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

Prayer

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

Pledge of Allegiance

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

Approval of the Minutes

Mr. McClure made the following motion:

Be It Moved By the Northampton County Council that the minutes of the October 11, 2011 and November 17, 2011 meeting shall be approved.

Mrs. Thierry seconded the motion.

The minutes were approved by voice acclamation.

Courtesy of the Floor

Mr. David McGuire, 223 North 19th Street, Allentown, PA - stated he appeared previously on behalf of the Sierra Club of the Lehigh Valley and that time, it appeared County Council was in favor of the $3.7 million being allocated for open space issues. He further stated it seemed too many in the environmental community that this was moving ahead until this past Tuesday meeting when it appeared things could change.

Mr. McGuire advised the Sierra Club supported the full funding as proposed in the County Executive’s budget because it
was for the good of the community. He further advised consistent polls, since 2000, clearly showed that in the Lehigh Valley, there existed substantial public support, noting they voted overwhelmingly for these programs.

Mr. McGuire stated previous County Councils and Executives had established and sustained a designated millage for this program and he did not think it was right for those funds to be taken away and put into the General Fund or other areas. He further stated it was wrong to renege on this as it was what the people voted for in the referendum.

Mr. McGuire questioned whether there were no funds for environmentally sensitive lands because there was only one property in the pipeline and if so, he believed that was due to the actions of County Council. He advised putting the funds in the 2012 budget had the impact of moving this property forward and would get more people in the pipeline toward the middle and end of the year. He further advised if there was no money on the table, people were not going to get involved.

Mr. McGuire stated they were asking County Council to hear the people’s voice and to keep their commitment to them.

Mr. Armand Greco, Executive Director, and Mr. Fred Williams, Board of Director Treasurer, Lehigh and Northampton Transportation Authority (LANta) - advised they were present to ask County Council to continue to support the budget that was proposed by the County Executive allocating $407,500 to them. He further advised the County dollars were relatively small in the grand scheme of the LANta program, but they were important in how they obtained their grants from the Federal and State governments as well as other local sources.

Mr. Greco stated the $407,500 was based on their requirements to meet State supported legislation for public transportation and if they met those requirements, they were eligible for the dollars they had available, noting this year, it was $11.8 million in operating systems. He further stated if they did not meet those requirements, there would be a reduction in their program.

Mr. Greco advised they were present to urge County Council to maintain the current budget, noting the growth and use of
public transportation over the last 10-15 years had been phenomenal.

Ms. Judith Henckel, Robin Hood Road, Mount Bethel, PA - stated there have been numerous individuals appearing within the last several weeks talking about the open space program and looking for full funding. She further stated when the $37 million was allocated for open space, it was distributed among the three categories. However, what was now being proposed was skewing everything to one of the categories leaving the environmentally sensitive/open space areas underfunded like last year.

Ms. Henckel advised the concern seemed to be that there were no projects, but there was no particular process for environmentally sensitive/open space areas like there were for the other two categories. She further advised County Council had done a disservice and handicapped this category by taking away any semblance of funding.

Mr. Bill Mineo, 70 Ballek Road, Riegelsville, PA - stated everywhere he worked, he always had to deal with tight budgets, but he never had to deal with a zero budget. He further stated that was an obstacle that was insurmountable because very few people were going to spend the time and money to apply for a program without funding. Therefore, what County Council was saying was the program was not worth it.

Mr. Mineo advised he was not going to go into detail, but the issues that were involved in the selection of land and the rating system that the Lehigh Valley Planning Commission came up with was heavily weighted to water supply, which meant the areas that retained water and controlled how water went into the ground were given very high priority and they were among the most sensitive. He noted that water supply was one of the most critical issues the County was facing in the future.

Mr. Mineo asked County Council not to squander what this County had for the future because now was the time to act and they were only asking for exactly what the citizens had voted for.

Ms. Sandra Yerger, 2734 Easton Road, Hellertown, PA - stated she worked for the Heritage Conservancy which was one of the conservation organizations that worked within Northampton
County Council and she was there to officially ask County Council to support the open space natural areas program.

Ms. Yerger advised most farmlands had buffers between them and those buffers were not protected under the current agricultural programs, however, with this program they would be able to join with farmland preservation and preserve the whole area.

Mr. Kent Baird, Wildlands Conservancy - stated he was the Vice President of Conservation and Planning for the Wildlands Conservancy and they have been in the business of protecting land, water and environmentally sensitive areas for 38 years.

Mr. Baird advised they would like to see consistent and predictable funding in the County’s investment in the natural areas program. He further advised they lobbied for Ms. Maria Bentzoni, the County’s Farmland Preservation Administrator, to take this incentive on because of her success with the farmland program in an effort to carry that investment forward.

Mr. Baird stated this was a competitive program and they would continue to fight for open space. He asked County Council to acknowledge the investment they made as a really good one and adopt, at least, some funding for 2012.

