A regular meeting of the Northampton County Council was held on the above date with the following present: 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. Absent was John Cusick, President.

Prayer

Mrs. Ferraro led County Council in prayer to open the meeting.

Pledge of Allegiance

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

Approval of the Minutes

Mrs. Thierry made the following motion:

Be It Moved By the Northampton County Council that the minutes of the November 15, 2011 and January 19, 2012 meetings shall be approved.

Mr. Kraft seconded the motion.

The minutes were approved by voice acclamation, with Mr. Kraft, Mr. Parsons and Mr. Werner abstaining on the November 15, 2011 minutes.

Courtesy of the Floor

Mr. Ted Harris, 504 Periwinkle Place, Easton, PA - stated he was a maintenance mechanic employed by the County at the Courthouse. He further stated he was present tonight as a taxpayer and a member of the Operations and Maintenance Safety Committee who were a group of men who volunteered to protect the
Mr. Harris stated he had hoped when they spoke, people would listen to them and if they did not understand something or agreed with their comments, they would be offered the opportunity to correct or apologize for a comment they might not have understood. However, they felt some people were only listening to hear something that could jeopardize their position and challenge their credibility.

Mr. Harris advised they envisioned one day working with those same people to improve conditions once they learned the truth and in no way were they looking to cripple the operation or the future of Gracedale, noting it was much safer because of the Safety Committee’s involvement. He further advised it was a wonderful facility and the employees were committed to its future and were participating, with management, on the areas that could be cleaned up without bringing operations to a halt or endangering any residents or employees.

Mr. Harris stated on January 12, 2007, a writer from a local newspaper indicated Northampton County workers were getting sick and they were concerned because signs announcing the presence of asbestos were being posted. The article went on to say that contractors from Alvin Butz, in hurrying to finish their work on the Judges’ over budget Taj Mahal, were kicking up clouds of dust and the employees’ biggest concern was the Stoffa Administration did not care. The writer of the article continued that he had learned that there was no asbestos contamination.

Mr. Harris advised in a document, dated September 1, 2011, the Director of Public Works wrote, Dave - I would rather you get more samples than normally needed than less samples. I want to put this matter to rest one way or the other. It is preposterous that a concern exists at all in 2011 regarding the possibility that the Law Library was contaminated in 2007. In my opinion, if Harry felt the possibility existed that there was contaminated air in the Law Library, he should have demanded immediate testing the day he learned of the possibility and closure of the Law Library. He stated that he received his information from Ted and Jonathan. Although he had not said it, it appeared he also had received information from the Law Librarian. I honestly do not believe that the Law Library was
improperly abated of ACM in 2007. Butz was the construction manager overseeing this work. Butz had many years of experience in this type of work, we should be careful not to confuse construction dust with ACM.

Mr. Harris stated it went on to talk about the testing, but he could tell them right now that they had the facts. He further stated in 2006, when all this was going on, there was nothing found, but after all these years, the Law Library was now closed with that same dust that was being confused with construction dust.

Mr. Jonathan Siedt, 280 Texas Road, Easton, PA - advised he was appearing tonight as a concerned citizen, taxpayer and a member of the Safety Committee. He further advised he was working in the Wolf Building when a woman asked him if mold could cause cancer because a lot of people in the building had cancer and he replied he did not know.

Mr. Siedt stated there was a storage room in the basement that had asbestos containing materials in it and was blocked and marked off; there was a coal bin that was also blocked and marked off and there was a file storage room that had a serious mold issue. He further stated this stuff was there and was being handled to the best of everyone’s ability, except for the mold issue, but there should be a plan enacted by the County to clean it up or get rid of it.

Mr. Siedt advised there were standards in the industry of abatement of asbestos contaminated material and he felt the County’s standards should be higher. He further advised the County needed a qualified risk manager now because a lot of these issues could be resolved.

