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; 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. Absent was Ron Angle.

Prayer

Mr. Cusick 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

Mr. McClure made the following motion:

Be It Moved By the Northampton County Council that the minutes of the June 2, 2011 meeting shall be approved.

Mrs. McHale seconded the motion.

The minutes were approved by voice acclamation.

 Courtesy of the Floor

Mr. Antoni Scott, Mount Bethel Township, PA - stated he would like County Council to table the decision on the matching funds for the open space acquisition of the Kittany Ridge properties until the next meeting when Mr. Angle could be present.

Mr. Jerry Seyfried, 4431 Gable Drive, Bethlehem, PA - advised the Federation of Sportsmen Club President asked him to
Mr. Seyfried stated the benefit of preserving these types of properties was the protection of watersheds, animals and recreational areas, therefore, on the behalf of the Federation of Sportsmen Club, he was asking County Council to give very serious consideration to acquiring these properties.

Mr. Dowd arrived at the meeting at this time.

Mrs. McHale advised she believed the issue with these properties was the price and not the properties themselves.

Mr. Charles Rice, 618 Quaker Plain Road, Upper Mount Bethel Township, PA - stated they lived down the eastern slope of the Blue Mountain and they considered this a really precious piece of property. He further stated Kirkridge Center was established to bring together different denominations of Christians to discuss questions of peace and justice. He noted they were working on becoming a “greener” place and Wellness center.

Mr. Rice advised Kirkridge was a wonderful, healing place with a great history. Therefore, he hoped County Council would join the Nature Conservancy and Upper Mount Bethel Township in preserving these properties.

Ms. Matilda G. Chase, 102 Peter Jacob Drive, Bangor, PA - stated even though her address was Bangor, she paid taxes to and worked in Upper Mount Bethel Township and was also on the board at Kirkridge. She further advised she was present to speak in favor of preserving these properties. She noted Kirkridge had a history of being involved in the larger community, noting that different organizations used their space for different activities. She further noted they were part of the Slate Belt Chamber of Commerce and were committed to being a good citizen in their local community.
Ms. Alice Murray, 2248 Fox Gap Road, Bangor, PA - advised she volunteered at Kirkridge and was present to show her support for the financial funding to preserve these natural areas.

Mr. Dan Murray, 2248 Fox Gap Road, Bangor, PA - stated Kirkridge was a small business trying to make ends meet so they did not have deep pockets. He further stated they poured approximately $1 million back into the local economy through their visitors. He noted they paid approximately $5500 in real estate taxes and $26,000 in sales and hotel taxes. He further noted the money they would receive if this was put into the Nature Conservancy would go back into the land.

In answer to Mr. Cusick’s question as to whether they had a relationship with Discover Lehigh Valley to promote their facility, Mr. Murray advised they did not, but they had an internet site that received approximately 40,000 hits a month.

Mr. Cusick stated they might want to consider talking to Discover Lehigh Valley and using them to promote their facility since they contributed to the hotel tax.

Ms. Jean Richardson, 2257 Fox Gap, Bangor, PA - advised she was the Director of Kirkridge and a resident of Upper Mount Bethel Township. She further advised they were a 501 c(3) nonprofit organization and was operated by a board that was self-elected. She noted over the last two years, they had been working hard to get the Board to support the concept of putting their land into easements and she came tonight with their unanimous support.

Ms. Richardson stated in January 2010, a presentation from a task force of their board was given whereby it was indicated that if the financial pressures at Kirkridge were to become unbearable and Kirkridge’s survival was at stake the following contingencies would need to be discussed and explored: 1) sell the development rights to Kirkridge, 2) shut down and modify one of the four core buildings and 3) begin to sell the property.

Ms. Richardson advised another issue was safety noting that Route 191 across the mountain was a very dangerous and treacherous road. She further advised presently the only parking for the Appalachian Trail was on the opposite side of their most popular trail heads and on weekends, people were
constantly attempting to cross the road safely. She noted this easement would permit everyone desiring to walk the trail gain access from their parking lot and use their trails that connected to the Appalachian Trail.