Ms. Tricia Mezzacappa, West Easton Borough, PA - advised the budget reflected $1.7 million for the treatment center, but she was not sure where Mr. Abraham Atiyeh’s contract fell into it or the company that was providing the treatment.

Mr. Cusick stated he raised some of those issues on Tuesday and at this time, there was no lease or signed contract before County Council.

Mr. John Stoffa, County Executive, advised this figure did include the contract with Mr. Atiyeh.

In response to Ms. Mezzacappa’s question as to whether the $300,000 was for the company providing the treatment, Mr. Cusick indicated it was.

In answer to Ms. Mezzacappa’s question as to whether there was any corresponding decrease to the Corrections budget, Mr.
Cusick replied there was not.

In response to Ms. Mezzacappa’s comment that it was just adding another 100 beds to the County prison population, Mr. Cusick stated that was correct.

In answer to Ms. Mezzacappa’s question with regard to the decrease in the Intergovernmental revenues under the CHIPP budget, Mr. Cusick advised the State made substantial cuts to their Human Services budget and this was a reflection of that.

Ms. Mezzacappa stated a 1 mill tax increase did not sound like much, but she would like County Council to consider, with the size of the County’s surplus, pulling the monies that could not be made up in the budget out of the surplus and not raise taxes.

Mr. Angle advised if there was no tax increase, there would be a deficient of $10.8 million in the budgetary reserve.

Ms. Linda Heindel, 200 Hexenkopf Road, Easton, PA - stated Northampton County had a lot of beauty and County Council had helped preserve a lot of it. Therefore, she urged them to restore the funding for the preservation of open space that was so vital to this area because once it was lost, it was lost.

Ms. Peggy Powell, North Catasauqua, PA - advised she would like to commend the members of County Council for looking at the budget and cutting it where they could. She further advised it had been stated by the people here tonight that the people had spoken regarding the preservation of open space, but they have also spoken about saving Gracedale.

Ms. Powell stated whether everyone agreed or disagreed with the cuts, she felt County Council was trying to put the money into things that affected the lives of the people which was also very important.

Ms. Powell advised County Council had a history of supporting open space so she did not see this cut as them saying they were no longer supporting the preservation of open space, but they were trying to get their priorities in order.

Ms. Victoria Bastidas - pointed out some students who took
Ms. Bastidas advised the Lehigh Valley Planning Commission, in their 2007 Greenway Plan, identified the Monocacy Creek Greenway has high priority and emphasized that parcels should be obtained that would add position or easement not currently in public ownership.

Ms. Basitdas introduced a high school student named Eric, who stated bringing in 420 apartments and retail spaces would increase the traffic on Routes 191 and 22, which were already congested. He further stated having less habitat meant more deer on the road causing more traffic hazards and costing more money to the townships and taxpayers.

Eric advised there was already an increase in flooding, noting the Monocacy Creek had passed its capacity to handle the rains. He further advised it had flooded six times this year causing a lot of damage to the property of homes along it and ArtsQuest suffered hundreds of thousands of dollars of damage.

Ms. Jillian Bastidas, Senior, Notre Dame High School and Bethlehem Area Vocational-Technical School - stated destruction of this area would cause untreated pollutants running into the Monocacy Creek, Lehigh River and Delaware River, which served as drinking water sources for all the people downstream, including Philadelphia. She further stated the Lehigh Valley had been labeled as having the worst air quality outside of Los Angeles according to the American Lung Association. She noted an increase in traffic and destruction of trees would worsen the Lehigh Valley’s air quality leading to more illnesses and expense to taxpayers.

Jackie, Student - advised with 420 apartments with its 1000 plus residents, there was going to be an increase to taxpayers and the need for emergency management services. She further advised maintenance of the park, which was already hard to manage, would increase because of these apartments being in
close proximity. She noted the 1000 plus residents would mean more students and since money from the State had already been cut for education, it would place more burden on the schools.

Maria, Biological Science Major, Northampton County Community College - stated the greenway was a natural migratory route for whitetail deer, song birds and bald eagles and the destruction of this route would increase interbreeding within these species which would increase disease. She further stated this was one of the last high quality brown trout breeding grounds and the increased flooding from the runoff would increase the water flow and uproot the species. She noted she felt this greenway was important and the funding should be there to support it.

Ms. Bastidas advised she was an educator and a taxpayer and she asked that her taxes be increased because these students deserved their education and were learning what they needed to know to become successful in this life. She then asked each member of County Council to dig deep and find the funding to protect this property.

Ms. Beverly Hernandez, Palmer Township, PA - stated she was an employee of the Northampton County Developmental Program and they were working very hard to meet their budget. She further stated she wanted to thank County Council for making the contribution of more than $900,000 to keep them viable for next year and hoped they would continue to work with them.

In response to Mr. Cusick’s question as to whether they had expressed their concerns to the State Legislators, Ms. Hernandez advised she had not, but planned to do so.