Mr. Ron Angle, Million Dollar Highway, Bangor, PA - stated he became in favor of selling Gracedale, after a great deal of review, because he felt it was the best thing to do for the residents and the taxpayers. He further stated the population of Gracedale was not going up so he wanted to know if County Council had a plan as to what they were going to do with that money pit if they were unable to make it break even or be profitable. He noted all these months later, the residents were no better off nor had the hemorrhaging of tax dollars stopped.
Mr. William Argeros, Chairman of the Prison Advisory Board - advised he wanted to say, on behalf of the Prison Advisory Board, that they have visited the prison and saw the overcrowding and it was unacceptable. He further advised most of the people incarcerated in the prison were residents of Northampton County. Therefore, he was presenting a resolution adopted by the board endorsing the West Treatment Center (see Attachment #1) and he hoped County Council would consider it when voting on the treatment center.

Ms. Lori Kohnlein, Bethlehem, PA - stated it amazed her that people would be against a treatment center as it would be a good asset to the community. She further stated the people who were agreeable to go to a treatment center should not be considered a threat because they were looking for someone to help them.

Ms. Kohnlein advised these people did not wake up one morning and decide to be where they were, there were deep-seated reasons and some of them started in childhood. She further advised she hoped, as a community, everyone would stop pushing them aside and instead come alongside of them.

Ms. Mary Pasko, Northampton County Employee - advised she worked in the District Attorney’s office and had listened today about the problems at Gracedale and the Wolf Building, but she wished to address the problems in this building. She further advised their office had been tested for asbestos numerous times and they were told not to worry about it. She noted they were not only concerned about asbestos because her staff went to their file room in the basement and came up sick every time, therefore, she felt the County needed to test for immediate allergens, such as mold, mildew and fiberglass and address those issues so her staff could stay healthy.

County Executive’s Report

Mr. John Stoffa, County Executive, introduced Mr. Fred Ramirez to County Council as the new Director of Veterans Affairs. He stated Mr. Ramirez had been a Deputy Sheriff since 2007, served 20 years as a police officer in New York City and in the United States Army Reserves. He further stated Mr.

Mr. Ramirez advised he wanted to thank Mr. Stoffa for the opportunity to continue the fine work of the former Director of Veterans Affairs in helping the veterans and their families.

Mr. Stoffa stated last week, a deer tried to enter the employees’ entrance, then ran back toward the parking garage and mistook a window as an open door and crashed into the glass breaking it.

Mr. Stoffa advised the Swaption continued to increase and was now at $25.9 million.

Mr. Stoffa stated they have encountered a second round of counterfeit checks in the Criminal Division, noting they appeared in South Carolina and Georgia. He further stated as of today, nine checks had been returned to the County for a total of $3,800. He noted the bank made good on these checks and the County did not lose any money.

Mr. Stoffa advised a report had been made with the Easton Police Department and a detective was investigating the matter. He further advised the account had been closed and a new account had been opened, however, they were looking into the possibility of utilizing debit cards. He noted the State system did not have the ability to accommodate debit cards so he would like County Council to contact the State legislators in an effort to change it.

Mr. Stoffa advised the West Easton Treatment Center lease was not just a normal lease, but represented a philosophical change in direction and its approval would be a historical event whereby the County altered the direction on how they treated people who were incarcerated in the Prison. He noted the last Prison expansion cost the County $22 million and created 243 new beds and this project was budgeted at $1.8 million for 100 beds.

Mr. Stoffa stated if this lease was approved, Northampton County would join a short list of Counties in Pennsylvania who were reducing recidivism dramatically with programs such as
this. Therefore, he strongly urged County Council to approve this lease as he felt it was the right thing to do.

Mr. Stoffa advised he would like to begin a Community Jail Workforce to provide clean up for various community projects, such as the graves of our Veterans, roadways and parks. He further stated the first year of funding would be received from the Gaming Commission.

Mr. Stoffa commented he wanted to thank Mr. Abraham Atiyeh for his continuing support of the treatment center because without his involvement, this would not have been possible. Further, he also wanted to thank the Borough of West Easton for their vision and willingness to approve this project.

