Easton, Pennsylvania

June 20, 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; 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. Cusick led County Council in the pledge of allegiance.

Approval of the Minutes – June 6, 2019

Ms. Vargo Heffner made the following motion:

Be It Moved By the Northampton County Council that the minutes of the June 6, 2019 meeting shall be approved.

Mr. Cusick seconded the motion.

The minutes were approved by voice acclamation.

Confirmation of Appointments/Reappointments

Mr. McGee introduced the following resolution:

R. 61-2019 RESOLVED, by the Northampton County Council that the following individuals shall be confirmed in their appointments/re-appointments as indicated hereafter:

DRUG & ALCOHOL ADVISORY BOARD

Reappointments: Terms to Expire: 6/30/21
Penny Conway
PO Box 392
502 Delaware Avenue
Portland, PA 18351
Christopher T. Santos
38 North 6th Street
Easton, PA 18042

WORKFORCE BOARD LEHIGH VALLEY

Appointments:

Small Business Category
David Wolff
425 Dogwood Terrace
Easton, PA 18040

Term to Expire: 6/30/21

Workforce-Community Category
Joseph S. Kovalchik
8 Phyllese Drive
Northampton, PA 18067

Term to Expire: 6/30/21

Labor Category
James Irwin
440 Spruce Lane
Nazareth, PA 18064

Term to Expire: 6/30/23

Reappointments:

Institutions of Higher Education
(C2) Category
Mark Brickson, PhD
3564 Bethman Road
Easton, PA 18045

Term to Expire: 6/30/22

Business Category
Kurt Landes
4581 Willow Lane
Nazareth, PA 18064

Term to Expire: 6/30/22

Workforce (B4) Category
Lisa Nesbitt
4201 Bethman Road
Easton, PA 18045

Term to Expire: 6/30/22

Labor (B1) Category
Paul Anthony
1967 Mark Twain Circle
Bethlehem, PA 18017

Term to Expire: 6/30/23
As there were no questions or comments, Mr. Heckman called for the vote.

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

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

Courtesy of the Floor

Mr. Michael Mohn, 358 Woodline Road, Nazareth, PA - stated during his time as a Deputy Sheriff he was involved in the Pennsylvania Deputy Sheriff’s Association where he served as President for two years. He further stated he was present to discuss the matter of having an elected Sheriff versus an appointed one.

Mr. Mohn advised the founding fathers of the Constitution wanted the Sheriff to be elected so he would be accountable to the people and not the County Executive. He asked that a referendum question be put on the next ballot regarding this matter.

Mr. Mohn provided documents entitled, "Preserve The Office Of Sheriff By Continuing The Election Of Our Nation’s Sheriffs" (see Attachment #1) and "Elected Office Of The Sheriff" (see Attachment #2).

Mr. Mohn stated approximately 98% of the Sheriffs across the country were elected.
County Executive Report

Mr. Lamont McClure, County Executive, advised the switch-over to 911 had been completed and things were going well in Bethlehem.

Public Hearing on the Ordinance Amending the 2019 Northampton County Budget

Mr. Heckman stated the following ordinance was introduced by Ms. Vargo Heffner and Mr. McGee at the June 6, 2019 meeting:

AN ORDINANCE AMENDING THE 2019 NORTHAMPTON COUNTY BUDGET; DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT; COMMUNITY DEVELOPMENT GRANT; EXECUTIVE; DEPARTMENT OF ADMINISTRATION - ADMINISTRATION, CONSERVATION DISTRICT, EMERGENCY COMMUNICATION AND 911, HAZMAT ACT 165; DEPARTMENT OF FISCAL AFFAIRS - BALANCING OF BUDGET; COURTS - COURT ADMINISTRATION, PROBLEM SOLVING COURTS, JUVENILE JUSTICE CENTER; DEPARTMENT OF PUBLIC WORKS - ACT 13 ENVIRONMENTAL; CAPITAL IMPROVEMENT - COURTHOUSE COMPLEX; DEPARTMENT OF HUMAN SERVICES - HOMELESS ASSISTANCE, DEVELOPMENT FUND, CHILDREN, YOUTH & FAMILIES, AREA AGENCY ON AGING, HEALTHCHOICES, MENTAL HEALTH, DEVELOPMENTAL PROGRAMS, EARLY INTERVENTION, DRUG & ALCOHOL, GRACEDALE NURSING HOME

<table>
<thead>
<tr>
<th>2019 BUDGET AMENDMENT</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>KEY</strong></td>
</tr>
<tr>
<td><strong>Comm &amp; Eco Development</strong></td>
</tr>
<tr>
<td>30300</td>
</tr>
<tr>
<td>56050</td>
</tr>
<tr>
<td>56200</td>
</tr>
<tr>
<td>56300</td>
</tr>
<tr>
<td>56450</td>
</tr>
<tr>
<td>56550</td>
</tr>
<tr>
<td>56800</td>
</tr>
</tbody>
</table>
### Community Development Grant

<table>
<thead>
<tr>
<th>Code</th>
<th>Description</th>
<th>2019</th>
<th>2020</th>
<th>2021</th>
</tr>
</thead>
<tbody>
<tr>
<td>31100</td>
<td>Comm Dev Block Grant</td>
<td>4,441,953</td>
<td>559,540</td>
<td>5,001,493</td>
</tr>
<tr>
<td>71049</td>
<td>CDBG 2019</td>
<td>1,543,600</td>
<td>559,540</td>
<td>2,103,140</td>
</tr>
<tr>
<td>41475</td>
<td>Home Investment Partnership</td>
<td>1,200,000</td>
<td>(631,201)</td>
<td>568,799</td>
</tr>
<tr>
<td>71171</td>
<td>HOME 2019</td>
<td>1,200,000</td>
<td>(631,201)</td>
<td>568,799</td>
</tr>
</tbody>
</table>

### Executive

<table>
<thead>
<tr>
<th>Code</th>
<th>Description</th>
<th>2019</th>
<th>2020</th>
</tr>
</thead>
<tbody>
<tr>
<td>20500</td>
<td>Unemployment Compensation</td>
<td>-</td>
<td>4,500</td>
</tr>
</tbody>
</table>

