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.; 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

Mrs. Ferraro led County Council in the pledge of allegiance.

Approval of the Minutes

Mr. Capozzolo stated at the bottom of page 30 in the minutes the vote to accept the resignation of Mrs. Diane Neiper was correct, however, his name was missing from the list.

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

Mr. Angle made the following motion:

Be It Moved By the Northampton County Council that the minutes of the June 18, 2009 meeting, as amended, shall be approved.

Mr. Dowd seconded the motion.

The motion was adopted by voice acclamation.

Courtesy of the Floor

Tom Bachik, 3481 Nathaniel Drive, Upper Nazareth, PA -
advised at the last County Council meeting, he made a request to County Council to authorize an audit in regard to some money that was taken from him, as well as other members of the Sheriff’s Department. He further advised it was his understanding that Mr. Martino was going to make a decision as to whether that could be done or not and he wondered if a ruling had been made.

Mr. Martino stated it was his recollection that County Council was not waiting for a specific legal opinion, but his recommendation was that County Council should take it under review. He further stated he also believed there would be additional fact finding either directly by County Council or through the Administration.

Mr. Bachik advised he thought the matter was going to be discussed at this meeting and when he did not see it on the agenda, he thought he would see what the status was on it.

Mr. Martino stated he anticipated there would be some other information available to County Council, but he was not so sure that was the case.

Mrs. McHale advised she did place a call to Mr. Stephen Barron, Northampton County Controller, however, he had not yet returned her call, but she would keep Mr. Bachik apprised.

Mr. McClure stated he also thought the Administration was going to provide County Council with information on this issue.

Mr. Angle advised Mr. John Stoffa, County Executive, was in charge of the Sheriff’s Department and he should be handling this matter.

Frank Ferraina, 1 Brentwood Avenue, Easton, PA - stated the last time he was present, he complained about the County spending too much money. He further stated he was told the County had not raised taxes, but now the people had close to $200 million in loans that had to be paid at some point. Therefore, he wanted to remind everyone that they were spending taxpayers money and could not expect the taxpayers to keep paying.

Discussion of Issues Regarding the Webcasting of County Council Meetings - Al Jordan, ACS
Mr. Al Jordan, ACS Director of Information Services, advised at the request of County Council, his department looked into the web streaming, video recording and archiving of the County Council meetings on a regular basis.

Mr. Jordan stated this process was a compilation of visual and audio presentation combined to a single stream and encoded so it could be put into a format where it could be seen by web users. He further stated initially they looked at solutions that did all that, but it was extremely pricey. He noted the first quote they received was for approximately $65,000. He further noted they received a second quote of $17,000, but it did not include everything. He indicated they tried to get a private grant to cover the rest of the cost, but were unable to do so.

Mr. Jordan advised a few weeks ago, Microsoft released a product that would allow streaming through their normal web service technologies special media server and encoder that would allow it to run on laptops or personal computers, however, the County would have to get the cameras.

Mr. Jordan stated the process would probably entail the use of three cameras, as well as the equipment to combine the three cameras that would be activated when someone spoke and incorporate the sound system and feed it to their system. He further stated the cost would be between $10,000 - $20,000.

Mr. Jordan advised another alternative would be to have one camera placed somewhere in the room, however, because of its low ceiling and columns, it would not be able to capture the whole room or activity.

Mr. Cusick asked if the new Right to Know law was taken into consideration with regard to this endeavor.

Mr. Jordan stated all the meetings would be archived so a person could access it. He further stated the retention period could be as long as County Council wanted it, but they would have to find the space to store them.

In answer to Mr. Cusick’s request for an update on Sunguard, Mr. Jordan advised Human Resources had completed
approximately 50% of the computer work they had to do. He further advised the training was more involved than expected so that was going to take longer to complete.

In response to Mr. Dowd’s question as to when the video streaming system should be up and running, Mr. Jordan stated his department was ready to go, however, they had to get prices for the multiple cameras and their installation.

In answer to Mr. Angle’s question as to the purpose of spending $30,000 on video streaming, Mr. Jordan advised he was only expecting to spend approximately $15,000.

Mrs. McHale stated the purpose would be to allow the general public to view the meetings.

Mr. Dowd advised when the Easton School District began video streaming, the number of people who viewed it was remarkable. He further advised in today’s world, electronic access was appropriate.

In response to Mr. Dertinger’s question as to whether there was any information available as to the number of people who actually accessed these kinds of sites, Mr. Jordan stated he had a request into the County Commissioners Association of Pennsylvania (CCAP) to look at Class 3 Counties who had this capability to obtain this information.

