Easton, Pennsylvania

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; Bruce A. Gilbert; Kenneth M. Kraft; Lamont G. McClure, Jr.; Scott Parsons; Barbara A. Thierry; Robert F. Werner; Frank E. Flisser, Clerk to Council, and Philip D. Lauer, Solicitor to Council.

Prayer

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

Pledge of Allegiance

Mrs. Thierry 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 April 4, 2012 meeting shall be approved.

Mrs. Thierry seconded the motion.

The minutes were approved by voice acclamation.

Courtesy of the Floor

Mr. Ron Angle, Upper Mount Bethel Township, PA - advised it has been a while since the voters voted to keep Gracedale and the management company provided recommendations so he wondered what the situation was regarding Gracedale.

Mr. Ross Marcus, Director of Human Services, stated the management company was determining whether it would be best to
sell the reduced beds or return them to the State and he should have their decision shortly.

Mr. Marcus advised the short term rehabilitation wing would be opening on May 1, 2012. He further advised the admission committee had been abolished and an admission division established, which would allow for evening and weekend admissions and should speed up the admission procedure.

In answer to Mr. Angle’s question as to whether they were going to outsource the laundry and food services, Mr. Marcus stated that would have to be bargained as they were union jobs and have been added to the list of things they plan to discuss with the union.

Mr. Marcus advised they have tightened the controls on overtime and the nursing pools and have been holding monthly budget meetings with the department heads to make them more involved in the budget process and accountable for their portion of the budget.

Mr. Marcus stated they have prioritized the list regarding cash collections based on those that they would most likely to be able to collect from and the management company was working with the collection agency that was chosen.

In response to Mr. Angle’s question as to where the census was, Mr. Marcus advised they were up to 600 and averaging approximately 10 bed holds.

Mr. Angle stated the County had been deficit spending since the beginning of the year because the budget that passed did not have the tax increase required to commensurate with the amount of spending so when the first quarter financial statement came out, he hoped they would take a good look at it.

Mr. Angle advised he was appalled that Mr. Cusick had not been attending the Lehigh Valley Economic Development Corporation (LVEDC) meetings, especially since there were only two votes cast against the Allentown project. He further advised the new initiatives being given to the Allentown project meant that Northampton County would be competing with the prices Allentown would now be able to provide for office space.

Mr. Angle stated he would like to know why the Finance Committee did not take a position opposing this proposal and
what were the votes of the Northampton County representatives at the LVEDC meeting.

Mrs. Ferraro advised she was a representative, but she was not able to attend that meeting.

Mr. John Stoffa, County Executive, stated he also missed the meeting as he was conducting interviews.

Mr. Angle advised he hoped that County Council would take a look at this issue tonight and take a position to oppose it.

County Executive’s Report

Mr. Stoffa stated at the Finance Committee meeting, a discussion was held regarding the Swaption and their goal was to terminate it by Memorial Day. He further stated they were holding weekly telephone conferences.

Confirmation of Appointments

Mr. Cusick advised the Personnel Committee met on April 18, 2012, to review these appointments/re-appointments.

Mr. Kraft stated the Personnel Committee recommended presenting these appointments/re-appointments to the whole of County Council for approval. He then introduced the following resolution:

R. 23-2012 RESOLVED, by the Northampton County Council that the following individuals shall be confirmed in their appointments/re-appointments as indicated hereafter:

COMPREHENSIVE ECONOMIC DEVELOPMENT STRATEGY (CEDS) - LVEDC COMMITTEE

Re-appointments: Terms to Expire: 12/31/13
Esther M. Lee
627 Cherokee Street
Bethlehem PA 18015

Marc A. Troutman
4535 Cheryl Drive
GRACEDALE ADVISORY BOARD

Appointments: Terms to Expire: 4/19/13
Margaret D’Alessandro
705 Front Street
Bangor PA 18013

Susan L. Lawrence
744 Barrymore Lane
Bethlehem PA 18017

Paul Brunswick Term to Expire: 4/19/14
3554 Southwood Drive
Easton PA 18042

PERSONNEL COMMISSION

Re-appointments: Terms to Expire: 12/31/13
Eugene R. Auman, SPHR
518 East Main Street
Bath PA 18014

