Easton, Pennsylvania       January 6, 2011

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 A. 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

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

Approval of the Minutes

Mrs. McHale indicated there was a typographical error in the second line of the last paragraph on page 3, noting the word should be life not live.

Mr. Dowd made the following motion:

Be It Moved By the Northampton County Council that the minutes of the December 9, 2010 meeting, as amended, shall be approved.

Mrs. McHale seconded the motion.

The minutes were approved by voice acclamation.

Courtes of the Floor

Mr. Mario Martinez, 2555 Chestnut Lane, Forks Township, PA congratulated the members of County Council on the changes they made and he looked forward to Mr. Cusick keeping his word with regard to bringing civility and fairness to the meetings.
Mr. Jack Dalessandro, Washington Township, PA - advised there seemed to be some concern among the seniors at the senior center in Hellertown, noting they wanted to know since their meals were prepared by the people at Gracedale, what was going to happen if it was sold.

Mr. John Stoffa, County Executive, stated he was looking into that issue, but indicated the meals would not stop.

Mr. Chris Miller, 983 Bushkill Center Road, Bushkill Township, PA - advised he felt that some people had a difficult time understanding why he mentioned the national indebtedness last time he spoke so he thought he could bring it closer to home by citing Wilson Borough was facing a 32% tax increase for a small borough where they had 14 police cars.

Mr. Miller stated he hoped Mr. Cusick’s plans included the sale of Gracedale because its days were over. He further stated there were a lot of homes around the Lehigh Valley for seniors and because of that competition, Gracedale’s census was not going to go up. He noted Gracedale was $6 million in the hole this year, which was going to continue, and the County could not afford to put $66 million or more a year into Gracedale.

Mr. Miller advised he hoped County Council would also take a very close look at departments within the County that could be removed such as Domestic Relations and the County’s involvement with education. He also suggested County Council look at the number of employees the County employed.

Ms. Arlene Klocek, Hanover Township, PA - stated she was really disappointed in what happened to the Republicans, who the people voted onto this County Council, and she felt they should know that.

In answer to her question as to whether the union got the required number of signatures to put the sale of Gracedale as a referendum on the ballot, Mr. Cusick replied he did not know.

Ms. Klocek advised she just wanted to state her disappointment with Mr. Cusick and Mr. Dietrich. She further advised that Mr. Angle did a fine job calling the shots and keeping things in order and he was the most conservative person
Mr. Bryan Eichfeld, Hellertown, PA – stated he was not that concerned with the change of County Council if they continued to be conservative in saving the taxpayers money. He further stated he would like to present a document from the Lehigh Valley 9-12 Project/Tea Party, entitled “Limited Government Resolution,” that he would like each member of County Council to sign individually (see Attachment #1).

Mr. Angle advised that much of what was in the Limited Government Resolution did not apply to local government, but if he provided a document that was in line with his beliefs, he would sign it.

Mr. Dowd concurred with Mr. Angle’s comment, adding if something was presented that was more pertinent to local government, he would consider it.

Mr. Eichfeld agreed, but by signing the document, it was just showing that they were throwing their support behind those issues even if they did not have to consider or vote on them.

Mr. McClure stated County Council had previously taken action on issues that pertained to upper levels of governments. He further stated he had to read the document first, but based on what he heard, he did not believe he would be signing it.

Mr. Eichfeld advised the document may be geared more for higher levels of government, but he felt it was important for people to show where they stood.

Ms. Lee Snover, Bethlehem Township, PA – stated she wanted to express her disappointment with Mr. Cusick being elected President of County Council. She further stated when Mr. Angle was elected President, for the very first time since she resided in Northampton County, County Council actually became alive and part of Northampton County. She noted County Council had always been seen by the voters and citizens as not a really important body, but when Mr. Angle became President, he put a face to County Council and made it a body of government. She further noted he did an excellent job and she was really disappointed
that he was not re-elected.

Ms. Snover advised she was appalled that Mr. Cusick voted for himself when he was running against another Republican. She further advised that Mr. Angle did an excellent job and she did not want to hear of County Council members crying to the newspapers that Mr. Angle was obstructing County Council, making it personal and stopping them from moving forward.

