Easton, Pennsylvania

May 17, 2018

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; 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. Absent was Margaret L. Ferraro.

Pledge of Allegiance

Ms. Zrinski 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 May 3, 2018 meeting shall be approved.

Mr. Dietz seconded the motion.

The minutes were approved by voice acclamation.

Presentation of Proclamation

Mr. McClure read a proclamation that recognized Mr. Robert Lrod Dorough’s artistic contributions not only to Northampton County, but to the world.

County Commissioners Association of Pennsylvania (CCAP)

Mr. Douglas Hill, Executive Director, stated CCAP was a non-profit/non-partisan association that provided legislative regulatory representation, training, technology, insurance, litigation, research and other services on behalf of all Pennsylvania’s 67 Counties. He further stated his visit was just to see if CCAP was meeting the needs of Northampton County and if not, what could be done.
Mr. Hill advised he was present at the Human Services Committee meeting where a discussion was held with regard to Civil Service and the filling of positions. He further advised this was occurring in all Counties and some of them have moved to a merit-based system and away from Civil Service.

Mr. Hill stated the top issue coming up was the State budget, which they believed would be on time, but a hold on the line budget.

**Courtesy of the Floor**

Mr. Gus DeArmas, 4383 Bayard Street, Easton, PA – advised he was recently told that flying drones in Northampton County parks was prohibited as it was a liability issue but, there was just as much liability with other activities. This concerned him because he liked to fly them as a hobby.

Mr. DeArmas asked the members of County Council to look into the matter and adopt a policy that would allow the flying of drones in a safe manner.

Mr. Dietz stated he would be happy to discuss this issue with the County Executive and the Parks Division. He further stated the Federal Aviation Administration did provide an Unmanned Aerial Vehicle Certificate after completing a course so maybe that could be one of the restrictions.

**Confirmation of Appointments/Reappointment**

Mr. McGee introduced the following resolution:

R. 62-2018 **RESOLVED**, by the Northampton County Council that the following individuals shall be confirmed in their appointments/reappointment as indicated hereafter:

**AREA AGENCY ON AGING BOARD**

Appointments: Terms to Expire: 7/1/20
Elizabeth K. Webb
249 Park Ridge Drive
Easton, PA 18040
Marianne Schweitzer
544 Briar Road
Pen Argyl, PA 18072

Carol J. Durka
2835 Greenleaf Court
Bethlehem, PA 18017

Joyce A. Lambert
855 West Pennsylvania Avenue
Pen Argyl, PA 18072

**DRUG AND ALCOHOL ADVISORY BOARD**

Appointment:
Brooke C. Tesche, Ed.D.
1413 Sycamore Avenue
Easton, PA 18040

Term to Expire: 6/30/20

**GAMING REVENUE AND ECONOMIC REDEVELOPMENT AUTHORITY**

Appointment:
Kenneth M. Kraft
2030 Chester Road
Bethlehem, PA 18017

Term to Expire: 12/31/22

Appointment:
Kevin Lott
621 Durham Street
Hellertown, PA 18055

Term to Expire: 12/31/22

**GRACEDALE ADVISORY BOARD**

Reappointment:
MaryAnn McEvoy
1351 Verona Drive
Pen Argyl, PA 18072

Term to Expire: 4/19/20

**LEHIGH AND NORTHAMPTON TRANSPORTATION AUTHORITY BOARD**

Appointment:
Dawn Ferrante Hart
130 S. Rosewood Street
Easton, PA 18042

Term to Expire: 3/2/19
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LEHIGH VALLEY PLANNING COMMISSION

Appointment: Elected Official
Janell Connolly
404 Hazen Avenue
Pen Argyl, PA 18072

Term to Expire: 12/31/18

LEHIGH VALLEY WORKFORCE BOARD

Appointment: Private Sector Representative
Danielle N. Adams
1785 D Chateau Place
Easton, PA 18045

Term to Expire: 6/30/20

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

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

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

County Executive Report

Mr. McClure advised the Primary Election was held on Tuesday and due to severe weather some of the polling places experienced temporary power outages, but with the help of Emergency Management Services power was restored so voting continued almost completely unabated.

Mr. McClure stated under the P3 project contract, Kriger Construction was responsible for obtaining temporary easements, but was unable to do so. He further stated Mr. Charles Dertinger, Director of Administration, and Mr. Stephen Barron, Director of Fiscal Affairs, worked with the Assessment Office to determine who owned the pertinent properties and got the temporary easements and Kriger Construction agreed to reimburse the County.
Public Hearing on the Ordinance Entitled, "AN ORDINANCE OF NORTHAMPTON COUNTY, COMMONWEALTH OF PENNSYLVANIA, PROVIDING FOR THE ADOPTION OF CERTAIN PROCEDURES RELATED TO THE SOLICITATION AND AWARD OF PUBLIC CONTRACTS WITHIN NORTHAMPTON COUNTY; PROVIDING FOR CERTIFICATION REQUIREMENTS FOR PUBLIC CONTRACTORS; PROVIDING FOR CERTIFICATION REQUIREMENTS FOR SUBCONTRACTORS TO PUBLIC CONTRACTS; PROVIDING FOR PUBLIC CONTRACT REVIEW PROCESSES; REPEALING INCONSISTENT ORDINANCES OR PARTS OF ORDINANCES; CONTAINING A SAVINGS CLAUSE AND PROVIDING FOR AN EFFECTIVE DATE"

Mr. Kraft advised the following ordinance was introduced by Messrs. McGee and Heckman at the May 3, 2018 meeting:

AN ORDINANCE OF NORTHAMPTON COUNTY, COMMONWEALTH OF PENNSYLVANIA, PROVIDING FOR THE ADOPTION OF CERTAIN PROCEDURES RELATED TO THE SOLICITATION AND AWARD OF PUBLIC CONTRACTS WITHIN NORTHAMPTON COUNTY; PROVIDING FOR CERTIFICATION REQUIREMENTS FOR PUBLIC CONTRACTORS; PROVIDING FOR CERTIFICATION REQUIREMENTS FOR SUBCONTRACTORS TO PUBLIC CONTRACTS; PROVIDING FOR PUBLIC CONTRACT REVIEW PROCESSES; REPEALING INCONSISTENT ORDINANCES OR PARTS OF ORDINANCES; CONTAINING A SAVINGS CLAUSE AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, Northampton County is duly empowered to enact certain regulations relating to the public health, safety, and welfare for the citizens of Northampton County.

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

SECTION 1

§1. Responsible Contractor Requirements

(a) All contractors and subcontractors of any tier that perform work valued at over $250,000.00 on any public facility or public works project, including construction, demolition, alteration, renovation, repair and contract service or contract maintenance work, shall meet the requirements of this ordinance.

(b) All firms engaged in contracts covered by this ordinance shall be qualified, responsible contractors or subcontractors that have sufficient capabilities in all respects to successfully perform contracts on which they are engaged,
including the necessary experience, equipment, technical skills and qualifications and organizational, financial and personnel resources. Firms bidding on public contracts shall also be required to have a satisfactory past performance record and a satisfactory record of law compliance, integrity and business ethics.

§2. Contractor Responsibility Certifications

(a) As a condition of performing work on a public works contract subject to this ordinance, a general contractor, construction manager or other lead or prime contractor seeking award of a contract shall submit a Contractor Responsibility Certification at the time it submits its bid for a contract.

(b) The Contractor Responsibility Certification shall be completed on a form provided by the County and shall reference the project for which a bid is being submitted by name and contract or project number.

(c) In the Contractor Responsibility Certification the construction manager, general contractor or other lead or prime contractor shall confirm the following facts regarding its past performance and work history and its current qualifications and performance capabilities:

(1) The firm and its employees have all valid, effective licenses, registrations or certificates required by federal, state, county, or local law, including, but not limited to, licenses, registrations or certificates required to: (a) do business in the designated locale; and (b) perform the contract work it seeks to perform. These shall include, but not limited to, licenses, registrations or certificates for any type of construction or maintenance trade work or specialty work which the firm proposes to self-perform.

(2) The firm meets the bonding requirements for the contract, as required by applicable law or contract specifications and any insurance requirements, as required by applicable law or contract specifications, including general liability insurance, workers compensation insurance and unemployment insurance.

(3) The firm has not been debarred or suspended by any federal, state or local government agency or authority in the past three years.
(4) The firm has not defaulted on any project in the past three years.

(5) The firm has not had any type of business, contracting or trade license, registration, or other certification revoked or suspended in the past three years.

(6) The firm and its Principals/owners have not been convicted of any crime relating to the contracting business in the past ten years.

(7) The firm has not within the past three years been found in violation of any law applicable to its contracting business, including, but not limited to, licenses laws, tax laws, prompt payment laws, wage and hour laws, prevailing wage laws, environmental laws or others, where the result of such violation was the payment of a fine, back pay damages or any other type of penalty in the amount of $1,000 or more.

(8) The firm will pay all craft employees that it employs on the project the current wage rates and fringe benefits as required under applicable federal, state or local wage laws.

(9) All craft labor that will be employed by the firm for the project have completed at least the OSHA 10 hour training course for safety established by the U.S. Department of Labor, Occupational Safety & Health Administration.

(10) The firm will employ craft employees in all classifications and individual trades required to successfully perform the work related to this project.

(11) The firm participates in a Class A Apprenticeship Program for the past three years, at a minimum, for each separate trade or classification in which it employs craft employees and shall continue to participate in such program or programs for the duration of the project.

