reuse of the existing jail, a warehouse, forensic center, purchase of the Human Services building and a new parking facility. He made this representation without informing Northampton County Council.

- Former County Executive Brown decided to employ John Lushis, Esq. who already was Solicitor for the GPA to research legal issues, draft legislation, meet with municipal officials and lobby State legislators to sponsor and enact enabling legislation without informing County Council.

• These invoices were funneled in contravention of the Home Rule Charter and Administrative Code through the GPA to former County Executive Brown, Department of Fiscal Affairs, Department of Public Works and Department of Community and Economic Development in order to keep both County Council and the Controller unaware of what was happening.

• The funds to make these payments were drawn from a $500,000 fund approved by Northampton County Council as line item 93010, which was to be used to update a jail study performed by former County Executive John Stoffa.

• Former County Executive Brown's authority to hire a special solicitor is set forth in the County's Administrative Code. The only professional service agreements exempted from the Code are those negotiated by the Courts or Human Services. § 13.01e. Professional services defined as "services requiring specialized knowledge, skill and expertise ...." § 13.02. Procurement authority is vested in the County Executive, subject to approval by Council. § 13.03. All county services, including professional services, must be obtained by one of several forms of competitive negotiation. § 13.07a. Services in excess of $25,000 requires a written contract. § 13.16a. These contracts must be filed in the Procurement Department. § 13.16a. If they exceed $100,000, Council approval is needed. § 13.16c. Contracts for professional services must require that there be a final report provided directly to County Council.

• These requirements were ignored. There was no competitive negotiation. There was no written contract and nothing is on file in the Procurement Division. Though former County Executive Brown paid over $100,000, he never sought County Council’s approval. No final report was filed. This procedure was done specifically to keep the governing body, County Council, uninformed about plans to use a P3 to build a jail and to market it to other municipalities and the expenditures.
• Section 13.21 of the Administrative Code provides, "No elected or appointed official or employee of the County shall intentionally or knowingly circumvent the provisions of this Article. Further, that any such elected or appointed official or employee of the County of Northampton who shall intentionally and/or knowingly violate this Article shall be subject to surcharge to the extent of the damage shown to be thereby sustained by the County of Northampton, shall be guilty of a misdemeanor, and upon a conviction thereof, shall be sentenced to imprisonment of not more than one year or pay a fine of not more than $1,000, or both. Any contract entered into in violation of the within article shall not be binding upon the County of Northampton".

• GPA Solicitor John Lushis and former County Executive Brown have continued to market P3 projects to other entities, both public and private, for their own personal gain and without regard to the best interests of Northampton County.

NOW, THEREFORE, IT IS RESOLVED AS FOLLOWS:

1) Northampton County Council hereby requests the GPA to terminate the services of John Lushis, Esq. and Norris, McLaughlin and Marcus as Solicitor to that body.

2) Northampton County Council hereby requests that GPA Chair Shawn Langen resign from the GPA and expresses their appreciation to him for many years of dedicated service.

3) Northampton County Council hereby requests that the GPA not attempt in any fashion to market P3 to any other entities.

In response to Ms. Vargo Heffner's question as to whether the copyright issue would be handled separately, Mr. Kraft stated he thought it was put back into the name of the GPA, but if not, another resolution may be required.

Mr. Heckman advised he felt it was necessary for County Council to stand up for things as an entity if they were not for the good of the County, but it was important that they followed through. He further advised he did not think the previous County Council was made aware of things that were occurring at that time.
In answer to Mr. Cusick's question as to whether the statement regarding the Controller's Office was accurate, Mr. Barron replied they were.

Mr. Cusick stated last year a majority of County Council voted to do a Home Rule Charter study. He further stated in non-Home Rule Charter Counties there was an elected Treasurer and elected Controller so there was a system of check and balances that did not exist in this form of government.

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

The vote: Kraft, "yes"; Zrinski, "yes"; Cusick, "yes"; Dietz, "yes"; Ferraro, "abstain"; Heckman, "yes"; McGee, "yes"; Vargo Heffner, "yes" and Werner, "yes".

The resolution was adopted by a vote of 8-0-1 abstention.


The Wood Company

Mr. Heckman introduced the following resolution:

R. 86-2018 WHEREAS, Northampton County Administrative Code Article XIII Procurement and Disposition of County Property, Section 13.16 Contracts and Agreements c. (1) requires approval of County Council for "...any contract exceeding $100,000, which was awarded using the Competitive Negotiation, Negotiation After Competitive Sealed Bidding, and Non-Competitive Negotiation source selection methods. For contracts with renewal clauses, the entire potential payout if all renewal clauses are exercised under the terms of the contract must be considered when determining if Council approval is necessary"; and

WHEREAS, on May 21, 2018, the Northampton County Council received a request from the County Executive for County Council to adopt a resolution approving a contract in the amount of $5,947,109 with The Wood Company (Sodexo Operations, LLC) for dietary services for the Gracedale Nursing Home and the Congregate Meal Program for the Area Agency on Aging for a term of five years.
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 approve a contract with The Wood Company (Sodexo Operations, LLC).

