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

Mr. Cusick 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 August 16, 2012 meeting shall be approved.

Mrs. Thierry seconded the motion.

The minutes were approved by voice acclamation.

Courtesy of the Floor

Mr. Stephen Barron, 2239 Lincoln Street, Bethlehem, PA (County Controller) - distributed a document entitled, “County of Northampton School District 2010 Population Count” (see Attachment #1). He stated Mr. Cusick sent him an e-mail concerning an issue that could possibly affect the County and for that reason he was bringing it to the attention of County Council.
Mr. Barron advised the issue dealt with the Wilson Area School District and how Williams Township, who was part of that school district, was under represented based on the way the districts were comprised for school board members. He further advised the 2010 census made this a challenge for the school district and Mr. Cusick wondered if this was a problem for all the school districts.

Mr. Barron stated in talking with Ms. Dee Rumsey, Voter Registrar of the Voter Registration Office, and Mr. Joe Lakey, Geographic Information System (GIS) Analyst of the GIS Office, it was decided they were going to lay out the population over the school districts and break it down by voting districts. He further stated they were doing this so all the school districts could look at their districts to see if they were proportionally represented or had to make some changes.

Mr. Cusick advised Williams Township should be 33% or a third and it was 38% now because of its growth. He further advised one of the things he discovered was in Wilson Borough, which elected it’s borough council by wards, the Third Ward was over 40% of the population of that borough.

Mr. Cusick stated the reason he asked Mr. Barron to look at this issue was because he felt if it was a problem with one borough and school district, then it could also be a problem with other boroughs and districts that elected by regions or wards in the County.

In answer to Mr. McClure’s question as to why the voter data was required, Mr. Barron advised they were going to provide population data and where it fell within the voting districts.

In response to Mr. McClure’s question as to whether any State law was implicated, Mr. Barron stated he did not know of any.

Mr. Cusick advised he believed there was a Federal law that municipalities that elected by wards or regions must be approximately equal.
Mr. John Stoffa, County Executive, stated the first Guaranteed Energy Savings Act (GESA) project was 99% complete so he wanted to provide some information, but intended to issue a full report at a later date.

Mr. Stoffa advised the prime contractor was the McClure Company and they used more than 20 subcontractors, with a total of more than 40,000 man hours worked, and spent $6,142,951 on 12 buildings. He further advised they created more than $200,000 in energy savings during construction, they replaced four boilers at the Prison with fuel conversion to gas and three boilers were replaced at the Courthouse. He noted ten rooftop air handling units were replaced at the Prison and four were replaced in the Historic Courthouse attic. He further noted three heating, ventilation and air conditioning units and 35 fan coils were replaced in the Courthouse.

Mr. Stoffa stated one new magnetic heating chiller and a new air coiled chiller were replaced at the Courthouse, a new building automation system was installed at the Prison, the Courthouse control systems was upgraded with demand ventilation and a roof was replaced on the Prison boiler house. He further stated they installed steam to the hot water converter for domestic hot water in the Prison, as well as rooftop circulation. He noted more than 7,000 lighting fixtures were upgraded in the 12 buildings, 110 steam traps were replaced, 181 plumbing fixtures were modified or replaced, an ozone system was installed in the Prison, weather stripping was installed in 66 doors in six buildings, 5,000 linear feet of open cracks were sealed, 30,000 square feet of spray installation was applied and 23 windows were replaced in the Prison.

Mr. Stoffa advised that the budget was nearly complete and would be submitted to County Council on schedule. He further advised he was not recommending a tax increase, noting the County had not raised taxes in nine years, except for the .5 mill tax in 2007 for open space.

Mr. Stoffa stated the West Easton Treatment Center would begin operation next week.

Mr. Stoffa advised the County received a gaming grant to study the animal control issue.
In answer to Mr. Parsons’ question as to how long did the GESA project take, Mr. Steve DeSalva, Director of Public Works, stated it took approximately a year, noting there were still some small issues to be worked out. He further stated the entire project would take approximately a year and a half.

Consideration of the Gall Farm Easement: a. Public Hearing on the Gall Farm Easement Ordinance; b. Consideration of the Amendment to the Ordinance; c. Adoption of the Ordinance as Amended

Public Hearing on the Gall Farm Easement Ordinance

Mr. Cusick advised the following Gall Farm Easement ordinance was introduced by Mrs. Thierry and Mrs. Ferraro at the meeting held August 16, 2012:

AN ORDINANCE OF THE COUNTY OF NORTHAMPTON APPROVING THE COUNTY’S ACQUISITION OF AN EASEMENT OVER THE PROPERTY OF TIMOTHY S. CAHILL IN ORDER TO ERECT A SAFETY FENCE AROUND THE QUARRY LOCATED ON COUNTY PROPERTY AND AN EASEMENT FROM THE COUNTY TO TIMOTHY S. CAHILL SO THAT HE MAY HAVE ACCESS TO AND FROM HIS PREMISES TO GALL ROAD