Ms. Snover stated that County Council just set its own government back and also made a movement against the movement of the Tea Party because Mr. Angle was, by far, the most conservative member of County Council and he was a perfect representative for this time in history.

Ms. Snover advised she was at the polls when the signatures were collected regarding Gracedale and these signatures were collected under false statements and false pretenses and she would be willing to testify to that, if necessary.

Ms. Snover stated they told people leaving the polls that Gracedale was not only closing, they were moving patients two or three Counties away and their families were never going to see them again and she had to tell these individuals not to say that. She further stated that was how they were getting the petitions signed, noting she was there, she heard it and she heard it numerous times so she did not think those petitions should be validated.

In conclusion, Ms. Snover advised she was very disappointed, especially with the Republicans on County Council, for not re-electing Mr. Angle because he was absolutely a watchdog. She further stated he gave County Council a face, he was available, he was like a second County Executive and got people interested.

Mr. Ron Angle, Portland, PA - stated when he joined County Council eleven years ago, one of the things he looked for when he looked at his colleagues was honesty, truthfulness and integrity. He further stated that was one of the reasons why he liked Mr. Stoffa because he had those qualities. He noted he served eleven years with Mr. Dowd and his word was as good today as it was back then. He further noted he only served one
year with Mr. Gilbert and Ms. Thierry, but he would believe anything they told him.

Mr. Angle advised when you cannot take people at their word in the business world he lived in, you did not do business with them any longer, but in the political world that was not an option. He further advised at least three members of County Council simply lied to him and he wanted to know why they did. He noted when he became a Council member eleven years ago, he and Mr. Dowd were the only Republicans so the Democrats ruled and they floated a Bond Issue which cost approximately $25 million to pay back. He further noted he fought it hard because he thought it was wrong for the County.

Mr. Angle stated he sat there when the Democrats, except for Mrs. McHale, voted for a Swaption, noting he warned them and tried to explain how risky derivatives were. He further stated the County got $1,600,000 and the price tag to get out of it today was $14 million.

Mr. Angle agreed that sometimes he was not easy to get along with and he was not a fan of Mr. Dietrich’s, but when he took a job he believed it was his job to do it. He advised some people were leaders and some were not and that was all right because many people who were not leaders did some great things, as did people who were leaders. He further advised if he had to describe himself, he would be a George Patton, not the easiest guy to get along with, but at the front of the battle when there was a battle.

Mr. Angle stated a year ago when some of his colleagues asked him to be President, he had to think about it because when someone took that responsibility, it was not just about them. He further stated it was great to lead Region IV because that was what he was elected to do. He noted Mrs. McHale was a 10 and he was a 9.5 when it came to representing their districts and he respected her for that.

Mr. Angle advised he took the Presidency a year ago because he had a feeling from the majority of the County Council that there was an agenda that they wanted to move ahead and that they wanted a better County, a more efficient County, less costly County and a County that would not have skyrocketing taxes. He further advised he spent thirty hours or more a week for the
past year because he wanted to see that job done.

With regard to the Bethlehem Tax Increment Financing situation, Mr. Angle stated that one thing about being a businessman, if you were a good businessman, you knew how to run a business and this County was a business. He then asked Mr. Cusick if he had the ability to walk into somewhat enemy territory, negotiate a deal and get $5 million for Northampton County like he did. He further stated when Mr. Stoffa basically threw his hands up with the budget, he took the budget and sat down with three of the most knowledgeable people in the County and they produced a budget. He noted it was a zero tax increase budget and one he felt the majority of County Council wanted even though there were some members who wanted a tax increase.

Mr. Angle advised he sat in a room approximately a month and a half ago and was told by his colleagues that they wanted him to be President, even though he found out some of them lied to him, again next year because he did a terrific job. He further advised if they did not want him for President that was okay, but he asked why they did not come to him and tell him that they changed their minds instead of allowing him to come in and get stabbed in the back. He noted it was not very good payment for the time and effort he put in for a year to make this a better County.

Mr. Angle stated he was not mad, but very disappointed because he would have expected better from his Republican colleagues. He further stated he would continue to work for Region VI, the County and the County Executive, but he was going to have a lot of difficulty working with three people who lied to him.