Gary L. Dologite, SPHR
1465 Main Street
Bethlehem PA 18018

Kenneth J. Guerin
353 Kevin Drive
Bethlehem PA 18017

Marna Hayden
312 Shauna Way
Nazareth PA 18064

Lisa Youngkin Rex
734 Paxinosa Avenue
Easton PA 18042

RETIREMENT BOARD
Appointments: 
Robert Werner  
County Council Member  
705 Paxinosa Avenue  
Easton PA 18042  

Terms to Expire: 12/31/12  

Re-appointments:  
Margaret Ferraro  
Council Present Representative  
County Council Vice President  
339 Schoeneck Avenue  
Nazareth PA 18064  

Bruce A. Gilbert  
County Council Member  
6 Wilden Drive West  
Easton PA 18045  

Doran Hamann  
County Executive Representative  
Northampton County Budget Administrator and Acting Fiscal Affairs Director  
3552 Sutton Place  
Bethlehem PA 18020  

John R. Mehler  
Employee Representative  
Northampton County Area Agency on Aging Administrator  
2741 Stephens Street  
Easton PA 18045  

John Stoffa  
County Executive  
3519 Kreidersville Road  
Northampton PA 18067  

Mr. Dietrich advised the appointments to the Gracedale Advisory Board were also discussed at the Human Services Committee meeting earlier this evening where it was also recommended they be presented for approval.
As there were no further questions or comments, Mr. Cusick called for the vote.


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

Public Hearing on the Ordinance Titled, “AN ORDINANCE OF THE COUNTY OF NORTHAMPTON, EASTON, PENNSYLVANIA, PROVIDING FOR AN UNCONVENTIONAL GAS WELL FEE ON EACH UNCONVENTIONAL GAS WELL SPUD IN NORTHAMPTON COUNTY”

Mr. Cusick stated this ordinance was introduced by Messrs. Parsons and Werner at the meeting held April 4, 2012.

AN ORDINANCE OF THE COUNTY OF NORTHAMPTON, EASTON, PENNSYLVANIA, PROVIDING FOR AN UNCONVENTIONAL GAS WELL FEE ON EACH UNCONVENTIONAL GAS WELL SPUD IN NORTHAMPTON COUNTY

IT IS HEREBY ORDAINED AND ENACTED By the Northampton County Council as follows:

Section 1. The County of Northampton hereby imposes an unconventional gas well fee on each unconventional gas well spud in this County, as authorized in Title 58.

Section 2. Definitions. The following words and phrases when used in this ordinance shall have the meanings given to them in this section unless the context clearly indicates otherwise:

“Fee.” The unconventional gas well fee imposed under Section 2302 of Title 58.
"Spud." The actual start of drilling of an unconventional gas well.

"Title 58." Title 58 (Oil and Gas) of the Pennsylvania Consolidated Statutes as amended by Act of February 14, 2012 (P.L.87, No.13).

"Unconventional gas well." A bore hole drilled or being drilled for the purpose of or to be used for the production of natural gas from an unconventional formation.

Section 3. The unconventional gas well fee shall be applicable, and shall be administered, as provided for in Title 58.

Section 4. This ordinance shall take effect thirty (30) days after date of enactment, and shall remain in effect until repealed or amended.

Section 5. A copy of this ordinance shall be transmitted to the Public Utility Commission as required by Title 58.

Public Hearing

Mr. Cusick asked if anyone from the public wished to address County Council on this matter.

Mr. Angle asked if an overview could be provided regarding the purpose of this ordinance.

Mr. Lauer advised the ordinance was identical to ordinances adopted in the Counties where there would be natural gas production as a result of the recent events. He further advised in order to be able to impose a fee, there had to be an ordinance in place.

Mr. Lauer stated there currently were no known deposits of gas that would be accessed in Northampton County, however, there were some accessible deposits in locations very close to it.
Therefore, the thought was there would be no harm in having the ability to access the fee in the event it was determined there were accessible deposits in the County.