Mr. Angle stated he appreciated everyone’s concern about the environment, but being on County Council was not an easy job and if it was only his money, he would vote for a tax increase for environmentally sensitive land. He further stated he was not going to vote for the environmentally sensitive land, but he was going to vote for farmland preservation because farming today was not like it was long ago and there needed to be more contiguous farmland so there could continue to be farming. He noted if they wanted to get the support of the public on environmentally sensitive land, they had to have a plan that listed their priorities.
Mr. Angle advised during his time on County Council, he had tried to speak for the taxpayers who were falling by the wayside because generally they had no one to speak for them. He further advised 108 people would be losing their homes at the next Sheriff Sale and there were another 50-60 people that were continued from previous sales who could now lose their homes. He noted one of the reasons they were losing their homes was because they could no longer afford to pay their taxes and their heating bills.

Mr. Angle stated the members of County Council had to make decisions not based on one group’s special interest, but on everything and frankly, there were a lot of people out there where a 1 mill tax increase would decide whether they would still be able to pay their taxes and heat their homes without cutting back even more then they were already.

County Executive’s Report

Mr. Stoffa advised on December 5, 2011, starting at 10:00 a.m., the County will begin celebrating the 150th Anniversary of the original Courthouse. He further advised at the ceremony, Ms. Barbara Kowitz, Executive Director of the Northampton County Historical and Genealogical Society, will announce the Passport to History Program whereby citizens of the County will be able to pick up a free passport booklet at one of the 16 historical society offices and have them stamped as they visited each of the historical sites.

Mr. Stoffa stated during the week, they will be encouraging the public to visit the Courthouse for a self-guided tour or to request a group tour. He further stated on December 9, 2011, from 1:00 p.m. to 4:00 p.m., a program would be held in Historic Courtroom #1, involving presentations regarding the Civil War and Courthouse history and a debate on Courthouse issues from 1861. He noted following that program, there would be a reception held in the Jury Lounge with refreshments being provided by the Northampton County Bar Association.

Consideration of the 2012 Northampton County Budget

Mr. Cusick advised the first portion of the 2012 budget
adoption process was consideration of the personnel requests. He further advised the effect of all of the personnel requests was a net zero increase in positions.

Consideration of Personnel Requests

Mr. Cusick stated these requests were discussed at Tuesday’s budget hearing in detail so he wanted to know if there was an interest in voting on them individually or all at once.

Mr. Dowd made a motion to vote on them as a group.

Mrs. McHale seconded the motion.

The motion was passed by voice acclamation.

Mr. Cusick then introduced the following resolutions:

District Attorney: Clerical Technician III

R. 98-2011  RESOLVED, by the Northampton County Council that one (1) new full-time position of Clerical Technician III, pay grade CR-13, salary range $23,009 to $31,311, shall be created in the Office of District Attorney, effective January 1, 2012.

Sheriff’s Office: Court Security Officer PT - Elimination

R. 99-2011  RESOLVED, by the Northampton County Council that the 2.50 FTE (part-time) positions of Court Security Officer, pay grade CS-19, salary range $15.4982/hr to $23.0431/hr., in the Sheriff’s Office, shall be eliminated, effective January 1, 2012.

Sheriff’s Office: Deputy Sheriff

R. 100-2011  RESOLVED, by the Northampton County Council that one (1) new full-time position of Deputy Sheriff, pay grade DS-23, salary range $40,726 to $55,423, shall be created in the Sheriff’s Department, effective January 1, 2012.
Corrections: Processing Technician PT

R. 101-2011  RESOLVED, by the Northampton County Council that one (1) new 1.50 FTE (three part-time) position of Processing Technician, pay grade RU-19, salary range $14.9837/hr. to $21.3182/hr., shall be created in the Department of Corrections, effective January 1, 2012.

Human Services: IRES - Caseworker II PT

R. 102-2011  RESOLVED, by the Northampton County Council that the .70 FTE (two part-time) position of Caseworker II, pay grade PS-35, salary range $18.1480/hr. to $28.7819/hr., shall be created in the Information and Referral/Emergency Services Division of the Department of Human Services, effective January 1, 2012.

Human Services: CY&F - Caseworker Supervisor I - Elimination

R. 103-2011  RESOLVED, by the Northampton County Council that one full-time position of Casework Supervisor I, pay grade HS-38B, salary range $38,277 to $67,866, shall be eliminated in the Children, Youth and Families Division of the Department of Human Services, effective January 1, 2012.

Human Services: CY&F - Administrative Officer II

R. 104-2011  RESOLVED, by the Northampton County Council that one (1) new full-time position of Administrative Officer II, pay grade HS-39, salary range $39,999 to $70,886, shall be created in the Children, Youth and Families Division of the Department of Human Services, effective January 1, 2012.