### Administration - Administration

<table>
<thead>
<tr>
<th>Code</th>
<th>Description</th>
<th>2019</th>
<th>2020</th>
<th>2021</th>
</tr>
</thead>
<tbody>
<tr>
<td>30500</td>
<td>Professional Services</td>
<td>89,000</td>
<td>111,000</td>
<td>200,000</td>
</tr>
<tr>
<td>68999</td>
<td>Program Operating Cost</td>
<td>753,400</td>
<td>211,300</td>
<td>964,700</td>
</tr>
</tbody>
</table>

### Administration - Conservation District

<table>
<thead>
<tr>
<th>Code</th>
<th>Description</th>
<th>2019</th>
<th>2020</th>
<th>2021</th>
</tr>
</thead>
<tbody>
<tr>
<td>42600</td>
<td>Subdivision Plan Review</td>
<td>500,000</td>
<td>100,000</td>
<td>600,000</td>
</tr>
<tr>
<td>50050</td>
<td>Overtime Wages</td>
<td>8,000</td>
<td>2,000</td>
<td>10,000</td>
</tr>
<tr>
<td>63999</td>
<td>Admin Supplies &amp; Equipment</td>
<td>1,500</td>
<td>1,000</td>
<td>2,500</td>
</tr>
<tr>
<td>67999</td>
<td>Purchased Services</td>
<td>-</td>
<td>97,000</td>
<td>97,000</td>
</tr>
</tbody>
</table>

### Administration - Emg Comm & 911

<table>
<thead>
<tr>
<th>Code</th>
<th>Description</th>
<th>2019</th>
<th>2020</th>
<th>2021</th>
</tr>
</thead>
<tbody>
<tr>
<td>39100</td>
<td>Act 12 911 Fee</td>
<td>5,524,000</td>
<td>1,200,000</td>
<td>6,724,000</td>
</tr>
<tr>
<td>42126</td>
<td>Act 12 911 Fee I/C</td>
<td>805,000</td>
<td>282,400</td>
<td>1,087,400</td>
</tr>
<tr>
<td>50200</td>
<td>Salaries Union Full Time</td>
<td>2,534,700</td>
<td>192,100</td>
<td>2,726,800</td>
</tr>
<tr>
<td>56050</td>
<td>FICA County</td>
<td>280,700</td>
<td>14,700</td>
<td>295,400</td>
</tr>
<tr>
<td>56200</td>
<td>Healthcare &amp; Dental</td>
<td>739,200</td>
<td>38,400</td>
<td>777,600</td>
</tr>
<tr>
<td>56225</td>
<td>Healthcare OPEB</td>
<td>58,800</td>
<td>3,100</td>
<td>61,900</td>
</tr>
<tr>
<td>56450</td>
<td>Retirement</td>
<td>445,200</td>
<td>23,500</td>
<td>468,700</td>
</tr>
<tr>
<td>66550</td>
<td>Vision &amp; Prescription</td>
<td>202,800</td>
<td>10,600</td>
<td>213,400</td>
</tr>
<tr>
<td>68999</td>
<td>Program Operating Cost</td>
<td>970,200</td>
<td>1,200,000</td>
<td>2,170,200</td>
</tr>
</tbody>
</table>

### Administration - HazMat Act 165

<table>
<thead>
<tr>
<th>Code</th>
<th>Description</th>
<th>2019</th>
<th>2020</th>
<th>2021</th>
</tr>
</thead>
<tbody>
<tr>
<td>44101</td>
<td>Hazardous Material Grant</td>
<td>30,000</td>
<td>23,900</td>
<td>53,900</td>
</tr>
<tr>
<td>66999</td>
<td>Professional Services</td>
<td>40,000</td>
<td>23,900</td>
<td>63,900</td>
</tr>
</tbody>
</table>

### Fiscal Affairs - Balancing Of Budget

<table>
<thead>
<tr>
<th>Code</th>
<th>Description</th>
<th>2019</th>
<th>2020</th>
<th>2021</th>
</tr>
</thead>
<tbody>
<tr>
<td>31300</td>
<td>Real Property Current</td>
<td>95,800,000</td>
<td>73,200</td>
<td>96,200,000</td>
</tr>
<tr>
<td></td>
<td></td>
<td>4,500</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>322,300</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### Courts - Court Administration