Mr. Stoffa stated in early December 2011, a memorandum was received from Mr. Stephen Barron, County Controller, which was followed up by his presence at a County Council meeting during which he projected the County would have, at the end of the Fiscal Year 2011, an $8 million increase in the Fund Balance rather than using the $3 million from the Fund Balance that the Administration had projected.

Mr. Stoffa advised Acting Director of Fiscal Affairs Mr. Doran Hamann projected, and he agreed, that they would see $3 million of the Fund Balance being used. He further advised Mr. Cusick indicated based on the Controller’s information, he could vote for the budget without the proposed tax increase.

Mr. Stoffa stated County Council then received the Comprehensive Financial Report, dated December 31, 2011, which reflected a decrease in the Fund Balance of approximately $2.3 million. He further stated Mr. Hamann was off on his projection by approximately $800,000 and the Controller was off by $10.2 million.

Mr. Stoffa advised County Council not to accept numbers from anyone other than Mr. Hamann as he was the one person who understood the County’s financial situation and it was unfortunate that Mr. Barron made this erroneous prediction without understanding the difference between a cash system of accounting and modified accrual. He further advised he felt Mr. Barron should explain himself and apologize to County Council for his statement.
Mr. Stoffa advised Mr. Ross Marcus, Director of Human Services, had a draft report on Gracedale that would be discussed at the next Human Services Committee meeting. He further stated every time the topic of asbestos was spoken about in public, the population at Gracedale went down. He noted they were taking every step possible and spending large sums of money to solve the issue.

Mr. Angle stated if Mr. Hamann was correct and he had no doubt he was, County Council had to understand the County was deficit spending and was heading for a double digit tax increase within the next year unless some cuts were made. He suggested County Council, especially the new members, look at the numbers and determine who was correct.

Mr. Barron advised he was going to apologize for being right. He further stated his words, which Mr. Stoffa took out of context, were very clear that there would be a $68 million Fund Balance if taxes were raised in 2012.

Mr. Barron stated in 2011, the budget of choices called for an $8.5 million dip in the Fund Balance, but that budget, as of December 31, 2011, showed a $1.6 million dip in the Fund Balance, meaning the County still had $60 million Fund Balance.

Mr. Barron advised on numerous occasions, Mr. Hamann, Mr. Stoffa and Mr. Angle have stated the rainy day fund had to be $20 million. He further advised Mr. Hamann came to the last Finance Committee meeting and indicated the rainy day fund under Governmental Standard Accounting Board (GASB) 54 should be $16 million.

Mr. Barron stated this year, the County was going to have a $60 million Fund Balance, maybe a little less. He further stated if County Council had increased taxes by $7 million, there would be a $68 million Fund Balance, therefore, his prediction was quite accurate.

When Mr. Gilbert asked Mr. Barron if the $60 million was a gross number or if it included the money that was earmarked for the different allotments, Mr. Barron replied it was a gross
Mr. Gilbert advised Mr. Hamann provided a net number because the County could not go by a gross number since there was money that was earmarked for specific areas.

In answer to Mr. Gilbert’s question as to whether he remembered what that number was, Mr. Hamann stated he could not remember the exact figure, but it would have been decreased significantly because it would have included the Swaption, the Stabilization Fund and balancing the 2012 budget.

Mr. Gilbert advised he believed after all that was subtracted, the County was not left with $60 million, but very close to a deficit. He further advised the County would not be operating in a fiscally responsible manner if it were to operate on its gross revenue and not the net.

Mr. Barron stated in 2011, the budget of choices, it was said the County required $8.5 million to come from the Fund Balance to balance the budget. He further stated at that time, the Fund Balance stood at $62 million, gross, and they did not use anywhere near that amount so the Fund Balance stood at approximately $60 million. He remarked they could believe the County needed $12 million to balance the 2012 budget, but when the Administration in their whole time in office had been off by $120 million, he questioned the $12 million.

