A regular meeting of the Northampton County Council was held on the above date with the following present: Ron Angle, President; John Cusick, Vice President; Thomas H. Dietrich; J. Michael Dowd; Margaret L. Ferraro; Bruce A. Gilbert; Lamont G. McClure, Jr.; Ann McHale; Barbara A. Thierry; Philip D. Lauer, Solicitor to Council, and Frank E. Flisser, Clerk to Council.

Pledge of Allegiance

Mr. Al Jordan, ACS Director of Information Services and a veteran, led County Council in the pledge of allegiance.

Prayer

Rev. Christopher Santos, Rock Church of Easton, led County Council in prayer to open the meeting.

Approval of the Minutes

Mr. McClure made the following motion:

Be It Moved By the Northampton County Council that the minutes of the May 6, 2010 meeting shall be approved.

Mrs. Thierry seconded the motion.

The minutes were approved by voice acclamation, with Mrs. Ferraro abstaining.

Courtesy of the Floor

Mr. Bob Pfenning, 2830 Linden Street, Bethlehem, PA - provided a handout entitled, “Community Partner Projects” (see Attachment #1). He stated he wanted to talk about the Bethlehem Tax Increment Financing (TIF) project, noting he attended the Redevelopment Authority meeting in the afternoon. He further stated the Executive Director indicated they had not received
final direction from the City Administration or the financial or legal consultants working on this matter for the Authority to send the required 60-day notice to the involved parties. He noted the Executive Director went on to state that based on recent discussions with the City Solicitor’s office, he did expect that this project would be moving forward in the very near future.

Mr. Pfenning advised since he did not know much about the TIF, he decided to get a copy of the plan and the agreements that everyone signed in 2000. He further advised he noticed the content of the places going in there were very similar and when he read the agreement, he questioned who would be the successor to the Bethlehem Steel Corporation.

Mr. Pfenning stated according to the TIF laws, it was to support infrastructure improvements to increase the taxable base, however, it appeared the taxable base was diminishing because of the non-profits who were going in there. He further stated it was his understanding that any bonds that were going to be issued in the future were to be based on tax revenues to be generated from existing assessments.

Mr. Pfenning advised the Sands Casino benefitted very little from the existing TIF improvements because they used their own funds for a garage, utilities and roads.

Mr. Pfenning stated he had some concerns about the private use of public infrastructure to benefit organizations, noting he believed the ArtsQuest Festival Plaza and the ArtsQuest Festival Center would probably have fences and gates.

Mr. Richard Highschutter - provided documents with regard to a proposed Easton/Phillipsburg Transportation Hub (see Attachment #2). He advised that Easton and Phillipsburg could probably save money by sharing transportation center resources. He further advised Easton could provide the bus depot and parking garage and Phillipsburg could provide a train depot and possible parking garage with both cities sharing the cost of an enclosed weatherproof walkway.

In response to Mr. Angle’s question as to why he was bringing this proposal to County Council, Mr. Highschutter stated he became aware that County Council had planned to provide some funding to the Easton Intermodal Transportation Center.
Mr. Dowd advised the County was not providing any funds, but it was providing the City of Easton an opportunity to sell bonds to help fund their project.

In answer to Mr. Angle’s question as to what he was actually proposing, Mr. Highschutter advised he was proposing Easton build their intermodal transportation center at 4th and Washington instead of at 3rd Street so that if a rail system were to come to the area, it would be accessible to the residents of Easton, as well as Phillipsburg. He noted he had been commuting to New York for more than 20 years and felt this was a proposal worth pursuing.

In response to Mr. Angle’s comment that a recent study was done that concluded that it was not feasible to bring rail transportation to the area, Mr. Highschutter stated with the price of gas fluctuating the way it had been, he felt that may change and this would allow the opportunity to be prepared for it.

Mr. Angle thanked Mr. Highschutter for his information and indicated that he would ask Easton City Mayor Sal Panto later in the meeting what he thought of the plan.

Mr. Gilbert left the meeting at this time.

Presentation of Proclamation – Mr. Richard Staffieri

Mr. John Stoffa, County Executive, and Mr. Angle presented proclamations to Mr. Richard Staffieri for 30 years of service to the Northampton County Housing Authority, during which time he served as Chairman and Vice Chairman.