County Executive Report

Mr. Stoffa advised Mr. Martin Bechtel’s, the first County Executive under the Home Rule Charter, wife passed away around Christmas.

Mr. Stoffa stated they had extended the four-day work week
into next year for those non-union employees who were interested in participating. He further stated the program seemed to have worked fairly well.

Mr. Stoffa advised the software supporting the new document fee was functioning in both Geographic Information System and the Recorder of Deed’s Offices. He further advised the first day, $1,200 was deposited and should fulfill the prediction of $300,000 per year of new money.

Mr. Stoffa stated when he took office five years ago, the County’s Pension Fund was at $250 million, then there was the market drop and it shrunk in March 2009, to $170 million and as of the close of business yesterday, it was back to $251.4 million, which did not include a payout of approximately $60 million in benefits. He further stated the Retirement Board consisted of an excellent group of people who were doing a great job.

Mr. Stoffa advised the payback on the Swaption was due in October 2012. He further advised the payback figure had been as high as $19 million, but as of today it was $12.7 million. Therefore, he felt a number should be decided upon and when it reached that number, the County should take a gamble and pay it off.

Mr. Cusick suggested it be placed on the Finance Committee agenda for this month.

In response to Mr. Angle’s question as to how the money would be paid if the number came up, Mr. Stoffa stated it would have to come out of the Fund Balance.

Mr. McClure commented he believed $18 million was set aside in the Fund Balance for this specific purpose.

In answer to Mrs. Thierry’s request for an update on Gracedale, Mr. Stoffa advised the County received five proposals and if everything went as planned, there should be a recommendation by the end of the month regarding the potential sale.

In response to Mr. McClure’s question as to what the appraisal of Gracedale came in at, Mr. Stoffa replied $30 million.
In answer to Mr. Cusick’s question as to the status of the parking deck, Mr. Stoffa stated there were really two parts to the project, the walkway and the parking deck. He further stated the walkway came in approximately $13,000 under budget, but the parking deck was over budget because of problems they encountered that related to when it was originally constructed. He noted he planned to have more information for County Council in time for the Finance Committee.

Public Hearing on the Ordinance Titled, “An Ordinance Amending Northampton County Administrative Code: Article V, Department of Court Services”

Mr. Cusick advised the following ordinance was introduced by Mr. Angle and Mrs. Thierry at the meeting held December 9, 2010:

AN ORDINANCE AMENDING THE NORTHAMPTON COUNTY ADMINISTRATIVE CODE: ARTICLE V, DEPARTMENT OF COURT SERVICES

WHEREAS, Northampton County Home Rule Charter provides that the County Council shall adopt an ordinance which adopts or amends the Administrative Code.

IT IS HEREBY ORDAINED AND ENACTED BY the Northampton County Council that:

I. The Administrative Code, Article V, Department of Court Services, shall be amended as indicated hereafter (Sections marked with bold and underline have been added; Sections marked with strikeout have been deleted):

ARTICLE V
DEPARTMENT OF COURT SERVICES

Section 5.01
Organization 5.02 Duties

Section 5.01 Organization
a. The Department of Court Services shall be headed by a
b. The purpose of the Department of Court Services is to provide services for the management of court records and related documents and to provide such other appropriate support for the operation of the Court as required by law and the Charter. Specifically, the Department includes all functions formerly performed by the Clerk of Court, Criminal Division; by the Clerk of Court, Civil Division (also referred to as Prothonotary); the Register of Wills and the Clerk of Orphan's Court.

c. The Director shall be responsible for continuous cooperation and coordination between this Department and the Court.

d. The Department shall be organized into the following Divisions:
   (1) Clerk of Courts, Criminal Division;
   (2) Clerk of Courts, Civil Division (also referred to as Prothonotary);
   (3) Register of Wills;
   (4) Clerk of Courts, Orphans' Court Division (also referred to as Clerk of Orphans' Court); and
   (5) Archives Division.

