A regular meeting of the Northampton County Council was held on the above date with the following present: Ann McHale, President; J. Michael Dowd, Vice President; Ron Angle; Joseph H. Capozzolo; John Cusick; Charles M. Dertinger; Margaret Ferraro; Lamont G. McClure, Jr.; Gerald E. Seyfried; Anthony J. Martino, 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. Dertinger led County Council in the pledge of allegiance.

Approval of the Minutes

Mrs. McHale asked for a motion to approve the minutes.

Mr. Angle made the following motion:

Be It Moved By the Northampton County Council that the minutes of the July 9, 2009 meeting shall be approved.

Mr. Dertinger seconded the motion.

The motion was adopted by voice acclamation, with Mr. Seyfried abstaining.

Courtesy of the Floor

Mrs. McHale advised no one had signed in for Courtesy of the Floor, but asked if there was anyone who wished to address County Council. There were no respondents.
Confirmation of Appointments

Mrs. McHale stated the Personnel Committee met on July 22, 2009 to review the County Executive’s appointment to the Lehigh Valley Workforce Investment Board and the various appointments to the Northampton County Gaming Revenue and Economic Redevelopment Authority.

Lehigh Valley Workforce Investment Board

Mr. Cusick introduced the following resolution:

R. 62-2009 RESOLVED, by the Northampton County Council that the following individual shall be confirmed in his appointment as indicated hereafter:

**LEHIGH VALLEY WORKFORCE INVESTMENT BOARD:**

<table>
<thead>
<tr>
<th>Appointment</th>
<th>Term to Expire</th>
</tr>
</thead>
<tbody>
<tr>
<td>Luis E. Campos</td>
<td>12/31/11</td>
</tr>
<tr>
<td>1108 Foxview Drive</td>
<td></td>
</tr>
<tr>
<td>Bethlehem, PA 18017</td>
<td></td>
</tr>
</tbody>
</table>

Mr. Cusick indicated the members of the Personnel Committee unanimously recommended the approval of this appointment.

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


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

Northampton County Gaming Revenue and Economic Redevelopment Authority
Mr. Cusick introduced the following resolution:

**R. 63-2009** **RESOLVED,** by the Northampton County Council that the following individuals shall be confirmed in their appointments as indicated hereafter:

**NORTHAMPTON COUNTY GAMING REVENUE AND ECONOMIC REDEVELOPMENT AUTHORITY**

**Appointments:**

<table>
<thead>
<tr>
<th>Terms to Expire</th>
<th>Name</th>
<th>Address</th>
</tr>
</thead>
<tbody>
<tr>
<td>December 31, 2012</td>
<td>Joseph M. Kelley</td>
<td>915 Linden Street, Bethlehem, PA 18018</td>
</tr>
<tr>
<td>December 31, 2013</td>
<td>Thomas J. Nolan</td>
<td>3910 Kipton Court, Bethlehem, PA 18020</td>
</tr>
<tr>
<td>December 31, 2014</td>
<td>Gerald C. Yob</td>
<td>354 Garfield Street, Freemansburg PA 18017</td>
</tr>
<tr>
<td>December 31, 2011</td>
<td>John (Jay) J. Finnigan, Jr.</td>
<td>4208 Maria Lane, Bethlehem PA 18017-8456</td>
</tr>
<tr>
<td>December 31, 2012</td>
<td>Stephanie A. Hoppes-Kovacs</td>
<td>121 Main Street, Hellertown PA 18055</td>
</tr>
<tr>
<td>December 31, 2011</td>
<td>Priscilla deLeon</td>
<td>2140 Saucon Avenue, Bethlehem PA 18015-8745</td>
</tr>
</tbody>
</table>
Mr. Cusick stated the first individual was Mr. Kelley from the City of Bethlehem for a three year term, expiring December 31, 2012. He further stated the members of the Personnel Committee unanimously recommended him.

Mr. Seyfried advised yesterday he questioned the legality of the process because the Home Rule Charter specifically stated the County Executive made appointments and the County Council confirmed them. However, as the County Council Solicitor had indicated County Council would make these appointments, he was going to go along with his decision.

