A regular meeting of the Northampton County Council was held on the above date with the following present: Ann McHale, President; Wayne Grube, Vice President; Ron Angle; John Cusick; Charles M. Dertinger; J. Michael Dowd; Margaret Ferraro; Lamont G. McClure, Jr.; Diane Neiper; Leonard N. Zito, Solicitor to Council, and Frank E. Flisser, Clerk to Council.

Prayer

Mr. Dowd led County Council in prayer to open the meeting.

Pledge of Allegiance

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

Approval of the Minutes

Mr. McClure made the following motion:

Be It Moved By the Northampton County Council that the minutes of the May 1, 2008 meeting shall be approved.

Mrs. Neiper seconded the motion.

The motion was adopted by voice acclamation.

Courtesy of the Floor

Mr. Frank Ferraina, Palmer Township, PA - advised he had been a Northampton County resident since 1954 and experienced a lot of ups and downs with the County which now appeared to be headed downward. He further advised he could not understand why the County planned to float additional bonds to build a parking deck because it was not a necessity. He noted everyone should be considering how to reduce the cost of the County not increase its debt because there were a lot of people who could not afford to have their taxes increased.
Mr. Neal Brown, Business Agent for Pennsylvania Social Services Union - stated his union represented workers in the Human Services field and he wanted to address the issue of employee safety. He further stated during the contract negotiations, they negotiated for a security guard to be present at the Wolf Building. He noted the contract was signed in October and there was still no security guard.

Mrs. McHale advised at the Personnel Committee meeting this issue was addressed and Mr. John Stoffa, County Executive, indicated he was looking into the matter.

Mr. Stoffa stated he hoped to have the matter resolved by next week.

Mr. Dertinger advised Deputy Sheriffs were used as security for the Courthouse and wondered why they could not be used for the Wolf and Bechtel Buildings.

Mrs. McHale stated under the previous Administration, security was provided by a “blue coat” and when budget cuts occurred, that position was no longer filled. She further stated at this time, the Sheriff’s Department did not have enough staffing to provide this service.

Mr. Dertinger advised he felt it would be cheaper for the County to hire a few more Deputy Sheriffs for this purpose than to hire a security firm.

Mr. Angle stated even if there was a security person down there, the Wolf Building had three different entrances. Therefore, it should be determined how much security was needed, what the County could afford and would it still be enough.

Mr. Dertinger advised this was negotiated in the contract and eight months later, it was still not in place.

Mr. Brown stated they understood having one person may not be the perfect solution, but it would help make the situation better.

Mr. McClure commented it was absolutely unacceptable that this type of risk was being imposed on the employees, as well as the public. He further commented several times when he entered
the Courthouse, he observed four or five Deputy Sheriffs manning the detectors and suggested moving one of them. He noted when safety was contemplated, convenience was usually sacrificed so maybe consideration would have to be given to having only one entrance. He further noted this was a situation that should be resolved immediately.

Mr. Dowd advised he too felt the time to act was now because this issue had been discussed for approximately six years and the people these employees dealt with were becoming increasingly more difficult and society, as a whole, was becoming increasingly more violent. He further advised he would like to have the Administration report back to County Council in a week with their plan.

Ms. Marilyn Hessinger, Registered Nurse, Northampton County Area Agency on Aging (AAA) - stated about six years ago, she was part of a committee that discussed security which resulted in the employees receiving panic buttons. She acknowledged she worked in the AAA Division where security was not a big issue, but she felt the employees of the Children, Youth and Families Division deserved a metal detector.

Confirmation of Appointments

Mrs. McHale advised the Personnel Committee met on Wednesday, May 14, 2008, to consider the County Executive’s appointments and re-appointments to the Children, Youth and Families Advisory Board and also to the Farmland Preservation Board.

Mr. Cusick introduced the following resolution:

R. 31-2008 RESOLVED, by the Northampton County Council that the following individuals shall be confirmed in their appointments/re-appointments as indicated hereafter:

CHILDREN, YOUTH AND FAMILIES ADVISORY BOARD

Terms to Expire: 6/1/11
County Council Minutes -4- May 15, 2008

Appointments:
Pattricia Rizzotto, Ed.D.
5768 Indian Trail Road
Northampton, PA 18067

Diane W. Miller, MSW, LCSW
620 Weygadt Drive
Easton, PA 18042

FARMLAND PRESERVATION BOARD

Terms to Expire: 7/6/11

Re-appointments:
Robert Doerr
170 Old Well Road
Easton, PA 18042

Terry Kromer
206 Garr Road
Easton, PA 18040

Mr. Cusick stated the Personnel Committee members unanimously approved recommending these individuals to County Council.