Ms. Richardson stated the Kirkridge Board was asked to have a vision and let go of this land for the common good and secure it in perpetuity for non-development never to be touched by future Kirkridge boards or directors. She then asked if County Council was ready to vote tonight for the preservation of clean water and the ecosystem, safety, the area’s natural beauty and the securing of common space for the enjoyment of people now and in the future or was it willing to take the chance that this property would not be sold off in the future especially in such economic times where non-profits were struggling to survive.

Ms. Judith Henckel, 1752 Robin Hood Road, Mount Bethel Township, PA - advised she was an original member of the Open Space Advisory Board and asked County Council to approve the revisions to the Northampton County 21st Century Open Space Initiative Guidelines. She further advised the ranking was changed from a 60-point system to a 100-point system, noting the ranking was based on the merit of the land, not the property owners.

Ms. Henckel stated on the Comprehensive Plan Map compiled by the Lehigh Valley Planning Commission, properties were designated according to their priorities, with the light green areas being high priority and dark green being the highest priority. She further stated they were told if a property was not in the green, it should not even be considered. She noted the properties in Upper Mount Bethel Township were not only in the dark green area, but also overlaid the State’s protection of the Kittatinny Ridge and Appalachian Trail.

Ms. Henckel advised the Supervisors of Upper Mount Bethel Township, with a unanimous recommendation from the Open Space Advisory Board and their Environmental Advisory Council, approved the Broad property that was a fee simple acquisition of 22 acres, the Kirkridge property that was an easement acquisition of 108 acres and the LaPenna property that was an easement acquisition of 49 acres. However, at this time County Council was only being asked to approve the Broad and Kirkridge properties.
Mrs. Ferraro commented that the issue was not whether the County wanted to preserve these properties, but the price being asked per acre.

Ms. Ellen Lott, HC1 Box 1408, Blakeslee, PA - stated she worked for the Nature Conservancy and was present to speak for the trees because the trees had no tongues.

Ms. Lott advised it was important to protect these two properties because the Kittatinny Ridge was an important corridor and a valuable habitat for wildlife. She further advised the Kirkridge property already had great hiking trails that connected with the Appalachian Trail and through the easement, they would be open to the public. She noted the Broad property consisted of 22 forestry acres, was situated next to the Kirkridge land, would be incorporated into the Nature Conservancy Vernal Pool Reserve at Minsi Lake and would be opened to the public.

Ms. Lott stated at the last meeting, there were questions about the appraised value of these lands. She further stated they hired a certified appraiser to provide a professional unbiased accounting. She noted Mr. Vincent Dowling, President of Dowling and Associates, was the appraiser and he was a top-notch appraiser, having more than 30 years experience in appraisal work and taught appraisal courses at the college level across the United States and throughout the world.

Ms. Lott advised there would be a second appraisal because the Pennsylvania Department of Conservation and Natural Resources (DCNR) required one on land protection projects that received funding. She further advised the projects would not proceed without funding from the township, county and state. She noted the township had voted for these projects and she hoped County Council would also vote for them.

Mr. David Broad, 138 South Northampton Street, Bangor, PA - stated his original plan was to build houses on his property, but when he was approached by Ms. Lott he felt this would be a better plan. He further stated there was an easement on his property and the agreement with the Nature Conservancy was that his property would never be sold. He noted he had to provide the percolation test and the easement.
Mr. Broad advised any price could be put on a piece of property, but he felt they came up with a reasonable figure. He further advised he hoped County Council supported the project because he felt it was the right thing to do and would benefit a lot of people.

Ms. Maria Bentzoni, Farmland Preservation Administrator - stated the Kirkridge and LaPenna properties were going to be sold under conservation easements, but the Broad property was being bought out right by the Nature Conservancy who was going to preserve it.

Ms. Constance Folks - advised she was a farmer and lived close to Lake Minsi. She further advised at a recent meeting she learned how difficult it was to assess wild lands and what the loss of it could mean to everyone. She noted she understood the position County Council was in, but she felt everyone had to extend themselves financially to save these lands for future generations.