Mr. Gilbert advised Mr. Barron’s comments gave the public a skewed vision of where the County was in a fiscal scenario and it was not fair to take a number over a period of years and speak as if the Administration had been off by it. He further advised everyone heard the net figure and just how close Mr. Hamann was to the bottom line as compared to Mr. Barron. He noted Mr. Barron was doing a disservice to the taxpayers because he could not just blindly put a number out and pretend the County did not have a financial obligation to its earmarks.

Public Hearing on the Ordinance Titled, “AN ORDINANCE ADDRESSING THE OPERATION OF GRACEDALE”

Mrs. Ferraro stated the following ordinance was introduced
AN ORDINANCE ADDRESSING THE OPERATION OF GRACEDALE

WHEREAS, the County of Northampton owns and operates Gracedale, a long-term care nursing home that serves the medically and financially indigent residents of Northampton County and their relatives. The mission of Gracedale is to rehabilitate its residents to their highest practical level of medical, social and psychological well-being; and

WHEREAS, at the Primary Election held May 17, 2011, the voters of Northampton County approved the following ballot initiative question by a vote of 19,690 Yes to 7,406 No: "The County nursing home, known as Gracedale, shall not be sold and/or leased by the County of Northampton for a period of five years from the date of the approval of this initiative."

WHEREAS, without qualification or exception, assuring the highest quality of patient care for all current or future Gracedale residents has been a priority of the County of Northampton.

WHEREAS, the 2012 Northampton County budget provides that one of the highest priorities at Gracedale is the maximization of revenues while minimizing operating expenses; and

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Northampton County Council that:

(1) maintaining the highest quality of care to all current and/or future Gracedale residents will continue to be a key County priority,

(2) an account shall be maintained for the operation of Gracedale. Further, any surplus revenues generated by the operation of Gracedale, including but not limited to those from increased efficiencies, improved census, increases in intergovernmental revenue, grants and/or monetary concessions realized through the negotiation of Collective Bargaining Unit Agreements, shall be retained in the Gracedale account. Any such funds shall be utilized solely for the purpose of operating
and capital expenditures necessary for the improvement of patient care at the Gracedale Nursing Home.

Public Hearing

Mrs. Ferraro asked if there were any questions or comments regarding this ordinance.

Mr. Ron Angle, Bangor, PA - advised this ordinance was stating that if there was a profit, the money would stay at Gracedale, but it did not address the issue if there was a deficit or its year to year operation. He further advised this ordinance did not benefit the residents of Gracedale or the taxpayers.

Mr. Angle stated the asbestos situation was one of the reasons for selling Gracedale because the people buying it were going to remediate it, as well as improve the quality of life for the residents. He further stated in nine months, the County had improved nothing and the day would come when they would be begging someone to take Gracedale and not receive a check for $35 million.

Mrs. Ferraro asked if any member of County Council had any questions or comments.

Mr. Gilbert advised he understood the intention of the ordinance and that the voters had spoken, however, it was now up to the County to operate Gracedale in a fiscally sound manner, as well as maintain the excellent care the residents have received. He further advised he was not comfortable supporting this ordinance, but would like to see an amendment that stated the money would be put in the General Fund, earmarked for Gracedale, and not have a separate account. He noted at the end of the year one or two representatives of County Council, the Administration and the management at Gracedale would meet to determine what that amount would be and present it to County Council for discussion.

When Mrs. Ferraro stated she did not think that was something that could be done tonight, Mr. Gilbert made a motion to table this ordinance.

Mrs. Thierry seconded the motion.
Mrs. Ferraro called for the vote on the motion.


The motion failed by a vote of 4-4.

Mr. Parsons advised Mr. Cusick had indicated that he planned to form a committee to look at Gracedale so they should be the individuals to look at this and bring back their recommendations.

Mr. Gilbert stated it was more a matter of the math, in other words, at the end of a fiscal year, there was going to be either a negative or positive in terms of what Gracedale accomplished economically. He further stated this ordinance proposed a separate account be created and that was what he was opposing.