This apprenticeship requirement assures that workers in each trade or craft employed are graduates of an apprenticeship and training program in each trade or craft in which their services are utilized, which has been in continuous existence for no fewer than five (5) years prior to the commencement of the subject project. This apprenticeship requirement must be continuously registered with a State or Federal Government Agency for no fewer than five (5) years prior
to the commencement of the subject project or otherwise deemed qualified by appropriate training such as military service in that trade or craft.

(A) For purposes of this section, a Class A Apprenticeship Program is an apprenticeship program that is currently registered with and approved by the U.S. Department of Labor or a state apprenticeship agency and has graduated apprentices to journey person status for at least three of the past five years.

(B) To demonstrate compliance with this section, the firm shall provide, with this certification, a list of all trades or classifications of craft employees it will employ on the project and documentation verifying it participates in a Class A Apprenticeship Program for each trade or classification listed.

(12) The firm has all other technical qualifications and resources, including equipment, personnel and financial resources, to perform the referenced contract, or will obtain same through the use of qualified, responsible subcontractors.

(13) The firm will maintain all qualifications, resources and capabilities referenced in this certification throughout the duration of the project.

(14) The firm shall notify the County within seven days of any material changes to all matters attested to in this certification.

(15) The firm understands that the Contractor Responsibility Certification required by this section shall be executed by a person who has sufficient knowledge to address all matters in the certification and shall include an attestation stating, under the penalty of perjury, that the information submitted is true, complete and accurate.

(d) Execution of the Contractor Responsibility Certification required by this ordinance shall not establish a presumption of contractor responsibility and the County may require any additional information it deems necessary to evaluate a firm's status as a responsible contractor, including technical qualifications, financial capacity or other resources and performance capabilities. The County may require that such information be included in a separate Statement of
Qualifications and Experience or as an attachment to the Contractor Responsibility Certification.

(e) The submitting firm shall stipulate in the Contractor Responsibility Certification that, if it receives a Notice of Intent to Award Contract, it will provide a Subcontractor List and required subcontractor information as specified in Section 5 of this ordinance.

(f) If the submitting firm has ever operated under another name or is controlled by another company or business entity or in the past five years controlled or was controlled by another company or business entity, whether as a parent company, subsidiary or in any other business relation, it shall attach a separate statement to its Contractor Responsibility Certification that explains in detail the nature of any such relationship. Additional information may be required from such an entity if the relationship in question could potentially impact contract performance.

(g) If a firm fails to provide a Contractor Responsibility Certification required by this section, it shall be disqualified from bidding. No action of any nature shall lie against the County because of its refusal to accept a bid for failing to provide information required by this section.

§3. Notice of Intent to Award Contract

(a) After it has received bids for a project, the County shall issue a Notice of Intent to Award Contract to the firm offering the lowest responsible bid.

(b) Such Notice shall be issued immediately or as soon as practicable after bids are opened and Notice of Intent to Award Contract. The Notice shall stipulate that the contract award is conditioned on the issuance of a written Contractor Responsibility Determination, as required by Section 5 and any other conditions deemed appropriate by the County.

§4. Subcontractor Lists, Subcontractor Responsibility Certifications

(a) Within five (5) days from the date of Notice of Intent to Award Contract, a prospective awardee shall submit to the County a Subcontractor List containing the names of any subcontractors that will be used for the referenced project,
their addresses and a description of the work each listed subcontractor will perform on the project.

(b) At the time a perspective awardee submits the Subcontractor List it shall also submit Subcontractor Responsibility Certifications for all listed subcontractors to the County. Subcontractor Responsibility Certifications shall be executed by the respective subcontractors on forms prepared by the County and shall contain the same information and representations required in Contractor Responsibility Certifications, including verification of apprenticeship qualifications as required by Section 2(c)(11), for each trade or classification of craft workers it will employ on the project.

(c) Subcontractor Responsibility Certifications shall be executed by person having sufficient knowledge to address all matters in the certification and shall include an attestation stating, under the penalty of perjury, that all information submitted is true, complete and accurate.

§5. Contractor Responsibility Review and Determination

(a) After a Notice of Intent to Award Contract has been issued, the County shall undertake a review process to determine whether the prospective awardee is a qualified, responsible contractor in accordance with the requirements of this ordinance and other applicable laws and regulations and has the resources and capabilities to successfully perform the contract. The time of the review process shall be as determined necessary by the County, but in no event less than five (5) calendar days.

(b) As part of this review process, the County shall ensure that the Contractor Responsibility Certification, the Subcontractor List and the Subcontractor Responsibility Certifications, as required by this ordinance, have been submitted and properly executed.

(c) The County may conduct any additional inquiries to verify that the prospective awardee and its subcontractors have the technical qualifications and performance capabilities necessary to successfully perform the contract and that the firms have a sufficient record of law compliance and business integrity to justify the award of a public contract. In conducting such inquiries, the County may seek relevant information from the firm, its prior clients or customers, its subcontractors or any other relevant source.
(d) If at the conclusion of the review process the County determines that all responsibility certifications have been properly completed and executed and if it concludes that the qualifications, background and responsibility of the prospective awardee and the firms on its Subcontractor List are satisfactory, it may issue a formal written Contractor Responsibility Determination verifying that the prospective awardee is a qualified, responsible contractor. In the event a firm is determined to be non-responsible, the County shall proceed to conduct a responsibility review of the next lowest, responsive bidder or, if necessary, rebid the project.

(e) A Contractor Responsibility Determination may be issued after the conclusion of the review process under Section 5. A Responsibility Determination may be revoked or revised in any manner at any time if the County obtains relevant information warranting any such revocation or revisions.

§6. Subcontractor Responsibility Review Requirements

(a) A construction manager, general contractor or other lead or prime contractor shall not be permitted to use a subcontractor on any work performed for the County unless it has identified the subcontractor on its Subcontractor List and provided a Subcontractor Responsibility Certification in accordance with the requirements of Section 4.

(b) A subcontractor listed on a firm’s Subcontractor List shall not be substituted unless written authorization is obtained from County and a Subcontractor Responsibility Certification is provided for the substitute subcontractor.

(c) In the event that the County determines that a prospective subcontractor listed by the apparent low bidder does not meet the responsibility standards of this Section, it may, after informing the prospective awardee, exercise one of the following options:

(1) permit the awardee to substitute a qualified, responsible, subcontractor in accordance with the requirements of this section;

(2) require the awardee to self-perform the work in question if the firm has the required experience, licenses and other qualifications to perform the work in question; or

(3) disqualify the prospective awardee.
(d) In the event that a subcontractor is disqualified under this ordinance, the general contractor, construction manager or other lead or prime contractor shall not be permitted to make any type of contractual claim against the County the basis of a subcontractor disqualification.

§7. False or Misleading Responsibility Certifications

(a) If the County determines that a Contractor or Subcontractor Responsibility Certification contains false or misleading material information that was provided knowingly or with reckless disregard for the truth or omits material information knowingly or with reckless disregard of the truth, the firm for which the certification was submitted shall be prohibited from performing work for the County for a period of three years and shall be subject to any other penalties and sanctions, including contract termination, available to the County under law. A contract terminated under these circumstances shall further entitle the County to withhold payment of any monies due to the firm as damages.

§8. Execution of Final Contract

(a) A contract subject to this ordinance shall not be executed until all requirements of this ordinance have been fulfilled and until Contractor and Subcontractor Responsibility Certifications have been issued by the County under Section 5(d). Upon completion of all requirements under this ordinance, the County may execute a final contract based upon the Notice of Intent.

(b) Prior to the execution of a final contract under this Section, the County shall publicly post the Notice of Intent to Award, Contractor and Subcontractor Responsibility Certifications, Subcontractor Lists and Contractor Responsibility Determination on the County website for public inspection for a period of five (5) calendar days after the issuance of the Contractor Responsibility Determination.

SECTION 2

Any and all other ordinances or parts of ordinances in violation or in conflict with the terms, conditions and provisions of this ordinance are hereby repealed to the extent of such irreconcilable conflict.
SECTION 3

The terms, conditions and provisions of this ordinance are hereby declared to be severable, and, should any portion, part or provision of this ordinance be found by a court of competent jurisdiction to be invalid, enforceable or unconstitutional, County Council hereby declares its intent that the ordinance shall have been enacted without regard to the invalid, enforceable or unconstitutional portion, part or provision of this ordinance.

SECTION 4

This ordinance shall become effective thirty (30) days after enactment.

Public Hearing

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

There were no respondents.

Mr. Kraft asked if there were any questions or comments from the members of County Council.

Mr. Cusick made a motion to amend the ordinance as follows: delete the words "at the time it submits its bid for a contract" at the end of Section 2 (a); delete the words "Within five (5) days from the date of notice of intent to award contract" from Section 4 (a) and delete the words "but in no event less than five (5) calendar days" from Section 5 (a). He would also like to have the form entitled, "Responsible Contractor Certification" attached to the ordinance as an exhibit.

Ms. Vargo Heffner seconded the motion.

Mr. Kraft called for a vote on the motion.

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

The motion was passed by a vote of 8-0.
Mr. Dietz stated this ordinance addressed accountability and qualifications, but he had a concern with the requirement that the contractor have an apprenticeship program because only union companies had such a program and would prohibit local companies from participating.

Mr. Kraft advised it would benefit the County to hire a company that had such a program.

When Ms. Zrinski stated if a company did not have an apprenticeship program, they could subcontract to a company that did, Mr. Dietz responded that would add to the price of their bid.