Mr. Angle advised since the County did not have any deposits, he did not feel this ordinance was necessary.

Mr. Dietrich stated he agreed with Mr. Angle and was wondering why an ordinance was being passed for something that did not exist.

Mr. Karl Longenbach, Northampton County Solicitor, advised if County Council did not act by April 23, 2012, they would lose the right to act.

Mr. Werner stated even though it did not affect Northampton County directly at this time, 42% of the Statewide violations that took place in 2011, were committed by companies with representatives on Governor Tom Corbett’s commission to do the work here and when they had a problem, his response was that people make mistakes. He further stated he believed the County was doing the right thing by protecting itself against things that may or may not change.

Mr. Cusick advised this ordinance was recommended by the County Commissioners Association of Pennsylvania (CCAP) just in case something should happen in the future or if the law was amended.

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


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

Public Hearing on the Ordinance titled, “AN ORDINANCE OF THE NORTHAMPTON COUNTY COUNCIL AUTHORIZING THE COUNTY OF NORTHAMPTON, EASTON, PENNSYLVANIA, TO LEASE A PORTION OF 902 LINCOLN AVENUE, NORTHAMPTON, PENNSYLVANIA”
Mr. Cusick stated this ordinance was introduced by Mr. Dietrich and Mrs. Ferraro at the meeting held April 4, 2012.

AN ORDINANCE OF THE NORTHAMPTON COUNTY COUNCIL AUTHORIZING THE COUNTY OF NORTHAMPTON, EASTON, PENNSYLVANIA, TO LEASE A PORTION OF 902 LINCOLN AVENUE, NORTHAMPTON, PENNSYLVANIA

WHEREAS, Northampton County Administrative Code Article XIII, Section 13.15 Purchase, Sale and Lease of Real Estate Section c. (1) Purchase/Sale/Lease of Real Estate, provides, "The County Executive, or his designee, may negotiate a contract for the purchase, sale or lease (with the County as lessor or lessee) of real estate. Any such purchase/sale/lease shall be approved by County Council, and no such contract shall bind the County nor shall any conveyance be lawful, until County Council approves of the terms of the purchase/sale/lease."; and

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

NOW, THEREFORE, BE IT HEREBY ORDAINED AND ENACTED by Northampton County Council that it does hereby authorize the County of Northampton, Easton, Pennsylvania, to lease a portion of 902 Lincoln Avenue, located in the Borough of Northampton, Pennsylvania, for $988.00 per month. The terms and conditions of the lease shall be in accordance with the lease agreement and related documentation, copies of which are attached hereto and made a part hereof as Exhibit "A".

Effective Date: This ordinance shall become effective thirty days after the date of enactment.

Public Hearing

Mr. Cusick asked if any member of the public had any questions or comments.

There were no respondents.
Mr. Cusick asked Mr. John Mehler, Northampton County Area Agency on Aging Administrator, to address this matter.

Mr. Mehler advised the Area Agency on Aging was requesting that a portion of this building be leased by the County for use as a senior center. He further advised the County had been using this location for approximately 11 years and had to invest very little, if any, money in it. Therefore, he would appreciate County Council’s approval of this lease.

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


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

Consideration of the Court’s Personnel Request - Special Court Master

Mr. Cusick stated the Personnel Committee met yesterday to consider this request.

Mr. Kraft advised the Courts originally requested an increase in the salaries of the current Court Masters, but after a discussion regarding the workload, it was determined that creating a new position would be a better solution. He further advised the Personnel Committee voted unanimously to recommend this position to the whole of County Council for approval.

Mr. Kraft introduced the following resolution:

**R. 24-2012 BE IT RESOLVED By the Northampton County Council that the one (1) new Judicially exempt part-time position of Special Court Master Child Custody, pay grade RS-04, salary $40,760, shall be created in the Department of Court Administration, Northampton County Court of Common Pleas, effective April 19, 2012.**

Mr. Dietrich stated Mr. James Onembo, Court Administrator, came before County Council to request a salary increase for the
Court Masters as a viable solution to the Courts situation, however, some members of County Council talked him into hiring another Court Master at a salary of approximately $40,000. Therefore, this resolution not only increased the cost of government, but also its size so he could not support it.