Mr. Gilbert advised they heard from Mr. Hamann that a separate account could be created, but there was always a possibility it could be amended later. He further advised when Mr. Hamann hesitated when asked if he would be a proponent of it, he felt there could be a different way to structure it so that the intent remained without the creation of a separate account. Therefore, it would not be something for a committee to discuss, but rather how much money was made and what was going to be done with it.

Mr. Werner stated he believed there was a separate account and there was going to be a committee to see that the money went where it was suppose to go.

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


The ordinance was adopted by a vote of 6-2.
Public Hearing on the Ordinance Titled, “AN ORDINANCE OF THE NORTHAMPTON COUNTY COUNCIL AUTHORIZING THE COUNTY OF NORTHAMPTON, EASTON, PENNSYLVANIA, TO LEASE PROPERTY LOCATED AT THE CORNER OF MAIN AND EAST STREET IN THE BOROUGH OF WEST EASTON, COUNTY OF NORTHAMPTON, COMMONWEALTH OF PENNSYLVANIA”

Mrs. Ferraro advised the following ordinance was introduced by Mr. McClure and Mrs. Thierry at the meeting held January 19, 2012:

AN ORDINANCE OF THE NORTHAMPTON COUNTY COUNCIL AUTHORIZING THE COUNTY OF NORTHAMPTON, EASTON, PENNSYLVANIA, TO LEASE PROPERTY LOCATED AT THE CORNER OF MAIN AND EAST STREET IN THE BOROUGH OF WEST EASTON, COUNTY OF NORTHAMPTON, COMMONWEALTH OF 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, lease a certain portion of land and buildings and improvements located on property situated at the corner of Main Street and East Street in the Borough of West Easton, County of Northampton, Commonwealth of Pennsylvania, being approximately 24,500 square feet, and more specifically referred to as tax Parcel I.D. Nos. L9SW3D-21-1, L9SW3C-3-2, and L9SW3C-3-3, for the base annual rent of $447,125.00. The terms and conditions of the lease shall be in accordance with the lease agreement and related
Effective Date: This ordinance shall become effective thirty days after the date of enactment.

Public Hearing

Ms. Tricia Mezzacappa, Borough of West Easton, PA - stated she was not asking County Council to remove the treatment center from the borough, but to rework the lease to remove the $50,000 fee, which the borough was calling a temporary resident fee because there were a lot of temporary residents that did not have to pay a fee. She further stated she could not come up with any intelligent reason why a lease or ordinance would be created that would basically sell itself for $50,000 a year. She noted there was no stipulation as to what the $50,000 should be used for and when she asked the borough how they planned to allocate it, she was told it would go into the General Fund and then where it was needed.

Ms. Mezzacappa advised she would suggest the $50,000 be handled through a County contingency fund the same way the casino contingency fund handled impact. She further advised that West Easton received $52,000 from the Community Development Block Grant for impact that was used for the sewer system, which was the only impact she saw going forward.

Mr. Terrence Miller, 645 Ferry Street, Easton, PA - stated he lived around the corner from the Prison and because of its efficient and safe operation, there have been very few safety concerns. He further stated if the facility in West Easton operated like the Prison, he felt that would also be the case there.

Mr. Miller advised even though he was the Chairman of the Drug and Alcohol Advisory Board, he was not speaking on their behalf, noting the evidence of treatment facilities was overwhelming. He further advised more and bigger prisons were being built instead of detoxification and treatment centers which could bring hope, restoration and redemption to people who
have lost their lives to addiction.

Mr. Miller stated a lot of negative names, such as prisoner and criminal, were used to describe these people, but if more positive names were used such as person, father, son or brother then the reasons for creating a facility supporting them would change. He further stated he fully supported this and looked forward to having more of these types of centers in the future.

Mr. Ron Angle, Bangor, PA - advised this was the best move he saw the County make in a long time in helping people from going back to prison. He further advised he wanted to thank everyone involved in the process and hoped County Council would pass this ordinance.

Mrs. Ferraro asked if any member of County Council had any questions or comments.