Human Services: Mental Health - Caseworker II - Elimination

R. 105-2011  RESOLVED, by the Northampton County Council that one (1) full-time position of Caseworker II, pay grade PS-35, salary range $37,748 to $59,866, shall be eliminated in the Mental Health Division of the Department of Human Services,
Human Services: Mental Health - Clerk Typist II PT

R. 106-2011 **RESOLVED**, by the Northampton County Council that one (1) new full-time position of Clerical Specialist, pay grade CS-16, salary range $28,078 to $41,747, shall be created in the Department of Human Services, at Gracedale, effective January 1, 2012.

Human Services: Gracedale - Nursing Home Admin. - Elimination

R. 107-2011 **RESOLVED**, by the Northampton County Council that the one (1) full-time position of Nursing Home Administrator, pay grade CS-38, salary range $77,307 to $114,941, shall be eliminated in the Department of Human Services, at Gracedale, effective January 1, 2012.

Human Services: Gracedale - Supervisory Nurse II - Elimination

R. 108-2011 **RESOLVED**, by the Northampton County Council that one (1) full-time position of Supervisory Nurse II, pay grade CS-29, salary range $51,085 to $75,952, shall be eliminated in the Department of Human Services, at Gracedale, effective January 1, 2012.

Human Services: Gracedale - Clerical Specialist

R. 109-2011 **RESOLVED**, by the Northampton County Council that one (1) new full-time position of Clerical Specialist, pay grade CS-16, salary range $28,078 to $41,747, shall be created in the Department of Human Services, at Gracedale, effective January 1, 2012.

In answer to Mrs. McHale’s question as to why the new Administrator was not taking care of the scheduling at Gracedale, Mr. Ross Marcus, Director of Human Services, advised this was basically a clerical function.
In response to Mrs. McHale’s question as to whether this request was received from Premier, Mr. Marcus stated this was done before Premier joined the County, but they had given their approval.

Mr. Dietrich advised it was also one of the recommendations that was made in the Gracedale study that was done in August 2010.

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


The resolutions were adopted by a vote of 9-0.

2012 Salary Resolutions

Mr. Cusick advised the second portion of the 2012 budget adoption process was the establishment of the salaries for 2012.

Part-Time Professional Employees

Mr. Cusick stated the proposed resolution did not provide a salary increase for part-time professional employees for 2012. He then introduced the following resolution:

R. 110-2011 RESOLVED, By the Northampton County Council that the 2012 salaries of part-time professional employees shall be as indicated on the attached pay scale.

Mrs. McHale advised in her time on County Council, she had never seen an audit done on the hours these individuals worked so it might be something that the members of County Council may want to consider next year.

Mr. McClure stated to Mr. Cusick that he monitored the debate on this issue on Tuesday, but he was a little unclear as
Mr. Cusick advised the salaries for these part-time positions were adequate and an increase was not necessary at this time given the current state of the budget.

Mr. McClure stated this would be the second year these individuals would not be receiving a raise even though a raise would have a minimal impact on the budget. He further stated that Mr. Cusick voted twice to increase his own pay, noting he even gave Mr. Cusick an opportunity to repeal his own pay so it was interesting to him that while Mr. Cusick was voting to increase his own pay and passing up opportunities to repeal it, he was again asking these individuals to do without a raise.

Mr. Cusick advised he voted to increase the salary of the newly elected County Council members as County Council members could not increase their own salary during their term of office.

Mr. Angle commented Mr. Cusick was then duly elected and got the raise so he suggested, as Mr. McClure had suggested, that with the state of the economy, the members of County Council forgo their raises for 2012.

Mrs. McHale stated the at-large seats were currently getting $9,500, while the district seats were currently getting $7,000, noting their salary will increase with the new term. She further stated when the members are seated, according to the Home Rule Charter, they could not have any increase in salary, except if you were the President and then you received $500 more.

Mr. Angle advised this was not the primary job for anyone on County Council, but they were here to serve the people and it was nice to get some pay for it. However, as leaders, they needed to set the example.

Mr. Angle made a motion that everyone who received a pay raise turn it back, other than the original $7,000 per year, to the County Treasury for the year 2012.

Mr. Dowd seconded the motion.

Mrs. McHale remarked this would not be fair to the people
who did not receive the raise.

    Mr. Dietrich made a motion to table the motion.

    Mr. McClure seconded the motion.

    Mr. Cusick called for the vote on the motion to table Mr. Angle’s motion.


    The motion to table passed by a vote of 5-3, with 1 abstention.

    As there were no further questions or comments, Mr. Cusick called for the vote on the resolution for the part-time professional employees salary freeze.


    The resolution was adopted by a vote of 5-3, with 1 abstention.

**Full-Time Employees**

Mr. Cusick stated the proposed resolution provided for a 2.25% salary increase for full-time employees for 2012. He then introduced the following resolution:

**RESOLVED**, By the Northampton County Council that a salary increment, if applicable, shall be given to all Career Service and Exempt employees, not within Collective Bargaining Units, on the effective date of this resolution, whose job classifications are within the parameters of the Northampton County Career Service and Exempt Pay Scales, respectively.

