Easton, Pennsylvania

July 3, 2019

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

Pledge of Allegiance

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

Approval of the Minutes – June 20, 2019

Ms. Vargo Heffner made the following motion:

Be It Moved By the Northampton County Council that the minutes of the June 20, 2019 meeting shall be approved.

Mr. McGee seconded the motion.

The minutes were approved by voice acclamation.

Courtesy of the Floor

As no one signed in for Courtesy of the Floor, Mr. Heckman asked if there was anyone from the public that wished to address Council.

There were no respondents.

County Executive Report

Mr. Lamont McClure, County Executive, stated since receiving Dani at the Jail she had achieved six contraband seizures; three of which were prosecuted in the Courts. He further stated Dani worked closely with the Corrections and Emergency Response team, has adapted well to all the noise and confusion of the facility and had no issues being around anyone. He noted Dani was certified and attended monthly or bi-monthly
trainings with all the County’s police K-9 units through Progressive K-9 Solutions.

Mr. McClure advised on June 27, 2019, the Department of Children, Youth and Families welcomed therapy dogs to be available to all visitors. He further advised the dogs and the handlers were with the Lehigh Valley Therapy Dog Organization and were registered through the Alliance Therapy Dog.

Mr. McClure stated they were going to talk with the Courts to see if the dogs could be in the Courtrooms or at least outside of them.

Mr. McClure then introduced Boomer and his trainer Deputy Sheriff Stephen Tuxhorn.

Deputy Sheriff Tuxhorn advised Boomer was a 16-month old Chocolate Lab that was donated to the County and was trained in explosive detection and the tracking of a lost or confused individual or missing child.

Mr. McClure stated the County’s bond rating was AA1, which was one level below the highest rating of AAA. He further stated AA1 rating was received because the County benefitted from a large growing tax base, healthy financial operations, solid reserve levels and a manageable debt burden.

Mr. McClure advised the County had a number of credit strengths, but the one challenge was its full value per capita was below average.

Mr. McClure stated in the operational procedures of the Farmland Preservation Program for requiring easements there was an entirely voluntary pledge addendum that sludge would not be used.

Mr. McClure advised in 2019, Teledoc saved the County $285,901 and since its inception more than $400,000 was saved in medical expenses.

Mr. McClure stated on June 17, 2019 and June 20, 2019, the Department of Health was anonymously called to Gracedale to investigate whether it was short staffed and both complaints were unsubstantiated. He further stated it was suggested that Gracedale staff should not be talking about being short staffed in front of residents and/or their families and friends because it was not true.
Mr. McClure advised if there was a staffing problem at Gracedale it may potentially have something to do with Intermittent Family Medical Leave Act (IFMLA) call outs. He further advised in the month of June there were a total of 364 call outs of which 115 were IFMLA or 32% of the workforce.

Mr. McClure stated they want people to use this leave, but these persistent numbers suggest the potential there might be misuse. He further stated in May there were 329 call outs of which 109 were IFMLA or 33% of the workforce.

Mr. McClure advised it was his job to investigate whether these call outs were potentially abusive of the system so he was going to hire occupational medicine doctors to evaluate the claims to determine if they should be certified as FMLA or IFMLA.

In answer to Ms. Vargo Heffner’s question as to whether these numbers were similar to other departments/divisions in the County, Mr. McClure stated they were not. He further stated a similar program was conducted at the Jail a number of years ago and was successful.

Mr. Heckman advised he was not a fan of what the County Executive was proposing, but he understood the need to do it.

Mr. McClure stated it was also an issue of fairness to those employees who came to work every day.

Mr. McClure advised a Corrections Officers graduation took place this afternoon and among the graduates was a member of Mrs. Ferraro’s family.

Mrs. Ferraro stated her grandson who just graduated from DeSales University with a degree in Criminal Justice was a speaker at the graduation. She further stated there were eight graduates and she was very impressed with all of them.