Section 5.02  Duties

The Director of Court Services, in person or through subordinates, shall:

(1) organize, administer and provide the services and records required for the operation of the various divisions of
the Court of Common Pleas, the Register of Wills and the Archives;

(2) develop and maintain effective communication and liaison with the Court so that services provided by the Department are in accord with legal requirements and the needs of judicial processes; and

(3) perform such other duties, services and functions related to Court services and public records as are assigned by the County Executive, required by the Court, applicable law and the Charter.

II. Any other ordinances, or parts of ordinances, inconsistent herewith are hereby repealed.

III. Effective Date - This ordinance shall become effective January 1, 2011.

Public Hearing

Mr. Cusick asked if there was anyone from the public who wished to address County Council on this ordinance. There were no respondents.

Mr. Cusick then asked if any member of County Council had any questions or comments.

Mr. McClure stated he believed this was the third attempt to address an issue that was part of Mr. Angle’s budget items during the last budgetary process and as it was previously defeated twice before, he was advocating to defeat this ordinance as well. He further stated he had a great deal of concern regarding the motivation for wanting to eliminate this position so he was very interested in what the County Executive thought about it.

Mr. Stoffa advised if he was on County Council, he would vote against it because he needed this position.
Mr. Angle stated there was an agenda in 2010, with majority support, to cut the size of government in the County and a lot of headway was made. He further stated this was a political patronage job created many years ago for a place to put certain individuals to be groomed for higher office. He noted by eliminating this position, the County would save $100,000 a year of taxpayers money.

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


The ordinance failed by a vote of 2-7.

**Lehigh Valley Health Commission**

Mr. McClure advised there was a meeting scheduled for Monday of the Lehigh Valley Health Commission so he was interested in what type of posture his colleagues planned to take into the meeting specifically in light of the comments made by the Tea Party 9-12 Group regarding limit government. He further advised the County was about to sell an asset, which was Gracedale, that actually over time had made money for the County and create a bureau, however well intention, that was eventually going to cost the County a minimum of $500,000 a year.

Mrs. McHale stated the purpose of Monday’s meeting was to approve the Board of Health’s budget for six months so they could finish the job they started and make their presentation so a final decision could be made. She further stated she had previously indicated that it was important for the members of County Council to make a formal decision as to where it stood because these individuals were volunteering many hours of their time and organizations were contributing funds so it was unfair to keep them in the dark.

Mrs. Thierry advised she agreed with Mr. McClure in that she saw no reason to keep dragging this on.
Mr. Angle stated this issue could make him change his vote on Gracedale because he could not, in good conscious, vote to sell Gracedale to put money into a health department.

Mr. Dowd advised last month it was decided that County Council would attend this meeting to hear if the members of the Board of Health wanted to continue their work. He further advised if they wanted to continue, they should be allowed to do so because it was not costing the County any money. He noted it was also County Council’s prerogative to vote on Monday to discontinue their work.

Mr. Gilbert stated it should not be the Commission’s responsibility to determine if their work should proceed because there were other avenues where the information they obtained could be used to gain backers for their project. He further stated the sale of Gracedale should not be used in connection with a bi-County health department. He noted that it was inevitable that the proceeds from Gracedale were going to fund some other projects, but the basis for selling Gracedale was the long term savings the County was going to acquire.

Mrs. McHale advised that was why she felt it was important that they come to a formal decision Monday night.

Mr. Angle stated that it was true no County money was being used, but the money was being taken from these organizations, which was to be used to provide better healthcare for the people in the Lehigh Valley, and being used to fund a study that was not going to produce anything. He then asked why, with all the money the hospitals made, they were not players in a bi-County health department or other private sector agencies. He further stated that Lehigh County had never taken a clear-cut stand on this issue nor had the Allentown and Bethlehem Health Bureaus.

In response to Mr. Angle’s suggestion to take a poll to see where everyone stood, Mr. Cusick indicated a poll was taken last year so he did not feel it was necessary to do it again.

Mrs. McHale advised that poll was to determine if the Board of Health should be allowed to continue their work not to decide if Northampton County wanted to remain a part of the Lehigh
Mr. Dietrich stated if a bi-County Health Department was established, he believed 100% of the responsibility and obligation was going to fall to the Counties. He further stated a mechanism needed to be put in place to dissolve the Board of Health and discontinue the funding which could be better used somewhere else.