    This resolution shall become effective January 1, 2012.
In answer to Mr. Angle’s question as to how the health care costs were being addressed in this resolution, Mr. Cusick advised there was no change. He further advised the issue was brought up during Tuesday’s meeting, but there were not five members in favor of changing how the benefit structure was covered.

Mr. Stoffa stated there was a quarter percent additional contribution.

Mr. Angle advised the citizens that lived in this County, except for a small percentage of individuals, have either lost their health care or were being asked to make sizeable contributions.

Mr. Angle made a motion that the resolution be passed, but at such time as contracts have been negotiated with the union employees whereby 20% contribution for health care was received by at least 51% of the union members that it kicked in for the non-union employees.

Mr. Dowd seconded the motion.

Mrs. McHale stated she believed this would have to be recommended by the Personnel Commission.

In response to Mr. Angle’s question as to whether he was in favor of his motion, Mr. Stoffa replied he could agree to it.

Mr. Cusick called for a vote on the motion to amend the resolution.


The motion passed by a vote of 6-3.

As there were no further questions or comments, Mr. Cusick called for the vote on the following amended resolution:

R. 111-2011  RESOLVED, By the Northampton County Council that a salary increment, if applicable, shall be given to all
Career Service and Exempt employees, not within Collective Bargaining Units, on the effective date of this resolution, whose job classifications are within the parameters of the Northampton County Career Service and Exempt Pay Scales, respectively.

This resolution shall become effective January 1, 2012.

This resolution was amended to include the following motion:

Further, at such time union contracts have been negotiated, in which union employees contribute 20% for health care benefits, was implemented by at least 51% of union members, it then kicks in for the non-union employees.


The resolution was adopted by a vote of 8-1.

Adoption of the 2012 Budget and 2012 Capital Improvements Plan

Mr. Cusick advised the third portion of the 2012 budget adoption process was adoption of the 2012 Budget and Capital Improvements Plan.

Consideration of Amendments to the Proposed 2012 Budget

Mr. Cusick stated that at Tuesday’s meeting, substantial time was spent reviewing proposed budget amendments by members of County Council and the Administration and they were being presented at this time. He then introduced the following resolution:

R. 112-2011 RESOLVED, By the Northampton County Council that the proposed 2012 Northampton County Budget shall be amended as indicated on the attached documents.
Mr. McClure made a motion to vote on each amendment individually.

Mrs. McHale seconded the motion.

The motion to vote on each amendment individually was passed by voice acclamation.

Mr. Cusick called for the vote on the amendments to Operating-LarsonAllen and CCAP Dues in the County Council budget to show an increase of $16,000 and $2,000, respectively.


The amendment passed by a vote of 9-0.

Mr. Cusick called for the vote on the amendments to Fees, Fines, Charges and Miscellaneous-Capital Blue Cross Wellness Initiative to show an increase of $100,000 and Operating to show an increase of $100,000 in the Human Resources budget.

Mr. McClure made a motion to approve by acclamation.

Mrs. McHale seconded the motion.

The amendment was approved by voice acclamation.

Mr. Cusick called for the vote on the amendment to Debt Service-GESA Phase I for Financial Planning and Control in the Fiscal Affairs budget to show a reduction of $308,000.

Mr. Dowd made a motion to approve by acclamation.

Mr. Cusick seconded the motion.

The amendment was approved by voice acclamation.

Mr. Cusick called for the vote on the amendment to Operating-County Parks for Open Space Initiative under the Administration budget to show a reduction of $200,000.
Mr. Angle asked if a legal opinion was received as to whether County Council could take the money from the Hotel Tax.

Mr. Cusick advised Mr. Flisser researched the ordinance for the Hotel Tax and it specifically indicated that Hotel Tax monies could be spent on the Northampton County 21st Century Open Space Initiative.


The amendment was approved by a vote of 7-2.

Mr. Cusick called for the vote on the amendment to Operating-Environmentally Sensitive for Open Space Initiative under the Administration budget to show a reduction of $872,500.

In answer to Mrs. Ferraro’s question as to what the $127,500 was for, Mr. Cusick stated it was the anticipated expenditure for the LaPenna project, which was currently in the works.

In response to Mr. Dietrich’s question as to the project that was discussed on Tuesday, Ms. Bentzoni advised that project was not presented to County Council because it was tabled by the Open Space Advisory Board until the next budget.

Mr. McClure stated he was against this reduction because he felt it was a complete abandonment of the priorities of the individuals who voted overwhelming for the referendum. He further stated he looked forward to the future when this funding could be restored and he encouraged the individuals who cared so much about this issue to keep coming back to ensure the preservation of the County’s green spaces.