As there were no questions or comments, Mrs. McHale called for the vote.


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

Bachmann Publick Tavern

Mr. Cusick asked if there were any updates with regard to the Bachmann Publick Tavern.
Mr. Dowd advised the General Purpose Authority would be meeting on May 23, 2008, and it was anticipated the County would take possession of the property.

In answer to Mr. Angle’s question, Mr. Dowd stated the Easton Heritage Alliance did have insurance on the building and they were investigating putting in a claim for the water damage.

Consideration of the Resolution Regarding the Chief Registrar, Voter Registration Division

Mrs. McHale advised at the request of Mr. Dertinger, a resolution was prepared pertaining to the process being used to fill the existing vacancy of Chief Registrar.

Mr. Dertinger stated back in January, a discussion was held as to whether or not the Administration should interfere with the operation of the Election Commission and the Voters Registration Office because this office needed to remain apolitical. He further stated a memorandum was received wherein the Administration’s Solicitor agreed with these issues, but indicated he still intended to present this resolution.

Mr. Dertinger introduced the following resolution:

R. 32-2008 WHEREAS, there is a vacancy in the Northampton County Voter Registration Division for the position of Chief Registrar; and

WHEREAS, past practice has been for the Northampton County Election Commission members to hire replacements to fill vacancies for that position; and

WHEREAS, a news report in the Express-Times (May 3, 2008) indicates that the Northampton County Director of Administration plans to select and hire the person to fill the Chief Registrar’s vacancy; and

WHEREAS, apolitical nature of the Election Commission, and the selection of related staff, is of paramount importance to the impartial conduct of elections; and
WHEREAS, the involvement of the Northampton County Executive and his subordinates, or designees, in the hiring process of the Chief Registrar could very well compromise the independent and apolitical nature of the operation of the Voter Registration Office.

NOW, THEREFORE BE IT RESOLVED, that it is the stated opinion of the Northampton County Council that filling the vacancy of the position of Chief Registrar should be accomplished under the direction and supervision of the members of the Northampton County Election Commission. Further, it is the opinion of the Northampton County Council that the Northampton County Executive, and his subordinates, or designees, shall remove themselves from the process of hiring a Chief Registrar, unless their assistance is requested by the Northampton County Election Commission.

With regard to the memorandum, Mrs. Ferraro advised it was her understanding the Administration was just providing the names of individuals that came through the process to the Election Commission for consideration.

Mr. Dertinger stated the Election Commission had instructed the Deputy Registrar to take on certain duties, but was then told by the Administration not to do them. He further stated serving as Chairman of the Election Commission for three terms, he had a clear understanding as to how things were done and seeing these things not being done and the level of interference that happened on a daily basis, he felt this resolution was necessary. He noted the fact Mr. John Conklin, Director of Administration, was running across the street all too often directing the Deputy Registrar as to what to do and how to do it should be of concern to everyone.

Mr. Dertinger acknowledged this memorandum did appear to resolve the matter, however, there was a memorandum and discussion regarding this issue in January and after all the questions were asked and two separate opinions were offered by Mr. Zito, the Administration continued to do what they were doing. Therefore, he felt without this resolution, there was no guarantee the Administration would stop its interfering. He noted the Administration’s Solicitor had given at least three contradicting bits of information to the Election Commission and most of them were the words of the Director of Administration
and on two separate occasions, his opinion changed.

Mrs. Ferraro advised she felt there were two issues which were the hiring of a Chief Registrar and the day to day work of the Election Commission and the Voters Registration Office. She further advised the issue concerning the hiring of the Chief Registrar was not being resolved with this resolution.

Mr. Dertinger responded now was the time to make it clear to the Administration that they had to stop interfering in the day to day business of the Election Commission and the Voters Registration Office.

Mr. Angle stated the only way to get politics out of the Election Office would be to have individuals who did not belong to a political party. He further stated there had always been politics involved in the Election Commission by nature of their political appointments. He noted the only issue he saw was the choice of a Chief Registrar and since the Election Commission did not have a personnel office, the Administration offered the services of the Department of Human Resources to garner names. He further noted he believed County Council was butting in where it did not belong.

Mr. McClure advised he believed the Administration and its Solicitor was stating the Election Commission had the power to confirm one of the appointments that the Administration is selecting and sending to the Election Commission.

As there were no further questions or comments, Mrs. McHale called for the vote.


The resolution was adopted by a vote of 5-3-1 present.
Mrs. McHale stated from time to time, County Council was asked to approve certain contracts, as per the requirements of the Administrative Code, Section 13.16C. She further stated County Council was being asked to approve a contract with the Wood Company (Sodexho) for dietary services at Gracedale.