Mr. McGee advised there was no mention of union in this document and there was a tremendous amount of apprenticeship programs in the State of Pennsylvania and qualified non-union firms that had these programs. He further advised the County should have the most skilled people to perform the work to minimize any risks.

Ms. Zrinski made a motion to amend the ordinance to require a Class A Apprenticeship or equivalent training.

Mr. Dietz seconded the motion.

Mr. Kraft called for the vote on the motion.

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

The motion failed by a vote of 4-4.

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

AN ORDINANCE OF NORTHAMPTON COUNTY, COMMONWEALTH OF PENNSYLVANIA, PROVIDING FOR THE ADOPTION OF CERTAIN PROCEDURES RELATED TO THE SOLICITATION AND AWARD OF PUBLIC CONTRACTS WITHIN NORTHAMPTON COUNTY; PROVIDING FOR CERTIFICATION REQUIREMENTS FOR PUBLIC CONTRACTORS; PROVIDING FOR CERTIFICATION REQUIREMENTS FOR SUBCONTRACTORS TO PUBLIC CONTRACTS; PROVIDING FOR PUBLIC CONTRACT REVIEW PROCESSES; REPEALING INCONSISTENT ORDINANCES OR PARTS OF ORDINANCES; CONTAINING A SAVINGS CLAUSE AND PROVIDING FOR AN
EFFECTIVE DATE

WHEREAS, Northampton County is duly empowered to enact certain regulations relating to the public health, safety, and welfare for the citizens of Northampton County.

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

SECTION 1

§1. Responsible Contractor Requirements

(a) All contractors and subcontractors of any tier that perform work valued at over $250,000.00 on any public facility or public works project, including construction, demolition, alteration, renovation, repair and contract service or contract maintenance work, shall meet the requirements of this ordinance.

(b) All firms engaged in contracts covered by this ordinance shall be qualified, responsible contractors or subcontractors that have sufficient capabilities in all respects to successfully perform contracts on which they are engaged, including the necessary experience, equipment, technical skills and qualifications and organizational, financial and personnel resources. Firms bidding on public contracts shall also be required to have a satisfactory past performance record and a satisfactory record of law compliance, integrity and business ethics.

§2. Contractor Responsibility Certifications

(a) As a condition of performing work on a public works contract subject to this ordinance, a general contractor, construction manager or other lead or prime contractor seeking award of a contract shall submit a Contractor Responsibility Certification (see Exhibit "A").

(b) The Contractor Responsibility Certification shall be completed on a form provided by the County and shall reference the project for which a bid is being submitted by name and contract or project number.

(c) In the Contractor Responsibility Certification the construction manager, general contractor or other lead or prime contractor shall confirm the following facts regarding its past performance and work history and its current qualifications and
performance capabilities:

(1) The firm and its employees have all valid, effective licenses, registrations or certificates required by federal, state, county, or local law, including, but not limited to, licenses, registrations or certificates required to: (a) do business in the designated locale; and (b) perform the contract work it seeks to perform. These shall include, but not limited to, licenses, registrations or certificates for any type of construction or maintenance trade work or specialty work which the firm proposes to self-perform.

(2) The firm meets the bonding requirements for the contract, as required by applicable law or contract specifications and any insurance requirements, as required by applicable law or contract specifications, including general liability insurance, workers compensation insurance and unemployment insurance.

(3) The firm has not been debarred or suspended by any federal, state or local government agency or authority in the past three years.

(4) The firm has not defaulted on any project in the past three years.

(5) The firm has not had any type of business, contracting or trade license, registration, or other certification revoked or suspended in the past three years.

(6) The firm and its Principals/owners have not been convicted of any crime relating to the contracting business in the past ten years.

(7) The firm has not within the past three years been found in violation of any law applicable to its contracting business, including, but not limited to, licenses laws, tax laws, prompt payment laws, wage and hour laws, prevailing wage laws, environmental laws or others, where the result of such violation was the payment of a fine, back pay damages or any other type of penalty in the amount of $1,000 or more.

(8) The firm will pay all craft employees that it employs on the project the current wage rates and fringe benefits as required under applicable federal, state or local wage laws.
(9) All craft labor that will be employed by the firm for the project have completed at least the OSHA 10 hour training course for safety established by the U.S. Department of Labor, Occupational Safety & Health Administration.

(10) The firm will employ craft employees in all classifications and individual trades required to successfully perform the work related to this project.

(11) The firm participates in a Class A Apprenticeship Program for the past three years, at a minimum, for each separate trade or classification in which it employs craft employees and shall continue to participate in such program or programs for the duration of the project.

This apprenticeship requirement assures that workers in each trade or craft employed are graduates of an apprenticeship and training program in each trade or craft in which their services are utilized, which has been in continuous existence for no fewer than five (5) years prior to the commencement of the subject project. This apprenticeship requirement must be continuously registered with a State or Federal Government Agency for no fewer than five (5) years prior to the commencement of the subject project or otherwise deemed qualified by appropriate training such as military service in that trade or craft.

(A) For purposes of this section, a Class A Apprenticeship Program is an apprenticeship program that is currently registered with and approved by the U.S. Department of Labor or a state apprenticeship agency and has graduated apprentices to journey person status for at least three of the past five years.

(B) To demonstrate compliance with this section, the firm shall provide, with this certification, a list of all trades or classifications of craft employees it will employ on the project and documentation verifying it participates in a Class A Apprenticeship Program for each trade or classification listed.

(12) The firm has all other technical qualifications and resources, including equipment, personnel and financial resources, to perform the referenced contract, or will obtain same through the use of qualified, responsible subcontractors.
(13) The firm will maintain all qualifications, resources and capabilities referenced in this certification throughout the duration of the project.

(14) The firm shall notify the County within seven days of any material changes to all matters attested to in this certification.

(15) The firm understands that the Contractor Responsibility Certification required by this section shall be executed by a person who has sufficient knowledge to address all matters in the certification and shall include an attestation stating, under the penalty of perjury, that the information submitted is true, complete and accurate.

(d) Execution of the Contractor Responsibility Certification required by this ordinance shall not establish a presumption of contractor responsibility and the County may require any additional information it deems necessary to evaluate a firm's status as a responsible contractor, including technical qualifications, financial capacity or other resources and performance capabilities. The County may require that such information be included in a separate Statement of Qualifications and Experience or as an attachment to the Contractor Responsibility Certification.

(e) The submitting firm shall stipulate in the Contractor Responsibility Certification that, if it receives a Notice of Intent to Award Contract, it will provide a Subcontractor List and required subcontractor information as specified in Section 5 of this ordinance.

(f) If the submitting firm has ever operated under another name or is controlled by another company or business entity or in the past five years controlled or was controlled by another company or business entity, whether as a parent company, subsidiary or in any other business relation, it shall attach a separate statement to its Contractor Responsibility Certification that explains in detail the nature of any such relationship. Additional information may be required from such an entity if the relationship in question could potentially impact contract performance.

(g) If a firm fails to provide a Contractor Responsibility Certification required by this section, it shall be disqualified from bidding. No action of any nature shall lie against the
County because of its refusal to accept a bid for failing to provide information required by this section.

§3. Notice of Intent to Award Contract

(a) After it has received bids for a project, the County shall issue a Notice of Intent to Award Contract to the firm offering the lowest responsible bid.

(b) Such Notice shall be issued immediately or as soon as practicable after bids are opened and Notice of Intent to Award Contract. The Notice shall stipulate that the contract award is conditioned on the issuance of a written Contractor Responsibility Determination, as required by Section 5 and any other conditions deemed appropriate by the County.

§4. Subcontractor Lists, Subcontractor Responsibility Certifications

(a) A prospective awardee shall submit to the County a Subcontractor List containing the names of any subcontractors that will be used for the referenced project, their addresses and a description of the work each listed subcontractor will perform on the project.

(b) At the time a perspective awardee submits the Subcontractor List it shall also submit Subcontractor Responsibility Certifications for all listed subcontractors to the County. Subcontractor Responsibility Certifications shall be executed by the respective subcontractors on forms prepared by the County and shall contain the same information and representations required in Contractor Responsibility Certifications, including verification of apprenticeship qualifications as required by Section 2(c)(11), for each trade or classification of craft workers it will employ on the project.

(c) Subcontractor Responsibility Certifications shall be executed by person having sufficient knowledge to address all matters in the certification and shall include an attestation stating, under the penalty of perjury, that all information submitted is true, complete and accurate.
§5. Contractor Responsibility Review and Determination

(a) After a Notice of Intent to Award Contract has been issued, the County shall undertake a review process to determine whether the prospective awardee is a qualified, responsible contractor in accordance with the requirements of this ordinance and other applicable laws and regulations and has the resources and capabilities to successfully perform the contract. The time of the review process shall be as determined necessary by the County.

(b) As part of this review process, the County shall ensure that the Contractor Responsibility Certification, the Subcontractor List and the Subcontractor Responsibility Certifications, as required by this ordinance, have been submitted and properly executed.

(c) The County may conduct any additional inquiries to verify that the prospective awardee and its subcontractors have the technical qualifications and performance capabilities necessary to successfully perform the contract and that the firms have a sufficient record of law compliance and business integrity to justify the award of a public contract. In conducting such inquiries, the County may seek relevant information from the firm, its prior clients or customers, its subcontractors or any other relevant source.

(d) If at the conclusion of the review process the County determines that all responsibility certifications have been properly completed and executed and if it concludes that the qualifications, background and responsibility of the prospective awardee and the firms on its Subcontractor List are satisfactory, it may issue a formal written Contractor Responsibility Determination verifying that the prospective awardee is a qualified, responsible contractor. In the event a firm is determined to be non-responsible, the County shall proceed to conduct a responsibility review of the next lowest, responsive bidder or, if necessary, rebid the project.