The amendment was approved by a vote of 5-4.
Mr. Cusick called for the vote on the amendment to Intergovernmental-DCNR Grant for Conservation District to show an increase of $40,000 and Delaware & Lehigh National Heritage for Conservation District to show an increase of $40,000 under the Administration budget.

Mrs. Ferraro made a motion to approve by acclamation.

Mr. McClure advised Mr. Flisser informed him there may be an issue with voting on these amendments by acclamation, therefore, he suggested proceeding with roll call votes and then at the end, to vote again on the two amendments that were approved by acclamation.


The amendment was approved by a vote of 9-0.

Mr. Cusick called for the vote on the amendment to LVPC-Lehigh Valley Planning Commission for Authorities, Boards and Commissions, under the Administration budget to show a reduction of $50,000. He noted that Lehigh County had reduced their contribution and this would match that reduction.


The amendment was approved by a vote of 7-2.

Mr. Cusick called for the vote on the amendment to Northampton Community College-Community College for Grants under the Community and Economic Development budget to show a reduction of $25,000.

Mr. Dowd asked if a letter was received from Ms. Helen Whittaker, Vice President - Administrative Affairs, at Northampton County Community College, as to what these funds
Mr. Cusick stated one of the things she indicated in her note was that this was for training related to the casino.

Mrs. McHale advised it was for hospitality for any hotel, not just the casino. She further advised they also trained fire fighters and emergency medical technicians.


The amendment failed by a vote of 2-6, with 1 abstention.

Mr. Cusick called for the vote on the amendment to Future Grants-Grant to Northampton County Parks Division for Hotel Room Rental Tax under the Community and Economic Development budget to show a decrease of $100,000.

Mr. Cusick stated a discussion was held pertaining to the use of hotel tax money for open space and this would allocate $100,000 from future grants to the Northampton County Parks Division.

Mr. Dowd made a motion to allocate the money to environmentally sensitive lands.

Mr. Dietrich seconded the motion.

Mr. Cusick advised the vote was to allocate $100,000 to environmentally sensitive lands.


The amendment was approved by a vote of 9-0.

Mr. Cusick called for the vote on the amendment to Salaries-Part-Time-Resolution Salary List, which was to freeze the salary of the part-time professional employees, under the
Personnel budget to show a reduction of $44,000.


The amendment was approved by a vote of 5-3, with 1 abstention.

Mr. Cusick called for the vote on the amendment to Retirement- Actuary Revised Estimated Pension Cost to Personnel under the County Wide budget to show an increase of $832,500 and to Healthcare and Dental-Revised Actuarial Rates to Personnel under the County wide budget to show a decrease of $810,000.


The amendment was approved by a vote of 8-1.

Mr. Cusick called for the vote on the amendment to Capital- Replacement Vehicle for the District Attorney under the Court System and Corrections budget to show a reduction of $25,000.

Mr. Dietrich made a motion to remove this amendment.

Mrs. McHale seconded the motion.

When Mr. Dietrich stated it was for the reduction of one vehicle as two were requested, Mr. Cusick noted County Council could only reduce the funding, but it could not dictate how the District Attorney spent it. He then commented that they should just vote on it.


The amendment was approved by a vote of 5-4.
Mr. Cusick called for the vote on the amendment to Intergovernmental-Premier’s Revised Revenue show an increase of $1,426,000, to Fees, Fines, Charges and Miscellaneous to show an increase of $190,000, which was part of a recommendation made by Premier when they went over their budget, and to Debt Service-GESA II to show a reduction of $222,000 for Gracedale under the Human Services budget.

In answer to Mr. Angle’s question as to how Premier could be so confident in this number, Mr. Marcus advised it was an increase in revenue and the reason they were so confident was because they were building the census and taking full advantage of revenue sources they believed had not been utilized in the past.

In response to Mrs. McHale’s question as to whether any money was set aside for the expenses the County would have incurred if it sold Gracedale, Mr. Marcus stated any costs involved in the sale of Gracedale were attributed to Gracedale’s operating budget, however, there was no specific line for these costs.

In answer to Mrs. McHale’s question as to what his intention would be if there should be a balance, Mr. Marcus advised it would revert back to the General Fund. He further advised any balance was taken into consideration when they presented their budget amendment.

Mr. Cusick stated he felt Premier should be given some time and he was very encouraged when they came up with the $1.6 million, which confirmed his concerns that Gracedale was not operating as best as it could fiscally.


The amendment was approved by a vote of 9-0.

Mr. Cusick called for the vote on the amendment to Capital-
Replace Telephone System for County-wide under the Capital Improvement Projects budget to show a reduction of $525,000.

Mr. Gilbert advised he understood cuts had to be made, but he was concerned it was evidently going to cost a lot more to either repair the current system or buy a new one at a later date.

In response to Mr. Angle’s question as to why he was willing to cut this expense, Mr. Stoffa replied he had to make concessions somewhere, but if the phone system went down, the operation of the County would be in jeopardy.