Mr. Staffieri thanked everyone for their kind words and indicated he was being given credit for the work of a lot of people who would still be carrying on the work once he was gone.

Confirmation of Appointments

Mrs. McHale introduced the following resolution:
R. 41-2010    RESOLVED, by the Northampton County Council that the following individuals shall be confirmed in their appointments as indicated hereafter:

LEHIGH VALLEY PLANNING COMMISSION - CITIZENS

Appointment:  Term to Expire: 12/31/10
Matt Glennon
1200 Books Hill Road
Pen Argyl PA 18072-9763

NORTHAMPTON COUNTY HOUSING AUTHORITY

Appointment:  Term to Expire: 2/9/11
Dwight Harris, Jr.
2625 Swanson Street
Easton PA 18045

Mrs. McHale advised the members of the Personnel Committee approved Mr. Glennon’s appointment and approved Mr. Harris’ appointment contingent upon him not having any conflicts because of his employment with the Lehigh Valley Communities Action Committee.

Mr. Stoffa stated there were no conflicts.

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


The resolution was adopted by a vote of 8-0.
County Executive’s Report

Mr. Stoffa advised a ceremony was planned for the Super Voters on Thursday, September 23, 2010, at the Best Western on Route 512. He further advised they currently had more than 2,000 potential individuals who have voted in 50 straight elections. He noted Mr. Thomas Harp, Deputy Director of Administration, was coordinating the event for the County with assistance from the State.

Mr. Stoffa stated the County changed their energy supplier from PPL to Liberty Power, which should save the County approximately $77,000.

Mr. Stoffa advised the County sent out 117,459 tax bills at a cost of $39,859. He further advised in November, the County had to send out 9,162 follow up notices at a cost of $5,680.

Mr. Stoffa stated $150 in counterfeit money was discovered in the Criminal Division so a counterfeit detection machine was purchased to process the money while the customer was present.

In answer to Mr. Cusick’s question as to how the primary election went, Mr. John Conklin, Director of Administration, advised they were able to reduce the assistance from ACS so the costs were cut back some and even though there were some new election judges, it went very well.

Mr. Dietrich stated he had filled out an absentee ballot because he was not sure if he would be available to vote in his district, however, it turned out he was and when he went to vote, there was no record of him voting by absentee ballot. He further stated he then went to the election judge and explained the situation. However, being a new election judge, he was unsure of what to do with the absentee ballot so he wrote voided on it. He noted his concern was he had the opportunity to vote twice as there was no indication he had voted by absentee ballot and there was no official signature on the voided absentee ballot.

Mr. Conklin advised at every polling position, a list of the absentee ballots was posted and even if a voter signed the
book and voted, the absentee ballot went back with the book and so it would have been caught when it was compared against the book. He further advised he would check on the system for voiding an absentee vote to insure it could not just be voided.

In response to Mr. McClure’s question as to whether the assistance provided by ACS was helpful, Mr. Conklin stated they were indispensable. He further stated, in general, ACS was a core component to keeping the County running effectively and he felt they did an excellent job.

Public Hearing on the Ordinance Amending the 2010 Northampton County Budget

Mr. Angle advised this ordinance was introduced by Mr. Dowd and Mrs. Thierry at the County Council meeting held May 6, 2010.

AN ORDINANCE AMENDING THE 2010 NORTHAMPTON COUNTY BUDGET: DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT - COMMUNITY DEVELOPMENT GRANT, PASS THROUGH GRANT; DEPARTMENT OF ADMINISTRATION - ELECTIONS, HAZARDOUS MATERIALS RESPONSE; DEPARTMENT OF PUBLIC WORKS - PARKS & RECREATION; DEPARTMENT OF HUMAN SERVICES - PASS THROUGH GRANTS, HOMELESS ASSISTANCE, DEVELOPMENT FUND, CHILDREN, YOUTH & FAMILIES, AREA AGENCY ON AGING, MENTAL HEALTH, DEVELOPMENTAL PROGRAMS, DRUG & ALCOHOL

| 2010 |
| BUDGET AMENDMENT |
| KEY | CURRENT ACCOUNT | INCREASE ACCOUNT TITLE (DECREASE) | REVISED ACCOUNT |
| ORG | ACCOUNT | ACCOUNT TITLE |
|---|---|---|---|---|
| C&ED - Community Development Grant |
| 31100 | 41120 | Emergency Shelter Grant | 27,000 | 51,972 | 78,972 |
| 71086 | ESG 2009 | - | 51,972 | 51,972 |
## C&ED - Pass Through Grant