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

The vote: Heckman, "yes"; Cusick, "yes"; Dietz, "yes"; Ferraro, "yes"; Kraft, "yes"; McGee, "yes"; Vargo Heffner, "yes"; Werner, "yes" and Zrinski, "yes".

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

Teleosoft, Inc.

Mr. Heckman introduced the following resolution:

R. 87-2018 WHEREAS, Northampton County Administrative Code Article XIII Procurement and Disposition of County Property, Section 13.16 Contracts and Agreements c. (1) requires approval of County Council for "...any contract exceeding $100,000, which was awarded using the Competitive Negotiation, Negotiation After Competitive Sealed Bidding, and Non-Competitive Negotiation source selection methods. For contracts with renewal clauses, the entire potential payout if all renewal clauses are exercised under the terms of the contract must be considered when determining if Council approval is necessary"; and

WHEREAS, on May 23, 2018, the Northampton County Council received a request from the County Executive for County Council to adopt a resolution approving a contract with Teleosoft, Inc. for an additional amount of $65,130 to add scheduling enhancements for the Court Administration portion of the Unified Records Management System developed for the Civil Division, Sheriff’s Department and Court Administration.

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 approve a contract with Teleosoft, Inc.
As there were no questions or comments, Mr. Kraft called for the vote.

The vote: Heckman, "yes"; Dietz, "yes"; Ferraro, "yes"; Kraft, "yes"; McGee, "yes"; Vargo Heffner, "yes"; Werner, "yes"; Zrinski, "yes" and Cusick, "yes".

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

Tyler Technologies

Mr. Heckman introduced the following resolution:

R. 88-2018 WHEREAS, Northampton County Administrative Code Article XIII Procurement and Disposition of County Property, Section 13.16 Contracts and Agreements c. (1) requires approval of County Council for "...any contract exceeding $100,000, which was awarded using the Competitive Negotiation, Negotiation After Competitive Sealed Bidding, and Non-Competitive Negotiation source selection methods. For contracts with renewal clauses, the entire potential payout if all renewal clauses are exercised under the terms of the contract must be considered when determining if Council approval is necessary"; and

WHEREAS, on June 13, 2018, the Northampton County Council received a request from the County Executive for County Council to adopt a resolution approving a contract in the amount of $864,000 with Tyler Technologies for iasWorld Appraisal and Tax Software for a term of three years.

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 approve a contract with Tyler Technologies.

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

The vote: Heckman, "yes"; Ferraro, "yes"; Kraft, "yes"; McGee, "yes"; Vargo Heffner, "yes"; Werner, "yes"; Zrinski, "yes"; Cusick, "yes" and Dietz, "yes".

The resolution was adopted by a vote of 9-0.
Hanover Engineering Associates, Inc.

Mr. Heckman introduced the following resolution:

R. 89-2018 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 13, 2018, the Northampton County Council received a request from the County Executive for County Council to adopt a resolution endorsing a contract for an additional amount of $46,500, (new contract total $134,603.50) with Hanover Engineering Associates, Inc. for additional engineering required for design and construction documents for Two Rivers Trail Corridor - Gap 9A.

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 approve a contract with Hanover Engineering Associates, Inc.

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


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

Human Services Committee Report

Ms. Vargo Heffner advised she wanted to publicly commend Ms. Tiffany Rossanese on the work she did as the Administrator of the Drug and Alcohol Division as she transitions to the Mental Health/Early Intervention/Developmental Program Division.
Parks and Open Space Committee Report

Ms. Zrinski stated at the Parks and Open Space Committee meeting held earlier in the evening a presentation was received from the New England Hydropower Company and how its services could benefit the County.

Finance Committee Report

Mr. Heckman advised the Finance Committee met yesterday and there was a long discussion with representatives of the GPA.

Gracedale Advisory Board Liaison Report

Ms. Vargo Heffner stated the Gracedale Advisory Board was taking a summer hiatus and would be returning in September.

Council Clerk’s Report

Mrs. Zembo wanted to remind everyone that the next County Council meeting would be held on July 5, 2018.

Adjournment

Mr. Dietz made a motion to adjourn the meeting.

Ms. Zrinski seconded the motion.

The motion to adjourn passed unanimously by acclamation.

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Linda M. Zembo
Clerk to Council