Mr. McClure advised an ordinance would have to be adopted to discontinue the Lehigh Valley Health Commission, however, the momentum could be stopped by not approving the Board of Health’s request to continue to operate.

Mrs. Ferraro stated she had always been a proponent of a health department, but she felt in these economic times, it might have to be postponed.

Consideration of the Northampton County Department of Community and Economic Development RACP Grant Resolutions: a. Charles Chrin Companies; b. J.G. Petrucci and c. Eastern PA Development Fund LLC

Mr. Dowd advised these issues were discussed at the Economic Development Committee meeting earlier this evening and all were approved. He further advised all these projects did not require any funding from the County, but would be funded through State grants. He noted all they were looking for was permission to file their applications to the State.

Mr. Dowd stated there was going to be another project brought before County Council at a later meeting that had to do with a Slate Belt branch of the Nazareth YMCA. He further stated some of the branches of the YMCA were consolidating their operations.

After taking a consensus, Mr. Cusick advised it was agreed the resolutions would be voted on separately.

Mr. Dowd introduced the following resolutions:

Charles Chrin Companies
R. 1-2011  WHEREAS, Northampton County desires to apply for a Redevelopment Assistance Capital Grant ("RACP Grant") under the Pennsylvania Redevelopment Assistance Capital Program and the Capital Facilities Debt Enabling Act, 72 PS § 1602-3 et seq., as amended, on behalf of the Charles Chrin Companies ("Chrin") for the proposed Route 33 Interchange and off-site improvements (the "Project") located in Northampton County, Pennsylvania; and

WHEREAS, the County is legally able to contract with the Commonwealth of Pennsylvania for financial assistance and has met all the state and federal requirements imposed for application for the RACP Grant; and

WHEREAS, upon award of the Grant funds to the County and execution of the Grant agreement, the County shall disburse such Grant funds to Chrin and enter into a Cooperation/Sub-Grant Agreement (the "Agreement") in substantially the form attached hereto as Exhibit “A”; and

WHEREAS, notwithstanding any other provision of these resolutions, the RACP Grant, if and when issued, shall not be deemed an obligation of the County or of any political subdivision thereof to provide any funds to Chrin for the Project other than to disburse funds from the RACP Grant to Chrin.

NOW, THEREFORE, BE IT RESOLVED that the County be and is hereby authorized to submit the application for the RACP grant and County officials are hereby authorized to execute any and all documents necessary under such Grant Application.

BE IT FURTHER RESOLVED that the County shall disburse all Grant funds received by the Commonwealth of Pennsylvania under the RACP grant to Chrin pursuant to the terms of the Agreement.

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


The resolution was adopted by a vote of 6-2, with 1 abstention.

J.G. Petrucci

R. 2-2011 WHEREAS, Northampton County desires to apply for a Redevelopment Assistance Capital Grant ("RACP Grant") under the Pennsylvania Redevelopment Assistance Capital Program and the Capital Facilities Debt Enabling Act, 72 PS § 1602-3 et seq., as amended, on behalf of J.G. Petrucci ("JGPCO") for the Industrial Park Development and Associated Road Improvements in the Route 33/Route 512 Corridor (the "Project") located in Northampton County, Pennsylvania; and

WHEREAS, the County is legally able to contract with the Commonwealth of Pennsylvania for financial assistance and has met all the state and federal requirements imposed for application for the RACP Grant; and

WHEREAS, upon award of the Grant funds to the County and execution of the Grant agreement, the County shall disburse such Grant funds to JGPCO and enter into a Cooperation/Sub-Grant Agreement (the "Agreement") in substantially the form attached hereto as Exhibit “A”; and

WHEREAS, notwithstanding any other provision of these Resolutions, the RACP Grant, if and when issued, shall not be deemed an obligation of the County or of any political subdivision thereof to provide any funds to JGPCO for the Project other than to disburse funds from the RACP Grant to JGPCO.

NOW, THEREFORE, BE IT RESOLVED that the County be and is hereby authorized to submit the application for the RACP grant and County officials are hereby authorized to execute any and all documents necessary under such Grant Application.