(e) A Contractor Responsibility Determination may be issued after the conclusion of the review process under Section 5. A Responsibility Determination may be revoked or revised in any manner at any time if the County obtains relevant information warranting any such revocation or revisions.
§6. Subcontractor Responsibility Review Requirements

(a) A construction manager, general contractor or other lead or prime contractor shall not be permitted to use a subcontractor on any work performed for the County unless it has identified the subcontractor on its Subcontractor List and provided a Subcontractor Responsibility Certification in accordance with the requirements of Section 4.

(b) A subcontractor listed on a firm's Subcontractor List shall not be substituted unless written authorization is obtained from County and a Subcontractor Responsibility Certification is provided for the substitute subcontractor.

(c) In the event that the County determines that a prospective subcontractor listed by the apparent low bidder does not meet the responsibility standards of this Section, it may, after informing the prospective awardee, exercise one of the following options:

(1) permit the awardee to substitute a qualified, responsible, subcontractor in accordance with the requirements of this section;

(2) require the awardee to self-perform the work in question if the firm has the required experience, licenses and other qualifications to perform the work in question; or

(3) disqualify the prospective awardee.

(d) In the event that a subcontractor is disqualified under this ordinance, the general contractor, construction manager or other lead or prime contractor shall not be permitted to make any type of contractual claim against the County the basis of a subcontractor disqualification.

§7. False or Misleading Responsibility Certifications

(a) If the County determines that a Contractor or Subcontractor Responsibility Certification contains false or misleading material information that was provided knowingly or with reckless disregard for the truth or omits material information knowingly or with reckless disregard of the truth, the firm for which the certification was submitted shall be prohibited from performing work for the County for a period of three years and shall be subject to any other penalties and sanctions, including contract termination, available to the
County under law. A contract terminated under these circumstances shall further entitle the County to withhold payment of any monies due to the firm as damages.

§8. Execution of Final Contract

(a) A contract subject to this ordinance shall not be executed until all requirements of this ordinance have been fulfilled and until Contractor and Subcontractor Responsibility Certifications have been issued by the County under Section 5(d). Upon completion of all requirements under this ordinance, the County may execute a final contract based upon the Notice of Intent.

(b) Prior to the execution of a final contract under this Section, the County shall publicly post the Notice of Intent to Award, Contractor and Subcontractor Responsibility Certifications, Subcontractor Lists and Contractor Responsibility Determination on the County website for public inspection for a period of five (5) calendar days after the issuance of the Contractor Responsibility Determination.

SECTION 2

Any and all other ordinances or parts of ordinances in violation or in conflict with the terms, conditions and provisions of this ordinance are hereby repealed to the extent of such irreconcilable conflict.

SECTION 3

The terms, conditions and provisions of this ordinance are hereby declared to be severable, and, should any portion, part or provision of this ordinance be found by a court of competent jurisdiction to be invalid, enforceable or unconstitutional, County Council hereby declares its intent that the ordinance shall have been enacted without regard to the invalid, enforceable or unconstitutional portion, part or provision of this ordinance.

SECTION 4

This ordinance shall become effective thirty (30) days after enactment.
As there were no further questions or comments, Mr. Kraft called for the vote.

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

The ordinance was adopted by a vote of 7-1.

Introduction of an Ordinance Entitled, "AN ORDINANCE AMENDING NORTHAMPTON COUNTY ADMINISTRATIVE CODE ARTICLE XIII PROCUREMENT AND DISPOSITION OF COUNTY PROPERTY"

Messrs. McGee and Heckman introduced the following ordinance:

AN ORDINANCE AMENDING NORTHAMPTON COUNTY ADMINISTRATIVE CODE ARTICLE XIII PROCUREMENT AND DISPOSITION OF COUNTY PROPERTY

WHEREAS, Northampton County Home Rule Charter Section 202 Powers (7) provides that the County Council shall have the power "to adopt, amend, and repeal the Administrative Code";

WHEREAS, Northampton County Home Rule Charter Section 602. Ordinances (a) Acts Required (1) provides that the County Council shall "adopt an ordinance for any act which adopts or amends the Administrative Code...".

NOW, THEREFORE, IT IS HEREBY ORDAINED AND ENACTED by the Northampton County Council that Northampton County Administrative Code, Article XIII Section 13.19 Purchasing - Domestic Preference Policies e. (2) (a) Compensation shall be amended to read as indicated hereafter (sections marked with bold underline have been added and sections marked with strikeout have been deleted):

(a) Compensation:

(1) Wage and benefit levels must be sufficient to meet basic needs and provide some discretionary income for a family of 4 (a "living wage") ("a living wage
calculation for Allentown - Bethlehem - Easton, Pennsylvania")
along with total compensation, including affordable family
health benefits and company-paid pension and/or other retirement
benefits typical of responsible employers. For employment within
the U.S.A., this shall mean average production wages of at least
$7 per straight time hour in 1997 dollars, along with total
compensation, including affordable family health benefits and
company-paid pension and/or other retirement benefits typical of
responsible employers, of at least $8.15 per hour.

Mr. Kraft stated the public hearing, debate and possible vote will be held at the June 7, 2018 meeting.

Introduction of an Ordinance Entitled, "AN ORDINANCE PROVIDING FOR AN AMENDMENT TO THE NORTHAMPTON COUNTY HOME RULE CHARTER, ARTICLE VII FINANCE"

As Mr. Dietz was the only sponsor to this ordinance, the ordinance was not introduced.

Introduction of an Ordinance Entitled, "AN ORDINANCE AMENDING NORTHAMPTON COUNTY ADMINISTRATIVE CODE ARTICLE IV DEPARTMENT OF FISCAL AFFAIRS, ARTICLE VI DEPARTMENT OF HUMAN SERVICES, ARTICLE VII DEPARTMENT OF PUBLIC WORKS, ARTICLE X OFFICE OF THE SHERIFF AND ARTICLE XII FINANCE"

Ms. Vargo Heffner and Mr. Cusick introduced the following ordinance:

AN ORDINANCE AMENDING NORTHAMPTON COUNTY ADMINISTRATIVE CODE ARTICLE IV DEPARTMENT OF FISCAL AFFAIRS, ARTICLE VI DEPARTMENT OF HUMAN SERVICES, ARTICLE VII DEPARTMENT OF PUBLIC WORKS, ARTICLE X OFFICE OF THE SHERIFF AND ARTICLE XII FINANCE
WHEREAS, Northampton County Home Rule Charter Section 202 Powers (7) provides that the County Council shall have the power "to adopt, amend, and repeal the Administrative Code";

WHEREAS, Northampton County Home Rule Charter Section 602. Ordinances (a) Acts Required (1) provides that the County Council shall "adopt an ordinance for any act which adopts or amends the Administrative Code...".

NOW, THEREFORE, IT IS HEREBY ORDAINED AND ENACTED by the Northampton County Council that Northampton County Administrative Code, Articles IV, VI, VII, X and XII shall be amended to read as indicated hereafter (sections marked with bold underline have been added and sections marked with strikeout have been deleted):

ARTICLE IV

DEPARTMENT OF FISCAL AFFAIRS

Section 4.01 Organization and Duties
4.02 Division of Financial Planning and Control
4.03 Division of Revenue Operations
4.04 Division of Recorder of Deeds
4.05 Division of Assessment
4.06 Division of Disbursement Operations
4.07 Division of Procurement
4.08 Division of Data Processing Information Technology Systems

Section 4.01 Organization and Duties

a. The Department of Fiscal Affairs shall be headed by a Director who shall be responsible to the County Executive for the performance of the functions of the Department.

b. The purpose of the Department of Fiscal Affairs is to develop the County's budgets and financial plans, to develop and maintain control over all aspects of the County's financial and fiscal affairs, and to provide central data processing
information technology services for all agencies of County Government.

c. The Department shall be organized into the following Divisions:

(1) Division of Financial Planning and Control
(2) Division of Revenue Operations
(3) Division of Recorder of Deeds
(4) Division of Assessment
(5) Division of Disbursement Operations
(6) Division of Procurement
(7) Division of Data Processing Information Technology Systems

d. Perform such other duties and functions related to County Fiscal Affairs as are assigned by the County Executive.

Section 4.02 Division of Financial Planning and Control

a. The Director of the Department of Fiscal Affairs shall head the Division of Financial Planning and Control. The Director, in person or through subordinates, shall:

(1) develop a budget calendar and related forms and procedures;

(2) direct the preparation of the County's capital improvement five-year financial plan and annual budget;
(3) direct the preparation and administration of the accounting system, disbursement control procedures, and, with the approval **guidance** of the Controller, develop, maintain and distribute a comprehensive fiscal policies and procedures manual;

(4) direct the preparation and maintenance of the County's central accounts payable and payroll systems;

(5) direct the preparation and submittal of all County financial reports and records, including publication of such reports, as deemed necessary or required by law, ordinance or resolution;

(6) devise and implement a system for the recording of deeds, and assessment, billing, collection and receipt of taxes and other revenues due to or receivable by the County;

(7) control the establishment of County bank accounts and monitor all existing accounts;

(8) direct the prudent investment of funds of the County in accordance with the criteria of legality, safety, liquidity and yield;

(9) direct the stewardship and administration of record keeping of all County property, revenues, fees, intergovernmental transfers and any other funds or property within the custody of the County;
(10) administer the management of County debt in accordance with the provisions of this Code; and

(11) perform such other duties and functions related to County Financial Planning and Control as are assigned by the County Executive.