Mr. Kraft advised Mr. Onembo advised the Court Masters were working a lot of overtime and it was still impossible for them to keep up with the caseload.

Mr. Gilbert stated the alternative to hiring another Court Master would be overtime, which would cost the County much more financially and could result in the job not being done properly.

Mr. Dietrich advised County Council was responsible for the budget and if Mr. Onembo was content with an increase in salary, then it was not County Council’s place to suggest a position.

Mr. Kraft stated Mr. Onembo came with a simple solution to a more complex problem because he did not believe County Council would approve another position.

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


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

Consideration of the Resolution Providing for the Compensation Paid to Constables for Elections

Mr. Cusick advised this request was discussed at the Personnel Committee meeting.

Mr. Kraft introduced the following resolution:

R. 25-2012 RESOLVED, by the Northampton County Council that effective April 24, 2012 the pay rates for Northampton County Election Board Workers - Constables shall be as indicated hereafter:
Mr. Kraft stated a few years ago, the Election Commission requested an increase in salaries for the election workers, however, their attorney indicated the Constables were not under their purvey so an increase for them could not be presented. He further stated it was later determined State law indicated the Constables had to be paid the same as the Inspectors.

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


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

Consideration of the Resolution Calling for the Repeal of PA Act 23 of 2003 (QIRMA/Swaptions)

Mr. Cusick advised at his request a resolution was prepared which called for the Repeal of PA Act 23 of 2003, the State legislation which allowed school districts and local units of government to enter into swaptions. He then introduced the following resolution:

R. 26-2012  WHEREAS, the General Assembly of the Commonwealth of Pennsylvania unanimously passed Act 23 of 2003, which expanded the use of derivatives and for the first time allowed school districts and local governments to enter into Qualified Interest Rate Management Agreements (QIRMAs), which are more commonly known as swap agreements and swaptions; and

WHEREAS, the Auditor General of the Commonwealth of Pennsylvania in a report (Auditor General’s Report) titled, “A SPECIAL INVESTIGATION OF THE BETHLEHEM AREA SCHOOL DISTRICT, LEHIGH AND NORTHAMPTON COUNTIES - A Case Study of the Use of
Qualified Interest Rate Management Agreements ("Swaps") By Local Government Units in Pennsylvania, With Recommendations - November 2009;” concluded, in part: “...that QIRMAs are highly risky and impenetrably complex transactions that, quite simply, amount to gambling with public money. Moreover they are susceptible of being marketed deceptively, and they principally benefit investment banks and the multitude of intermediaries who sell them to relatively unsophisticated public officials...”; and

WHEREAS, the Auditor General’s Report recommends: (1) The use of QIRMAs and other derivatives by Local Government Units (LGUs) and municipal authorities should be prohibited by law; (2) No LGU or municipal authority in this Commonwealth should enter into or utilize such instruments from this day forward; (3) Any LGU or municipal authority in this Commonwealth that is party to an active QIRMA should immediately terminate it and refinance with conventional debt instruments if necessary; (4) LGUs and municipal authorities should hire their financial advisors through a competitive selection process and periodically evaluate the quality, cost and independence of services provided; and

WHEREAS, the County of Northampton entered into and approved a QIRMA on June 17, 2004, by adopting Northampton County resolution No. 34-2004; and

WHEREAS, at the meeting held March 1, 2012, the Northampton County Council adopted resolution No. 14-2012 which terminated the Northampton County QIRMA, at a cost which then approximated $25,000,000.

NOW, THEREFORE, BE IT HEREBY RESOLVED By the Northampton County Council that it does concur with the conclusions and recommendations set forth in the Auditor General’s Report, as enumerated in the preceding paragraphs.