AND BE IT FURTHER RESOLVED that the County shall disburse all Grant funds received by the Commonwealth of Pennsylvania under the RACP grant to JGPCO pursuant to the terms of the Agreement.

As there were no questions or comments, Mr. Cusick called
The vote: Dowd, "yes"; McHale, "yes"; Thierry, "no"; Cusick, "yes"; Ferraro, "yes"; Angle, "no"; Dietrich, "yes"; Gilbert, "no" and McClure, "yes".

The resolution was adopted by a vote of 6-3.

Eastern PA Development Fund LLC

R. 3-2011 WHEREAS, Northampton County desires to apply for a Redevelopment Assistance Capital Grant ("RACP Grant") under the Pennsylvania Redevelopment Assistance Capital Program and the Capital Facilities Debt Enabling Act, 72 PS § 1602-3 et seq., as amended, on behalf of the Eastern PA Development Fund, LLC ("EPADF") for the Lower Nazareth Commercial Park (the "Project") located in Northampton County, Pennsylvania; and

WHEREAS, the County is legally able to contract with the Commonwealth of Pennsylvania for financial assistance and has met all the state and federal requirements imposed for application for the RACP Grant; and

WHEREAS, upon award of the Grant funds to the County and execution of the Grant agreement, the County shall disburse such Grant funds to EPADF and enter into a Cooperation/Sub-Grant Agreement (the "Agreement") in substantially the form attached hereto as Exhibit "A"; and

WHEREAS, notwithstanding any other provision of these Resolutions, the RACP Grant, if and when issued, shall not be deemed an obligation of the County or of any political subdivision thereof to provide any funds to EPADF for the Project other than to disburse funds from the RACP Grant to EPADF.

NOW, THEREFORE, BE IT RESOLVED that the County be and is hereby authorized to submit the application for the RACP grant and County officials are hereby authorized to execute any and all documents necessary under such Grant Application.

AND BE IT FURTHER RESOLVED that the County shall disburse
all Grant funds received by the Commonwealth of Pennsylvania under the RACP grant to EPADF pursuant to the terms of the Agreement.

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


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

Consideration of the Northampton County Department of Community and Economic Development Redevelopment Assistance Capital Program (RCAP) & Rail Transportation Assistance Program (RTAP) Fee Schedule

Mr. Dowd stated this resolution dealt with the adoption of a fee schedule by the Northampton County Department of Community and Economic Development, which would cover the in-office costs of filing and following up on the grant applications. He further stated this issue was discussed at the Economic Development Committee meeting. He then introduced the following resolution:

R. 4-2011 WHEREAS, Northampton County Ordinance No. 17-1979 provides that fees charged by agencies/offices of the County of Northampton be set by Northampton County Council by means of a resolution at such times and at such rates as deemed necessary.

NOW, THEREFORE, BE IT RESOLVED by the Northampton County Council that the Redevelopment Assistance Capital Program & Rail Transportation Assistance Program Fee Schedule shall be as set forth in Exhibit "A" (a copy of which is attached hereto).

In answer to Mr. Angle’s question as to what these programs were, Mr. John Conklin, Director of Administration, advised an example of the RTAP was when the County assisted with the rail
line that went into the Weyerhauser Lumber facility in Forks Township. He further advised the grants come to the County and then they were sub-granted to whoever the contract went to.

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

The vote: Dowd, "yes"; Cusick, "yes"; Ferraro, "yes"; Angle, "yes"; Dietrich, "yes"; Gilbert, "yes" McClure, "yes"; McHale, "yes" and Thierry, "yes".