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


The vote to appoint Mr. Kelly was 9-0.

Mr. Cusick stated the next appointment was Mr. Nolan from Bethlehem Township for a four year term expiring December 31, 2013. He further stated the vote of the Personnel Committee members was 3-1 to recommend him.
As there were no questions or comments, Mrs. McHale called for the vote.


The vote to appoint Mr. Nolan was 9-0.

Mr. Cusick advised the next appointment was Mr. Yob from Freemansburg Borough for a five year term, expiring December 31, 2014.

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


The vote to appoint Mr. Yob was 9-0.

Mr. Cusick stated the next appointment was Mr. Finnigan from Hanover Township for a term of two years, expiring December 31, 2011. He further stated the members of the Personnel Committee voted unanimously to recommend him.

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


The vote to appoint Mr. Finnigan was 9-0.

Mr. Cusick advised the next appointment was Ms. Hoppes-Kovacs from Hellertown Borough for a three year term, expiring December 31, 2012. He further advised the Personnel Committee members unanimously voted to recommend her.

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

The vote to appoint Ms. Hoppes-Kovacs was 9-0.

Mr. Cusick stated the next appointment was for Ms. deLeon from Lower Saucon Township for a two year term, expiring December 31, 2011. He further stated the members of the Personnel Committee voted 3-1 to recommend her.

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


The vote to appoint Ms. deLeon was 9-0.

Mr. Cusick advised the next appointment was Ms. Niklos from the non-contiguous municipalities for a four year term, expiring December 31, 2013. He further advised the members of the Personnel Committee voted unanimously to recommend her.

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


The vote to appoint Ms. Niklos was 9-0.

Mr. Cusick stated the next appointment was Mr. Palmeri from the non-contiguous municipalities for a term of five years, expiring December 31, 2014.

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


The vote to appoint Mr. Palmeri was 9-0.
The vote to appoint Mr. Palmeri was 9-0.

Mr. Cusick advised the last appointment was for Mr. Bodnar from the non-contiguous municipalities for a term of one year, expiring December 31, 2010. He further advised the members of the Personnel Committee voted unanimously to recommend him.

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


The vote to appoint Mr. Bodnar was 9-0.

Based on the above votes, the resolution, in its entirety, was adopted by a vote of 9-0.

Mr. Dertinger commented when he originally brought forth the ordinance to create the gaming authority, it was his hope to give the contiguous municipalities who were going to be most affected a voice in the process and that has happened and he wanted to thank everyone, especially Mr. Cusick for all his efforts.

Mr. Angle remarked he was satisfied that three individuals from the northern end of the County were appointed.

Consideration of the Resolution Titled, “Authorizing the Submission of a Request for Homeless Prevention and Rapid Re-Housing Program Funds from the Commonwealth of PA”

Mrs. McHale stated the Economic Development Committee met on July 20, 2009, to consider this resolution authorizing the Northampton County Department of Community and Economic Development (DCED) to apply for a grant of $415,334 to the Pennsylvania DCED. She further stated this authorization was in concert with resolution #32-2009, adopted by County Council on May 7, 2009, which authorized the application of Federal funds for the same purpose.

Mr. Dowd advised this resolution pertained to discussions
that have been held within the last few months in connection with the stimulus money and the department’s ability to file applications to obtain those grants, noting this one pertained to Homeless Prevention and Rapid Re-Housing Program funds.

Mr. Dowd introduced the following resolution:

R. 64-2009

Authorizing the Submission of a Request for Homeless Prevention and Rapid Re-Housing Program Funds from the Commonwealth of PA

WHEREAS, Title XII of the American Recovery and Reinvestment Act of 2009 authorized creation of the new Homelessness Prevention and Rapid Re-Housing Program (HPRP) block grant program; and

WHEREAS, the Commonwealth of Pennsylvania, through its Department of Community and Economic Development (PA DCED), has received HPRP funds and is making these funds available to units of local governments for eligible homelessness prevention and rapid re-housing activities; and