Confirmation of Appointments

Mrs. McHale stated the Personnel Committee met on June 15, 2011, to review these appointments and they were all unanimously approved. She then introduced the following resolution:

R. 61-2011 RESOLVED, by the Northampton County Council that the following individuals shall be confirmed in their appointments/re-appointments as indicated hereafter:

FARMLAND PRESERVATION BOARD

Re-appointments: Terms to Expire: 6/30/14
Robert Doerr
170 Old Well Road
Easton, PA 18042

Terry Kromer
206 Garr Road
Easton, PA 18040
OPEN SPACE ADVISORY BOARD

Appointment: Thomas C. McCormick, Esq.  Term to Expire: 3/18/15
1623 Merryweather Drive
Bethlehem, PA 18015

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


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


Mr. Cusick advised these resolutions were discussed at the Northampton County Council meeting held June 2, 2011, after which consideration of them was tabled until this meeting. He further advised it was noteworthy to mention that the Upper Mount Bethel Township Board of Supervisors approved these projects at their meeting held June 13, 2011.

Mr. Cusick stated in order to consider these resolutions, they first must be removed from the table so he asked if there was a motion to remove them.

Mr. McClure made a motion to remove these resolutions from the table.

Mrs. Ferraro seconded the motion.

Mr. Cusick called for the vote on the motion.

The motion was passed by a vote of 8-0.

Mr. Bill Mineo, Vice Chair of the Open Space Advisory Board advised he was involved in the preservation of many of the properties that were held as parklands and easements by the County. He further advised he had reviewed lots of appraisals during that time and after reviewing these appraisals, he felt they were excellent appraisals. He added he, as well as the members of the Open Space Advisory Board, strongly supported the acquisition of these properties.

Mr. Dennis DeMara, DCNR Natural Resource Programs Supervisor, stated the Nature Conservancy was eligible to receive up to 50% of all acquisition related costs so they could be included in the grant application. He further stated the deadline for this grant application was April 20, 2011 and at that time, the Nature Conservancy had to indicate the projects were ready to go because their grant process was so competitive, they only wanted to commit funds to projects that were ready to go.

Mr. DeMara advised the first appraisal that was required was scrutinized in detail by their Acquisition Section. He further advised they were going through the grant review process now and the critical point for the Nature Conservancy and these two acquisitions was that the match was secured. He noted it was imperative for them to know immediately if Northampton County was a partner to these applications because if not, it would put them in jeopardy.

Mr. DeMara stated the list would be completed by July/August and then the Governor would announce the grants in the fall and once they were announced, the second appraisal had to be done.

In response to Mr. Cusick’s question as to who would do the appraisal and pay for it, Mr. DeMara replied the Nature Conservancy should have put the cost into their grant application and they would have to get a different appraiser.

In answer to Mrs. McHale’s question as to what would happen if there was a significant difference between the two
appraisals, Mr. DeMara advised it was very rare that there was a large disparity.

Ms. Bentzoni stated at the last meeting, a question was raised as to the procedure for approval and she wanted to clarify that usually the County went first, then DCNR for the grant request and then the municipality. She further stated the funds were only released at closing and until the closing was set up, there was a lengthy process that it went through. She noted at this time, County Council was only allowing these funds to be encumbered.

Ms. Bentzoni advised the assessment values on these properties were very low because they were done in 1995, and they were all in Act 319 or Act 515. Therefore, the assessed value would not reflect an actual appraise value. She further advised she reviewed the appraisals, which she had done for more than nine years, and if there was an issue with the appraisals, she would have raised those concerns to the Open Space Advisory Board, County Council and the Nature Conservancy to have the appraisal corrected or reviewed.

Ms. Bentzoni stated these properties not only met the requirements under the old Guidelines, but also the new version. She further stated no where in either Guidelines did it indicate that the County required a second appraisal because that was normally done in the appraisal process when there was a DCNR grant involved. She further stated if it was an acquisition between the County and a municipality, they may request a second appraisal.

Minsi Corridor - Kittatinny Ridge - Kirkridge

Mr. Cusick introduced the following resolution:

R. 62-2011 WHEREAS, the County of Northampton implemented the Northampton County Initiative by enacting the Northampton County Open Space Ordinance #423-2004 on November 5, 2004; and

WHEREAS, the Northampton County Open Space Advisory Board has recommended the conservation easement acquisition by the Nature Conservancy of the Kirkridge Property, Upper Mount Bethel Township, County of Northampton, which is described more fully
WHEREAS, the Northampton County funding will be used to acquire properties as follows:

- **Property Owner(s):** Kirkridge Inc., Kirkridge Retreat & Study Center
- **Site Location:** 2495 Fox Gap Road, Bangor, PA 18013, Upper Mount Bethel Township, Northampton County
- **Parcel Identification:** B9-2-3 & B9-2-9
- **Site Information:** Approximately 108 acres, wooded acreage with Minsi Lake vernal pools
- **Appraised Value:** $486,000
- **County Grant Request:** $199,400
- **Other Grants:** $250,500 Requested from PA DCNR, $51,100 Requested from Upper Mount Bethel Township

NOW, THEREFORE, BE IT RESOLVED By the Northampton County Council:

(1) The Northampton County Council hereby directs the Northampton County Executive, through the office of the Program Administrator of the Northampton County 21st Century Open Space Initiative, or his/her designee, to take any and all steps necessary to complete the conservation easement acquisition by the Nature Conservancy of the Kirkridge property, Upper Mount Bethel Township, County of Northampton, located at 2495 Fox Gap Road, Bangor, PA 18013, Upper Mount Bethel Township, Northampton County being approximately 108 acres, and also known as Northampton County Uniform Parcel Identifier Numbers B9-2-3 and B9-2-9.

(2) The Northampton County Council hereby directs the Northampton County Executive to appropriate $199,400 as consideration for the conservation easement acquisition by the Nature Conservancy of the Kirkridge property.

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

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

**Minsi Corridor - Kittatinny Ridge - Broad**

Mr. Cusick introduced the following resolution:

R. 63-2011 WHEREAS, the County of Northampton implemented the Northampton County Initiative by enacting the Northampton County Open Space Ordinance #423-2004 on November 5, 2004; and

WHEREAS, the Northampton County Open Space Advisory Board has recommended the fee simple acquisition by the Nature Conservancy of the Broad Property, Upper Mount Bethel Township, County of Northampton, which is described more fully in Exhibit “A” (a copy of which is attached hereto); and

WHEREAS, the Northampton County funding will be used to acquire properties as follows:

- **Property Owner(s):** David & Patricia Broad
- **Site Location:** 138 S. Northampton Street, Bangor, PA 18013
  Upper Mount Bethel Township, Northampton County
- **Parcel Identification** B10-2-10, B-10-2-11 & B10-2-12
- **Site Information:** Approximately 22 acres, wooded acreage with Minsi Lake vernal pools
- **Appraised Value:** $143,000
- **County Grant Request:** $ 61,000
- **Other Grants:** $ 76,250 Requested from PA DCNR
  $ 15,250 Requested from Upper Mount Bethel Township

NOW, THEREFORE, BE IT RESOLVED By the Northampton County Council:
(1) The Northampton County Council hereby directs the Northampton County Executive, through the office of the Program Administrator of the Northampton County 21st Century Open Space Initiative, or his/her designee, to take any and all steps necessary to complete the fee simple acquisition by the Nature Conservancy of the Broad property, Upper Mount Bethel Township, County of Northampton, located at Blue Mountain Drive, Bangor, PA 18013, Upper Mount Bethel Township, Northampton County, being approximately 22 acres, and also known as Northampton County Uniform Parcel Identifier Numbers B10-2-10, B-10-2-11 and B10-2-12.

(2) The Northampton County Council hereby directs the Northampton County Executive to appropriate $61,000 as consideration for the fee simple acquisition by the Nature Conservancy of the Broad property.

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


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

Consideration of the Ordinance Providing for Amendments to the Northampton County 21st Century Open Space Initiative Guidelines

Mr. Cusick advised this ordinance was introduced by himself and Mrs. Ferraro at the meeting held May 19, 2011. He further advised the public hearing was held at the June 2, 2011 Northampton County Council meeting and at the conclusion of the public hearing, the ordinance was tabled.

Mr. Cusick stated at this time the ordinance must be removed from the table so he asked if there was a motion.

Mrs. Thierry made a motion to remove the ordinance from the table.

Mrs. McHale seconded the motion.

Mr. Cusick called for the vote on the motion.

Ferraro, “yes”.

The motion was passed by a vote of 7-1.