The amendment was approved by a vote of 6-3.

Mr. Cusick called for the vote on the amendment to Capital-Replace Windows for Jail under the Capital Improvement Projects budget to show a reduction of $10,000.

In answer to Mrs. Thierry’s question as to where these windows were located, Mr. Robert Meyers, Director of Corrections, stated they were in the old section of the Prison.


The amendment was approved by a vote of 7-2.

Mr. McClure advised before moving onto the next item, a roll call vote had to be taken on the amendments to the Human Resources and Fiscal Affairs budgets.

Mr. Cusick stated a roll call would be taken on the two items for the Human Resources budget and the one item for the Fiscal Affairs budget.

McHale, “yes” and Thierry, “yes”.

The amendments for the Human Resources and Fiscal Affairs budgets, which were previously approved by voice acclamation, were approved by a vote of 9-0.

Mr. Cusick asked if there were any other requests for changes.

Mr. Dietrich made a motion to withdraw $50,000 from the funding for the Lehigh and Northampton Transportation Authority (LANta).

Mrs. Thierry seconded the motion.

Mr. McClure advised he thought the basis for this action was the $100,000 a year salary for the bus drivers, but he did not think it was prudent to cut these funds which may result in less service for people who rely on this type of transportation.

Mr. Dietrich stated that issue was brought up, but the main issue was the $750,000 of undesignated funds they were holding, noting that almost half of that money was from Northampton County.

Mr. Armand Greco, Executive Director of LANta, advised the $750,000 line item was for service enhancements. He further advised Northampton County’s grant would help them fund their budget for the fiscal year beginning July 1, 2012.

Mr. Greco stated they were trying to improve and expand their services in accordance with their 12 year program. He further stated when the Board of Directors, goes through the process of adopting their budget, it would look at that line item and determine whether or not they would proceed with the enhancements and expanding services. He noted this past year that enhancement line item resulted in approximately 6% increase in service across the Lehigh Valley.

Mr. Greco advised this line item was not distributed among bus drivers, maintenance workers or fuel costs, it was there to move forward their plan and come June, they were going to decide whether they were going to do that or not. He further advised
with regard to half of those funds being Northampton County’s, Northampton County was only approximately 3% of their total operating budget.

Mr. Greco stated their two concerns were trying to keep the grant the same as last year and were they going to meet their obligations under the State program. He further stated the State program required them to match the State operating money with 15% of local dollars.

In response to Mr. Cusick’s question as to what was the salary of the average bus driver, Mr. Greco advised it was approximately $69,000 with wages and benefits.

In answer to Mr. Cusick’s question as to why smaller buses could not be used because a lot of the times, the buses were quite empty, Mr. Greco stated they had to have the capacity available to meet the demand at any given time during the day and smaller buses did not have the same life span.

Mr. Greco advised this year they increased the service to the Northampton County Community College both at Green Pond and on the Southside. He further advised there was an increase in service to the new St. Luke’s facility on Route 33 and Freemansburg Avenue. Further, they were increasing service on the Southside of Bethlehem due to the amount of workers and the development in that area.

In response to Mr. Angle’s question as to how many bus drivers they had, Mr. Greco stated there were 135 bus drivers and the plan for next year was 148.

When Mr. Angle commented that the message behind the withdrawal of the $50,000 was for LANta to hold down their costs, Mr. Greco replied if they looked at their track record, he believed they were doing a good job of doing that.

Mrs. McHale stated that a bus driver had to have a commercial drivers license, a passenger designation on that license and periodic drug testing, all of which cost money.

In response to Mr. Dietrich’s question as to whether he could provide more detail as to how they planned to use this
Consideration of Amendments to the Proposed 2012 Capital Improvements Plan

Mr. Cusick stated the next step in the budget adoption process was the consideration of amendments to the Capital Improvements Plan.

Mr. Cusick introduced the following resolution:

**RESOLVED,** By the Northampton County Council that the proposed 2012 Northampton County Capital Improvements Plan shall be amended as indicated hereafter:

1. Pg. 167 - **Wolf:** Delete All except GESA
2. Pg. 167 - **County-Wide:** Move VOIP to 2013
3. Pg. 168 - **Parks and Recreation:** Add County Morgue, $2,000,000 for 2014
4. Pg. 168 - Add Courthouse Complex for 2012: Add Archives Building, $2,000,000 for 2012

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


The resolution failed by a vote of 2-7.

Adoption of the 2012 Northampton County Budget As Amended

Mr. Cusick advised the next step in the budget adoption process is approval of the budget as amended, and then approval
Mr. Cusick introduced the following resolution:

**RESOLVED,** By the Northampton County Council that the following 2012 Northampton County Budgets (incorporated by reference hereto) shall be adopted, as amended, this 1st day of December 2011.

1. General Fund
2. Special Revenue Funds
3. Capital Project Funds

Mrs. McHale commented that County Council could approve the budget, however, that did not mean it was approving the millage rate because that was voted on separately.