<table>
<thead>
<tr>
<th>Code</th>
<th>Description</th>
<th>2019</th>
<th>2020</th>
<th>2021</th>
</tr>
</thead>
<tbody>
<tr>
<td>71500</td>
<td>Court Reimbursement</td>
<td>517,800</td>
<td>27,000</td>
<td>544,800</td>
</tr>
<tr>
<td>63999</td>
<td>Admin Supplies &amp; Equipment</td>
<td>70,900</td>
<td>27,000</td>
<td>97,900</td>
</tr>
<tr>
<td>---</td>
<td>---</td>
<td>---</td>
<td>---</td>
<td>---</td>
</tr>
<tr>
<td><strong>Courts - Problem Solving Courts</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>73800</td>
<td>41380</td>
<td>Court Reimbursement</td>
<td>-</td>
<td>19,500</td>
</tr>
<tr>
<td>68999</td>
<td>Program Operating Cost</td>
<td>115,000</td>
<td>19,500</td>
<td>134,500</td>
</tr>
<tr>
<td><strong>Courts - Juvenile Justice Center</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>73900</td>
<td>42505</td>
<td>Intercounty Juvenile</td>
<td>1,300,000</td>
<td>500,000</td>
</tr>
<tr>
<td>69999</td>
<td>Subcontracted Services</td>
<td>1,050,000</td>
<td>260,000</td>
<td>1,310,000</td>
</tr>
<tr>
<td>73901</td>
<td>50050</td>
<td>Overtime Wages</td>
<td>45,000</td>
<td>80,000</td>
</tr>
<tr>
<td>73902</td>
<td>50050</td>
<td>Overtime Wages</td>
<td>50,000</td>
<td>80,000</td>
</tr>
<tr>
<td>73903</td>
<td>50050</td>
<td>Overtime Wages</td>
<td>65,000</td>
<td>80,000</td>
</tr>
<tr>
<td><strong>Public Works - Act 13 Environmental</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>40740</td>
<td>41421</td>
<td>Environmental Protection</td>
<td>-</td>
<td>80,000</td>
</tr>
<tr>
<td>42460</td>
<td>County Cost Reimbursement</td>
<td>-</td>
<td>34,318</td>
<td>34,318</td>
</tr>
<tr>
<td>66999</td>
<td>Professional Services</td>
<td>300,000</td>
<td>114,318</td>
<td>414,318</td>
</tr>
<tr>
<td><strong>Capital Improvement - Courthouse Complex</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>41000</td>
<td>41360</td>
<td>Commonwealth</td>
<td>-</td>
<td>225,000</td>
</tr>
<tr>
<td>82220</td>
<td>CH Streetscape Improvements</td>
<td>-</td>
<td>225,000</td>
<td>225,000</td>
</tr>
<tr>
<td><strong>Human Services - Homeless Assistance</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>50600</td>
<td>41488</td>
<td>Human Service Block Grant</td>
<td>358,500</td>
<td>41,900</td>
</tr>
<tr>
<td>44010</td>
<td>Interest on Investments</td>
<td>200</td>
<td>400</td>
<td>600</td>
</tr>
<tr>
<td>69999</td>
<td>Subcontracted Services</td>
<td>358,700</td>
<td>42,300</td>
<td>401,000</td>
</tr>
<tr>
<td><strong>Human Services - Development Fund</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>51100</td>
<td>41488</td>
<td>Human Service Block Grant</td>
<td>153,000</td>
<td>850,000</td>
</tr>
<tr>
<td>69999</td>
<td>Subcontracted Services</td>
<td>153,200</td>
<td>850,000</td>
<td>1,003,200</td>
</tr>
<tr>
<td><strong>Human Services - Children, Youth &amp; Families</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>51000</td>
<td>41180</td>
<td>Temp Assist Needy Families</td>
<td>829,200</td>
<td>9,500</td>
</tr>
<tr>
<td>41310</td>
<td>Act 148</td>
<td>14,964,900</td>
<td>148,500</td>
<td>15,113,400</td>
</tr>
<tr>
<td>41428</td>
<td>Evidence Based Practices Grants</td>
<td>947,900</td>
<td>531,500</td>
<td>1,479,400</td>
</tr>
<tr>
<td>41480</td>
<td>Homeless Assistance</td>
<td>92,700</td>
<td>15,800</td>
<td>108,500</td>
</tr>
<tr>
<td>41497</td>
<td>Information Technology Grant</td>
<td>308,200</td>
<td>98,500</td>
<td>406,700</td>
</tr>
<tr>
<td>41550</td>
<td>Medical Assistance</td>
<td>64,400</td>
<td>(18,900)</td>
<td>45,500</td>
</tr>
<tr>
<td>41575</td>
<td>Misc Intergovernmental</td>
<td>-</td>
<td>10,600</td>
<td>10,600</td>
</tr>
<tr>
<td>41605</td>
<td>PA Promising Practices Grant</td>
<td>56,600</td>
<td>(23,600)</td>
<td>33,000</td>
</tr>
<tr>
<td>41652</td>
<td>State SIL Grant</td>
<td>447,600</td>
<td>19,200</td>
<td>466,800</td>
</tr>
<tr>
<td>Code</td>
<td>Description</td>
<td>Federal</td>
<td>(379,400)</td>
<td>14,200</td>
</tr>
<tr>
<td>-------</td>
<td>--------------------------------------</td>
<td>---------</td>
<td>-----------</td>
<td>--------</td>
</tr>
<tr>
<td>54000</td>
<td>Federal</td>
<td>379,400</td>
<td>20,400</td>
<td>20,400</td>
</tr>
<tr>
<td>55400</td>
<td>Subcontracted Services</td>
<td>589,000</td>
<td>176,000</td>
<td>765,000</td>
</tr>
</tbody>
</table>

**Human Services - HealthChoices**

<table>
<thead>
<tr>
<th>Code</th>
<th>Description</th>
<th>Federal</th>
<th>162,400</th>
<th>7,092,000</th>
</tr>
</thead>
<tbody>
<tr>
<td>57000</td>
<td>SSI with Medicare</td>
<td>6,929,600</td>
<td>162,400</td>
<td>7,092,000</td>
</tr>
<tr>
<td>57100</td>
<td>Subcontracted Services</td>
<td>87,802,702</td>
<td>532,700</td>
<td>88,335,402</td>
</tr>
</tbody>
</table>

**Human Services - Mental Health**

<table>
<thead>
<tr>
<th>Code</th>
<th>Description</th>
<th>Federal</th>
<th>20,657,000</th>
<th>13,211,000</th>
</tr>
</thead>
<tbody>
<tr>
<td>57400</td>
<td>Human Service Block Grant</td>
<td>11,145,300</td>
<td>20,657,000</td>
<td>13,211,000</td>
</tr>
<tr>
<td>58100</td>
<td>Subcontracted Services</td>
<td>3,455,300</td>
<td>2,072,300</td>
<td>5,527,600</td>
</tr>
</tbody>
</table>

**Human Services - Developmental Programs**

<table>
<thead>
<tr>
<th>Code</th>
<th>Description</th>
<th>Federal</th>
<th>803,600</th>
<th>2,508,900</th>
</tr>
</thead>
<tbody>
<tr>
<td>59400</td>
<td>Human Service Block Grant</td>
<td>3,312,500</td>
<td>803,600</td>
<td>2,508,900</td>
</tr>
<tr>
<td>60100</td>
<td>Subcontracted Services</td>
<td>1,094,900</td>
<td>812,300</td>
<td>282,600</td>
</tr>
</tbody>
</table>