AN ORDINANCE PROVIDING FOR AMENDMENTS TO THE
NORTHAMPTON COUNTY 21ST CENTURY OPEN SPACE
INITIATIVE GUIDELINES

WHEREAS, the Northampton County Council adopted ordinance
#423-2004, the ordinance titled, “AN ORDINANCE ESTABLISHING THE
NORTHAMPTON COUNTY OPEN SPACE INITIATIVE, ACCEPTING THE REPORT
OF THE NORTHAMPTON COUNTY COUNCIL OPEN SPACE COMMITTEE PREPARED
WITH THE ASSISTANCE OF THE LEHIGH VALLEY PLANNING COMMISSION,
CREATING THE NORTHAMPTON COUNTY OPEN SPACE ADVISORY BOARD AND
ESTABLISHING ITS DUTIES, AND PROVIDING FOR THE ADMINISTRATION OF
THE OPEN SPACE INITIATIVE,” at the meeting held November 4,
2004. The ordinance was signed by the County Executive on
November 5, 2004 and it became effective as such on December 5,
2004; and

WHEREAS, the Northampton County Council adopted ordinance
#468-2007, the ordinance titled, “AN ORDINANCE PROVIDING FOR
AMENDMENTS TO THE NORTHAMPTON COUNTY 21ST CENTURY OPEN SPACE
INITIATIVE GUIDELINES”, at the meeting held September 20, 2007.
The ordinance was signed by the County Executive on September
21, 2007 and it became effective as such on October 21, 2007.
Ordinance #468-2007 incorporated the waiver of retroactivity
policy for land acquisition programs into the Northampton County
21st Century Open Space Initiative Guidelines; and

WHEREAS, the Northampton County Open Space Advisory Board,
at its meeting held March 10, 2011, reviewed and approved
changes to the Northampton County 21st Century Open Space
Initiative Guidelines.

NOW, THEREFORE, BE IT HEREBY ORDAINED AND ENACTED by the
Northampton County Council that the revised Northampton County
21st Century Open Space Initiative Guidelines (a copy of which is
attached hereto and labeled as Exhibit “A”) are hereby approved.

Section I. Short Title

This ordinance shall be known as, and may be cited as, the
Northampton County 21st Century Open Space Initiative Guidelines
Ordinance.

Section II. Repealer
Any Ordinance or any part of any other ordinance conflicting with the provisions of this Ordinance is hereby repealed.

Section III. Effective Date

This Ordinance shall become effective thirty (30) days after the date of enactment.

Mr. Cusick asked Ms. Bentzoni if she could discuss some of the changes that were made to the Guidelines.

Ms. Bentzoni advised in the original draft of the Guidelines, County parks were not addressed only the municipal element. She further advised the municipal element was added in when the financial commitments to parks, natural features and farmland were done. She noted municipal parks was given $4 million and as of the September application round, many of the participating or eligible municipalities who were given the opportunity to access those funds took advantage of it.

Ms. Bentzoni stated when that element was designed, it was done based on the formula, population and the contribution of the municipality. She further stated those grants have been awarded so there were no funds available going forward. Therefore, when the review for new Guidelines occurred, they felt it made sense to take that part out. She noted it could be reimplemented at any time, however, if it were to be reimplemented, it would have to be redone because circumstances would change. She further noted if County Council wanted to put it back in, it could be added, but it would be old information.

Ms. Bentzoni advised the Open Space element was based on the funding that was negotiated on at the time. She further advised the initial draft of the Open Space plan was based on a bond that was never floated so that was not even applicable anymore.

Ms. Bentzoni stated the Guidelines were rewritten to update the citizens on what was accomplished so far based on the original intent. She further stated the funding had always been and would continue to always be directed by the Administration and approved by County Council during the budget process.

Ms. Bentzoni advised Farmland was included in the Open
Space plan, but it was always administered separately so those guidelines were her guidelines that were dictated by the Farmland Preservation Board and State law and did not change.

Ms. Bentzoni stated no reference was made in the Guidelines to the budget because they could not commit to something when they did not know what it would be.

Ms. Bentzoni advised that every program should be re-evaluated over a course of time, noting that five years was the standard. She further stated this program was initiated, but not followed through or reviewed and it should have been not only for the progression of the program and the administrator, but also for the County to provide a clarification as to what was working and what needed improvement. She indicated that was her intent and the changes she made were procedural in nature to not only make it easier for the administrator to use, but to make it more effective and an easier tool for the conservancies.