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<tr>
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<th>Amount 3</th>
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<td>31202</td>
<td>Commonwealth</td>
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<tr>
<td>71280</td>
<td>St Luke's Hospital</td>
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## Administration - Elections

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<td>Miscellaneous</td>
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<td>Pooled Admin Supplies</td>
<td>31,700</td>
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## Administration - Hazardous Materials Response

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<td>138,622</td>
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<td>66999</td>
<td>Pooled Professional Services</td>
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<td>168,622</td>
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## Public Works - Parks & Recreation

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<td>66999</td>
<td>Pooled Professional Services</td>
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<td>45020</td>
<td>Donation</td>
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<tr>
<td>64999</td>
<td>Pooled Operating Supplies</td>
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## Human Services - Pass Through Grants

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<tr>
<td>31200</td>
<td>Child Care Info Svs</td>
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<tr>
<td>71100</td>
<td>Child Care Info Svs</td>
<td>11,144,800</td>
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<td>41520</td>
<td>MATP</td>
<td>827,400</td>
<td>500,000</td>
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<tr>
<td>71200</td>
<td>Metro Plus</td>
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## Human Services - Homeless Assistance

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<tbody>
<tr>
<td>50600</td>
<td>Interest on Investment</td>
<td>1,800</td>
<td>(800)</td>
<td>1,000</td>
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<tr>
<td>41480</td>
<td>Homeless Assistance</td>
<td>442,500</td>
<td>(55,500)</td>
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<tr>
<td>69999</td>
<td>Pooled Subcontracted Services</td>
<td>444,300</td>
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## Human Services - Development Fund

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<tr>
<td>51100</td>
<td>Human Services Development</td>
<td>518,700</td>
<td>(68,700)</td>
<td>450,000</td>
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<tr>
<td>69999</td>
<td>Pooled Subcontracted Services</td>
<td>519,300</td>
<td>(68,700)</td>
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## Human Services - Children, Youth & Families
<table>
<thead>
<tr>
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<tbody>
<tr>
<td>5100</td>
<td>Railroad Retirement</td>
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<td>14,200</td>
<td>14,200</td>
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<td>41180</td>
<td>TANF</td>
<td>915,400</td>
<td>223,500</td>
<td>1,138,900</td>
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<tr>
<td>41220</td>
<td>Title IV E</td>
<td>93,600</td>
<td>10,000</td>
<td>103,600</td>
</tr>
<tr>
<td>42210</td>
<td>Custody Evaluation Fee</td>
<td>74,800</td>
<td>(30,400)</td>
<td>44,400</td>
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<tr>
<td>42580</td>
<td>Parental Payments</td>
<td>500,000</td>
<td>(184,600)</td>
<td>315,400</td>
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<tr>
<td>42650</td>
<td>Supplemental Security</td>
<td>42,900</td>
<td>27,900</td>
<td>70,800</td>
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<tr>
<td>52100</td>
<td>Pooled Subcontracted Services</td>
<td>3,506,200</td>
<td>60,600</td>
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**Human Services - Area Agency On Aging**

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<th>Balance</th>
</tr>
</thead>
<tbody>
<tr>
<td>5400</td>
<td>State Allocation</td>
<td>676,200</td>
<td>65,700</td>
<td>741,900</td>
</tr>
<tr>
<td>41650</td>
<td>State Block Grant</td>
<td>5,619,300</td>
<td>112,100</td>
<td>5,731,400</td>
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<tr>
<td>42457</td>
<td>Cost Sharing</td>
<td>54,000</td>
<td>2,500</td>
<td>56,500</td>
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<tr>
<td>42560</td>
<td>Nutrition Program Meal Contribution</td>
<td>170,000</td>
<td>10,700</td>
<td>180,700</td>
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<tr>
<td>44010</td>
<td>Interest on Investment</td>
<td>20,000</td>
<td>(4,500)</td>
<td>15,500</td>
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<tr>
<td>55400</td>
<td>Pooled Subcontracted Services</td>
<td>814,600</td>
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**Human Services - Mental Health**