IT IS FURTHER RESOLVED By the Northampton County Council that it calls upon the General Assembly of the Commonwealth of Pennsylvania to enact, and the Governor to sign, legislation that would repeal Pennsylvania Act 23 of 2003.

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


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

Consideration of Administrative Code Article XIII Contract Approval Resolutions: a) Security System - West Easton Treatment Center, b) Prison Food Service Management, c) ACS Corporation

Mr. Cusick stated the Finance Committee met on April 18, 2012, to review three Administrative Code Contract approval resolutions for the security system for the West Easton Treatment Center, the Prison food service management and ACS for licensing and maintenance agreements.

Security System - West Easton Treatment Center

Mr. Cusick introduced the following resolution:

R. 27-2012 WHEREAS, Northampton County Administrative Code Article XIII Procurement and Disposition of County Property, Section 13.16 Contracts and Agreements c.(1) requires approval of County Council for “…any contract exceeding $100,000, which was awarded using the Competitive Negotiation, Negotiation After Competitive Sealed Bidding, and Non-Competitive Negotiation source selection methods. For contracts with renewal clauses, the entire potential payout if all renewal clauses are exercised under the terms of the contract must be considered when determining if Council approval is necessary”; and

WHEREAS, on April 13, 2012, the Northampton County Council received a request from the County Executive for County Council to adopt a resolution approving a contract totaling $109,655.00 with Stanley Convergent Security Solutions, Inc. for the security system integration at the West Easton Treatment Center.

NOW, THEREFORE, BE IT RESOLVED that the Northampton County Council does hereby concur with the recommendation of the County Executive, as set forth in the attached documentation, to award a contract to Stanley Convergent Security Solutions, Inc.
Mr. Robert Meyers, Director of Corrections, advised this request was for additional funding to increase some of the security at the West Easton Treatment Center.

In answer to Mr. McClure’s question as to the sole source, Mr. Meyers stated it had to do with compatibility and warranty issues.

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


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

Prison Food Service Management

Mr. Cusick introduced the following resolution:

R. 28-2012  WHEREAS, Northampton County Administrative Code Article XIII Procurement and Disposition of County Property, Section 13.16 Contracts and Agreements c.(1) requires approval of County Council for “...any contract exceeding $100,000, which was awarded using the Competitive Negotiation, Negotiation After Competitive Sealed Bidding, and Non-Competitive Negotiation source selection methods. For contracts with renewal clauses, the entire potential payout if all renewal clauses are exercised under the terms of the contract must be considered when determining if Council approval is necessary”; and

WHEREAS, on April 13, 2012, the Northampton County Council received a request from the County Executive for County Council to adopt a resolution approving a five year contract totaling $5,333,406.00 with A’Viands, LLC for correctional food service management for the Prison.

NOW, THEREFORE, BE IT RESOLVED that the Northampton County Council does hereby concur with the recommendation of the County
Executive, as set forth in the attached documentation, to award a contract to A’Viands, LLC.

Mr. Meyers stated after reviewing the bids, they determined by going with A’Viands LLC, the Prison was going to be paying less than they were currently paying.

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


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

ACS for Licensing and Maintenance Agreements

Mr. Cusick introduced the following resolution:

R. 29-2012   WHEREAS, Northampton County Administrative Code Article XIII Procurement and Disposition of County Property, Section 13.16 Contracts and Agreements c.(1) requires approval of County Council for “...any contract exceeding $100,000, which was awarded using the Competitive Negotiation, Negotiation After Competitive Sealed Bidding, and Non-Competitive Negotiation source selection methods. For contracts with renewal clauses, the entire potential payout if all renewal clauses are exercised under the terms of the contract must be considered when determining if Council approval is necessary”; and

WHEREAS, on April 13, 2012, the Northampton County Council received a request from the County Executive for County Council to adopt a resolution approving a contract totaling $364,885.86 with ACS for Enterprise License and Maintenance Agreements.

NOW, THEREFORE, BE IT RESOLVED that the Northampton County Council does hereby concur with the recommendation of the County Executive, as set forth in the attached documentation, to award a contract to ACS.
Mr. Al Jordan, ACS Director of Information Services, advised this was a standard software maintenance agreement and the reason it came through ACS was because they procured the software, managed it, installed it, implemented it and maintained it.