Mr. Angle introduced the following resolution:

R. 33-2008  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.”

WHEREAS, on May 5, 2008, the Northampton County Council received a request from the County Executive for County Council to adopt a resolution endorsing a contract with the Wood Company (Sodexho Operations LLC) for dietary services at Gracedale.

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 Wood Company (Sodexho Operations LLC) for dietary services at Gracedale.

As there were no questions or comments, Mrs. McHale called for the vote.


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

Human Services Committee Report

Mrs. Neiper advised she and Mr. Marcus had planned to attend the County Commissioners of Pennsylvania Association
Human Services Legislative Day in Harrisburg the beginning of May. Unfortunately, she was unable to attend, however, Mr. Marcus did attend and he informed her the legislatures were very receptive to the concerns of the Northampton County Human Services Department.

Mrs. Neiper stated last week she attended the Area Agency on Aging Advisory Council Outstanding Senior Awards where they honored numerous individuals. She stated it was a ceremony everyone should attend at least once.

**Personnel Committee Report**

Mr. Cusick advised the Personnel Committee met yesterday and one of the issues that arose was the necessity to fill vacancies on the Personnel Commission. He further advised Mr. Stoffa indicated if anyone had someone in mind to have them forward a resume to his office.

**Finance Committee Report**

Mr. Angle stated at the Finance Committee meeting yesterday, a discussion arose with regard to the Prison roof.

In response to Mr. Angle’s question, Mr. Stoffa advised he did not want to wait too long for the Prison roof to be repaired.

Mr. Angle stated Mr. Stoffa had asked for County Council to approve two transfers of money. He noted one was to take money from the Prison’s kitchen fund for the roof repairs and then replace it back into the kitchen fund in August. He then asked Mr. Flisser to explain what the other transfer was.

Mr. Flisser advised the other was to take money out of Gracedale’s salaries account and put it into the capital account to pay for the windows and then replenish the money in August.

Mr. Angle commented if County Council wanted the Administration to move ahead, he wanted to make a motion that County Council allow the County Executive to make a transfer of salaries to the account to pay for windows at Gracedale with the money to be replaced to the salaries in August when the County’s
normal budgetary transfers were made.

Mrs. Ferraro seconded the motion.

In response to Mr. Grube’s question, Mr. Zito stated any County Council member could make a motion at any time, however, it was up to the members of County Council to vote on it as they saw fit.

Mr. Angle advised the situation was this, it was originally stated the windows at Gracedale would cost $3 million, but they were now $4.2 million. He further advised the County Executive was asking for a simple temporary transfer until August so the window project could begin.

Mr. McClure stated he believed Mr. Grube was not asking whether a motion was in order, but was asking if the proposed transaction was a lawful one for County Council to accomplish.

Mr. Dertinger advised he would like to see the windows get done. However, from the very onset, he had a collection of questions that never got answered. He further advised it appeared the Administration found the most expensive way to do this project. He noted when the professionals made their proposal, they came up with the windows, a procedure to do the project and then missed the mark by $1.1 million. He further noted if this project was not to be completed until 2012, he did not understand the need to rush to act on transferring this money. He indicated until he had answers as to why the County was still maintaining the same method of procedures, he had a hard time supporting this because County Council was throwing $1.2 million at a project with no explanation.

Mr. McClure stated since the figure was so off for this project, he wondered why the project did not go back out for bid.

Mr. Angle advised it was agreed that the windows at Gracedale had to be fixed. He further advised the County Executive had experts come in to present how the repairs should be handled and he put it out for bid. He noted there were three bids and the lowest bidder was awarded the contract, which County Council approved. He further noted the money had to be in place before it could move ahead and the County Executive was
asking to make a budgetary transfer that would be replaced in August.

Mrs. McHale stated there was no guarantee that this budget amendment would be done in August. She further stated she would prefer to have paperwork from the County Executive requesting this transaction so there was something in writing. She noted Mr. Doran Hamann, Budget Administrator, indicated at yesterday’s meeting that a budget amendment could be done at any time.

In answer to Mr. Dowd’s question, Mr. Flisser advised he did not believe Mr. Angle’s motion was to make the transfer because the County Executive had the power to transfer the money, but just to receive a consensus that the members of County Council would agree to transfer the money back in August.

In response to Mr. Dowd’s question, Mr. Stoffa stated the contractors were prepared to begin work immediately.

As there were no further questions or comments, Mrs. McHale called for the vote.


The motion failed by a vote of 4-5.

Council Solicitor’s Report

Mr. Zito provided a copy of his Solicitor’s Report for this meeting (see Attachment #1).

Adjournment

Mr. McClure made a motion to adjourn.

Mrs. McHale seconded the motion.

The motion passed by acclamation.