Mr. McClure stated it took a long time to come to this point, noting former County Council member Mr. Wayne Grube first mentioned West Easton as a possible site for a treatment center. He further stated it may not be the perfect project, but it was a good start in treating people with drug and alcohol addiction.

Mr. McClure advised this was the beginning of the process to close the County’s 19th century prison and paying other Counties to take its prisoners when it got crowded. He further advised he believed over time, this facility would actually save the County money.

In response to Mr. Dietrich’s question as to whether West Easton had passed an ordinance changing their fee from $150 per person to a cap of $50,000, Mr. Mickey Thompson, Brookside Commercial Construction, stated he worked with Mr. Atiyeh, Pennsylvania Venture Capital and West East Development and it was supposed to go for a vote two weeks ago, however, the notice was defective because it indicated the fee was $500,000 instead of $50,000. He further stated they were scheduled to appear at their next regular scheduled meeting when he believed it was going to pass.

Mr. Dietrich advised based on that information, he asked if County Council should table this ordinance until their ordinance was passed or should they pass this ordinance contingent upon the passing of their ordinance.
Mr. Thompson advised the way the lease was written anything in excess of the $50,000, West East Development and Pennsylvania Venture Capital would be absorbing and not the County.

In answer to Mr. Lauer’s question as to whether that was his understanding, Mr. Karl Longenbach, County Solicitor, stated the risk of it not passing would fall on the side of the developer and not the County.

Mrs. Ferraro advised she was thrilled to see it going forward and thanked the Administration and Mr. Atiyeh for all their efforts.

Mr. Lauer stated Section 12.2 of the lease indicated that in the event that the West Easton per capita assessment relating to the facility shall increase such that it exceeds $50,000 in a calendar year, then any increase over such amount shall be paid by tenant to landlord as additional rental so he inquired if that meant the County.

Mr. Longenbach advised if the $50,000 was not imposed and it exceeded that amount that would require the County to pay $150 per admission to get up to that amount. He further advised Mr. Lauer was correct there was a potential for an additional assessment.

In response to Mrs. Ferraro’s question as to whether County Council could approve this ordinance, Mr. Lauer stated County Council could approve it, not approve it or table it, but if there was a concern about the lease, for any reason, it should be addressed. He further stated he did not think this ordinance could be adopted subject to a contingency.

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


The ordinance was adopted by a vote of 8-0.
Lehigh Valley Economic Development Corporation (LVEDC)

Mr. McClure advised in the past it had been said, and he agreed, that Northampton County continued to be under served by the LVEDC. He further advised for the last six years, the County had been told Northampton County, from an economic development perspective, was on the short end of the stick because it did not have enough hotel rooms that generated enough hotel tax and now it did.

Mr. McClure stated the last time representatives of LVEDC came before County Council, the reason was no longer that the County did not generate enough hotel tax, but businesses did not want to locate in Northampton County.

Consideration of the 2010 Codification Resolution of Northampton County Ordinances and of the Home Rule Charter

Mrs. Ferraro advised Northampton County Charter Section 606(c) required County Council to provide, by resolution, a codification of all ordinances, as amended, having the force and effect of law, and of the Charter, as amended. She further advised this was just an annual housekeeping matter.

Mrs. Ferraro introduced the following resolution:

WHEREAS, Northampton County Charter Section 606(c) requires the Northampton County Council to provide, by resolution, a codification of all ordinances, as amended, having the force and effect of law, and of the Charter, as amended.

NOW, THEREFORE, BE IT RESOLVED by the Northampton County Council that the attached codification, for the period ending December 31, 2011, shall be adopted this 2nd day of February 2012.

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

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

Lehigh Valley Economic Development Corporation (LVEDC)

With regard to the situation with LVEDC, Mr. McClure stated the County had to prepare to bring economic development in house and disengaging from them. He further stated during the remainder of this Administration, steps should be taken to achieve that goal. He noted there was a contract involved, but one way to break it would be to abolish the hotel tax.