WHEREAS, the Council of the County of Northampton previously indicated its support of the County's request for HPRP funds through Resolution #32-2009, which authorized the County of Northampton to request a Federal share of HPRP funds; and

WHEREAS, the Council of the County of Northampton resolved, through Resolution #43-2009, that the County Executive is hereby authorized to prepare and submit all American Recovery and Reinvestment Act applications, and any related documents, and any amendments or corrections to such applications and documents, and such requests and awards would be subsequently approved by Council; and

WHEREAS, the County of Northampton, through its Department of Community and Economic Development, desires to receive funds from the PA DCED on behalf of homeless shelter housing and service providers.
NOW, THEREFORE, BE IT RESOLVED by the Northampton County Council that:

1. The Department of Community and Economic Development, on behalf of the County of Northampton, is authorized and directed to proceed with a request in the amount of $415,334 to the PA DCED.

2. The proposed "Northampton County Homeless Prevention and Rapid Re-Housing" project to be funded through the grant from the Commonwealth of PA is hereby eligible and approved.

3. The Council, by this action, acknowledges that this allocation does not constitute a commitment of funds or project approvals for any sub-recipients, and that such commitment of funds or approvals may occur only upon notice of award by PA DCED of a grant award.

4. The County of Northampton will reimburse the Commonwealth for any expenditure found to be ineligible.

5. The County of Northampton is authorized to provide such assurances, certificates, and supplemental data or revised data that PA DCED may request in connection with the application.

In answer to Mr. McClure’s question, Mr. Dowd agreed that the County was just serving as a pass through.

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


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

Consideration of the Administrative Code Article 13.16 c.
Contract Approval Resolution
Mrs. McHale stated from time to time, County Council was asked to approve certain contracts in accordance with Administrative Code Article XIII. She further stated enclosed was such a contract for facilities engineering and management services with Borton-Lawson.

Mr. McClure introduced the following resolution:

R. 65-2009 WHEREAS, Northampton County Administrative Code Article XIII Procurement and Disposition of County Property, Section 13.16 Contracts and Agreements c.(1)(2) requires approval of County Council for: c.(1) “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 July 16, 2009, the Northampton County Council received a request on behalf of the County Executive for County Council to adopt a resolution endorsing a contract in the amount of $132,450 for the first year, with a potential payout of $662,250, with Borton-Lawson for facilities engineering and management services.

NOW, THEREFORE, BE IT RESOLVED that the Northampton County Council does hereby concur with the recommendation of the County Executive, as set forth in the attached documentation, to award a contract to Borton-Lawson for facilities engineering and management services.

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


The resolution was adopted by a vote of 9-0.
Consideration of the Gift Acceptance Resolution

Mrs. McHale advised Northampton County Home Rule Charter Article II, County Council, Section 202. Powers (10), provided that the County Council shall have the power “to accept on behalf of the County any gifts of real property and to provide for the acceptance by any agency on behalf of the County of other gifts”. She further advised the County was recently informed of a bequest from the estate of Phoebe Arnold and this resolution empowered the County Executive to accept the gift on behalf of the County.

Mrs. Ferraro introduced the following resolution:

R. 66-2009   WHEREAS, Northampton County Home Rule Charter Article II, County Council, Section 202. Powers (10), provides that the County Council shall have the power “to accept on behalf of the County any gifts of real property and to provide for the acceptance by any agency on behalf of the County of other gifts.”; and

WHEREAS, the estate of Phoebe E. Arnold, deceased, has bequeathed to Gracedale 100 shares of Vanguard Wellington Stock, in honor of James M. Arnold; and

NOW, THEREFORE, BE IT RESOLVED, By the Northampton County Council that it does hereby direct the Northampton County Executive to accept the bequest from the estate of Phoebe Arnold on behalf of the County of Northampton.

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


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

In answer to Mr. Angle’s question, Mr. John Stoffa, County Executive, indicated they had not decided what to do with the cash at this time, but it would be put toward something tangible.
In response to Mr. McClure’s question, Mr. Stoffa replied he did not know who was to pay the taxes.

Mr. Martino stated he would review that issue with the attorney handling the estate.