**Human Services - Early Intervention**

<table>
<thead>
<tr>
<th>Code</th>
<th>Description</th>
<th>Federal</th>
<th>108,600</th>
<th>2,882,100</th>
</tr>
</thead>
<tbody>
<tr>
<td>60905</td>
<td>Early Intervention</td>
<td>2,773,500</td>
<td>108,600</td>
<td>2,882,100</td>
</tr>
<tr>
<td>60915</td>
<td>Subcontracted Services</td>
<td>1,676,400</td>
<td>108,600</td>
<td>1,785,000</td>
</tr>
</tbody>
</table>
**Human Services - Drug & Alcohol**

<table>
<thead>
<tr>
<th>Code</th>
<th>Description</th>
<th>61000</th>
<th>41160</th>
<th>219,700</th>
<th>10,300</th>
<th>230,000</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Prevention Block Grant</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>41240</td>
<td>Treatment Block Grant</td>
<td></td>
<td></td>
<td>735,000</td>
<td>663,100</td>
<td>1,398,100</td>
</tr>
<tr>
<td>41330</td>
<td>Base Allocation</td>
<td></td>
<td></td>
<td>789,500</td>
<td>39,800</td>
<td>829,300</td>
</tr>
<tr>
<td>41373</td>
<td>Compulsive Gambling</td>
<td></td>
<td></td>
<td></td>
<td>7,500</td>
<td>7,500</td>
</tr>
<tr>
<td>41488</td>
<td>Human Services Block Grant</td>
<td></td>
<td></td>
<td>704,500</td>
<td>118,500</td>
<td>586,000</td>
</tr>
<tr>
<td>41600</td>
<td>PCCD</td>
<td></td>
<td></td>
<td></td>
<td>251,600</td>
<td>251,600</td>
</tr>
<tr>
<td>62500</td>
<td>Subcontracted Services</td>
<td></td>
<td>69999</td>
<td>1,073,319</td>
<td>853,800</td>
<td>1,927,119</td>
</tr>
</tbody>
</table>

**Human Services - Gracedale Nursing Home**

<table>
<thead>
<tr>
<th>Code</th>
<th>Description</th>
<th>63000</th>
<th>41599</th>
<th>20,000</th>
<th>20,000</th>
</tr>
</thead>
<tbody>
<tr>
<td>64100</td>
<td>Occupancy Costs</td>
<td>61999</td>
<td>1,825,000</td>
<td>20,000</td>
<td>1,845,000</td>
</tr>
</tbody>
</table>

**Summary - Budget Amendment**

<table>
<thead>
<tr>
<th></th>
<th>7,575,057</th>
</tr>
</thead>
</table>

Effective Date:

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

Public Hearing

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

There were no respondents.

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

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

The ordinance was adopted by a vote of 9-0.
200, NAZARETH, NORTHAMPTON COUNTY, PENNSYLVANIA

Mr. Heckman advised the following ordinance was introduced by Mr. Cusick and Mrs. Ferraro at the June 6, 2019 meeting:

AN ORDINANCE OF THE NORTHAMPTON COUNTY COUNCIL AUTHORIZING THE COUNTY OF NORTHAMPTON, EASTON, PENNSYLVANIA, TO LEASE APPROXIMATELY 1,563 SQUARE FEET OF OFFICE SPACE IDENTIFIED AS 306 BUTZTOWN ROAD, BETHLEHEM, PENNSYLVANIA FROM THE TOWNSHIP OF LOWER NAZARETH, A PENNSYLVANIA MUNICIPAL CORPORATION, 623 MUNICIPAL DRIVE, SUITE 200, NAZARETH, NORTHAMPTON COUNTY, 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 from the Township of Lower Nazareth approximately 1,563 square feet of office space identified as 306 Butztown Road, Bethlehem, Pennsylvania, for an initial rent of $1 per annum from the commencement of the term of this lease and continuing through the original lease term. The terms and conditions of 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.

Public Hearing

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

There were no respondents.

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

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

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

Consideration of a Resolution Supporting Legislation Opposing House Bill 509

Ms. Zrinski made a motion to remove this ordinance from the table.

Mr. Dietz seconded the motion.

Mr. Heckman called for the vote on the motion.

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

The motion was adopted by a vote of 7-2.

Ms. Zrinski re-introduced the following resolution:

R. 62-2019

A RESOLUTION OPPOSING PENNSYLVANIA HOUSE BILL 509 FAST TRACKING PERMIT APPLICATIONS

WHEREAS, Pennsylvania House Bill (HB) 509, provides for the administration of permits by State agencies for a tracking system for permit applications, for the establishment of permit programs and for annual reports; and
WHEREAS, The Clean Water Act authorizes the Environmental Protection Agency (EPA) and States, which are delegated the authority by EPA, to regulate point sources that discharge pollutants into waters of the United States through the National Pollutant Discharge Elimination System (NPDES) permit program; and

WHEREAS, NPDES permits are an important component to the viability of development projects and ultimately to the economy; and

WHEREAS, the North East Region has several of the Commonwealth's fastest growing Counties and a great number of NPDES Individual Permit applications/reviews; and

WHEREAS, a thorough review of these projects with a focus on water resource protection is just as vital to our communities' economic well-being and to the health, safety and welfare of our residents; and

WHEREAS, of 24 NPDES permits submitted to the Northampton Conservation District since January 2019, only five have been submitted with all the components for a complete application. After the application completeness stage, a technical review is completed. Of those five with complete applications, technical deficiencies with the plans were found in all five. These applications and technical deficiencies within submitted plan applications are a significant contributor to lengthy review times that is not addressed in the proposed legislation; and

WHEREAS, considerable Department of Environmental Protection (DEP) and district efforts in training consultants in Erosion and Sediment Plan, Post Construction Stormwater Management and NPDES Permit application development have produced mixed results in improving the quality of plans and applications submitted; and

WHEREAS, HB 509, Section 5: Tracking system for permit applications outlines initiatives which are already being implemented by DEP and do not require legislative action; and

WHEREAS, HB 509, Section 6: Notice of incomplete and technically deficient applications, outlining notifications are currently being implemented by DEP; and
WHEREAS, the proposed time frames in this legislation for permit review are unreasonable given the reality of permit regulatory requirements, coordination issues and the aforementioned workload and staffing constraints; and

WHEREAS, HB 509, Section 7: Notice of permit changes and expiration is redundant because the DEP already issues a notice to permittee's regarding permit expiration 180 days prior to expiration, not the suggested 60 days as indicated in the legislation. Issuing notice of permit changes based on change of statute or regulation would be extremely difficult to track due to some permits lasting over a five-year time frame; and

WHEREAS, HB 509, Section 9: Third-party review of permit decision delays outlines conditions that provide little benefit to the quality of plans or the plan review process, creates redundant reviews and increases costs to applicants; and

WHEREAS, Northampton County Conservation District Board of Directors discussed current legislative actions at their May 14, 2019 meeting voicing their opposition to HB 509.