Section 4.03 Division of Revenue Operations

a. The head of Revenue Operations shall be the Revenue Manager. The Revenue Manager, in person or through subordinates, shall:

(1) coordinate the Recorder of Deeds, Assessment, Tax billing and collection functions of the County;

(2) prepare and evaluate revenue projections and budget estimates in the capital improvement five-year financial plan and annual budget;

(3) develop and maintain a manual of revenue collection procedures and administer the system for the collection and receipt of taxes and other revenues due to or receivable by the County;

(4) administer the system for collection of tax claims and liens;

(5) establish County bank accounts and monitor all existing accounts;
(6) deposit all funds of the County in depositories authorized by resolution of County Council; and manage the investment of County funds in accordance with the provisions of this Code and directives of the Director of Fiscal Affairs;

(7) coordinate the preparation of the County's capital improvement five-year financial plan and annual budget;

(8) develop all tax rolls and tax maps which are not prepared by other political subdivisions or the Commonwealth; and

(9) perform such other duties and functions related to Revenue collection and investment administration as are assigned by the Director of Fiscal Affairs.

Section 4.04 Division of Recorder of Deeds

a. The head of the Recorder of Deeds Division shall be the Recorder of Deeds. The Recorder of Deeds in person or through subordinates shall:

(1) record and index documents pertaining to land records of property located in the County;

(2) oversee the collection and disbursement of fees and taxes relating to documents filed in the office; and

(3) perform other duties, services and functions related to division public records as required by law or, the Director of Fiscal Affairs.
Section 4.05 Division of Assessment

a. The head of the Division of Assessment shall be the Assessment Manager. The Assessment Manager, in person or through subordinates, shall:

(1) Develop and administer a system for the assessment, valuation and taxation of real property;

(2) monitor assessment to market values and recommend County-wide reassessments when appropriate;

(3) administer a Geographic Information and Mapping System of real property;

(4) prepare and certify tax assessment rolls for the County, municipal and school districts within the County;

(5) defend the County assessments in the revenue appeal process; and

(6) perform such other duties and functions related to assessments as assigned by the Director of Fiscal Affairs.

Section 4.06 Division of Disbursement Operations

a. The head of the Disbursement Operations shall be the Accounting Manager. The Accounting Manager, in person or through subordinates, shall:

(1) maintain a uniform accounting system in accord with generally accepted principles of governmental accounting;
(2) analyze and approve budget appropriation transfer requests, budget amendments, and journal entries;

(3) administer central accounts payable and payroll systems and disburse all payments for authorized expenditures;

(4) maintain control of all expenditures to assure that budget appropriations and allotments are not exceeded;

(5) prepare monthly, quarterly and annual financial reports as required;

(6) maintain complete records of all County funds and accounts;

(7) conduct and maintain a fixed asset inventory and administer the record keeping of all County property; and

(8) perform other duties, services and functions related to accounts payable and payroll administration and financial reporting as required by the Director of Fiscal Affairs.

Section 4.07 Division of Procurement

a. The head of the Division of Procurement shall be the Purchasing Manager. The Purchasing Manager, in person or through subordinates, shall:

(1) direct the administration of the County purchasing and procurement system;
(2) serve as the central purchasing officer of the County;

(3) recommend rules, ordinances, resolutions and procedures governing procurement for adoption by County Council;

(4) administer the procurement system of the County in accordance with Article XIII of this Code;

(5) develop, maintain and implement a manual of procurement procedures;

(6) establish and maintain a program for the development and use of procurement specifications and the inspection and testing of supplies;

(7) sell, trade or otherwise dispose of personal property of the County by public auction or sealed bids in accordance with the procedures contained in Article XIII of this Code; and

(8) perform other duties, services and functions related to procurement as required by the Director of Fiscal Affairs.

Section 4.08 Division of Data Processing Information Technology Systems

a. The head of the Division of Data Processing Information Technology Systems shall be the Data Processing Information Technology Manager. The Data Processing Information Technology Manager, in person or through subordinates, shall:
(1) develop annual long range data-processing information technology needs plans, recommending hardware and software acquisitions to maintain reasonably current state of the art technology;

(2) develop and maintain operating schedules for all data-processing information technology activities;

(3) evaluate and install all new systems which may be put on County's computer system;

(4) generate and maintain proper documentation for all computer systems and programs on the county's network in County data-processing library;

(5) coordinate requirements of all user agencies and serve as liaison to the Information Technology Governance Committee County's Computer Users Advisory Committee (CUAC); and

(6) perform such other duties and functions related to data-processing information technology as assigned by the Director of Fiscal Affairs.

b. The functions of the Data-Processing Information Technology Systems Division may, with the approval of the County Council, be contracted to an outside agency. In such event the Director of Fiscal Affairs shall be responsible for the operation of the Division and shall ensure the proper fulfillment of all terms and conditions of any such contract.
ARTICLE VI

DEPARTMENT OF HUMAN SERVICES

Section 6.01 Organization
6.02 Duties
6.03 Area Agency on Aging Division
6.04 Children, Youth and Families Division
6.05 Drug and Alcohol Services Division
6.06 Gracedale Division
6.07 Mental Health, Early Intervention and Developmental Programs Division
6.08 Veterans Affairs Division
6.09 HealthChoices Division
6.10 Information and Referral/Emergency Services Division

Section 6.01 Organization

a. The Department of Human Services shall be headed by a Director who shall be responsible to the County Executive for the performance of the functions of the Department.

b. The purpose of the Department of Human Services is to provide social services to meet the needs of all citizens of Northampton County.

c. The Department shall be organized into the following divisions:

(1) Area Agency on Aging Division
(2) Children, Youth and Families Division
(3) Drug and Alcohol Services Division
(4) Gracedale Division (County Home)
(5) Mental Health, Early Intervention and Developmental Programs Division
Section 6.02 Duties

The Director of Human Services, in person or through subordinates, shall:

(1) review annual plans, budgets and contracts of each Division;

(2) establish an ongoing system of program review for each Division;

(3) assure compliance of each Division with governmental contracts and/or regulations, the Charter and this Code;

(4) develop and maintain a management information system which will include fiscal, personnel, and client information for each Division, and for the Department;

(5) recruit administrators and other top-level personnel to fill vacancies in the Division, participating in final selection of key personnel;

(6) orient new administrators to the work of the Divisions and to the County structure;
(7) provide input to boards and commissions of the several Divisions;

(8) develop working relationships as appropriate with County, other public and private agencies;

(9) establish a system for coordinated planning and provision of services that will reduce or eliminate duplication and maximize the use of existing funds;

(10) negotiate, administer and monitor contracts for purchases of service agreements with public and private agencies to augment and extent County services;

(11) monitor the payment to private and public agencies of funds allocated to them in the County budget;

(12) maintain internal auditing procedures to assure compliance with Federal, State and County requirements;

(13) provide information to the public about the services of the Department;

(14) perform such other duties and functions related to social services as are assigned by the County Executive; and

(15) direct and supervise veterans affairs programs.

Section 6.03 Area Agency on Aging Division

a. The head of the Area Agency on Aging Division shall be the Administrator of the Area Agency on Aging.
b. The Area Agency on Aging Division shall, with the guidance and assistance of its advisory board, offer social services to residents of the County who are 60 years of age and older.

c. The Administrator, in person or through subordinates, shall:

(1) provide, directly or through purchase of service agreements, services which may include:

(a) outreach;
(b) care management;
(c) information and referral;
(d) transportation;
(e) counseling;
(f) protective services;
(g) congregate and home-delivered meals;
(h) recreation and education;
(i) senior citizens center services and activities;
(j) volunteer services; and
(k) home care services.

(1) assessments

(2) administer and coordinate services within the Division;

(3) provide community education and training;
(4) monitor and assure service standards for Division-operated and purchased services;

(5) represent the Division at meetings and conferences;

(6) serve as liaison to cooperating agencies; and

(7) perform such other duties and functions related to services for the aging as are assigned by the Director of Human Services or the County Executive.

Section 6.04 Children, Youth and Families Division

a. The head of the Children, Youth and Families Division shall be the Administrator of the Children, Youth and Families Division.

b. The Children, Youth and Families Division shall, with the guidance and assistance of its advisory board, offer comprehensive services to protect, safeguard, and provide for the welfare of children and youth in the County.

c. The Administrator, in person or through subordinates, shall:

   (1) provide, directly or through the purchase of service agreements, services which may include:

       (a) information, screening and referral;

       (b) protective services;

       (c) foster family care;
(d) service to children, parents and families;
(e) adoption services;
(f) family day care;
(g) service to children in their own homes;
(h) 24-hour emergency care and services;
(i) homemaker services;
(j) care in day care centers; and
(k) institutional and other group care.

(2) administer and coordinate services within the
Division;

(3) provide community education and training;

(4) monitor and assure service standards for Division
operated and purchased services;

(5) represent the Division at meetings and
conferences;

(6) serve as liaison to cooperating agencies; and

(7) perform such other duties and functions related
to children and youth as may be assigned by the Director of
Human Services or the County Executive.