Mr. Dowd advised most charitable organizations had a policy that whenever any stock was given to them it was immediately converted into cash and he wondered if the County had such a policy and if not, perhaps it was something to consider.

Consideration of the County Executive’s Appointment for the Position of Director of Corrections

Mrs. McHale stated at the Personnel Committee meeting yesterday, the members considered the County Executive’s recommendation of Mr. Robert Meyers as Director of Corrections.

Mr. Cusick introduced the following resolution:

R. 67-2009 WHEREAS, Northampton County Home Rule Charter Section 906. Heads of Agencies Under the County Executive, (a) appointment states, “The County Executive shall have the power to appoint the head of any agency immediately under his direction and supervision, who is a member of the exempt service subject to confirmation by the County Council. An appointment shall not be effective unless the County Council by resolution confirms it or fails to reject it within sixty (60) days after the appointment. The appointee shall serve until so rejected by the County Council or until his removal from office, whichever is sooner.”; and

WHEREAS, on July 22, 2009, the County Executive nominated Robert H. Meyers to serve in the position of Director of Corrections.

NOW, THEREFORE, BE IT RESOLVED, by the Northampton County Council that Robert M. Meyers shall be confirmed in his appointment as Director of Corrections, CE salary range VI,
$77,307 to $109,938, effective this 23rd of July 2009. The salary at the time of appointment shall be at step 6-F, $77,307, of the salary range.

Mr. Cusick advised the issue of the salary was raised yesterday and it was the recommendation of the Personnel Committee that Mr. Meyers start at the agreed upon salary and for the County Executive to come back before County Council in six months to determine if the salary should be raised at that time.

Mr. Cusick stated the vote of the Personnel Committee was unanimous to recommend Mr. Meyers, but Mrs. McHale disagreed with the salary.

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


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

Executive Session

Mrs. McHale advised the Administration had requested an Executive Session to discuss a potential sale of property. She asked if there was a motion.

Mr. Dowd made a motion for County Council to adjourn to Executive Session.

Mr. Dertinger seconded the motion.

The motion was adopted by voice acclamation.

Mr. Martino stated County Council moved to Executive Session at 6:15 p.m., to discuss the sale of real estate. He further stated at 7:00 p.m., County Council reconvened from Executive Session.

Mr. Angle made a motion authorizing the County Executive to
sell a property owned by the County at 143 South Sixth Street, Easton, at an absolute auction with an auctioneer of his choice.

Mr. Dowd seconded the motion.

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


The motion passed by a vote of 8-1.

Bachmann Publick House

Mr. Angle asked if there were any new developments with the Bachmann Publick House.

Mr. Stoffa and Mr. Dowd indicated there were, noting a report would be made within the next few months.

Human Services Committee Report

Mr. Capozzolo announced he was made the Chair of the Human Services Committee and Mr. Seyfried was appointed to the committee. He noted he spoke to Mr. Ross Marcus, Director of Human Services, to schedule an August meeting with the anticipation that the State budget would be completed by then and the County would have an idea of what effect it would have on its budget. He further noted the meeting was scheduled for 3:00 p.m. on Monday, August 24, 2009.

St. Luke’s Bond Issue

Mr. Cusick stated approximately a year ago, County Council
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convened a special meeting to approve a bond issue for St. Luke’s. He further stated he had driven by there several times since then and he had not seen any work being done. He further stated it was upsetting to him to see the potential for several hundred jobs put on hold while a couple of authorities bickered, therefore, he hoped some leadership could be given to move the project along.

Mrs. McHale advised she spoke with Mr. Richard Anderson, CEO of St. Luke’s, and he indicated there was work being done way in the back that could not be seen from the road.

Finance Committee

Mr. Angle asked Mr. McClure, as Chair of the Finance Committee, why there have not been any Finance Committee meetings recently.

Mr. McClure replied as soon as the State finalized its budget, he would be holding a meeting.

Council Solicitor’s Report

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

Adjournment

Mr. McClure made a motion to adjourn.

Mr. Capozzolo seconded the motion.

The motion passed by acclamation.
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Frank E. Flisser
Clerk to Council