Public Hearing on the Ordinance Entitled, "AN ORDINANCE OF THE COUNTY COUNCIL OF NORTHAMPTON COUNTY AUTHORIZING THE PURCHASE OF APPROXIMATELY 5.64 ACRES OF REAL PROPERTY BY THE COUNTY OF NORTHAMPTON IN UPPER MOUNT BETHEL TOWNSHIP, PENNSYLVANIA FROM JANICE M. REIMER"

Mr. Heckman advised the following ordinance was introduced by Ms. Zrinski and Mr. Werner at the June 20, 2019 meeting:
AN ORDINANCE OF THE COUNTY COUNCIL OF NORTHAMPTON COUNTY AUTHORIZING THE PURCHASE OF APPROXIMATELY 5.64 ACRES OF REAL PROPERTY BY THE COUNTY OF NORTHAMPTON IN UPPER MOUNT BETHEL TOWNSHIP, PENNSYLVANIA FROM JANICE M. REIMER

WHEREAS, Northampton County Home Rule Charter Section 602(a)(6) provides that the Northampton County Council shall enact an ordinance for any act which conveys, leases, purchases or authorizes the conveyance, lease or purchase of any real estate property of the County; and

WHEREAS, on May 14, 2019, the Parks, Recreation and Open Space Advisory Board provided a recommendation for Northampton County to purchase (fee simple acquisition) the Reimer property, located in Upper Mount Bethel Township, of approximately 5.64 acres, to be approved by the Northampton County Council.

WHEREAS, on June 13, 2019, Northampton County Council was requested to authorize the County Executive to enter into an Agreement of Sale, with Ms. Janice M. Reimer to purchase approximately 5.64 acres of real property located in Upper Mount Bethel Township, County of Northampton, Commonwealth of Pennsylvania, as more fully described in a Deed recorded in the Office of the Recorder of Deeds of Northampton County, Pennsylvania (Deed Book Volume 2003-1 Page 217331) also known as Northampton County Parcel Number C10 5 19 in consideration of Twenty-eight Thousand Two Hundred and NO/100 dollars ($28,200).

NOW THEREFORE, BE IT HEREBY ORDAINED AND ENACTED by the Northampton County Council that it does hereby authorize the County Executive to enter into an Agreement of Sale to purchase approximately 5.64 acres located in Upper Mount Bethel Township for $28,200 from Ms. Janice M. Reimer in accordance with the Agreement of Sale which is attached hereto and made a part hereof as Exhibit “A”.

Public Hearing

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


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

Public Hearing on the Ordinance Entitled, "AN ORDINANCE ESTABLISHING THE BYLAWS OF THE PARKS, RECREATION AND OPEN SPACE ADVISORY BOARD"

Mr. Heckman stated the following ordinance was introduced by Ms. Vargo Heffner and Mr. McGee at the June 20, 2019 meeting:

AN ORDINANCE ESTABLISHING THE BYLAWS OF THE PARKS, RECREATION, AND OPEN SPACE ADVISORY BOARD

WHEREAS, on or about November 4, 2004, the Northampton County Council adopted Ordinance #423-2004, entitled, "AN ORDINANCE ESTABLISHING THE NORTHAMPTON COUNTY 21ST CENTURY OPEN SPACE INITIATIVE, WHICH ORDINANCE, ACCEPTED THE REPORT OF THE NORTHAMPTON COUNTY COUNCIL OPEN SPACE COMMITTEE PREPARED WITH THE ASSISTANCE OF THE LEHIGH VALLEY PLANNING COMMISSION, CREATING THE NORTHAMPTON COUNTY OPEN SPACE ADVISORY BOARD AND ESTABLISHING ITS DUTIES, AND PROVIDING FOR THE ADMINISTRATION OF THE OPEN SPACE INITIATIVE" with the Northampton County 21st Century Open Space Initiative Guidelines which were also subsequently amended by the enactment of Ordinances #468-2007, #533-2011, #552-2012, #559-2012, and #582-2013; and

WHEREAS, on or about January 7, 2016, the Northampton County Council adopted Ordinance #603-2015, entitled, "AN ORDINANCE ESTABLISHING "THE LIVABLE LANDSCAPES" - AN OPEN SPACE PROGRAM FOR NORTHAMPTON COUNTY AND FURTHER PROVIDING FOR THE ADMINISTRATION OF THE 21ST CENTURY OPEN SPACE INITIATIVE; and

WHEREAS, on or about May 2, 2019, the Northampton County, under adoption of Ordinance #666-2019, entitled, "AN ORDINANCE ESTABLISHING THE PARKS, RECREATION, AND OPEN SPACE ADVISORY BOARD"; the Open Space Advisory Board will be renamed the Parks, Recreation and Open Space Advisory Board (Board) and shall serve as advisors to the County Council on issues presented to the Board to support implementation of the vision, goals, and recommended actions of the currently adopted County Open Space, Park, and Recreation Plan(s); and

WHEREAS, the Parks, Recreation, and Open Space Advisory Board (Board) revised the Bylaws to be consistent with the functions and powers of the Board as listed in Ordinance #666-2019.
WHEREAS, the Board reviewed the Bylaws at the May 14, 2019 meeting and June 11, 2019. The Board provided a recommendation for approval of the 2019 Bylaws to the Director of Administration at their June 11, 2019 meeting.