Mr. McClure advised the hotel tax was meant to encourage tourism in the County, but in Harrisburg, there was an amendment to the law that allowed some of those funds to be diverted to LVEDC.

In answer to Mr. Dietrich’s question as to whether the County really had to go so far as to abolish the hotel tax, Mr. McClure stated it depended on the position they would take with the contract.

Mr. Lauer stated when he first became Solicitor, someone presented the issue to him so he looked at the contract and it seemed to him that it would be well worth it for the County to get out of it. He further stated there was a possibility the County could contend there was a breach of what was intended and what had come back to the County, however, that could cause litigation and an expense.

In response to Mr. McClure’s question as to whether anyone looked into the matter of future County Councils being bound by that contract, Mr. Lauer replied he did not and he was not aware of anyone else doing that.

Mr. Angle advised in order for the legislation to be passed in Harrisburg, a side deal was made between the hotel people and LVEDC. He further advised if they wanted to change that, they had to get the State Senate to abolish that law and create a new law.
Medical Claims

Mr. Parsons stated he read in the paper that former employees were being paid for medical claims that they were not entitled to and he felt that was an issue that should be looked into.

Mr. Stoffa advised he would have Ms. Patricia Siemiontkowski prepare a report for them.

In answer to Mr. Parsons’ question as to why they were not notified before it appeared in the newspaper, Mr. Stoffa stated it had been an ongoing problem because they did not know if someone died unless they were notified.

Medical Monitoring for Asbestos

In answer to Mr. Kraft’s question as to whether he had looked into providing medical monitoring for those individuals who had been exposed to asbestos, Mr. Stoffa advised they have looked into it and from what they determined they had to have been exposed to it daily for 30 days out of a year to begin a program. He further advised Mr. Harp was still investigating that issue because there were a lot of facets to it.

Mr. Kraft stated if they were given the medical monitoring, it might alleviate some of the ill will that the employees have expressed.

Mr. Stoffa advised the County spent $850,000 at Gracedale for abatement and it was going to cost approximately $200,000 for the Law Library because all the books had to be disposed of. He further advised they took this issue very seriously, but where was the money going to come from.

Mr. Dietrich stated he felt the Administration had been very proactive in identifying the areas of concern.

Mr. Harp advised they had a certified risk manager under last year to help with some general risk management issues as they came up. He further advised they were in the process of getting that same risk manager to provide services at Gracedale.
in lieu of the fact that they have not had a risk manager for some time, however, they did intend to fill that position.

Mr. Weaver stated he had looked at the rooms, but had not reviewed all the forms. He then asked if the County could hold the individuals who did the abatements accountable.

Mr. Stoffa advised he did not know how the asbestos got into the Law Library so they were not able to prove when it got in there. He further advised all the books were covered when construction was done, but there was some speculation when they removed the covers, they shook them out.

Mr. Weaver stated they had to sign a Department of Environmental Protection statement so he felt there should be some way to hold them accountable. He further stated if the contractors did not want to take full responsibility, they should be asked to help the County out.

Mr. Kraft advised it was the subcontractors who were responsible for the work and filled out the forms so they were the ones who should be held responsible. He further advised he did not believe there was a statute of limitation on asbestos.

Mr. Longenbach stated he would provide them with a detailed report because it was a legitimate question and they should have that information.

Economic Development Committee Report

Mrs. Ferraro advised the Economic Development Committee met this evening and there was a presentation by Mr. Scott Allison on behalf of the Charles Chrin Real Estate Trust.

Mrs. Ferraro stated $500,000 would be coming to the revolving loan fund for Northampton County from Monroe County gambling revenues.

Mrs. Ferraro advised Mr. Peter Reinke, LVEDC, gave a report on all the things that were occurring in Northampton County.

911 Liaison Report
Mr. Parsons stated he met with the people from 911 and he suggested if anyone had the time to go and see how this operation worked.

Adjournment

Mrs. Ferraro adjourned the meeting.

Frank E. Flisser
Clerk to Council