Section 6.05  Drug and Alcohol Services Division

a. The head of the Drug and Alcohol Services Division
shall be the Administrator of the Drug and Alcohol Services
Division.
b. The Drug and Alcohol Services Division shall, with the guidance and assistance of its advisory board, operate a program of education, prevention and control of drug and alcohol use.

c. The Administrator, in person or through subordinates, shall:

   (1) develop a County plan, updated annually, for the control and prevention of drug and alcohol abuse;

   (2) prepare educational materials, publications and programs designed to prevent and control drug and alcohol abuse;

   (3) design and implement programs for preventive intervention, treatment and counseling to assist persons affected by drug and alcohol abuse;

   (4) develop and maintain relationships as appropriate with public and private social service and criminal justice agencies to assist and augment the County's drug and alcohol abuse program;

   (5) develop and maintain relationships as appropriate with Federal, State and local governmental agencies in the development and implementation of the County program;

   (6) represent the Division at meetings and conferences;

   (7) serve as liaison to cooperating agencies;

   (8) perform such other duties and functions related to the prevention and control of drug and alcohol use assigned
by the Director of Human Services or the County Executive.

Section 6.06 Gracedale Division (County Home)

a. The head of Gracedale Division (County Home) shall be the Administrator of Gracedale.

b. The purpose of Gracedale is to provide adequate residential and patient care for medically and financially needy residents of Northampton County.

c. The Administrator of Gracedale, in person or through subordinates, shall:

(1) administer and supervise the County Home in accordance with policies and directives established by the County Executive and the Director of Human Services;

(2) provide residential, medical, nursing and other programs, services, and facilities for the care of the medically and financially needy of the County;

(3) administer admission policies and procedures established by the County Executive and by the Director of Human Services;

(4) administer the Federal, State and County programs and regulations as they relate to residents of the County Home;

(5) prepare monthly and quarterly reports of admissions, discharges, and deaths of patients for Federal, State and County officials;
(6) represent the Division at meetings and conferences;

(7) serve as liaison to cooperating agencies; and

(8) perform such other duties and functions related to the County Home as are assigned by the Director of Human Services or the County Executive.

Section 6.07 Mental Health, Early Intervention and Developmental Programs Division

a. The head of the Mental Health, Early Intervention and Developmental Programs Division shall be the Administrator of the Mental Health, Early Intervention and Developmental Programs Division.

b. The Mental Health, Early Intervention and Developmental Programs Division shall, with the guidance and assistance of its advisory board, promote good mental health, and prevent, detect, and treat developmental disabilities.

c. The Administrator, in person or through subordinates, shall:

(1) develop, administer and implement comprehensive mental health, early intervention and developmental programs;

(2) (a) Mental Health - provide a full range of treatment, rehabilitation and support services that aid the recovery vision by promoting hope for the future, self-
determination and choice, as well as active, successful participation in the community.

(b) Early Intervention - provide a full range of therapeutic services to children, from infancy to their third birthday, that experience significant delays in one or more areas of development.

(c) Developmental Programs - improve the quality of life for persons with developmental problems through the guiding principles of self-determination and the provision of treatment, rehabilitation and support services.

(3) develop and implement consultative and educational services for the community;

(4) coordinate mental health, early intervention and developmental programs and services;

(5) maintain and protect patient records in accordance with applicable law;

(6) represent the Division at meetings and conferences;

(7) serve as liaison to cooperating agencies; and

(8) perform such other duties and functions related to mental health, early intervention and developmental programs as are assigned by the Director of Human Services or the County Executive.
Section 6.08 Veterans Affairs Division

The head of the Veterans Affairs Division shall be the Director of Veterans Affairs. The Director of Veterans Affairs, in person or through subordinates shall:

(1) administer Federal and State laws and regulations governing veterans affairs;

(2) assist veterans and their families in obtaining financial allowances and support under Federal and State laws and regulations;

(3) maintain such records as are required by Federal and State laws;

(4) prepare and submit to appropriate officials reports as required by law and regulations; and

(5) perform such other veterans affairs duties and functions as assigned by the Director of Human Services or the County Executive.

Section 6.09 HealthChoices Division

a. The head of the HealthChoices Division shall be the HealthChoices Coordinator.

b. The HealthChoices Division shall, with the guidance and assistance of its advisory board, offer behavioral health services to residents of the County who are receiving Medical Assistance from the Commonwealth of Pennsylvania.
c. The HealthChoices Coordinator, in person or through subordinates, including the County's Managed Care Organization shall:

(1) provide, directly or through purchase of service agreements, services which may include:

(a) inpatient psychiatric hospital services;
(b) inpatient drug and alcohol detoxification;
(c) psychiatric partial hospitalization services;
(d) inpatient drug and alcohol rehabilitation;
(e) non-hospital residential detoxification, rehabilitation and half-way house services for drug/alcohol abuse or dependence;
(f) psychiatric outpatient clinic, licensed psychologist and psychiatrist services;
(g) behavioral health rehabilitation services (BHRS) for children and adolescents with psychiatric, substance abuse or mental retardation disorders;
(h) mental health residential treatment services for children and adolescents (JCAHO accredited and non-JCAHO);
(i) outpatient drug and alcohol services, including Methadone Maintenance Clinics, when used to treat narcotic/opioid dependency and dispensed by an in-plan drug and alcohol services provider;
(j) clozapine support services;

(k) laboratory and diagnostic studies and procedures for the purpose of determining response to behavioral health medication and/or treatment ordered by behavioral health rehabilitative services providers acting within the scope of their license;

(l) crisis intervention services (telephone and mobile with in-home capability);

(m) family-based mental health services for children and adolescents;

(n) targeted mental health case management (intensive case management and resource coordination);

(o) mobile mental health treatment;

(p) peer support services;

(q) psychiatric rehabilitation services;

(r) outpatient drug and alcohol rehabilitation services.

(2) administer and coordinate services within the Division;

(3) provide community education and training;

(4) monitor and assure service standards for Division-operated and purchased services;

(5) represent the Division at meetings and conferences;
(6) serve as liaison to cooperating agencies; and

(7) perform such other duties and functions related to HealthChoices services as are assigned by the Director of Human Services or the County Executive.

Section 6.10  Information and Referral/Emergency Services Division

a. The head of the Information and Referral/Emergency Services Division shall be the Casework Manager II within that Division.

b. The Information and Referral/Emergency Services Division shall offer social services to residents of the County who are in need of information and referral and/or emergency services.

c. The Casework Manager II, in person or through subordinates, shall:

   (1) provide, directly or through purchase of service agreements, services which may include:

      (a) information and referral for persons requesting services for residents of Northampton County;

      (b) information about the availability of County and community services;

      (c) a single point of entry for persons requesting services provided by Northampton County;
(d) evaluation and assessment of referrals for immediate intervention;

(e) 24-hour response to crisis and emergency situations including:

(1) mental health assessments for involuntary commitments under the Pennsylvania Mental Health Act;

(2) emergency placement of children who are assessed to be at high risk of abuse or neglect when there are no other options;

(3) referral and transportation to shelter care for runaway children found in Northampton County;

(f) 24-hour telephone crisis counseling;

(g) mobile crisis counseling provided in the community on both an individual and team level (provided seven days per week);

(h) walk-in crisis counseling provided in the office;

(i) crisis services/response for all non-Gracedale Human Services divisions;

(2) administer and coordinate services within the Division;

(3) provide community education and training;
(4) monitor and assure service standards for Division-operated and purchased services; 
(5) represent the Division at meetings and conferences; 
(6) serve as liaison to cooperating agencies; and 
(7) perform such other duties and functions related to information and referral and/or emergency services as are assigned by the Director of Human Services or the County Executive.

ARTICLE VII

DEPARTMENT OF PUBLIC WORKS

Section 7.01 Organization
7.02 Duties
7.03 Division of Plant Operations and Maintenance
7.04 Division of Custodial Services
7.05 Division of Bridges
7.06 Division of Vector Control
7.07 Division of Parks and Recreation

Section 7.01 Organization

a. The Department of Public Works shall be headed by a Director who shall be responsible to the County Executive for the performance of the functions of this Department.

b. The purpose of the Department of Public Works is to provide engineering, custodial and maintenance services for County agencies buildings, equipment and property, including
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bridges; maintain a vector control program; and provide County services related to parks and recreational facilities and programs.

Section 7.02 Duties

The Director of Public Works, in person or through subordinates, shall:

(1) negotiate and administer County contracts for architectural, engineering, construction and maintenance services

(2) develop and maintain relationships as appropriate with County agencies, and with public and private agencies;

(3) direct the preparation of engineering estimates for capital improvements for each County agency;

(4) direct the administration of programs for the inspection, maintenance and repair of all County and inter-county bridges and the appurtenances thereto;

(5) direct the administration of programs for development and maintenance of parks and recreational facilities and programs;

(6) direct the administration of rodent and vermin control programs;

(7) direct the administration of programs for operating, maintaining, repairing and providing custodial
services for all County-owned buildings and equipment; including motor vehicles;

(8) direct the administration of programs for storeroom and warehouse facilities for County property and supplies;

(9) utilize such professional engineering services with the approval of the County Executive, as are required for adequate performance of departmental functions; and

(10) perform such other duties and functions related to County property as are assigned by the County Executive.