NOW THEREFORE, IT IS HEREBY ORDAINED AND ENACTED by the NORTHAMPTON COUNTY COUNCIL:

1. All "WHEREAS" Clauses are incorporated and adopted into this ordinance.

2. Any prior references to the name “Open Space Advisory Board,” in any County Ordinances or Resolutions shall now be named, designed and construed to be the “Parks, Recreation and Open Space Advisory Board.”

3. The Board shall serve as advisors to the County Council on issues presented to the Board to support implementation of the vision, goals, and recommended actions of the currently adopted county open space, park and recreation plan(s).

4. The Bylaws shall become effective upon recommendation by the Board and adoption by County Council Ordinance.

Public Hearing

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


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

Voting Machines

Mr. Cusick advised the bill to fund the voting machines was on Governor Tom Wolf’s desk and he hoped he signed it.
Mr. McClure stated the plan was to take out a bond for $90 million and the Counties could apply for up to 50% reimbursement for the machines they purchased.

In response to Mr. Cusick's question as to how much money would the County receive, Mr. McClure advised approximately $1.6 million.

Introduction of an Ordinance Entitled, "AN ORDINANCE AUTHORIZING THE COUNTY OF NORTHAMPTON, EASTON, PENNSYLVANIA, TO LEASE APPROXIMATELY 7,982.6 SQUARE FEET OF INDOOR SPACE KNOWN AS SUITE 140 AT 1800 SULLIVAN TRAIL, FORKS TOWNSHIP, PENNSYLVANIA, FROM RB PARK PLAZA-I, LLC, 3864 COURTNEY STREET, SUITE 140, BETHLEHEM, PENNSYLVANIA"

Ms. Vargo Heffner and Mrs. Ferraro introduced the following ordinance:

AN ORDINANCE OF THE NORTHAMPTON COUNTY COUNCIL AUTHORIZING THE COUNTY OF NORTHAMPTON, EASTON, PENNSYLVANIA, TO LEASE APPROXIMATELY 7,982.6 SQUARE FEET OF INDOOR SPACE KNOWN AS PARK PLAZA AT SULLIVAN TRAIL, 1800 SULLIVAN TRAIL, EASTON, PENNSYLVANIA, FROM RB PARK PLAZA-I, LLC, 3864 COURTNEY STREET, SUITE 140, BETHLEHEM, PENNSYLVANIA

WHEREAS, Northampton County Administrative Code Article XIII, Section 13.15 Purchase, Sale and Lease of Real Estate Section b. Sealed Appraisals, provides, "The County shall not purchase, sell, or lease real estate without first obtaining sealed appraisals from two (2) professional real estate appraisers."; and

WHEREAS, Northampton County Administrative Code Article XIII, Section 13.15 Purchase, Sale and Lease of Real Estate Section c. (1) Purchase/Sale/Lease of Real Estate, provides, "The County Executive, or his designee, may negotiate a contract for the purchase, sale or lease (with the County as lessor or lessee) of real estate. Any such purchase/sale/lease shall be approved by County Council, and no such contract shall bind the County nor shall any conveyance be lawful, until County Council approves of the terms of the purchase/sale/lease."; and
WHEREAS, Northampton County Home Rule Charter Article 602 (a)(6) provides that the Northampton County Council shall enact an ordinance for any act which "purchase, conveys, leases or authorizes the purchase, conveyance or lease of any real property of the County".