Ms. Bentzoni stated she consulted with the Lehigh Valley Planning Commission and the conservancies and took their recommendations into consideration when she made some of the revisions. She further stated the revisions were made after being reviewed by the Open Space Advisory Board and were brought to the attention of the County Council’s Open Space Committee and the Administration. She noted the revisions were made to better the program and not change it.

Mr. Dowd advised the only benefit the urban areas could receive from this program would be in the municipal parks element, therefore, he would like to see that added back in because it was always easier to take things out than put them back in at a later time.

Mr. McClure stated it was so important to maintain a balance between farmland preservation, open space, environmentally sensitive lands and municipal parks. He further stated the point Mr. Dowd made was that every citizen should have a buy into this program and without a balance, it would not be profitable.

Mr. McClure agreed some of the funding mechanisms have not come to fruition and without it the program could not survive so the County had to decide to make this one of its top priorities. However, he felt changing the Guidelines now was premature and that the current Guidelines had the appropriate balance to maintain the public support the County needed to have going forward.
Mr. McClure advised he would agree that preserving farmlands was important, but he would like to see the County do a little more work on preserving open space and environmentally sensitive lands.

In response to Mr. McClure’s question as to what could not be done that was done in the past if the Guidelines were not revised, Ms. Bentzoni stated the biggest issue was clarifying public access and it would provide the conservancies an educational and procedural tool to negotiate with the landowners and let them know what they could or could not do. She further stated it was imperative that the language was structured to make this process as clean legally for the County as possible. Additionally, she felt the changes that were made were necessary to move this program forward whether or not there was funding designated in any given budget.

Mrs. McHale made a motion to amend the Guidelines to reinsert the municipal parks element back into it.

Mr. Dowd seconded the motion.

Mr. Cusick called for the vote on the motion.


Mr. McClure commented since the referendum more money had been spent on farmland preservation than on open space and environmentally sensitive lands so he wondered, under the new Guidelines, how the balance would change.

Ms. Bentzoni advised it did not change because regardless of what structure was intended, it came down to what the Administration budgeted and what County Council passed.

In response to Mr. McClure’s question as to whether she felt the Guidelines favored farmland preservation over the other elements, Ms. Bentzoni replied she did not think so, but felt that was the perception of the public.

In answer to Mr. Dowd’s comment that there were probably more farmland preservation projects in the pipeline, Ms. Bentzoni stated that County Council did not like to allocate money if there were no projects in the pipeline. She further
stated the dilemma with that process was there was an immense amount of time and money that came in with an application that had to be done before presenting it for approval so how could the conservancies be asked to invest all that time and money if in the end there would be no funding for it especially in these difficult economic times.

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


The ordinance was adopted by a vote of 7-1.

Consideration of the Contract Notification Resolution

Mr. Cusick advised at the June 2, 2011 County Council meeting there was a discussion on a resolution introduced by Mr. Dowd which asked the County Executive to provide County Council with written notification of contracts 90 days before they were to expire, however, it was then withdrawn. He further advised this resolution was being sponsored by Messrs. Dowd and McClure and it would require electronic notification of contracts, at or exceeding $100,000, 90 days before they were to expire.

Messrs. Dowd and McClure introduced the following resolution:

R. 64-2011    WHEREAS, Northampton County Administrative Code Article XIII - PROCUREMENT AND DISPOSITION OF COUNTY PROPERTY, Section 13.16 c. - Contracts and Agreements sets forth Northampton County Policies and Procedures for entering into contracts and agreements; and

WHEREAS, Administrative Code Section 13.16 c. (1) (2) sets forth circumstances under which County Council approval is necessary for certain contracts; and

WHEREAS, fairly often County Council is asked to approve contracts on a restrictive and tight time frame often without sufficient time to adequately review and/or question the given contract and its terms and/or conditions; and

WHEREAS, Northampton County Home Rule Charter Section 202
(8) provides that County Council has the power, “to require periodic and special reports from elected officials and their subordinates”; and

WHEREAS, the Procurement Division utilizes a contract management application to track and monitor County contracts.

NOW, THEREFORE, BE IT RESOLVED by the Northampton County Council requests that the Northampton County Executive ask the County’s IT Division to develop the necessary modifications to the contract management application so as to provide County Council with electronic notification of contracts, at or exceeding $100,000 in value, ninety (90) days before they are about to expire.