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<tbody>
<tr>
<td>5740</td>
<td>Base Allocation</td>
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<tr>
<td>41550</td>
<td>Medical Assistance</td>
<td>4,300</td>
<td>(2,100)</td>
<td>2,200</td>
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<tr>
<td>42505</td>
<td>HealthChoices</td>
<td>30,200</td>
<td>11,500</td>
<td>41,700</td>
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<td>Pooled Subcontracted Services</td>
<td>2,027,800</td>
<td>2,258,500</td>
<td>4,286,300</td>
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<td>59100</td>
<td>Pooled Subcontracted Services</td>
<td>550,700</td>
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**Human Services - Developmental Programs**

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<tr>
<td>5940</td>
<td>Early Intervention</td>
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<td>3,323,600</td>
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<tr>
<td>41570</td>
<td>DP Waiver</td>
<td>941,500</td>
<td>14,000</td>
<td>955,500</td>
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<td>60100</td>
<td>Pooled Subcontracted Services</td>
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<td>14,000</td>
<td>974,400</td>
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<tr>
<td>60200</td>
<td>Pooled Subcontracted Services</td>
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**Human Services - Drug & Alcohol**

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<tr>
<td>6100</td>
<td>Prevention Block Grant</td>
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<tr>
<td>41165</td>
<td>School District SDFS &amp; C</td>
<td>19,400</td>
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<td>11,100</td>
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<tr>
<td>41240</td>
<td>Treatment Block Grant</td>
<td>747,800</td>
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<td>841,400</td>
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<td>41315</td>
<td>Act 152</td>
<td>549,800</td>
<td>125,500</td>
<td>675,300</td>
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<tr>
<td>41330</td>
<td>Base Allocation</td>
<td>754,400</td>
<td>8,100</td>
<td>762,500</td>
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</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. Angle asked if there was anyone from the public who wished to make a comment on this ordinance amending the 2010 budget.

Mr. Cusick advised he did not vote for this year’s County budget because his main concern was the fiscal situation at Gracedale and this amendment did nothing to address that.

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


The ordinance failed by a vote of 3-5.

In answer to Mrs. McHale’s question as to whether the
County would get its grants since the budget amendment was not passed, Mr. Doran Hamann, Department of Fiscal Affairs, stated the County would continue to use the budget that had been adopted and as far as the level of spending, it would be controlled by the existing budget and not the amendments that were proposed. He further stated the County would not be able to address any additional funding for the grants listed until the budget was amended accordingly.

Mr. Angle advised he planned to address this issue under Committee Reports because there were some members of County Council who had major concerns about the finances of the County.

Consideration of the 2006 Community Block Grant Resolution - Borough of Portland

Mr. Angle introduced the following resolution:

R. 42-2010

A Resolution Authorizing Submission of a Request for Modification to the Fiscal Year 2006 Community Development Block Grant Contract

WHEREAS, the Pennsylvania Department of Community & Economic Development (PA DCED) granted the County of Northampton Community Development Block Grant (CDBG) funding in FY 2006, thereby requiring all proposed activities to be conducted in accordance with the terms of the CDBG contract with PA DCED; and

WHEREAS, Northampton County proposed using $36,000 of the 2006 funding to support the road reconstruction of Alpha Avenue in Lower Mt. Bethel Township for a project that was subsequently determined to be ineligible per the PA DCED; and

WHEREAS, it is recommended that these funds be disencumbered and reallocated to the Borough of Portland’s CDBG grant to offset the cost of the construction of sewage laterals for all remaining income-qualified homeowner-occupants when connecting to the sewer system, as provided for and in accordance with 24 CFR Part 570.202(b)(6), related to eligible activities of the CDBG Program; and
WHEREAS, the County of Northampton will comply with all required regulations pertaining to the preparation and submission of the request for modification.

NOW, THEREFORE, BE IT RESOLVED by the Council of the County of Northampton that the County Executive of the County of Northampton is hereby authorized to request of the PA DCED modifications to the County’s 2006 CDBG contract as it pertains to the projects described herein.