NOW, THEREFORE, BE IT HEREBY ORDAINED AND ENACTED by Northampton County Council that it does hereby authorize the County of Northampton to lease approximately 7,982.6 square feet of indoor space known as Park Plaza at Sullivan Trail, 1800 Sullivan Trail, Easton, Pennsylvania, from RB Park Plaza-I, LLC, 3864 Courtney Street, Suite 140, Bethlehem, Pennsylvania, for $8,500 for the first year of the lease term with the rent increasing at a rate of 3% per year for the lease term of ten years. The lease shall be in accordance with the Lease Agreement, a copy of which is attached hereto and made a part hereof as Exhibit "A".

Effective Date - This ordinance shall become effective thirty days after the date of enactment.

Mr. Heckman stated the public hearing, debate and possible vote would be held at the July 18, 2019 meeting.

Introduction of an Ordinance Entitled, "AN ORDINANCE ADOPTING THE LIVABLE LANDSCAPES GRANT PROGRAM GUIDELINES"

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

AN ORDINANCE ADOPTING THE LIVABLE LANDSCAPES GRANT PROGRAM GUIDELINES

WHEREAS, Ordinance No. 603-2015 entitled, "AN ORDINANCE ESTABLISHING "THE LIVABLE LANDSCAPES" - AN OPEN SPACE PLAN PROGRAM FOR NORTHAMPTON COUNTY AND FURTHER PROVIDING FOR THE ADMINISTRATION OF THE 21ST CENTURY OPEN SPACE INITIATIVE", was enacted by the Northampton County Council on January 11, 2016; and

WHEREAS, on or about October 3, 2013, the Northampton County Council adopted Resolution #85-2013, entitled "A RESOLUTION SUPPORTING THE DEVELOPMENT OF THE NORTHAMPTON COUNTY LIVABLE LANDSCAPES STRATEGIC OPEN SPACE PLAN"; and
WHEREAS, On February 2, 2017, the Northampton County Council adopted Ordinance No. 613-2017 that replaced the Open Space Natural Areas Grant Program with the Environmental Services Assistance Grant Program; and

WHEREAS, on June 27, 2019, the Northampton County Council received a request to adopt the Livable Landscapes Grant Program Guidelines to replace the Environmental Services Assistance Grant Guidelines.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED that the Northampton County does hereby adopt the Livable Landscapes Grant Program Guidelines as set forth in the attached documentation labeled Exhibit "A".

Mr. Heckman advised the public hearing, debate and possible vote would be held at the July 18, 2019 meeting.

Economic Development Committee Report

Mr. McGee stated the Northampton County Historical and Genealogical Society provided a presentation on the things they were working on and indicated they were working with DiscoverLV to create tourism packages.

Mr. McGee advised there was a discussion regarding the Community Development Block Grants which provided funding for different projects. He further advised there was also discussion regarding the HOME Program that would begin in the fall that would provide funding for home improvement projects.

Hemp Ad-Hoc Liaison Report

Ms. Zrinski stated they developed some survey questions that would be finalized at the next meeting being held at 9:30 a.m., on July 8, 2019 at the Wegmans on Route 512.

In answer to Mr. Cusick’s question as to how many farmers were growing hemp this year, Ms. Zrinski advised five farms received permits.
Farmland Preservation Liaison Report

Ms. Zrinski stated the County currently preserved 16,427 acres on 196 farms and as they have vacated the list for 2019 they were looking for more farms for next year.

Ms. Zrinski advised the farm bill was passed and amended to allow for more farms to be preserved if they have a family member or secondary residence on that property where that person did not necessarily work on the farm. She further advised this would open up more farms for preservation.

Jail Advisory Board Liaison Report

Mr. Lott stated they discussed inmate issues and issues within the Jail. He further stated he attended a seminar for the Color of Justice where different Counties talked about their programs and Northampton County was ahead of the curve on a lot of these things.

Mr. Lott advised he met with Court Administrator Jermaine Greene and planned to hold a Courts and Corrections Committee meeting in September to present some of their issues.

When Mr. Cusick stated the health care contract for the Jail was up and asked if the individuals from PrimeCare could be at the next Finance Committee meeting, Mr. McClure indicated he would have them present.

Lehigh Valley Planning Commission Liaison Report

Mr. McGee advised they were holding a Planning + Pizza to discuss freight issues on July 31, 2019. He further advised there would be a Freight Advisory meeting on August 7, 2019.

Mr. McGee stated they were working on the Lehigh Valley Transportation Study that would be presented to County Council either late August or early September.
Adjournment

Ms. Zrinski 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