NOW, THEREFORE, BE IT HEREBY RESOLVED by Northampton County Council that HB 509 does not recognize the regional nature of the problem nor addresses the reasons for lengthy permit review times in some parts of the Commonwealth and should be opposed.

BE IT FURTHER RESOLVED Northampton County Council believes the redundancies in this legislation as outlined makes its passage further unnecessary.

BE IT FURTHER RESOLVED this legislation, which shortens agency time frames for review, does not establish time frames for a third party reviewer.

BE IT FURTHER RESOLVED this legislation does not provide additional funding for the training and implementation of a third party review process nor does it define the public review process.

BE IT FURTHER RESOLVED these time frames could disallow consideration of legitimate concerns raised during the public comment period. It is important not to lose sight of the fact that NPDES Permit reviews are for protection of the public interest.
BE IT FURTHER RESOLVED that copies of this Resolution will be distributed to State Legislators and State Senators within the Conceal Assembly representing the interests of Northampton County.

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

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

The resolution was adopted by a vote of 7-2.

Voting Machines

Mr. Cusick stated this County and many others across the Commonwealth purchased voting machines with the belief that they would receive funding from the Commonwealth. He further stated it was time for the legislators in Harrisburg to put aside their quarrels and fund new voting machines.

Mr. Cusick advised he understood the argument had to do with some Counties already having a paper trail so maybe a compromise had to occur because the rest of the Counties have moved ahead and it was time for the State Senators and Representatives to get onboard.

In answer to Mr. Heckman's question as to whether the State budget had a five year rollout for funding, Mr. Cusick stated initially Governor Tom Wolf proposed a five year incremental reimbursement plan, which was felt to be inadequate because the Counties were buying machines this year and/or next year. He further stated now there were members of the General Assembly that did not want to fund anything because some of them felt their Counties already had paper ballots so they should not have to buy new ones; however, that was the minority of Counties.

Mr. Cusick advised he believed last week a threat was made to remove any funding or to tell Governor Wolf to issue a bond or find money somewhere else, but he felt that was counterproductive. He further advised they had to realize the most critical thing Counties did was to preserve democracy and voting systems were part of it.
Introduction of an 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"

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

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".
Mr. Heckman stated the public hearing, debate and possible vote would be held at the July 3, 2019 meeting.

Introduction of an Ordinance Entitled, "AN ORDINANCE ESTABLISHING THE BYLAWS OF THE PARKS, RECREATION AND OPEN SPACE ADVISORY BOARD"

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

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.

Mr. Heckman advised the public hearing, debate and possible vote would be held at the July 3, 2019 meeting.

Consideration of a Resolution Waiving a Second Appraisal for the Reimer Property

Ms. Zrinski made a motion to change the wording in paragraph 4 from "NOW, THEREFORE, BE IT HEREBY ORDAINED AND ENACTED" to "NOW, THEREFORE, BE IT HEREBY RESOLVED".

Mr. Dietz seconded the motion.

Mr. Heckman called for the vote on the motion.

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

The motion was passed by a vote of 9-0.
Ms. Zrinski introduced the following resolution:

R. 63-2019  WHEREAS, Northampton County Administrative Code Section 13.14 b. provides that, "The County shall not purchase, sell or lease real estate without first obtaining sealed appraisals from two (2) professional real estate appraisers."; and

WHEREAS, Administrative Code Section 13.14 b.2. allows that provision to be waived when the "purchase, sale or lease of real estate does not justify the cost of the appraisals or is otherwise deemed unnecessary; and

WHEREAS, on June 13, 2019, Northampton County Council was requested to waive the requirement for two sealed appraisals as required under Section 13.14 b. of the Administrative Code be waived for the purchase of approximately 5.64 acres located in Upper Mount Bethel Township, Northampton County, Pennsylvania, from Ms. Janice M. Reimer for the purchase price of $28,200 as it would be a fee simple acquisition and made part of Northampton County's Parks and Open Space portfolio.

NOW THEREFORE, BE IT HEREBY RESOLVED by the Northampton County Council that the requirement for two sealed appraisals as required under Section 13.14 b. 2. of the Administrative Code be waived for the purchase of the approximately 5.64 acres located in Upper Mount Bethel Township, Pennsylvania.

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

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

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

Consideration of the Nehoda Conservation Basement Project Resolution

Ms. Zrinski introduced the following resolution:

R. 64-2019  WHEREAS, the County of Northampton implemented the Northampton County Open Space Initiative
County Council Minutes

enacting the Northampton County Open Space Ordinance #423-2004 on November 5, 2004; and

WHEREAS, the Northampton County Parks, Recreation, and Open Space Advisory Board has recommended approval of the Nehoda Conservation Easement Project located in Williams Township; and