Ms. Lori Sywensky, Community Development Administrator, Department of Community and Economic Development, stated the County allocated money in 2006 to a project in Lower Mt. Bethel Township, however, the original determination used to qualify that area was not an accurate methodology and the State disallowed the money to go there so it had to be reallocated to another project. She further stated there was one more phase of the Portland Borough sewer project to be completed. She noted there were a handful of residents who had received tap-in assistance to the new sewer line and other residents had received assistance with their lateral connections. She further noted these funds would allow assistance to be given to the remaining qualified residents for the lateral connections.

Mr. Angle advised Portland Borough had a lot of issues and they also had the highest sewer bills in the State of Pennsylvania because they entered into a project without having everything in order regarding the financing so it was passed onto the residents. He further advised they were going to shut the water off to the people who were not connected and there were some residents who could not afford to do so. Therefore, he asked the members of County Council to help those people of Portland.

In response to Mr. Cusick’s question as to how much the tap-in fees were, Mr. Angle replied they were $1500. Ms. Sywensky stated the connection fee was $2700.

In answer to Mrs. Theirry’s question as to where the money was coming from, Ms. Sywensky advised it was Community Development Block Grants that were authorized through the
Department of Housing and Urban Development.

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


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

Consideration of the Northampton County Recovery Zone Economic Development Bond Resolution

Mr. Dowd introduced the following resolution:

R. 43-2010  WHEREAS, the American Recovery and Reinvestment Act of 2009 revised the Internal Revenue Code to create Recovery Zone Bonds which must be issued for projects in a Recovery Zone; and

WHEREAS, the issuance of Recovery Zone Bonds instead of traditional tax-exempt bonds can potentially promote job creation and economic recovery in areas particularly affected by employment decline, significant poverty, increased home foreclosure or general economic distress as set forth in Section 1400U-1 of the Internal Revenue Code; and

WHEREAS, the United States Department of Treasury has allocated to Northampton County $6,929,000 for Recovery Zone Economic Development Bonds and $10,394,000 for Recovery Zone Facility Bonds; and

WHEREAS, before Recovery Zone Bonds can be issued, Northampton County Council must designate the area in which a project is financed by Recovery Zone Bonds as a Recovery Zone; and

WHEREAS, Northampton County, as a whole, is currently economically distressed as a result of the recent economic conditions and the unemployment rate has risen from 5.8% in July 2008 to 8.9% in July 2009; and
WHEREAS, Northampton County Council designated the Northampton County General Purpose Authority as the issuer of all Recovery Zone Facility Bonds for projects located within the County of Northampton;

WHEREAS, Northampton County Council found that the County of Northampton met the requirements set forth in Section 1400U-1 of the Code and designated the entire County as a Recovery Zone; and

WHEREAS, Northampton County Council authorized the Northampton County General Purpose Authority to act as the conduit issuer for the Recovery Zone Facility Bonds to finance qualified projects in Northampton County.

NOW THEREFORE, BE IT RESOLVED that the Northampton County Council directs the Northampton County Recovery Zone Economic Development Bond allocation of $6,929,000 to the Easton Parking Authority for the purpose of construction of, and activities related to, the proposed intermodal transportation facility on South 3rd Street in the City of Easton.

BE IT FURTHER RESOLVED that if the Northampton County Council finds that the Easton Parking Authority fails to initiate the issuance of the Recovery Zone Economic Development Bonds before September 1, 2010, the Northampton County Council may direct the entire $6,929,000 allocation to Northampton County for its use or reallocation.

Mr. Dowd asked Mayor Panto if he would like to come forward and provide a brief background with regard to this project.

Mayor Panto stated this project was a very important project for downtown Easton. He further stated this project would include a 350 car parking garage, with the first floor housing an intermodal transportation center. He noted in front of the garage, there will be a 45,000 square foot building which would employ more than 100 people. He further noted the first floor would be strictly commercial containing a sports apparel store and sports bar, the second floor would house the National High School Hall of Fame and the third floor would be the High
School Coaches Association offices and the International Management Group, which was one of the largest sports management groups in the country.

Mayor Panto advised Mr. Highschutter had made a number of presentations to the Easton City Council and this property was contiguous to the property he mentioned. He further advised he was a supporter of rail travel, but it was expensive and might not come to fruition within the next ten years so they decided to concentrate on this project.