Consideration of the Applications to Fill the At-Large Vacancy on the Northampton County Council

Mrs. McHale advised the individuals who applied will be given the opportunity to make a brief statement to County Council. She further advised they would be called in the order in which the applications were received.

Mrs. McHale stated once the applicants have all been given the opportunity to address County Council, members of County Council would be given the opportunity to ask questions and consider filling the vacancy. She further stated a blank resolution had been prepared and after the vote, the name of the nominee would be inserted into the text of the resolution.
Mrs. McHale advised three applications were received and if there were multiple nominees, a preferential voice vote would be called where each Council member should state the name of the person they want to fill the vacancy.

Mrs. McHale stated a telephone call was received from Mr. Robert W. Birk in which he relayed the following message: I apologize to members of Northampton County Council, but unfortunately I have a business appointment in Orlando, Florida this Thursday. I will not be able to make the interviews, however, you have interviewed me three times in the past for a vacant County Council position. You have my resume. My platform is still the same and I still wish to be considered for the current vacant position on Northampton County Council. Thank you very much and once again, I apologize for my absence.

Mr. Heckman advised he submitted his resume because as the term would only be for five months, he felt County Council may want someone with previous experience and understood the process. He further advised he was aware of the task ahead for the members of County Council because the resumes submitted were from good individuals. He noted he only met Mr. Birk a few times, but he had known Mr. Gerald Seyfried for a great many years and he was a good guy who did a great job in his positions with the County.

Mr. Heckman stated he felt he would be helpful to County Council because he had the skill set, noting a legislative body was really about how they came together to accomplish things. He further stated he was involved in adopting resolutions initiating the Farmland Preservation Act and forcing authorities, boards and commissions to open their meetings and minutes to the public. He noted he was involved in changing the Administrative Code to allow for the monthly financial reports.

Mr. Heckman advised in the next five months, one of the big issues County Council would face would be the budget, noting the State’s budget, which was in terrible shape, was going to have a huge effect on the County’s Human Services budget and being the former Director of Human Services, he felt he could provide some insight. He further stated his concern was the State’s budget could also affect the State Health Department and the County’s establishment of a bi-County health department.
Mr. McClure stated County Council and the citizens of Northampton County were lucky to have two superlative candidates seeking this position for a five month term.

Mr. McClure advised he was adamantly opposed to the establishment of a health department and one reason was he felt the true cost was being hidden from the members of County Council and the public. With that in mind, he noted undoubtedly Mr. Heckman would be asked to vote on issues with respect to the health department and he wondered how Mr. Heckman felt overall regarding the matter.

Mr. Heckman stated he supported a regional health department when it was first proposed by former Councilwoman Mary Ensslin, where the only issues were could it be done and could it be done cost effectively. He further stated, at that time, it was a stripped down version only involving Northampton County at a cost of $600,000. He noted his concern was with the inclusion of the Allentown and Bethlehem Health Departments, it would now have to undertake all the responsibilities of those agencies, which would be beneficial, but would also come with high costs. He further noted a majority of these costs would be reimbursable from the State, but it could be a lengthy and involved process.

In conclusion, Mr. Heckman advised he originally supported it, but there were questions that still had to be answered.

Mr. McClure commented the Administration planned on building a 300 bed treatment facility in Bethlehem Township and asked Mr. Heckman if he had a position on it.

Mr. Heckman stated he believed the figures indicated that 56% of the State Prison population was due to drug offenses with most of them being non-violent first time offenders so the County should be looking at alternatives. However, he did not believe it should be a stand alone facility in Bethlehem Township.

Mrs. Ferraro advised Mr. Heckman was a champion for transparency in government and that included County Council being allowed to see what contracts were being issued by the County.
Mr. Heckman remarked he preferred to serve in local government instead of State or Federal because you got to see the results of your actions.

In answer to Mr. Angle’s question as to how he would vote with regard to a bi-County health department, Mr. Heckman stated with the information that had been provided since it was first proposed, he could not vote for it because he had to know where all the money was going to come from. He further stated he would allow the process to proceed in an effort to collect all the necessary information, but when the final vote was to be taken, they would have to provide all the numbers.

Mr. Heckman advised Mr. James Hemstreet always said that authorities, boards and commissions were like doomsday machines because once they were turned on, they could not be turned off. Therefore, County Council had to be very careful with their decision.

In response to Mr. Angle’s question as to whether he planned to run for another political office in the future, Mr. Heckman stated at this time, he could not say positively he would not.

Mr. Seyfried advised he believed in giving something back to the community. He further advised Northampton County had been good to him and he would like to think he had been good to Northampton County.