WHEREAS, Northampton County owns property identified as Tax Parcel No. H8-12-12A upon which a quarry is maintained; and

WHEREAS, the County wishes to erect a Safety Fence around that quarry; and

WHEREAS, the quarry is contiguous to the premises of Timothy S. Cahill and Timothy S. Cahill agrees to grant the County an easement to erect a Safety Fence around the quarry over a portion of his premises; and

WHEREAS, the County wishes to grant, in return, a ten (10) year easement over its property so that Timothy S. Cahill may have pedestrian and vehicular ingress, egress and regress to and from Gall Road; and
WHEREAS, each of the above referenced conveyances are for $1.00.

NOW, THEREFORE, IT IS ORDAINED AND ENACTED by the County Council of Northampton County as follows:

1. County Council approves the easement from Timothy S. Cahill to the County of Northampton for the erection of a Safety Fence which easement is attached hereto and made a part hereof as Exhibit “A”.

2. County Council approves the easement from the County of Northampton to Timothy S. Cahill for ingress, egress and regress to and from Gall Road, which easement is attached hereto and made a part hereof as Exhibit “B”.

Public Hearing

Mr. Cusick asked if there were any questions or comments from the public.

There were no respondents.

Consideration of the Amendment to the Ordinance

Mr. Cusick stated since the ordinance was introduced, an amendment to this ordinance was made.

Mr. Gordon Heller, Parks Superintendent, advised the ordinance was being amended at the request of EPA Title because the easement agreements were changed to reflect the name of Thomas R. Migliore, who purchased the property from Mr. Cahill and executed the Easement Agreements.

Mr. Cusick introduced the following resolution:

R. 78-2012 WHEREAS, Bill No. 623 of 2012, the ordinance titled, “AN ORDINANCE OF THE COUNTY OF NORTHAMPTON APPROVING THE COUNTY’S ACQUISITION OF AN EASEMENT OVER THE PROPERTY OF TIMOTHY S. CAHILL IN ORDER TO ERECT A SAFETY FENCE AROUND THE QUARRY LOCATED ON COUNTY PROPERTY AND AN EASEMENT FROM THE COUNTY TO TIMOTHY S. CAHILL SO THAT HE MAY HAVE ACCESS TO AND FROM HIS
PREMISES TO GALL ROAD,” was introduced at the Northampton County Council meeting held August 16, 2012 and; and

WHEREAS, on August 30, 2012, subsequent to the introduction of the ordinance, Gordon T. Heller, Parks Superintendent, advised County Council that, “At the request of EPA Title the easement agreements have been changed to reflect the buyer Thomas R. Migliore who executed the Easement Agreements after the real estate closing today. I have the originals in my possession. I believe the proposed Ordinance related to this matter will have to be modified to reflect the change in name only.”

NOW, THEREFORE, BE IT RESOLVED by the Northampton County Council that Bill No. 623 of 2012 shall be amended as indicated hereafter (sections marked with strikeout have been deleted and sections marked with bold underline have been added:

“AN ORDINANCE OF THE COUNTY OF NORTHAMPTON APPROVING THE COUNTY’S ACQUISITION OF AN EASEMENT OVER THE PROPERTY OF TIMOTHY S. CAHILL THOMAS R. MIGLIORE IN ORDER TO ERECT A SAFETY FENCE AROUND THE QUARRY LOCATED ON COUNTY PROPERTY AND AN EASEMENT FROM THE COUNTY TO TIMOTHY S. CAHILL TIMOTHY R. MIGLIORE SO THAT HE MAY HAVE ACCESS TO AND FROM HIS PREMISES TO GALL ROAD

WHEREAS, Northampton County owns property identified as Tax Parcel No. H8-12-12A upon which a quarry is maintained; and

WHEREAS, the County wishes to erect a Safety Fence around that quarry; and

WHEREAS, the quarry is contiguous to the premises of Timothy S. Cahill THOMAS R. MIGLIORE and Timothy S. Cahill THOMAS R. MIGLIORE agrees to grant the County an easement to erect a Safety Fence around the quarry over a portion of his premises; and

WHEREAS, the County wishes to grant, in return, a ten (10) year easement over its property so that Timothy S. Cahill THOMAS R. MIGLIORE may have
pedestrian and vehicular ingress, egress and regress
to and from Gall Road; and

WHEREAS, each of the above referenced conveyances
are for $1.00.