Mr. Angle then asked what would happen if five members of County Council approved the budget, but voted against the millage rate.

Mr. Lauer stated among the things County Council was permitted to do was to amend the budget, but they could not take it out of balance, therefore, if there was a budget of expenditures, but not the available funds to balance it, there was no budget.

Mrs. McHale advised there were funds available in the Fund Balance for this year that could be brought forward.

Mr. Lauer stated the budget would then have to reflect that, but if the budget currently contemplated, as part of the budget, this millage change, and if it did not pass, then the budget would be essentially out of balance.

Mr. McClure advised that was correct except the budget anticipated a surplus so it would not be out of balance because the surplus could be used.

Mr. Lauer stated that could be correct, but what he did not know to completely answer the question was what was the
In answer to Mrs. McHale’s question as to what would be the unallocated balance at the end of this year, Mr. Doran Hamann, Acting Director of Fiscal Affairs, advised if there was no tax increase, there would be a deficit of $10 million. He further advised if County Council voted for the amendments, they were voting to change the millage rate.

In response to Mrs. McHale’s question as to what the Fund Balance would be at the end of 2011, Mr. Hamann stated it was all predicated upon what County Council did with the 2012 budget because a commitment was being made for the end of this year for next year with what they were going to balance the budget with.

In answer to Mrs. McHale’s question as to how much money would be left at the end of this year, Mr. Hamann advised there would be a deficit of $10.8 million.

In response to Mrs. McHale’s question as to how much money would be left at the end of 2011 without any earmarks, Mr. Hamann stated it was $59 million.

Mr. McClure advised the Home Rule Charter stated that if the budget did not pass, the County Executive’s budget stood, but the millage rate was a separate issue.

Mr. Angle stated he understood that, but the millage rate controlled the whole operation.

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


The resolution failed by a vote of 4-5.
Adoption of the 2012 Capital Improvements Plan As Amended

Mr. Cusick introduced the following resolution:

R. 113-2011 RESOLVED, By the Northampton County Council that, in accordance with Home Rule Charter Section 702, the 2012 Northampton County Capital Improvements Plan, as amended, (a copy incorporated by reference thereto) shall be adopted this 1st day of December 2011.

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


The resolution was adopted by a vote of 8-1.

Adoption of the 2012 Real Estate Tax Millage Rate Ordinance

Mr. Cusick advised this ordinance was introduced by himself and Mrs. Ferraro at the meeting held October 20, 2011 and the public hearing was held at the November 3, 2011 meeting.

AN ORDINANCE PROVIDING FOR THE REAL ESTATE TAX MILLAGE RATE IN THE COUNTY OF NORTHAMPTON FOR THE YEAR 2012

IT IS HEREBY ORDAINED AND ENACTED that the millage rate for real estate tax purposes for the year 2012 shall be set at 11.8 mills on every dollar of assessed valuation of taxable real estate or $1.18 on every $100.00 of assessed valuation.

Mrs. McHale made a motion to amend the ordinance to set the millage rate at 10.8 mills.

Mr. Angle seconded the motion.

Mr. Angle made a motion to table this ordinance and instructed Mr. Cusick to hold another budget hearing so County
Council could do its job so this budget was not being approved because of County Council’s malfeasance.

    Mrs. Thierry seconded the motion.
    Mr. Cusick called for the vote to table the ordinance.


    The motion to table the ordinance passed by a vote of 7-2.

Consideration of the Gracedale 2012 Private Pay Rate Resolution

    Mr. Cusick stated each year County Council set the Private Pay Rate at Gracedale, which rate allowed for the maximization of Medical Assistance and Medicare revenues.

    Mr. Dietrich introduced the following resolution:

    R. 114-2011 RESOLVED, By the Northampton County Council that effective January 1, 2012, the Gracedale Private Pay Rate shall be $270.00 per day.

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


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

Solicitor’s Report

    In answer to Mr. Angle’s question as to what was the outcome of the action instituted by a citizen of the Open Records people in Harrisburg, Mr. Lauer advised there was a request for documentation under the Right-to-Know Law and part of that request was granted by the Open Records Officer, Mr. Flisser, after consultation with himself.
Mr. Lauer stated the second part of the request was denied because Mr. Flisser and himself did not believe it was covered by the Right-to-Know Law. He further stated they had recently received a decision from the Right-to-Know appeal agency indicating that the document or a reasonable facsimile must be produced.

Mr. Lauer advised it was currently under discussion and he would report back to County Council at the next meeting as to whether or not that was subject to appeal. He further advised another issue that had been raised since that decision was received was whether even if they were correct about the position taken under the Right to Know law whether it would be the same under the Sunshine Act.

Adjournment

Mrs. McHale made a motion to adjourn.

Mr. Dowd seconded the motion.

The motion passed by acclamation.

Frank E. Flisser
Clerk to Council