Mr. Seyfried stated he was instrumental in getting the elected officials and individuals who loved the outdoors from Carbon County to Bucks County together to get $2.6 million from the State to have a shad passageway in the Lehigh River.

Mr. Seyfried advised a few years ago when Route 33 was going in, behind the scene, he went to the Federal and State governments and told them that was a great project because it would bring in a lot of development, however, something should be done for the people and so a boat launch was installed, which was paid for by the Federal government.

Mr. Seyfried commented in 1952, the County celebrated its 200th Anniversary and in 2002, it celebrated its 250th
Anniversary. He further commented a lot had happened in the County during the last 50 years and he was meeting with some people in the communities and the Historical Society in an effort to raise the money to write the last 50 years of the County’s history.

In conclusion, Mr. Seyfried stated tonight was about giving something back. He further stated County Council advertised for someone to apply for this position who had some experience and knowledge of County government. He noted he served in all areas of County government since 1978. He further noted long before the County got into farmland preservation, County Council was doing it.

Mr. McClure remarked that Mr. Seyfried’s resume spoke of his qualifications and he had seen his willingness to help people outside of government. He then asked Mr. Seyfried his opinion regarding a bi-County health department.

Mr. Seyfried advised the issue of a County health department had been an issue for as long as he could remember, but he had never supported it. He further advised the Federal, State, County and local governments had certain responsibilities, with the County only having one source of revenue and that was the homeowner. Therefore, he did not believe such a department could be established without increasing taxes.

Mr. Seyfried stated when the time comes, and the cost factor was established, and if it would not cost the County any money, it would be unfeasible to not vote for it. However, if there was going to be a cost to the County, a decision would have to be made as to whether it would be worth the investment.

Mr. McClure asked Mr. Seyfried his opinion as to building a treatment facility in Bethlehem Township.

Mr. Seyfried advised something had to be done with the Prison because over the years, it had been proven that the County could not build itself out of an overcrowded prison. He further advised if a facility could be built that would improve the control of the people in the prison so staff could be cut without jeopardizing safety, a lot of money could be saved.
Mr. Seyfried stated there were blighted areas in the County where a prison could be built that would bring jobs into the area and perhaps improve the neighborhood. He further stated he would suggest looking at those options, especially since the Mayor of Easton had indicated he was not opposed to having a prison here.

Mr. McClure advised his understanding of the process was, depending on how the Court challenges all played out, there would not be any other alternatives explored.

Mrs. McHale opened the floor for nominations.

Mr. Dertinger stated since half of the budget dealt with Human Services issues, he felt Mr. Heckman’s expertise, experience and present profession warranted his being considered for this position.

Mrs. McHale seconded the nomination.

Mr. Angle agreed that Mr. Heckman was very well qualified, but he indicated he wanted to nominate Mr. Seyfried because he had served in all branches of County government.

Mr. Dowd seconded the nomination.

Mrs. McHale asked if there were any other nominations. As there were none, she called for the vote.


Mr. Flisser announced the nomination goes to Mr. Seyfried by a vote of 5-3.

Mrs. McHale read the following resolution, which was adopted based on the 5-3 vote for Mr. Seyfried:

**R. 60-2009 RESOLVED**, By the Northampton County Council that Gerald E. Seyfried shall be selected to fill the at-large vacancy on the Northampton County Council.
Mr. Heckman advised he applied for this position for reasons previously stated and he appreciated County Council’s consideration.

Mr. Seyfried stated he thanked the people who voted for him and the trust they put in him and for those who did not vote for him, he agreed Mr. Heckman was an excellent candidate.

Public Hearing on the Ordinance Repealing Northampton County Ordinance No. 481 of 2008, the Ordinance titled, “An Ordinance Providing for Compensation of Elected Officials in the County of Northampton”

Mrs. McHale stated this ordinance was introduced by Messrs. McClure and Dertinger at the meeting held June 18, 2009.

AN ORDINANCE REPEALING NORTHAMPTON COUNTY ORDINANCE NO. 481 OF 2008, THE ORDINANCE TITLED, “AN ORDINANCE PROVIDING FOR COMPENSATION OF ELECTED OFFICIALS IN THE COUNTY OF NORTHAMPTON”

WHEREAS, Northampton County Ordinance No. 481 of 2008, the Ordinance titled, “AN ORDINANCE PROVIDING FOR COMPENSATION OF ELECTED OFFICIALS IN THE COUNTY OF NORTHAMPTON” (a copy of which is attached hereto and labeled as Attachment “A”), was adopted by the Northampton County Council on March 6, 2008, was duly enacted on March 7, 2008 and became effective as such on April 6, 2008; and

NOW, THEREFORE, IT IS HEREBY ORDAINED AND ENACTED by the Northampton County Council that Ordinance No. 481 of 2008 is hereby repealed.