Mayor Panto stated he felt this was a great project and they had a lot of private/public partnerships for it, noting they had a $4 million Lehigh and Northampton Transit Authority grant, $3.7 million in Rural Community Assistance Partnership funding from the State and approximately $7 million from local government. He further stated the Parking Authority would be the issuer of the bonds and the money would be paid back from the rent of the building as well as from the parking garage.

In response to Mr. Angle’s question as to whether the Economic Development Committee had any recommendations, Mr. Dowd advised the committee unanimously supported this proposal.

Mr. Cusick stated there had been some reports about the condemnation proceedings and he wondered how they were moving along.

Mayor Panto advised they were moving along, but with any condemnation there was an issue as to the worth of the property. He further advised Perkins did file an objection claiming it was being taken for private, rather than public, purposes, but he believed that matter would be resolved.

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


The resolution was adopted by a vote of 8-0.
Mr. Angle introduced the following resolution:

R. 44-2010   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 7, 2010, 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 $1,127,393.00 with the County Commissioners Association of Pennsylvania (CCAP) for property and liability insurance.

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 County Commissioners Association of Pennsylvania (CCAP) for property and liability insurance.

In answer to Mrs. McHale’s comment that she believed this contract did not go out for bid, Mr. Conklin acknowledged it did not go out for bid because the representative from Insurance Buyers Council highly recommended the County not to go back to the marketplace two years in a row because the insurers did not take you seriously if you are always out in the market. Therefore, based on that recommendation, the County Executive decided to work with Pennsylvania Counties Risk Pool (PCoRP) for new proposals.

Mrs. McHale stated the report also noted this program was not the best one, but it would be very costly for the County to get out of it.

Mr. Harp advised Mr. Thomas Krzys, Senior Vice President
and Director and Principal Consultant, from Insurance Buyers Council, last year determined that PCoRP was a good solid program for the County and there were problems with the other bids as far as coverage levels. He further advised a renewal process was done to receive a quote and the premium went down approximately $30,000.

Mrs. McHale stated that was because some of the deductibles were increased.

Mr. Harp advised for the most part, the County’s deductibles were quite low. He further advised there were some improvements in the coverage and PCoRP had provided good service in the past.

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


The resolution was adopted by a vote of 5-3.

Consideration of Administrative Code Contract Approvals - Reliance Graphics

Mr. Angle introduced the following resolution:

R. 45-2010  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 7, 2010, 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 $274,459.00 with Reliance Graphics for election ballot printing 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 Reliance Graphics for election ballot printing services for the 2010 General Election and the Primary and General Elections through 2014.

In response to Mr. Angle’s question as to whether this was the only company who could perform this service, Mr. Conklin stated it went out for bid and they were the only company who replied.

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


The resolution was adopted by a vote of 7-0, with 1 abstention.

Consideration of Administrative Code Contract Approvals - Frick Transfer

Mr. Angle introduced the following resolution:

R. 46-2010 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 7, 2010, 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 $166,150.00 with Frick Transfer for voting machine logistics – delivery and retrieval.

**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 Frick Transfer for voting machine logistics – delivery and retrieval for the 2010 General Election and the Primary and General Elections through 2014.

In answer to Mr. Angle’s question as to why Frick’s Transfer was chosen for this contract, Mr. Stoffa advised they knew how to do the job and they did it well.

In response to Mr. Angle’s question as to whether this contract went out for bid, Mr. Conklin stated it did, however, there were some specific requirements for the transportation of the election machines.

Mr. McClure advised the Administrative Code indicated that a contract had to be advertised and also sent to all the vendors on the applicable bidders list. However, in this case, there would only be one bidder on the list so may be there was a weakness in the Administrative Code.

Mrs. McHale stated that some of the County’s bids had specific requirements that some companies could not comply with.

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


The resolution was adopted by a vote of 6-1, with 1 abstention.

Consideration of Administrative Code Contract Approvals – Slate Belt Plumbing, Heating and Electric
Mr. Angle introduced the following the resolution:

R. 47-2010  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 7, 2010, 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 $225,000.00 with Slate Belt Plumbing, Heating and Electric for highway interchange lighting maintenance and repairs.