NOW, THEREFORE, IT IS ORDAINED AND ENACTED by the
County Council of Northampton County as follows:

1. County Council approves the easement from
Timothy S. Cahill THOMAS R. MIGLIORE to the County of
Northampton for the erection of a Safety Fence which
easement is attached hereto and made a part hereof as
Exhibit “A”.

2. County Council approves the easement from
the County of Northampton to Timothy S. Cahill
THOMAS R. MIGLIORE for ingress, egress and regress to
and from Gall Road, which easement is attached hereto
and made a part hereof as Exhibit “B”.

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


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

Adoption of the Ordinance as Amended

Mr. Cusick stated a vote would now be taken on the
following amended ordinance:

AN ORDINANCE OF THE COUNTY OF NORTHAMPTON APPROVING
THE COUNTY’S ACQUISITION OF AN EASEMENT OVER THE
PROPERTY OF THOMAS R. MIGLIORE IN ORDER TO ERECT A
SAFETY FENCE AROUND THE QUARRY LOCATED ON COUNTY
PROPERTY AND AN EASEMENT FROM THE COUNTY TO THOMAS R.
MIGLIORE SO THAT HE MAY HAVE ACCESS TO AND FROM HIS
PREMISES TO GALL ROAD
WHEREAS, Northampton County owns property identified as Tax Parcel No. H8-12-12A upon which a quarry is maintained; and

WHEREAS, the County wishes to erect a Safety Fence around that quarry; and

WHEREAS, the quarry is contiguous to the premises of Thomas R. Migliore and Thomas R. Migliore agrees to grant the County an easement to erect a Safety Fence around the quarry over a portion of his premises; and

WHEREAS, the County wishes to grant, in return, a ten (10) year easement over its property so that Thomas R. Migliore may have pedestrian and vehicular ingress, egress and regress to and from Gall Road; and

WHEREAS, each of the above referenced conveyances are for $1.00.

NOW, THEREFORE, IT IS ORDAINED AND ENACTED by the County Council of Northampton County as follows:

1. County Council approves the easement from Thomas R. Migliore to the County of Northampton for the erection of a Safety Fence which easement is attached hereto and made a part hereof as Exhibit “A”.

2. County Council approves the easement from the County of Northampton to Thomas R. Migliore for ingress, egress and regress to and from Gall Road, which easement is attached hereto and made a part hereof as Exhibit “B”.

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


The ordinance was adopted by a vote of 9-0.
Consideration of an Emergency Solutions Grant Resolution

Mr. Cusick advised the Economic Development Committee met earlier this evening to consider the Emergency Solutions Grant resolution.

Mrs. Ferraro stated the purpose of the two resolutions being presented tonight was to show support for the projects for which the grants were being applied.

Mrs. Ferraro introduced the following resolution:

R. 79-2012

RESOLUTION OF THE COUNTY OF NORTHAMPTON AUTHORIZING THE FILING OF A PROPOSAL FOR FUNDS WITH THE DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT, COMMONWEALTH OF PENNSYLVANIA

WHEREAS, the Homeless Emergency Assistance and Rapid Transition to Housing Act of 2009 (HEARTH Act), enacted into law on May 20, 2009, consolidated three separate homeless assistance programs administered by the U.S. Department of Housing and Urban Development (HUD) under the McKinney-Vento Homeless Assistance Act into a single grant program, revising the Emergency Shelter Grants program and renaming it the Emergency Solutions Grants (ESG) program; and

WHEREAS, the Commonwealth of Pennsylvania through the Department of Community and Economic Development (DCED) has received FFY 2012 ESG program funds and is making these funds available to units of local government to assist people to quickly regain stability in permanent housing after experiencing a housing crisis and/or homelessness; and

WHEREAS, the County of Northampton desires to submit an application to DCED for ESG Program funds on behalf of seven (8) housing service providers that have expressed interest in administering these funds to benefit Northampton County residents: Catholic Charities/Slater Family Network, Lehigh Valley Center for Independent Living, New Bethany Ministries, ProJeCt of Easton, Turning Point of Lehigh Valley, Valley Youth House and Victory House of Lehigh Valley.
NOW, THEREFORE BE IT RESOLVED AND IT IS HEREBY RESOLVED by the Northampton County Council that:

1. The proposed activities to be funded by a grant from the Pennsylvania ESG Program are hereby eligible and approved.

2. The County Executive, on behalf of the County of Northampton, is authorized and directed to execute an ESG Program application in the amount not to exceed $300,000 to the PA Department of Community and Economic Development.

3. The subrecipient agencies, Catholic Charities/Slater Family Network, Lehigh Valley Center for Independent Living, New Bethany Ministries, ProJeCt of Easton, Turning Point of Lehigh Valley, Valley Youth House, and Victory House of Lehigh Valley, will assume the responsibility for securing the required matching amount of project funds.