In response to Mr. Kraft’s question as to whether this price included upgrades, Mr. Jordan replied it did.

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


The resolution was adopted by 9-0.

Consideration of the Resolution Providing for a Ban On Open Burning in Northampton County

Mr. Cusick stated the Northampton County Executive and County Council received a written recommendation from the District Forester indicating his support for the enactment of a ban on all open burning in Northampton County. He further stated the proposed ban obtained the endorsement of at least ten Fire Chiefs from various sections in the County.

Mr. Cusick introduced the following resolution:

R. 30-2012 WHEREAS, the Northampton County Executive received a written recommendation from the District Forester requesting the enactment of a ban on all open burning in Northampton County; and

WHEREAS, the proposed ban has obtained the endorsement of at least ten Fire Chiefs from various sections in the County favoring said ban on open burning; and
WHEREAS, the existing dry and dangerous burning conditions and sub-average rainfall have created a great risk of fire in Northampton County; and

WHEREAS, said conditions warrant a County-wide burning ban for the protection of life and property in Northampton County; and

WHEREAS, it is the intent of the Northampton County Council to enact a burning ban; and

WHEREAS, state law authorizes counties to provide for the imposition of a temporary County-wide ban on open fires, Act No. 52-1995, 16 P.S. § 13201.

NOW, THEREFORE, BE IT RESOLVED by the Northampton County Council as follows:

I. Enactment of Burning Ban

All open outdoor burning is hereby banned in Northampton County, Pennsylvania for a period of thirty (30) days from the effective date of this resolution, or until further resolution, or until future resolution of the Northampton County Council, whichever shall first occur.

II. Burning Ban Definition

Open burning is defined as the ignition and subsequent burning of any combustible material (garbage, leaves, twigs, litter, paper, vegetative matter involved with land clearing, or any sort of debris) out of doors either in a burn barrel or on the ground. The use of propane or gas stoves, charcoal briquette grills, or the use of tobacco in any form is not covered under this ban. Campfires are allowed in fire rings that confine and contain the campfire in designated state, federal, or Department of Environmental Protection licensed campgrounds.

III. Effective Date

The provisions of this resolution shall become effective at 12:00 A.M., April 23, 2012.

IV. Public Notification
The Northampton County Director of Emergency Management Services shall notify the residents of Northampton County of the burning ban by: (1) notifying local radio and television stations of the ban; (2) placing notices of the ban in both The Morning Call and The Express-Times, at least 48 hours prior to the imposition of the ban; (3) notifying all Northampton County Fire Chiefs of the ban and (4) notifying the offices of all Northampton County municipalities of the ban.

V. Enforcement

A. This burning ban may be enforced by any sworn police officer including, but not limited to, the Pennsylvania State Police and all police of Northampton County municipalities.

B. In accordance with Pennsylvania Act 52 of 1995, any person or entity violating this burning ban shall have committed a summary offense and upon conviction shall be sentenced to pay a fine of not more than $100 for the first offense, a fine of not more than $200 for the second offense and a fine of not more than $300 for any third or subsequent offenses. The aforesaid fines shall not limit any other remedies by any other authorities or entities.

C. Whenever a violation of this act occurs in a city, borough, incorporated town or township which has in effect an ordinance prohibiting open burning, the police officer may cite the violation under either the municipal ordinance or the County resolution. Under no circumstances shall a person be cited for violations of both the County resolution and the municipal ordinance for the same violation.

In answer to Mr. Dietrich’s question as to why this was not being done at the municipal level, Mr. Parsons advised some municipalities have enacted a burning ban, but this would protect the whole County.

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

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

Consideration of the 2012 Contingency Grant - WDIY Lehigh Valley
Community Public Radio

Mr. Cusick stated the Finance Committee, at their meeting yesterday, voted to recommend the allocation of a 2012 Contingency grant to WDIY Public Radio to the whole of County Council for approval.