Mrs. McHale asked if there was anyone from the public who wished to address County Council on this matter. There were no respondents.

Mrs. McHale asked if there were any members of County Council who wished to comment.

Mr. Angle advised when the first ordinance was adopted, both newspapers indicated it was long over due and to date, he
had not seen any editorials supporting its repeal. He reiterated that if anyone on County Council felt they should not receive their pay, they could what he did which was to set up an account and return it to the County. He added he did not think any position mentioned in the ordinance was overpaid.

Mr. Angle asked Mr. Martino if he could provide his opinion on the legality of this ordinance.

Mr. Martino stated he expressed his concern that this ordinance was not in compliance with Section 106 of the Home Rule Charter because it modified the salaries less than one year after its enactment. He further stated the only people who could challenge this would be those directly affected. Therefore, legally a repeal could be brought into question under Section 106 of the Home Rule Charter, but the question was whether anyone would do it.

Mr. McClure advised the country’s economy was the worst since the Great Depression, therefore, he felt it was wrong to increase salaries.

Mrs. Ferraro stated when Mr. Seyfried was County Executive, he stopped the automatic pay raises and this was the first increase in 20 years so she felt it was justified.

Mr. Dertinger advised everyone took their jobs at the salary stated and no one took it with the hopes it would be increased. He further advised the Controller took his job, knowing it was a part time job, but he was doing full time work because he believed in what he was doing. He noted this pay retractor did not reflect whether a person was doing a good job or whether it would attract qualified people, it had to do with a bad economy and the taxpayers having their salaries and jobs cut.

Mr. Capozzolo stated County Council should be fiscally conservative and if he was present when the original ordinance was voted on, he would not have voted for it. However, when money was requested for other things such as the food pantries and a detective to look at cold cases, the economy was not mentioned because they were good causes. Therefore, if this ordinance did pass, he felt every time County Council was asked for any funding not included in the budget, it should be turned
down because the economy was bad.

Mr. Dertinger advised he understood Mr. Capozzolo’s reasoning, but when County Council gave out money especially to the food pantries it helped the economy because there were more people using the food pantries more now than ever before.

Mr. McClure stated he was pleased to hear that Mr. Capozzolo say that he would not have voted for the pay raises if he were present at the time, but now he had the opportunity to repeal it. He further stated although he may disagree about the food pantries, he was also going to be scrutinizing every request that came before County Council. With regard to the detective to look at cold cases, he remarked he felt it was important that old murders be solved for the sake of the families and friends of the victims. He further remarked he felt it would be within Mr. Capozzolo’s philosophy for him to vote to repel these pay raises at a time when people were not only losing their jobs, but their houses and taking pay cuts to keep their jobs.

Mr. Angle advised if anyone on County Council was concerned about the economy, they could always return their pay or put it in a fund to help people. He further advised the issue was not what could be done to help the economy, but were the people serving in these positions receiving a fair pay.

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


The ordinance failed by a vote of 2-6.

Parking Lot Paving Project/Gracedale Windows Project Updates

Mr. Cusick asked if Mr. Steve DeSalva, Director of Public Works, could provide an update on the parking lot paving project and the Gracedale windows project.

Mr. DeSalva stated he had to coordinate the paving project
with the Courts in an effort to minimize the inconvenience so it began on July 1, 2009 and he hoped to have it finished by July 31, 2009.

Mr. DeSalva advised they have encountered some issues with regard to the window project, however, they have been resolved and it was progressing. He further advised it was projected to be completed by the beginning of next year and there should be no more problems with water leakage.

Mr. Cusick stated there had been discussions regarding replacing the Courthouse windows using stimulus money and he asked if that was still the plan.

Mr. DeSalva advised he believed the County received $2.1 million in stimulus money for this project. He further advised he was working on it, but first it had to be determined exactly what the project would entail and then a Request for Proposal and bid package would have to be put together.

Mr. Cusick commented one of his concerns was it kept being reported that the stimulus money was not being spent fast enough.

Mr. DeSalva stated since he took office, his department had been dealing with one emergency after the other and there did not appear to be any organization. He further stated he wanted to organize his department so they could respond quicker and be more cost effective. He noted he wanted to develop a computerized data base so they could plan projects better and get better costs, as well as keep their inventory up to date.

In answer to Mr. Dertinger’s question as to whether he planned to have a pre-design conference so the contractors could look at the project before they bid, Mr. DeSalva advised that would probably be part of the process.