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

<table>
<thead>
<tr>
<th>Property Owners:</th>
<th>Doris M. Nehoda</th>
</tr>
</thead>
<tbody>
<tr>
<td>Site Location:</td>
<td>665 Browns Drive, Easton, PA 18042 (Williams Township)</td>
</tr>
<tr>
<td>Parcel Identification:</td>
<td>N9-7-26-0836</td>
</tr>
<tr>
<td>Site Information:</td>
<td>40.27 acres</td>
</tr>
<tr>
<td>Appraised Value:</td>
<td>$249,000</td>
</tr>
<tr>
<td>County Grant Request:</td>
<td>$117,945.45 ($112,329 (50%) conservation easement of approximately 37.44 acres $5,616.45 acquisition related costs)</td>
</tr>
<tr>
<td>Other Grants:</td>
<td>$112,329 (50% Williams Township)</td>
</tr>
<tr>
<td>Description of Project:</td>
<td>The property consists of: forested steep slopes, riparian and interior woodlands, native grassland meadows, ground, recharge area of an unnamed tributary and headwaters to the Delaware River and agricultural fields. The property is significant with the proximity to existing land conservation (Smejkal property), Delaware Canal State Park, and the Delaware River. It is a greenway corridor within the PA Highlands and Lehigh Valley Greenway Conservation Landscape. It supports the goals of Williams Township due to the increased threat of development, conserving contiguous woodlands and connecting to other important natural areas to</td>
</tr>
</tbody>
</table>
NOW, THEREFORE, BE IT RESOLVED By the Northampton County Council:

1) The Northampton County Council hereby approves the Nehoda Conservation Easement Project. Further the Northampton County Executive, through the office of the Program Administrator of the Northampton County Livable Landscapes Program, or his designee, is directed to take any and all steps necessary to administer and complete Northampton County’s obligations in this project.

2) The Northampton County Council further directs the Northampton County Executive to appropriate $117,945.45 of Open Space Initiative - Environmentally Sensitive funds as the Northampton County contribution to the Nehoda Conservation Easement Project. Should an amount be less than the sum approved by County Council, the remaining balance shall be placed back into the appropriate fund from which it was allocated.

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


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

Consideration of a Resolution Opposing House Bill 1564

Mr. Cusick introduced the following resolution:

R. 65-2019 WHEREAS, the mission of the Northampton County Office of Assessment is to create and maintain uniform values for all properties within the County for ad valorem tax purposes in accordance with the Commonwealth of Pennsylvania's assessment law and the Uniform Standards of Professional Appraisal Practice, and to provide all Municipalities and School Districts with certified assessment values and changes; and
WHEREAS, the Pennsylvania General Assembly has introduced House Bill 1564 which would require mobile homes and manufactured homes to be valued by considering the value in a national directory of valuation guide, depreciation of the unit, the ability of the unit to be readily transported and the fair market value of the unit; and

WHEREAS, House Bill 1564 would violate the constitutional uniformity clause as Article VIII, Section 1, of the State constitution requires all taxes to be uniform on the same class of subjects. Section 8811 of the Consolidated County Assessment Law (CCAL) clearly defines manufactured homes and mobile homes as real estate, as it does houses - and not as vehicles - which should be valued considering the cost, comparable sales and income approaches under section 8842. Yet under House Bill 1564, if a manufactured home sat next to a stick-built home with otherwise identical characteristics in the same community, these two homes would have to be valued by considering different criteria; and

WHEREAS, the bill is unnecessary because under section 8842(b)(1) of the CCAL, County assessment offices are already required to take depreciation into account as part of the three approaches:

(iii) In arriving at the actual value, the following methods must be considered in conjunction with one another:

(A) Cost approach, that is, reproduction or replacement, as applicable, less depreciation and all forms of obsolescence.

(B) Comparable sales approach.

(C) Income approach; and

WHEREAS, the National Automobile Dealers Association (NADA) guide, one of the primary national directories referenced as an assessment tool in these situations acknowledges that the value in its national directory is only meant to give a general idea of the value of a home "and only a certified/licensed appraiser can estimate what a specific home is worth by physically inspecting the home with its features and upgrades, and then making adjustments for the local market, condition, etc."; and
WHEREAS, House Bill 1564 undermines ongoing efforts to improve the property assessment process and ensure the system is transparent, accurate and equitable for all residents and businesses.

NOW, THEREFORE, BE IT HEREBY RESOLVED that the Northampton County Council opposes HB 1564 as this legislation takes a step backward by creating an arbitrary standard for one type of property that will inherently establish nonuniformity within the assessment system.

BE IT FURTHER RESOLVED that copies of this Resolution shall be distributed to State Representatives and State Senators in the General Assembly representing the interests of Northampton County.

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

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

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

Consideration of Article XIII Contracts: a) Princeton Hydro, LLC; b) Nazareth Ambulance; c) Vision Technologies; d) Paul Giroux Incorporated

Princeton Hydro, LLC

Mr. Werner introduced the following resolution:

R. 66-2019  WHEREAS, Northampton County Administrative Code Article XIII Procurement and Disposition of County Property, Section 13.15 Contracts and Agreements c.(2) requires approval of County Council for "any contract where costs are to be funded with monies outside of the County's General Fund, such as those funded through bonded indebtedness."

WHEREAS, on May 23, 2019, the Northampton County Council received a request from the County Executive for County Council to adopt a resolution endorsing a contract in the amount of $66,740 for two years with Princeton Hydro, LLC for engineering services to develop the design and secure permitting to conclude
a stream restoration project in the Monocacy Creek, including the removal of several man-made impediments, as it flows through the Archibald Johnston Conservation Area.

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 Princeton Hydro, LLC.

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

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

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

Nazareth Ambulance

Mr. Werner introduced the following resolution:

R. 67-2019 WHEREAS, Northampton County Administrative Code Article XIII Procurement and Disposition of County Property, Section 13.15 Contracts and Agreements c. (1) requires approval of County Council for "...any contract exceeding $100,000, which was awarded using the Competitive Negotiation, Negotiation After Competitive Sealed Bidding, and Non-Competitive Negotiation source selection methods. For contracts with renewal clauses, the entire potential payout if all renewal clauses are exercised under the terms of the contract must be considered when determining if Council approval is necessary"; and

WHEREAS, on June 4, 2019, 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 $1,937,700 for a term of five years with Nazareth Ambulance Corporation for Non-Emergency Medical Transport Services for Gracedale Residents.