Mr. Kraft introduced the following resolution:

R. 31-2012 RESOLVED, By the Northampton County Council that the sum of $5,000.00 shall be transferred from the 2012 Contingency account No. 05000-76050 and allocated to WDIY Lehigh Valley Community Public Radio. It shall be understood that this should be considered a one time, non-reoccurring grant.

Mr. Kraft advised since it appeared they may continue to need supportive funding, it was suggested by Mr. Cusick that they apply for hotel tax revenues or other revenue streams.

Mr. Dietrich stated that there were application processes in place for this type of funding and he felt this resolution circumvented those processes.

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


The resolution was adopted by a vote of 7-2.
Mr. Parsons made a motion to move the time for the Personnel and Finance Committees meetings to 5:00 p.m. in order to allow more of the public to attend them.

Mr. Cusick advised it was up to the committee chairperson to set the time and day for their meetings with the consultation of the members of the particular committee.

Mr. Kraft stated as Chairperson of the Personnel Committee, he would like the starting time to remain at 4:00 p.m..

Mr. McClure seconded the motion.

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


The motion failed by a vote of 3-6.

Mr. Angle advised, as a point of order, a vote was just taken on something that was new to the agenda and the open meeting laws stated that public comment had to be allowed.

Mr. Lauer stated that Mr. Angle was correct.

In response to Mr. Angle’s comment that Mr. Parsons had indicated that he would be able to make afternoon meetings, Mr. Parsons stated he had made them, but he felt the times should be changed.

Neighborhood Improvement Zone (NIZ)

Mrs. Thierry advised last night, County Council received an education regarding NIZ and she wondered why County Council was not taking a stand or should they on the issue.

Mr. Cusick stated it was discussed yesterday and Mr. Stoffa had asked the members of the Finance Committee what their thoughts were. He further stated County Council could make a
recommendation that the County Executive engage in litigation by resolution, but no one had presented one.

Mrs. Ferraro advised she would like to have Ms. Alicia Karner, Economic Development Administrator, Department of Community and Economic Development, make a presentation to County Council about the pros, cons and ramifications of such a resolution.

In answer to Mr. Cusick’s question as to whether the County would have any standing to join in with existing municipal litigation, Mr. Longenbach stated it would depend on what interest the County would have, however, it could be challenged because the County itself did not have any divergence of its tax revenues.

Mr. Lauer advised Mr. Longenbach was correct with regard to the tax revenues, but it would have to be decided if it could join litigation based on other impacts the County may occur.

Mr. Cusick stated that it could be discussed at the Economic Development Committee meeting and then a resolution could be presented at the meeting after that.

Mr. Angle advised the deadline would expire before the Economic Development Committee meeting.

Human Services Committee Report

Mr. Dietrich stated at the Human Services Committee meeting that was held today, they reviewed the Gracedale operational assessment report and the changes being made. He further stated they also discussed again the State cuts and their effect on the County’s Human Services programs.

Finance Committee Report

Mr. Cusick advised at the Finance Committee meeting, there was an update on the Swaption and how it was going to be disposed of. He further advised a discussion was held with regard to the County bridges and that the County Executive was
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going to put a proposal together for consideration later this year.

**Ag Extension Liaison Report**

Mr. Parsons stated he asked them to present a memorandum regarding the work they did so everyone would have an idea what they actually did.

**Lehigh and Northampton Transportation Authority (LANTA) Liaison Report**

Mr. Werner advised they were working on a metro mart in Bethlehem that would have a substation with police in it for the North Street Garage.

**Gracedale Liaison Report**

Mr. Werner stated many good things were going on with the Guaranteed Energy Savings Agreement projects at Gracedale. He further stated evening and weekend admissions were now in effect.

**Farmland Preservation**

Mrs. Ferraro stated she received an e-mail from the Agricultural Board that an additional 2,198 acres of prime farmland across the State was protected from development.

**Adjournment**

Mr. McClure made a motion to adjourn.

The motion passed by acclamation.

Frank E. Flisser
Clerk to Council