Nor-Bath Bike Path

Mr. Angle asked what was the status of the Nor-Bath bike path that was obtained when the County traded property with Keystone Cement.
Mr. Dertinger stated that was to be addressed after they completed their construction, noting the construction was still ongoing. He further stated he believed the construction was to be completed sometime next year.

Consideration of the 2009 Budget-Hotel Tax Grant Allocation Resolution

Mrs. McHale advised at the request of the Administration, a resolution was prepared which clarified the recipient of two hotel tax grants. She further advised the 2009 budget currently listed the Walnutport Canal Association as a grant recipient, but it should have been the Borough of Walnutport and the City of Easton was listed in the budget, but it should have been the Greater Easton Development Partnership. She noted the grant amounts did not change.

Mr. Dertinger introduced the following resolution:

R. 61-2009 WHEREAS, the 2009 Northampton County budget contains a section titled, “30801 HOTEL ROOM RENTAL TAX 2000” (refer to exhibit “A”) which includes: (a) an allocation of $5,500 for the Walnutport Canal Association and (b) an allocation of $20,000 for the City of Easton; and

WHEREAS, in a memo dated June 24, 2009 (refer to Exhibit “B”), the Northampton County Department of Community and Economic Development indicated that: (a) the Walnutport Canal Association is listed in the budget, but the application is for the Borough of Walnutport and (b) the City of Easton is listed in the budget, but the application is for the Greater Easton Development Partnership.

NOW, THEREFORE, BE IT RESOLVED By the Northampton County Council that the section of the 2009 Northampton County budget titled, “30801 HOTEL ROOM RENTAL TAX 2000” shall be changed as indicated hereafter (sections marked with strikeout shall be deleted and sections marked with bold underline shall be added:

<table>
<thead>
<tr>
<th>Walnutport Canal Association</th>
<th>Borough of Walnutport</th>
<th>$5,500</th>
</tr>
</thead>
<tbody>
<tr>
<td>Easton City</td>
<td>Greater Easton Development Partnership</td>
<td>$20,000</td>
</tr>
</tbody>
</table>

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


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

State Budget Cuts

Mr. Angle stated cuts were being made to the State budget in a lot of areas, but particularly the Courts and he wondered if Mr. Stoffa, knew where the cuts were being made and what was the County’s plan for them.

Mr. Stoffa advised he did not know the details, but it was his understanding there were going to be major cuts. He further advised another area of concern, which was discussed previously, was Human Services. He noted the budget packets were just being distributed and he was asking departments to lower their budgets by 10%.

Statement by Mr. Gerald Seyfried

Mr. Seyfried stated he thanked County Council for selecting him, but he wanted to publicly recognize and thank his wife.

Farmland Preservation Liaison Report

Mr. Angle advised that he and Mr. Dertinger attended a meeting recently and they were informed that the State planned to cut the staff of Farmland Preservation by 75%.

Mr. Angle stated the County wanted to have the municipalities to set up an Earned Income Tax to be dedicated to open space. He further stated Ms. Maria Bentzoni, Farmland Preservation Administrator, went to talk to the municipalities and she was told they were going to look into it, but it was quite evident that they were not going to do it.

Mr. Dertinger advised he spoke with Ms. Bentzoni the next
day and she recognized that there was more work to be done.

Personnel Committee Report

Mr. Cusick stated there would be a Personnel Committee meeting on July 22, 2009 to discuss the appointments to the Northampton County Gaming Revenue and Economic Redevelopment Authority. He further stated as of this afternoon, there was only one applicant from the noncontiguous municipalities.

Acting Director of Corrections

In response to Mr. Cusick’s question as to whether County Council had to take any action with regard to the County Executive’s appointment of Mr. Robert Meyers as Acting Director of Corrections, Mrs. McHale advised she had asked Mr. Martino to look into the matter.

Mr. Martino indicated he would have a report by the next meeting.

In answer to Mr. Angle’s question as to how long he was placing Mr. Meyers into the position, Mr. Stoffa stated it would be for six months.

In response to Mrs. McHale’s question as to whether Mr. Meyers would have to reapply for his old position if he decided not to take the Director’s position, Mr. Stoffa replied everyone would revert back to their old positions.

Mr. John Conklin, Director of Administration, advised a similar situation occurred in the Elections Division and everyone who moved up, moved back to their old position when Mr. Howie Erney determined he did not want the upgrade. He further advised it was in compliance with the County’s Career Service Regulations.

When Mrs. McHale stated this was an exempt position, not a career service position and according to the Home Rule Charter, any cabinet position required approval by County Council, Mr. Stoffa indicated it was only an acting position.
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.

Mrs. McHale seconded the motion.

The motion passed by acclamation.

Frank E. Flisser
Clerk to Council