4. The County of Northampton will reimburse the Commonwealth for any expenditure found to be ineligible and will require reimbursement from any subrecipient found to use funds for ineligible expenditures.

5. The Northampton County Department of Community & Economic Development is authorized to provide such assurances, certificates, and supplemental data or revised data that DCED may request in connection with the application.

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 a Local Share Account Grant (Slate Belt YMCA) Resolution

Mr. Cusick advised the Economic Development Committee met earlier this evening to consider the Local Share Account Grant resolution.
Mrs. Ferraro stated the money for this project would be coming from gambling revenues from Monroe County.

Mrs. Ferraro introduced the following resolution:

R. 80-2012

RESOLUTION OF THE COUNTY OF NORTHAMPTON AUTHORIZING THE FILING OF A PROPOSAL FOR FUNDS WITH THE DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT, COMMONWEATH OF PENNSYLVANIA

WHEREAS, the Pennsylvania Race Horse Development and Gaming Act (Act 2004-71) as amended has established the Pennsylvania Gaming Local Share Account (“Local Share Account”) under the Commonwealth Financing Authority (CFA) for the purpose of distributing 2% of gross terminal revenues of certain licensed gaming facilities in orderly and timely fashion to support and enhance community and economic well-being and mitigate the impact of gaming and related activities; and

WHEREAS, the Commonwealth of Pennsylvania through the CFA provides counties contiguous to Monroe County the opportunity to apply for eligible public interest projects, community improvement projects, economic development projects and reasonable administrative fees; and

WHEREAS, the County of Northampton desires to submit an application to the CFA for a community improvement project to construct a Slate Belt YMCA.

THEREFORE BE IT RESOLVED AND IT IS HEREBY RESOLVED by the Northampton County Council that:

1. The proposed project to be funded by a grant from the Local Share Account program through the CFA is hereby eligible and approved.

2. The County Executive, on behalf of the County of Northampton, is authorized and directed to execute a Local Share Account application in the amount not to exceed $750,000 to the PA Department of Community and Economic Development on behalf of the CFA.
3. The project includes the construction of a Slate Belt YMCA facility by the Young Men’s Christian Association, Nazareth Pennsylvania and reasonable administrative fees.

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


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

Economic Development Committee Report

Mrs. Ferraro advised the Economic Development Committee met earlier in the evening and there was an extensive discussion and presentation on the Lehigh Valley Land Recycling Initiative.

Northampton County Park Facilities Tours

Mr. Parsons stated he had asked Mr. Heller to give him a tour of the parks and then felt maybe some other County Council members may be interested in doing the same, therefore, they were providing a survey so tours could be arranged.

Prison Liaison Report

Mrs. Thierry advised the Prison held an open house at the West Easton Treatment Center and she felt everyone was pleased with what they saw and wished them luck.

Northampton County Gaming Revenue and Economic Redevelopment Authority Liaison Report

Mr. Kraft stated the Gaming Authority gave 29 uncommitted grants out which were funded at 55% and came to a total of $706,436.00.
Municipal Events

Mr. Parsons advised three events took place last week in his district. He further advised the Borough of Bath celebrated its 250th Anniversary with a parade on August 18, 2012 so he wanted to congratulate them. Additionally, on August 18, 2012, the Borough of Roseto had a parade to celebrate their 100th Anniversary, which was attended by himself, Mrs. Ferraro and Mr. Werner. Lastly, the Borough of Pen Argyl held a Labor Day Parade for the fire companies, which was also attended by himself, Mrs. Ferraro and Mr. Werner.

9-1-1 Center

Mr. Cusick stated a member of the City of Bethlehem Mayor’s Administration was quoted in the Express Times as to having some misgivings about the 9-1-1 service the County provided and the City of Bethlehem receiving these services. He then asked if Mr. Parsons could reach out to the representatives from the City of Bethlehem to tour the center so they could see how it operated.

Mr. Parsons advised he had no problem doing that and would discuss the matter with Mr. Robert Mateff, Director of Emergency Management Services.

In answer to Mr. McClure’s question as to whether this all came about because the City of Bethlehem was having a difficult time funding their own 9-1-1 system, Mr. Cusick stated that was the context of the article and he felt the comments made inaccurately reflected on the quality of the service the County’s 9-1-1 system could provide if the City of Bethlehem chose to become part of it.

Mr. Werner advised he believed Mr. Cusick did an excellent job in addressing the issue and they did acknowledge that they had misspoken.

Mr. McClure stated in all the time that he had been a member of County Council, he had not heard any complaints about the County’s 9-1-1 system.
Adjournment

Mr. McClure made a motion to adjourn.

Mr. Werner seconded the motion.

The motion passed by acclamation.

Frank E. Flisser
Clerk to Council