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

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

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

Vision Technologies – Switch Refresh

Mr. Werner introduced the following resolution:

R. 68-2019  WHEREAS, Northampton County Administrative Code Article XIII Procurement and Disposition of County Property, Section 13.15 Contracts and Agreements c. (1) requires approval of County Council for "...any contract exceeding $100,000, which was awarded using the Competitive Negotiation, Negotiation After Competitive Sealed Bidding, and Non-Competitive Negotiation source selection methods. For contracts with renewal clauses, the entire potential payout if all renewal clauses are exercised under the terms of the contract must be considered when determining if Council approval is necessary"; and

WHEREAS, on June 4, 2019, 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 $100,731.40 with Vision Technologies for Hardware for Switch Refresh.

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 Vision Technologies for Hardware for Switch Refresh.

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

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

The resolution was adopted by a vote of 9-0.
Vision Technologies - Server Refresh

Mr. Werner introduced the following resolution:

R. 69-2019  WHEREAS, Northampton County Administrative Code Article XIII Procurement and Disposition of County Property, Section 13.15 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 31, 2019, 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 $106,007.18 with Vision Technologies for Hardware for Server Refresh.

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 Vision Technologies for Hardware for Server Refresh.

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

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

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

Paul Giroux Incorporated

Mr. Werner introduced the following resolution:

R. 70-2019  WHEREAS, Northampton County Administrative Code Article XIII Procurement and Disposition of County Property, Section 13.08 Competitive Sealed Bidding (e) Negotiation After Competitive Sealed Bidding. In the absence of
any acceptable sealed bid after two attempts have been made to receive pricing under the sealed bid procedure, informal bid(s) or quotation(s) shall be obtained, using the applicable specifications, after which the County Executive or his designee shall be authorized to award a contract to the lowest responsible bidder in the best interests of the County, pursuant to 13.15 (c) (1); and

WHEREAS, on June 14, 2019, 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 $72,500.00 for a one month term with Paul Giroux Incorporated for the demolition of the Milides Building.

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 Paul Giroux Incorporated.

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

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

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

Conservation District Liaison Report

Ms. Zrinski stated at the Conservation District Board meeting a discussion was held with regard to House Bill 509 and how well their Envirothon went.

Gracedale Advisory Board Liaison Report

Ms. Vargo Heffner advised at the Gracedale Advisory Board meeting they reviewed the Dashboard to determine what pertinent information should be provided and how it would be presented to County Council in the future.
Parks, Recreation and Open Space Advisory Board Liaison Report

Ms. Zrinski stated at the Parks, Recreation and Open Space Advisory Board meeting a discussion was held regarding the items that were presented tonight.

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
PRESERVE THE OFFICE OF SHERIFF
BY CONTINUING THE ELECTION OF
OUR NATION'S SHERIFFS

The Right to Vote is the Essence of America's Democracy:

It is the long-standing popular democratic practice of our American Republic to "elect all local, state and federal executive offices." A political issue arises periodically in various local jurisdictions around the United States as to whether or not the present status of the Office of Sheriff should be changed from "elected" to "appointed." The elected Office of Sheriff is "directly" accountable and responsible to eligible voters and an "elected" Office of Sheriff is not directly controlled by local county board/commissioners, supervisors, mayor, etc.

Present Elected Status of Office of Sheriff:

Across our country, popular election is the uniform means of selection of the Office of Sheriff in 46 states. Sheriffs are elected to four (4) year terms in 41 states, two-year terms in 3 states, a three (3) year term in one state and a six-year term in one state. The election to the Office of Sheriff is on a partisan ballot in 40 states and is elected on a non-partisan basis in 6 states. Throughout the nation, the Office of Sheriff is the "Chief Law Enforcement Office."

Limited Power of Appointment to the Office of Sheriff:

There are no Sheriffs only in Alaska and Connecticut. In Rhode Island, the governor appoints the Sheriff. In two Colorado counties and in Dade County, Florida, Sheriffs are appointed by the county executive. In New York, the Sheriff of New York City is appointed by the Mayor of New York City; and in New York State's Westchester and Nassau Counties, these County Sheriffs are appointed by the Governor.

Currently, some local jurisdictions are exploring switching to a system of "appointed" Sheriffs; however, at least two major local jurisdictions that had an "appointed" Sheriff have returned to an "electoral" Office of Sheriff. In Multnomah County Oregon, the Sheriff was appointed from January 1,
1967 to late 1978, during which time the local county's board appointed six (6) different Sheriffs. Due to the dissatisfaction with the "appointment" system, the voters returned to the election of the Office of Sheriff. The position of Sheriff in King County, Washington (i.e. the Seattle area) was elected until 1968. At that time, the Home Rule Charter of King County was amended and the Sheriff became an appointed "Departmental" position, serving at the pleasure of the elected local county executive. After several years under this appointment system, the voters restored their Sheriff to an elected office. The local voters of King County felt their "Chief Law Enforcement Officer" should be elected to perform safety and law enforcement services.

Filling a Vacancy in the Office of Sheriff on an Interim Basis:

In over 99% of 3,088 local jurisdictions throughout the nation, the Sheriffs are elected, although in some local jurisdictions Sheriffs are appointed to fill out unexpired terms if there is a death or resignation of the incumbent, etc. In 20 states, a vacancy in the Office of Sheriff is filled by an interim appointment by the county board of commissioners. The Office of Governor fills a vacancy by interim appointment in 9 states; and a variety of other means are used in the remaining states to fill a vacancy in the Office of Sheriff, including special election, appointment of the chief deputy and appointment by the political party of the former Sheriff, etc. Several states use a combination of appointment and special elections, depending on when the vacancy occurs during an "election" cycle (i.e. how many months/year remain until the next regularly scheduled election to the Office of Sheriff.

Ongoing Election of the Office of Sheriff in the 21st Century:

There are at least four (4) primary reasons to support the ongoing election of the Office of Sheriff:

1. The Office of Sheriff provides a "check and balance" as an "elected" law enforcement officer who is "directly responsible" to the citizens and the Office of Sheriff protects the populace from undue political influence by members of the county board/supervisors, etc. on local law enforcement and public safety issues. Nevertheless, there are a number of checks and balances imposed on the
absolute discretion of the Office of Sheriff. The local voters can remove a Sheriff from office through the electoral process or by special referendum. Moreover, the county board/supervisors, etc. (which are subject in some states to appellate review), control the overall budget and salary(ies) of the Office of Sheriff; and in extreme cases various state statutes authorize the direct removal of a Sheriff for misfeasance or nonfeasance of duty while in office.