Section 7.03 Division of Plant Operations and Maintenance

The head of the Division of Plant Operations and Maintenance shall be the Chief of Operations and Maintenance. The Chief, in person or through subordinates, shall:

(1) plan, develop and administer a comprehensive preventative maintenance program for all County-owned equipment and buildings; including motor vehicles;

(2) coordinate maintenance services and programs with other County agencies;

(3) monitor provision and use of utilities (i.e. steam, electricity, etc.) to all County buildings and equipment and maintain adequate supplies, equipment and apparatus to ensure uninterrupted provision of all necessary utilities;
(4) supervise all necessary scheduled and emergency repairs of County-owned buildings and equipment; including motor vehicles;

(5) maintain control of all supplies and materials used in the operation of the Division to ensure the economical use of utilities;

(6) maintain all blueprints, service literature, and other information necessary for the proper operation, care and repair of all County-owned or leased equipment;

(7) supervise the work of all Division personnel;

(8) provide education and training to new Division employees in the proper operation and repair procedures of all applicable equipment and apparatus;

(9) administer the janitorial and custodial programs for County-owned buildings; and

(10) perform such other duties and functions relating to plant operation and maintenance as are assigned by the Director of Public Works or the County Executive.

Section 7.04 Division of Custodial Services

a. The head of the Division of Custodial Services shall be the Chief of Custodial Services. The Chief of Custodial Services, in person or through subordinates, shall:
(1) coordinate all custodial and janitorial services and programs with other County agencies;

(2) maintain all service literature and other information necessary for the proper cleaning and care of County-owned buildings and equipment;

(3) supervise the work of all Division personnel;

(4) plan, develop and administer necessary programs for the cleaning and custodial care of all County-owned buildings;

(5) inspect all applicable buildings completely and thoroughly to ensure they are cleaned and maintained in the best possible conditions; and

(6) perform such other custodial and janitorial duties and services as are assigned by the Director of Public Works or the County Executive.

b. All, or some of the functions of the Division of Custodial Services may, with the approval of County Council, be contracted to an outside agency. In such event, the Director of Public Works shall be responsible for the operation of the Division and shall ensure the proper fulfillment of all terms and conditions of any contract. In the event that some of the functions of the Division of Custodial Services are contracted to an outside agency, the County Executive may assign the remaining responsibilities and employees of the Division of
Custodial Services to the Division of Plant Operations and Maintenance.

Section 7.05 Division of Bridges

The head of the Division of Bridges shall be the Bridges Supervisor. The Bridges Supervisor, in person or through subordinates, shall:

1. inspect all County bridges including inter-county bridges for obstructions, hazards or unsafe conditions;

2. plan, develop and administer a comprehensive preventive maintenance program for all County bridges including inter-county bridges;

3. supervise the work of all Division personnel in painting, clearing brush, clearing obstructions, patching concrete, and related maintenance on bridges and appurtenance thereto;

4. recommend necessary contracts for major repair or renovation work on bridges and appurtenances and ensure compliance with the provisions of such contracts;

5. respond to emergency calls resulting from accidents or other hazards on bridges;

6. maintain maps and other literature necessary to administer the services of the Division; and
(7) perform such other functions and duties related to bridges as are assigned by the Director of Public Works or the County Executive.

Section 7.06 Division of Vector Control

The head of the Division of Vector Control shall be the Vector Control Supervisor. The Vector Control Supervisor, in person or through subordinates, shall:

(1) identify breeding grounds and types of insects and rodents and eliminate these breeding grounds as effectively as possible;

(2) prepare and apply insecticides and rodenticides;

(3) supervise the work of all Division personnel;

(4) plan, develop and administer a comprehensive insect and rodent control program;

(5) co-ordinate Division services and programs with other County, State and Federal agencies, and the public;

(6) maintain records and other literature necessary for effective vector control;

(7) conduct surveys, investigations and research on insect and rodent proliferation and the control measures needed;

(8) prepare and submit to appropriate officials reports as required by law or regulation; and
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(9) perform such other duties related to vector control as are assigned by the Director of Public Works or the County Executive.

Section 7.07 Division of Parks and Recreation

The head of the Division of Parks and Recreation shall be the Chief of Parks and Recreation. The Chief, in person or through subordinates, shall:

(1) plan, develop and administer, in consultation with the Northampton County Park Board, a comprehensive system of parks, recreational facilities and programs for the benefit and use of County residents;

(2) co-ordinate the park and recreational facilities and programs of the County with other public and private recreational facilities and programs in the County;

(3) collect for the use of the County such fees for admission to or for use of facilities, programs or activities as authorized by ordinance of the County Council and shall transfer all such fees to the Division of Revenue;

(4) enforce such rules and regulations for the safety and conduct of persons using parks and recreational facilities as promulgated by the Director of Public Works or the County Executive; and
(5) perform such other duties and functions related to parks and recreation as are assigned by the Director of Public Works or the County Executive.

ARTICLE X

OFFICE OF THE SHERIFF

Section 10.01 Organization
10.02 Duties

Section 10.01 Organization

a. The Office of the Sheriff shall be headed by the Sheriff who shall be responsible to the County Executive for the performance of the functions of the Office.

b. The purpose of the Office of the Sheriff is to provide those services required of his Office by law.

c. The Sheriff shall be treated as an exempt position, and subject to the following hiring procedures:

(1) The County Executive shall publicly advertise and recruit qualified individuals to apply for this position. The method and manner of such publication shall be at the discretion of the Executive, but in any event shall, at a minimum, include one daily paper of local circulation, and one daily paper of regional circulation.

(2) The Chief County Solicitor shall receive all applications and, upon review of same, make qualified applicants
available to the Executive.

(3) The County Executive shall review the qualified applications, and forward a list of three names, chosen at the Executive's discretion, to the President Judge of the Court of Common Pleas.

(4) The President Judge shall review the three applications forwarded by the Executive, and indicate, by rank, the Court's preferences regarding this position.

(a) The Court may, at its sole discretion, include the name of an additional applicant or applicants for the Executive's consideration who, in the Court's evaluation, would satisfactorily fulfill the responsibilities of Sheriff.

(b) If the Court elects to thus exercise its discretion, the Court will rank the additional applicant or applicants with the initial three as discussed supra, for the Executive's consideration.

(5) The Executive will, at the Executive's discretion, after consultation with the Court, nominate one individual for the position of Sheriff, and forward the name of that nominee to County Council for confirmation.

Section 10.02 Duties

The duties of the Sheriff, in person or through his duly appointed deputies, shall be to:
(1) provide for the security of the courtroom
whenever in session;

(2) transport prisoners;

(3) serve warrants and other legal papers and
notices;

(4) administer the foreclosure, repossession and sale
of real and personal property;

(5) perform such other duties as may be required by
law, and specific orders and directives of the Court and the
County Executive.

ARTICLE XII

FINANCE

Section 12.01 Procedure for Preparation of Financial Plan
12.02 Procedure for Preparation of Annual Budget
12.03 Termination of Appropriation for Capital
Expenditures
12.04 Budgetary Limitations
12.05 Financial Statement
12.06 Depositories of Funds of the County

Section 12.01 Procedure for Preparation of Financial Plan

Not later than 180 days before the end of the fiscal year,
and upon receipt of at least 30 days notice, the head of each
agency shall furnish to the County Executive or his designee a
description, justification and estimate for each program and for
each capital project, to be proposed during one or more of the
succeeding **three** five fiscal years. Each program or capital project request shall include where appropriate:

1. recommended priority;
2. development time schedule;
3. estimated useful life in years;
4. estimated costs for planning, site or right-of-way construction, equipment and other features;
5. status of plans and land acquisition;
6. anticipated effect of program or capital project on annual operating budget;
7. proposed method of paying for program or capital project;
8. possible sources of financial aid;
9. recommended expenditures by years, including total expenditures remaining beyond the **three** five-year period of any program or capital project; and
10. such other information as County Council, the Executive or his designee may deem advisable.

**Section 12.02 Procedure for Preparation of Annual Budget**

a. Content. The County Executive, in person or through subordinates, shall annually prepare and submit to the County Council a comprehensive annual budget comprised of a budget message, a balance annual operating budget, a capital budget,
and a proposed tax ordinance to provide the necessary revenue. The budget message shall explain the budget in fiscal terms and in terms of the objectives to be accomplished and shall relate the requested appropriations to the approved financial plan of the County. The capital budget shall recommend those parts of the capital improvements plan which shall be undertaken during the next fiscal year. The annual operating budget shall contain:

(1) an analysis of the existing programs, an identification of the program objectives and those new programs needed to achieve the objectives;

(2) estimated expenditures from the preceding year and proposed expenditures for the budget year on a comparative basis, utilizing the most feasible combination of classifications by fund, agency, program, purpose or activity, and object class;

(3) amount and source of revenues needed to finance these programs;

(4) alternative program for reaching the objectives;

(5) a statement of the estimated cash surplus available at the end of the fiscal year;

(6) a statement of the estimated revenue to be received during the next fiscal year, including revenues from fees, contracts, grants, transfers, taxes and investments;
(7) a separate statement of debt service requirements for the next fiscal year; and

(8) a statement of the current bonded and other indebtedness of the County.

b. Schedule for Preparation:

(1) not later than 366 days before the end of the fiscal year, the County Council may by resolution, require a specific format for the annual budget. If no timely resolution is adopted, the budget for the succeeding fiscal year shall be in a format as the County Executive deems appropriate;

(2) not later than 150 days before the end of the fiscal year, or such earlier date as the County Executive may require, the head of each agency shall furnish to the County Executive or his designee an estimate of revenues and expenditures of his respective agency for the succeeding fiscal year, exclusive of capital projects. Each estimate shall show revenues and expenditures and be in such form and shall contain such additional information as the County Executive or his designee shall prescribe, provided that the estimate of expenditures shall constitute or be accompanied by a request for an appropriation. Such estimates of expenditures shall be based on and shall be accompanied by a tentative work program prepared by the head of each agency;
(3) the County Executive or his designee, not less than 30 days prior to the date fixed above, shall notify in writing the head of each agency of the date fixed above, and the format and information to be contained in such estimate and request;

(4) in the event that the head of any agency fails to submit an estimate by the date specified, the County Executive or his designee shall forthwith prepare such estimate; and

(5) the County Executive or his designee, with the Director of Fiscal Affairs, upon receipt of the estimates and request for appropriations, shall proceed to make such review and investigation and conduct such internal administrative hearings thereon as the County Executive may deem necessary.