Mr. Albert Jordan, ACS Director of Information Services, stated that County Council may want to up the amount of the contracts because at $100,000, a lot of contracts would be involved.

Mr. Dowd and Mrs. McHale indicated they would like it to remain at $100,000.

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


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

Consideration of the Gift Acceptance Resolution - Gracedale

Mr. Cusick advised the County Executive notified County Council that he would like County Council to accept an estate donation from former Gracedale resident Willis Mohr, recently deceased. He further advised that Mr. Mohr named Northampton County Gracedale as beneficiary of an insurance policy and after expenses, the County received $9,266.76. He noted the funding would be used to purchase flat screen televisions for the solariums throughout Gracedale.

Mr. Dietrich introduced the following resolution:
WHEREAS, Northampton County Home Rule Charter Section 202 (10) provides that the County Council shall have, among others, the following powers: “to accept on behalf of the County any gifts of real property and to provide for the acceptance by any agency on behalf of the County of other gifts;” and

WHEREAS, Willis Mohr, deceased, a former resident of Gracedale, named Northampton County - Gracedale as the beneficiary of his insurance policy and after expenses, the County of Northampton - Gracedale received $9,266.76.

NOW, THEREFORE, BE IT RESOLVED by the Northampton County Council that it does hereby direct the County Executive to accept on behalf of the County of Northampton - Gracedale, the sum of $9,266.76 from former Gracedale resident Willis Mohr. Further, County Council does hereby concur with the County’s decision to use the funding to purchase flat screen televisions for the solariums throughout Gracedale.

Mr. Dietrich stated this gift was discussed at the Human Services Committee meeting and it was learned that Mr. Mohr was a resident at Gracedale for 48 years and considered Gracedale his home and wanted to give back to the other residents.

Mr. Dietrich advised there was also some discussion at the meeting with regard to finding a way to appropriately acknowledge the receipt of this gift and future gifts, but no decision was made.

Ms. Marylou Zimmer stated she felt County Council should check into this as far as purchasing televisions because Gracedale just recently got some televisions.

When Mrs. McHale was informed that it was not a stipulation in Mr. Mohr’s bequest, she suggested removing that information from the resolution.

Mr. McClure made a motion to remove the last sentence pertaining to the televisions from the resolution.

Mr. Dowd seconded the motion.

Mr. Cusick called for the vote on the motion.

and Cusick, “yes”.

The motion passed by a vote of 8-0.

Mr. Cusick called for the vote on the following amended resolution:

R. 65-2011  WHEREAS, Northampton County Home Rule Charter Section 202 (10) provides that the County Council shall have, among others, the following powers: “to accept on behalf of the County any gifts of real property and to provide for the acceptance by any agency on behalf of the County of other gifts;” and

WHEREAS, Willis Mohr, deceased, a former resident of Gracedale, named Northampton County - Gracedale as the beneficiary of his insurance policy and after expenses, the County of Northampton - Gracedale received $9,266.76.

NOW, THEREFORE, BE IT RESOLVED by the Northampton County Council that it does hereby direct the County Executive to accept on behalf of the County of Northampton - Gracedale, the sum of $9,266.76 from former Gracedale resident Willis Mohr.

Mrs. McHale suggested the County Executive or Mr. Ross Marcus, Director of Human Services, advised County Council of a need that the residents had so the money could be allocated to it.

Mr. Marcus advised he would do that and apologized for the confusion.


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

Consideration of the Human Services Pay Scales Resolution

Mr. Cusick stated at the request of Mr. Marcus, County Council was asked to consider revised 2010 and 2011 pay scales for Human Services Civil Service (Non-Union) Administrative Staff Pay Scale (Pay Scale HS) and the PSSU Employees Pay Scale (Pay Scale PS). He further stated the Personnel Committee met
on June 15, 2011 to review the revised pay scales.