2. Under our republican form of government, "voters" have the right to choose who is to "serve" as their Sheriff, their local "chief law enforcement officer." Despite the efforts of appointment proponents, local voters have nearly universally decided to maintain the Office of Sheriff as an "elective" office.

3. The ongoing "election" of the Office of Sheriff in cities, counties, parishes, etc. is consistent with our nation's democratic history, traditions and historical practices. In local jurisdictions in which a Sheriff is "appointed," there can be a decrease in the quality and continuity in the law enforcement services and administration of a Sheriff's Department. When the Sheriff is subject to the political/economic whims and caprices of a county board/commissioners, etc. as an "appointed" head of a "Department" (not an "elected" Office), local law enforcement often becomes "politicized" to the public's detriment.

4. The American "electoral" experience has lead to an ongoing stability and continuity in the Office of Sheriff. To a large extent, Sheriffs at the county level and city police departments at the municipal level provide, operate and administer our nation's local law enforcement programs and activities. Finally, there is no objective empirical data that proves that "police departments" headed by an appointed law enforcement official are any more professional, creative, innovative, or cost-effective than an "elected" Office of Sheriff.

###
ELECTED OFFICE OF THE SHERIFF
EXECUTIVE SUMMARY

Issues Presented for Study

In most of the states the long-standing historical practice has been that the sheriff is elected for a four-year term of office. An issue which periodically arises in various jurisdictions around the United States, often in response to a particularly current and unusual situation or one of local government political conflict, is whether or not the status of this office should be changed from elected to appointed.

A Historical Perspective

The question presented is not a new one, having been around in some form for at least 300 years. In 1682 the City of London and County of Middlesex were concerned with moves by the Crown that would deprive them of the right to elect their sheriffs. The American county itself has its antecedents in ninth century England when the King divided the country into "shires", or local government units. Three officials oversaw the shire: the earl, the sheriff, and the bishop. Of these, the shire-reeve, later called sheriff, was second in importance to the earl. Originally appointed, the English sheriff eventually became an elected official.

When English colonists set up local governments in America the units and types of officials were patterned after the English model but with adaptations including the appointment of local officials by the colonial governor. Appointment remained the norm until during the Jacksonian era when states switched to election of many county officials. Today the number of local positions still elected has been significantly reduced, but across most of the country the sheriff remains an elected official.

Present Elected Status of Sheriff

Across the country popular election is the almost uniform means of selection of the sheriff. Sheriffs are elected to four-year terms in 41 states, two-year terms in three states, a three-year term in one state and a six-year term in one state. The races are on a partisan ballot in 40 states and on a non-partisan basis in 6 states.

A few states do not have the office of sheriff as such. There are no sheriffs in Alaska and that office was essentially abolished in the year 2000 in Connecticut. Hawaii does not have the position traditionally associated with the office of sheriff. In Rhode Island, the governor appoints the sheriff. In two Colorado counties and Dade County, Florida, sheriffs are appointed by the county executive.

Some jurisdictions have explored switching to a system of appointed sheriffs and at least two have had an appointed sheriff and returned to a system of elections. In Multnomah County, Oregon the sheriff became appointed on January 1, 1967. From January 1, 1967, to late 1978 the county board appointed six different sheriffs. Due to dissatisfaction with that system, the voters returned to election of the sheriff. The position of sheriff in King County, Washington, which is the Seattle area, was elected until 1968. At that time the Home Rule Charter of the county was amended and the sheriff became appointed, serving at the pleasure of the elected executive. After
several years under this system the voters restored to position to being elected. Popular reports indicate that the voters felt that public safety and law enforcement services would be improved by the return to election of the sheriff.

In nearly 3100 other jurisdictions throughout the country, the sheriffs are elected, although in some jurisdictions sheriffs are appointed to fill out unexpired terms if there is a death or resignation of the incumbent. In 20 states a vacancy in office is filled by appointment by the county board of commissioners. The office of governor fills a vacancy by appointment in 9 states and a variety of other means are used in the remaining states to fill a vacancy, including special election, appointment of the chief deputy and appointment by the political party of the former sheriff. Several states use a combination of appointment and special elections, depending on when the vacancy occurs.

Efforts to place the issue of appointment before the voters have rarely resulted in a change from elected status. In 1994 Iowa held a referendum to change the status of sheriff from elected to appointed. That initiative was heavily defeated by the voters.

**Election is the best option.**

There are at least four reasons to support election of the sheriff.

1) The sheriff provides a check and balance as an elected county official directly responsible to the citizens that protects from undue influence by members of the county board or by other county officials. There are also several checks upon the unfettered discretion of the sheriff. The voters can remove the sheriff from office during the election; the county board, subject in some states to appellate review, controls the budget and salary of the sheriff; and in extreme cases statutes authorize the removal of the sheriff from office for misfeasance or nonfeasance of duty.

2) In our democracy, we should have the right to choose who is to be sheriff. In many counties the sheriff is the single most powerful individual and institution. Despite the efforts of appointment proponents, voters who have had a chance to decide the issue have nearly universally decided to keep the office elective. Citizens should have the freedom to choose their sheriff and direct election is the best means to accomplish that.

3) The election of the sheriff is consistent with national traditions and practices. Election of sheriffs is nearly uniform throughout the United States. History has shown in those jurisdictions in which the sheriff is appointed there is a decrease in quality and continuity of law enforcement services and administration. When the sheriff is subject to the whims and caprices of the board of commissioners, the office becomes more politicized, not less.

4) There is stability and continuity of office. Sheriffs at the county level and city police departments at the municipal level handle local law enforcement. While city police departments on the whole do a good job, comparison of the continuity, innovation and public responsiveness of the office sheriff to city police demonstrates the perils of appointment. There is no objective, empirical data that proves city police departments headed by an appointed law enforcement official are any more creative, innovative, stable or cost-effective than the office of sheriff.