The County Executive may require the head of each agency or any officer or employee thereof to furnish data and information and answer inquires pertinent to such review or investigation.

Section 12.03 Termination of Appropriations for Capital Expenditures

Appropriations or contracts for the establishment of bond or capital accounts, sinking funds or reserve funds, and each such appropriation, account or fund shall continue in force until the purpose for which it was made shall have been accomplished or shall have been abandoned by a two-thirds (2/3)
vote of the County Council.

Section 12.04 Budgetary Limitations

No County officer, employee, or agency shall, during a fiscal year, expend or contract to expend money or incur any liability, or enter into any contract which, by its terms, involves the expenditure of money for any of the purposes for which provision is made in the budget in excess of the amounts appropriated for such fiscal year or for any other purpose, except as otherwise specifically provided by law, the Charter or Ordinance.

Section 12.05 Financial Statements

The County Executive shall prepare and submit to the County Council and the Controller, not later than 30 days following the close of any fiscal quarter, and at such other times as the County Council may by resolution direct, a comprehensive financial report covering all funds and financial operations of the County for the previous quarter and the fiscal year-to-date. The report shall be prepared in accord with generally accepted principles for governmental accounting, auditing and financial reporting.
Section 12.06 Depositories of Funds of the County

a. Selection. The County Council, after the evaluation of written proposals, shall by resolution, select a depository or depositories for County monies.

b. Surety. Each depository utilized by the County, upon receipt of notice of resolution as a depository of County funds and for the benefit of the security of the County and before receiving any such deposit shall furnish to the County a good and sufficient undertaking approved as to the sufficiency of surety by the County Executive and as to form by the County Solicitor. Such undertaking shall specify the amount which the County Executive shall be authorized to have on deposit at any one time with such depository. Such undertaking shall provide:

(1) that such depository shall faithfully keep and pay over, on the order of the County, such deposits and the agreed interest thereon; and

(2) for the payment of such bonds or coupons as by their terms are made payable at a bank or banks for the payment of which a deposit shall be made by the County with such depository.

The County Executive may increase the amount which any such depository is authorized to have on deposit at any one time and require additional undertaking therefore.
Mr. Kraft advised the public hearing, debate and possible vote will be held at the June 7, 2018 meeting.

Consideration of Personnel Request Resolution: Gracedale

Mr. McGee introduced the following resolution:

R. 63-2018 IT IS HEREBY RESOLVED by the Northampton County Council that one (1) part-time position of Clerical Technician III, pay grade CS-15, salary $12,990, shall be eliminated and one (1) full time position of Clerical Technician III, pay grade CS-15, salary $32,475 shall be created in the Department of Human Services - Gracedale, effective May 17, 2018.

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

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

The resolution was adopted by a vote of 7-1.

Consideration of Administrative Code Article XIII Contracts: a) County Commissioners Association of Pennsylvania; b) Gilmore and Associates; c) TuWay Communications; d) K.C. Mechanical; e) Johnson, Mirmiran & Thompson, Inc.; f) Manpower; g) Eckert Seamans Cherin & Merlott

County Commissioners Association of Pennsylvania

Mr. Heckman introduced the following resolution:

R. 64-2018 WHEREAS, Northampton County Administrative Code Article XIII Procurement and Disposition of County Property, Section 13.16 Contracts and Agreements (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 11, 2018, the Northampton County Council received a request on behalf of the County Executive for County Council to adopt a resolution endorsing a contract from June 1, 2018 until May 31, 2019, in the amount of $745,873.00 with the County Commissioners Association of Pennsylvania (CCAP) for property and liability insurance.

NOW, THEREFORE, BE IT RESOLVED that the Northampton County Council does hereby concur with the recommendation of the County Executive, as set forth in the attached documentation, to award a contract to the County Commissioners Association of Pennsylvania (CCAP) for property and liability insurance.

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

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

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

Gilmore and Associates

Mr. Heckman introduced the following resolution:

R. 65-2018   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."; and

WHEREAS, on April 23, 2018 the Northampton County Council received a request from the County Executive for County Council to adopt a resolution approving a two month contract extension in the amount of $4,700 with Gilmore & Associates for planning services for the Northern Tier Trail Feasibility Study which requires an expanded scope of work bringing the total contract amount to $69,057.72.
NOW, THEREFORE, BE IT RESOLVED that the Northampton County Council does hereby concur with the recommendation of the County Executive to award a two month contract extension to Gilmore & Associates, as set forth in the attached documentation.

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


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

TuWay Communications

Mr. Heckman introduced the following resolution:

R. 66-2018 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."; and

WHEREAS, on April 27, 2018, the Northampton County Council received a request from the County Executive for County Council to adopt a resolution approving a 12 month contract in the amount of $319,901.57 for furnishing, installation and rearranging of new and existing Xybix console positions and installation and maintenance of Eventide Next Generation Voice Logging Recorder to support the consolidation of the Bethlehem 911 operation.

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 TuWay Communications.

As there were no questions or comments, Mr. Kraft called for the vote.
The vote: Heckman, "yes"; Werner, "yes"; Zrinski, "yes"; Cusick, "yes"; Dietz, "yes"; Kraft, "yes"; McGee, "yes" and Vargo Heffner, "yes".

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

K.C. Mechanical

Mr. Heckman introduced the following resolution:

R. 67-2018 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 4, 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 $176,000 with K.C. Mechanical for repairs to the Jail kitchen floor.

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 K.C. Mechanical.

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

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

The resolution was adopted by a vote of 8-0.
Johnson, Mirmiran & Thompson, Inc.

Mr. Heckman introduced the following resolution:

R. 68-2018 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."; and

WHEREAS, on May 4, 2018, the Northampton County Council received a request from the County Executive for County Council to adopt a resolution approving a three year contract in the amount of $178,500 (Phase 1 Master Plan - $75,000 and Phase 2 Construction and Documentation - $103,500) with Johnson, Mirmiran & Thompson, Inc., for Master Site Development Plan to include the proposed 160-acre Gall Farm County Park and planning, site analysis and engineering for the seven mile Plainfield Township Recreation Trail.

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 Johnson, Mirmiran & Thompson, Inc.

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

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

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

Manpower

Mr. Heckman introduced the following resolution:

R. 69-2018 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 8, 2018, the Northampton County Council received a request from the County Executive for County Council to adopt a resolution approving a three year contract in the estimated amount of $390,000 (dependent upon actual temporary employee placements) with Manpower for temporary personnel services.

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 Manpower.

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

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

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

Eckert Seamans Cherin & Merlott

Mr. Heckman introduced the following resolution:

R. 70-2018 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, Northampton County Administrative Code Article XI Office of the Solicitor Section 11.03 Outside Legal Counsel, a. "The Solicitor, with the approval of the County Executive and County Council, may retain outside legal counsel where necessary."; and

WHEREAS, on May 11, 2018, the Northampton County Council received a request from the County Executive for County Council to adopt a resolution approving a three year contract with an option for one additional (1) year extension with Eckert Seamans Cherin & Merlott for outside legal counsel for labor and employment matters with the total amount of the award based on the actual services provided and estimated to be $600,000.

NOW, THEREFORE, BE IT RESOLVED that the Northampton County Council authorizes the County Executive to award a contract to Eckert Seamans Cherin & Merlott.

Mr. Cusick stated he felt these responsibilities could have been handled by a local firm.

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

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

The resolution was adopted by a vote of 7-1.

Gracedale - Nazareth Ambulance Squad

Mr. McClure advised that they have decided to exercise the option to extend the Nazareth Ambulance Squad contract for one more year.

Human Services Committee Report

Ms. Vargo Heffner stated after a review, the State increased the Area Agency on Aging rating from hard red to medium yellow.
Finance Committee Report

Mr. Heckman advised he was planning to invite the necessary parties to the Finance Committee meeting on June 20, 2018 to discuss the P3 project.

In response to Mr. Cusick's question as to whether the General Purpose Authority's financials were included in the First Quarter Audit, Mr. Barron stated the information that was received for the first quarter of 2018 for the General Purpose Authority and P3 was accounted for as a blended component unit.

Parks and Open Space Committee Report

Ms. Zrinski advised the Parks and Open Space Committee met earlier in the evening and an update on their projects was provided.

Gracedale Advisory Board Liaison Report

Ms. Vargo Heffner stated they were addressing staffing issues and had initiated a tuition program and a Certified Nursing Assistant program. She further stated they were continuing to explore options to improve their efforts with regard to wound care.

Open Space Advisory Board Liaison Report

Ms. Zrinski advised discussions were held with regard to storm water mitigation and several projects being funded by grants that were going to be moving forward.

Industrial Development Authority Liaison Report

Mr. McGee stated a $25,000 loan was approved for Rising Tide and a discussion was held with regard to several upcoming projects.
Adjournment

Mr. Cusick made a motion to adjourn the meeting.

Ms. Vargo Heffner seconded the motion.

The motion to adjourn passed unanimously by acclamation.

__________________________________________
Linda M. Zembo
Clerk to Council