Mrs. McHale introduced the following resolution:

R. 66-2011 WHEREAS, the Northampton County Council adopted resolutions #101-2009 and #26-2010, which adopted pay scales for certain full-time County employees, including the 2010 Department of Human Services Civil Service (Non-Union) Administrative Staff Pay Scale (Pay Scale HS) and the 2010 PSSU Employees Pay Scale (Pay Scale PS); and

WHEREAS, the Northampton County Council adopted resolution #107-2010, which adopted pay scales for certain full-time County employees, including the 2011 Department of Human Services Civil Service (Non-Union) Administrative Staff Pay Scale (Pay Scale HS) and the 2011 PSSU Employees Pay Scale (Pay Scale PS); and

WHEREAS, on May 27, 2011, the Director of Human Services indicated that due to changes in State maximum allowable salaries, it became necessary to revise the 2010 and 2011 Human Services Civil Service (Non-Union) Administrative Staff Pay Scale (pay scale HS) and the PSSU Employees Pay Scale (Pay Scale PS).

NOW, THEREFORE, BE IT RESOLVED by the Northampton County Council that the 2010 and 2011 Human Services Civil Service (Non-Union) Administrative Staff Pay Scale (Pay Scale HS) and the PSSU Employees Pay Scale (Pay Scale PS) shall be revised to read as indicated on the attached document (refer to Exhibit “A”). The 2010 revisions shall be retroactive to October 1, 2010.

Mr. Marcus advised this resolution was changing the end column on the pay scales to the State maximum so the County could receive full reimbursement. He further advised the important point was this would not change the salaries that County Council approved in last year’s budget.

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

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

Human Services Committee Report

Mr. Dietrich stated at the Human Services Committee meeting, issues regarding the State budget were discussed.

Mr. Dietrich advised the Administration was coming forward with some amendments for the Gracedale budget. He further advised there was a grant that was being provided by the County Commissioners Association of Pennsylvania to help improve the technology at Gracedale. He noted the restriction on the grant was that it had to be spent by December 31, 2011 and there was a five-year forgiveness clause so if the County held onto Gracedale for five years, it would not have to repay the grant.

Mr. Dietrich stated the County Executive indicated he was interested in consolidating the offices of the divisions in the Department of Human Services. He noted he would like to eliminate the Wolf and/or Bechtel Buildings and locate the divisions into one facility.

Mr. Dietrich advised on June 30, 2011, at 2:00 p.m., the Request for Proposals for the Gracedale Management Team would be opened in the Procurement Office and was opened to the public.

Conservation District Liaison Report

Mrs. Ferraro advised the Conservation District had again been approved for their teacher training program through the State. She further advised last year County Council gave them $500 towards that program, but this year they were able to secure a grant.

Mrs. Ferraro stated they were having a 50th anniversary party in October.

Finance Committee Report

Mr. Cusick advised the Finance Committee met yesterday to discuss the annual audit. He further advised it appeared there was good news for the most part, but the biggest concern was what action should be taken regarding the Swaption.
Farmland Preservation Liaison Report

Mr. Cusick stated there were still two vacancies so if anyone knew of any farmers who may be interested to have them submit a resume and letter of interest.

Discover Lehigh Valley Liaison Report

Mr. Cusick advised he attended a Discover Lehigh Valley meeting earlier this week and learned the hotel tax revenues for Northampton County were up 19%. However, the State grant for tourism to Discover Lehigh Valley was reduced from $164,000 to zero.

Lehigh Valley Economic Development Corporation (LVEDC) Liaison Report

Mr. Cusick stated earlier this week, he had a meeting with Mr. Phil Mitman, President and Chief Executive Officer, to discuss some of the issues that were going on at LVEDC.

Prison Liaison Report

Mrs. Thierry advised this weekend she had the privilege of accompanying members of the Prison staff and the Prison Board to Chicago to look at the Cook County boot camp and all of them left with a positive attitude about it. She further advised it was hopeful that it was something that could be incorporated into the County’s Prison system.

Solicitor’s Report

Mr. Lauer stated he was asked to look at what, if any, obligation County Council had with respect to approving in advance renewals of contracts where renewals were provided in the original contract and the amount exceeded $100,000.

Mr. Lauer advised after he reviewed one such contract, it appeared the renewal already occurred in 2009 and in the agreement to renew, the contractor gave up an increase in their annual pay for the year of the renewal. Therefore, in that case, he did not know if there was anything that could have been
done because the County may have incurred some legal consequences.

Mr. Lauer stated he was going to explore the matter further and report back his findings by the next meeting.

Adjournment

Mrs. Thierry made a motion to adjourn.

Mr. Cusick seconded the motion.

The motion passed by acclamation.

Frank E. Flisser
Clerk to Council