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

Consideration of the Solid Waste Management Plan Resolution

Mrs. Ferraro introduced the following resolution:

R. 5-2011 WHEREAS, the Solid Waste Management Act, Act of July 7, 1980, P.L. 380, No. 97, as amended (Act 97), established a comprehensive planning and regulatory framework for the storage, collection, transportation, processing and disposal of solid waste, including municipal waste; and

WHEREAS, the Municipal Waste Planning, Recycling and Waste Reduction Act, Act of July 28, 1988, P.L. 528, No. 101 (Act 101) gave the County primary responsibility for planning for municipal waste management within its boundaries and for ensuring sufficient disposal capacity for all municipal waste generated within its boundaries; and

WHEREAS, the 2000 Northampton County Municipal Waste Plan was deemed under Section 501(c)(2) of Act 101 to be a plan approved under Act 101; and

WHEREAS, Section 303(d) of Act 101 authorizes counties to enter into an agreement with another person, including a municipal authority, pursuant to which that person undertakes to fulfill some or all of the County's responsibilities under Act 101 for municipal waste planning and implementation of the approved County Plan; and

WHEREAS, the Council of Northampton County designated the Northampton County Solid Waste Advisory Committee (SWAC) as the
agencies to prepare an update of the 2000 Plan; and

WHEREAS, the Northampton County Department of Community and Economic Development, in coordination with the SWAC, has prepared the Northampton County Municipal Waste Management Plan Update of 2010 (the 2010 Plan); and

WHEREAS, the Northampton County Council believes that the 2010 Plan is appropriate and necessary to protect the health and welfare of the residents of the County; and

WHEREAS, the Northampton County Council believes that effecting and carrying forth the 2010 Plan will enable the County and each municipality to continue to realize the benefits of an effective, efficient, reliable and environmentally safe system for the storage, transportation, processing and disposal of solid waste.

NOW, THEREFORE, upon consideration of the foregoing matters, the Northampton County Council approves the following Resolutions:

1. RESOLVED, the 2010 Northampton County Municipal Waste Management Plan Update is approved.

2. RESOLVED, that the proper officers of the County are authorized and directed to take such actions and execute and deliver on behalf of the County such instruments as shall be necessary or appropriate to carry forth the 2010 Plan.

Mrs. Ferraro stated the biggest detail was the County was charging a $1.00 per ton tipping fee.

Mr. Dowd advised this fee was being received from 26 landfills across the State.

In response to Mr. Angle’s question as to whether any legal challenges were being contemplated regarding the fee, Ms. Lori Sywensky, Community Development Administrator, Department of Community and Economic Development, stated not at this point in time.

Mr. Dowd advised the County was moving forward with its
recycling efforts in an attempt to improve these programs.

In answer to Mr. Angle’s question as to how this would affect the Allen 8, Ms. Sywensky stated they were part of the advisory committee and they were looking at expanding. She further stated the County had been assisting them in their efforts.

In response to Mr. Angle’s comment that they were officially recognized as the County’s yard waste recycling entity, Ms. Sywensky advised they were their own independent entity and had not agreed to be the official entity, but were open to it. She added that any municipality could join them and have a seat on their board as long as they were willing to pay the fee.

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


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

Liaison Assignments

Mr. Angle stated he noticed that Mr. Cusick had named Mrs. Ferraro as the liaison to the Lehigh Valley Economic Development Corporation, however, their regulations were very clear and it was only the President of County Council who could be on it. He further stated it was also Mr. Cusick’s responsibility to be on the Executive Committee of the Lehigh Valley Planning Commission.

Mr. Cusick advised that issue was being looked into and an answer should be available shortly.

Open Space Committee Report

Mr. Cusick stated the Open Space Committee will be meeting on January 20, 2011, at 4:00 p.m., to discuss the final
Human Services Committee Report

Mr. Dietrich advised the Human Services Committee will be meeting on January 20, 2011, following the Open Space Committee meeting, to discuss how the closure of the Allentown State Hospital had impacted the County.

Personnel Committee Report

Mrs. McHale stated the Personnel Committee will be meeting on the third Wednesday of each month, with the first meeting being held on January 19, 2011.

County Records Improvement Liaison Report

Mr. Cusick advised the County Records Improvement Committee met a few weeks ago and one thing that was apparent was the County had to get out of its situation with Iron Mountain. He further advised the Administration was currently exploring some different options.

Solicitor’s Report

Mr. Lauer stated he was in the process of responding to some requests that were made by the members of County Council.

Adjournment

Mr. Dowd made a motion to adjourn.

Mrs. Thierry seconded the motion.

The motion passed by acclamation.

Frank E. Flisser
Clerk to Council