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 three year contract to Slate Belt Plumbing, Heating and Electric for highway interchange lighting maintenance and repairs.

As there were no questions or comments, Mr. Angle called a voice vote.

The resolution was adopted by a unanimous voice vote.

Introduction of the Ordinance Authorizing the Lease of Office Space by Northampton County

Messrs. Cusick and Dowd introduced the following ordinance:

AN ORDINANCE AUTHORIZING NORTHAMPTON COUNTY TO LEASE 1,800 SQUARE FEET OF OFFICE SPACE AT 31C WEST FIRST STREET, WIND GAP, PENNSYLVANIA, NORTHAMPTON COUNTY

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

NOW, THEREFORE, BE IT HEREBY ORDAINED AND ENACTED by Northampton County Council that it does hereby authorize Northampton County to lease 1,800 square feet of office space at 31C West First Street, Wind Gap, Pennsylvania, Northampton County, for an initial rent of $2,550 per month, said rent to escalate in accordance with the terms of the lease agreement, attached hereto and made a part hereof as Exhibit "A".

Mr. Angle advised the only issue he had were the appraisals were based on office space in Allentown and Bethlehem which were not comparable to Wind Gap. He also wondered if the owner was approached about renewing a lease at the same price.

Mr. McClure stated he wanted to note for the record his objection to debating an ordinance before it was advertised for the public hearing per the Sunshine Act.

Consideration of the Permit to Carry Background Investigation Resolution

Mr. McClure introduced the following resolution:

WHEREAS, the Northampton County Sheriff (the Sheriff) is responsible for processing applications for a Pennsylvania license to carry a firearm for individuals who reside in Northampton County (County); and

WHEREAS, as part of the application process, and in conjunction with 18 Pa C.S. Section 1609 (d), the Sheriff is required to conduct an investigation of the applicant for the license to carry a firearm; and

WHEREAS, the Sheriff, as part of the background investigation, routinely contacts an applicant’s employer, even though not statutorily required to do so.
NOW, THEREFORE, BE IT RESOLVED that the Northampton County Council acknowledges and recognizes that the background investigation process for a license to carry a firearm is of the utmost importance to all County residents and can never be minimized. However, it is the stated opinion of the Northampton County Council that an applicant’s employer should only be undertaken as a reference of last resort. It is felt that contacting an employer has the distinct potential to create an unjustifiable chill on the employer/employee relationship in this time of economic hardship and uncertainty.

Mr. McClure advised he hoped his colleagues would join him in protecting the County’s law abiding citizens from what he thought was a form of bureaucratic harassment.

In answer to Mr. Angle’s question as to what constituted a background check, Mr. Christopher Spadoni, Assistant County Solicitor, stated the Sheriff had a protocol that he followed routinely and it was at his discretion to grant or revoke it.

Mr. Angle advised he understood Mr. McClure’s concern, but he felt this was interfering with the Sheriff and how he ran his office.

Mrs. McHale made a motion to table this resolution until the Sheriff had an opportunity to appear before County Council to answer questions and concerns.

Mr. Dowd seconded the motion.

Mr. Angle called for a vote on the motion to table.


The motion passed by a vote of 6-2.

County Council Photographs

Mr. Dowd stated in the past a picture of the members of County Council was taken annually and he felt this was an integral part of the County’s history. Therefore, he felt this
practice should be continued.

Mr. Dowd made a motion to bring the pictures of the members of County Council up to date and to continue the practice annually.

Mrs. McHale seconded the motion.

Mr. Angle called for a voice vote.

The motion passed by a unanimous voice vote.

Regional Crime Center

Mr. McClure advised that at the last meeting, he was assigned to talk with District Attorney John Morganelli to obtain his position regarding a regional crime center. He further advised he spoke with Mr. Morganelli and his position was the same as before in that he was not requesting the County to participate in a regional crime center.

Mr. McClure stated that Mr. Morganelli stated in light of a preliminary proposal to cut 5% of the workforce across the board, he would much rather maintain the workforce in his office to handle the specific caseloads than to pay $500,000 start up money to the crime center and then $1 million a year from the General Fund thereafter to fund it. He further stated Mr. Morganelli did indicate it was a worthy concept, but he believed the County could still catch, prosecute and convict perpetrators without participating in a regional crime center.

Human Services Committee Report

Mr. Dietrich advised a meeting of the Human Services Committee was held and they went over the topics associated with the Children, Youth and Families Division. He further advised one of the topics discussed was how it served the public and how the State funding had an effect on what they could do.

In response to Mr. Angle’s question as to whether there was any information provided as to any cuts from Harrisburg, Mr. Dietrich stated he talked to some State representatives, but
could not get a definitive answer.

Mr. Stoffa remarked to Mr. Angle that tonight, he cut $4.5 million from Human Services by not passing the budget amendment.

In answer to Mr. Angle’s question as to how that occurred, Mr. Stoffa advised whenever there was a positive number, it was an increase in the budget which meant more State dollars and by not passing the budget amendment, it would not allow the County to accept it.

In response to Mr. Angle’s question as to whether the statement made by Mr. Stoffa was correct, Mr. Hamann stated the purpose of the amendment was to adjust the Human Services budget for the end of their fiscal year for incoming money. He further stated the money could be accepted by the County, but without a budget amendment, the County could not expend those funds.

Economic Development and Finance Committees Meeting

Mr. Dowd advised on June 3, 2010, at 5:00 p.m., there would be a joint Economic Development and Finance Committees meeting to review the status of the Route 33 Interchange at Tatamy Road and to begin looking at some opportunities to fund that project.

Finance Committee Report

Mr. Angle stated the Finance Committee met yesterday and a majority of the members of the committee were not happy with a number of things involving the County’s finances. He further stated 200 employees had been added to the County’s payroll in the last four years, there was $75 million in expenditures, $6.5 million of the budget reserved had been used last year and $4 million this year.

Mr. Angle advised he asked what was going to be done about it and as he felt he did not receive any concrete answers, he planned to have the Finance Committee meet with the Administration at 11:00 a.m., on Thursday, May 27, 2010, to discuss what was going to be done about the financial situation of the County. He further advised if nothing was done about the situation, the County was looking at a massive tax increase in
Mr. McClure stated during last year’s budget hearings, one of the things he suggested was to no longer continue the practice of budgeting 100% of the salaries for positions that were not filled. He further stated if the County stayed with its core functions and not fund other projects, such as regional crime center, a bi-County health bureau or a treatment center, some of the financial disasters predicted may not come to pass.

Mr. Angle advised the solution was not as simple as having the County stay with its core functions because there were things that were coming up that had not been budgeted for, such as contracts that included raises.

**Solicitor’s Report**

Mr. Lauer stated Mr. Angle asked him to look at an issue relating to the District Attorney’s ability to change where certain people fit into certain grades and categories. He further stated he took a preliminary look at it and he would prefer to defer comment at this time to enable him to give a more complete report in writing on his findings, but in essence he saw that under the Home Rule Charter, County Council set the salaries and the District Attorney had the power to appoint, promote and remove Career Service members of his staff. He noted also under the Home Rule Charter, the County Executive proposed Career Service Regulations regarding classifications and pay plan of positions.

Mr. Lauer advised under the Administrative Code, there was a provision that rates of pay and similar types of categories were provided in a pay schedule that was to be established by County Council and the movement from step to step and assignment to specific pay ranges, was to be done in accordance with a pay plan in the Career Service Regulations, which he felt was what the District Attorney was requesting to do.

Mr. Lauer stated he had requested to receive a copy of the Career Service Regulations so that he could continue his research of the matter to give his final opinion.

In answer to Mr. Angle’s question as to his opinion
regarding the Bethlehem TIF situation, Mr. Lauer advised he would prefer to discuss the matter in an Executive Session.

Mrs. McHale made a motion to adjourn into Executive Session.

Mr. Dowd seconded the motion.

The motion was passed, with Mr. McClure objecting, and County Council adjourned into Executive Session.

Mr. Angle reconvened the meeting.

Mr. Lauer stated County Council entered into Executive Session at 8:43 p.m. and reconvened at 8:54 p.m. to discuss a matter relating to potential litigation.

Adjournment

Mr. Dowd made a motion to adjourn.

Mr. Angle seconded the motion.

The motion passed by acclamation.

Frank E. Flisser
Clerk to Council