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

Mrs. Thierry made the following motion:

Be It Moved By the Northampton County Council that the minutes of the April 4, 2013 meeting shall be approved.

Mr. Gilbert seconded the motion.

The minutes were approved by voice acclamation.

Presentation of Commendations

Mr. Parsons stated there were four individuals who won State titles in wrestling that he felt should be honored at the County level. He then presented plaques to Mr. Aaron Bradley of Nazareth Area High School, Mr. Darian Cruz of Bethlehem Catholic High School, Mr. Mike Racciato of Pen Argyl Area High School and Mr. Ray O’Donnell of Saucon Valley High School.
Mr. Jim Gregory - advised approximately a month ago, he addressed County Council on behalf of the Services Employees International Union (SEIU) regarding the Human Services Building and the issues at the Wolf Building. He further advised at that time, he mentioned he had another matter to discuss and since not much had changed with the building situation, he wanted to bring it to County Council’s attention.

Mr. Gregory stated he worked in the Mental Health Division as an Older Adult Case Manager, was a County taxpayer and a SEIU Steward at the Bechtel Building. He further stated he wanted to specify that he was not speaking for the Union, but as a taxpayer.

Mr. Gregory advised he tried to tone down his personal opposition to this building and keep it relatively quiet because every time he challenged the powers to be in his lifetime, it always got him in trouble with his employers. He further advised he just wanted to do his time in the County and eventually get out relatively quickly, quietly and painlessly as possible. He noted he would turn 62 next year and was hoping to just slide into retirement, but apparently that was not going to happen.

Mr. Gregory stated during a meeting Mr. Stoffa had with representatives from SEIU, concerns were expressed that if the building was going to be built, they wanted to see some type of commitment on the County’s part that the case workers would be working there. He further stated in the last few years, the County has privatized the Intensive Case Management services, Developmental Program services and the Aging Waiver program among others and the Department of Human Service has experienced its biggest cuts in the County’s history.

Mr. Gregory advised they did not receive a commitment and the Administration continues to cut staff and programs by not replacing those who leave or add so many extra duties to existing case workers that many of them, who had worked for the County for years, could not wait to retire. He further advised if they planned to continue down this path, there was no need for a multi-million dollar building.
Mr. Gregory stated the clients did not care about the building, they cared about services. Therefore, on behalf of many of the workers and himself, he was asking that the project be halted until some type of commitment was received from the Administration to stop what they were doing. He further stated the vast majority of workers at the Bechtel Building loved the building and preferred it to what the County was proposing.

In answer to Mr. McClure’s question as to what issues one of his clients, which Mr. Gregory mentioned, was facing now, Mr. Gregory advised his supervisor, Ms. Kathleen Kelly, sent him a memorandum that it was the case workers responsibility to teach their clients the skills to take public transportation, attend medical appointments on their own and seek other outlets for socialization. He further advised for a lot of clients, the case workers were the only people they had in their lives.

Mrs. Ferraro asked if Mr. Gregory could provide a statistical analysis as to how the caseloads have changed.

Mr. Mat Benol, Palmer Township, PA - stated he learned the Northampton County District Attorney was filing a lawsuit against the County Executive, which concerned him because as a taxpayer he was paying for the litigation on both sides.

Mr. Benol advised from asking around he found no one had a dispute with the job the District Attorney or his staff was doing, but it was hard for him to keep quality personnel. He further advised he would ask County Council to invite the District Attorney to come before them to state his case and take it out of the Courts.

**Confirmation of Appointment**

Mr. Kraft introduced the following resolution:

**R. 13-2013  RESOLVED,** by the Northampton County Council that the following individual shall be confirmed in her appointment as indicated hereafter:
HIGHER EDUCATION AUTHORITY

Appointment: Margaret L. Ferraro
Term to Expire: 12/31/14
339 Schoeneck Avenue
Nazareth PA 18064

Mr. Kraft stated this appointment was reviewed at the Personnel Committee meeting yesterday and the Committee members present voted to present it to the whole of County Council for approval.

Mr. Cusick advised he had a long standing opposition to members of County Council being appointed to authorities so he would not be supporting this resolution.

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


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

County Executive’s Report

Mr. John Stoffa, County Executive stated he did not have a report.

Update on the Human Services Building

Mr. Cusick stated at the request of Mr. Werner, this issue was added to the agenda.

Mr. Werner advised the reason he asked for an update was so County Council could be kept apprised of what was going on.

In response to Mr. Cusick’s question as to where the County was presently with regard to the timeline for this project, Mr. Thomas Harp, Director of Administration, stated County Council was provided a report as to the status of the Human Services
Building (see Attachment #), which included a timeline and some of the things that had to be done by Polaris Emrick Development LP (Polaris).

Mr. Harp advised they developed an Office Design Team consisting of individuals from all of the departments that were closely related to the project. He further advised they had their first meeting on March 14, 2013, and were making progress with regard to the layout, features and functionalities of the building.

In answer to Mr. Cusick’s question as to whether they were on time and under budget, Mr. Harp stated they were definitely on time, but until they have the final plan for the infrastructure, he could not comment on the budget except to say they knew what they had to spend and were doing their best to stay within it.

In response to Mr. Werner’s question as to how the committee planned to estimate the costs, Mr. Ken Mohr, Mohr Management Resources, advised once the design was rouged out then an estimate could be obtained and they could see where they were as far as the budget.

In answer to Mr. Werner’s question as to whether the concept of the building was discussed during the focus meetings, Mr. Ross Marcus, Director of Human Services, stated there were discussions as to the needs and how many people were going to be in the building.

In response to Mr. Werner’s question as to what would be located on the first floor, Mr. Marcus advised it would be Information Referral Emergency Services, Veterans Affairs, the current complement from the Juvenile Probation office at the Bechtel Building, interview and visitation rooms and meeting spaces.

Mr. Mohr stated the County and Polaris should have a project scope in mind by June 23, 2013 and then the County could create a more detailed capital project budget.

Mr. Mohr advised they also formed a MEP/Voice/Data/Energy System Committee whose purpose was to review and value engineer systems and their cost effectiveness for the new building. He further advised they should have their final determinations by
June 23, 2013.

In answer to Mr. Cusick’s question as to what was the status of the sale of the Wolf and Bechtel Buildings, Mr. Mohr stated on February 25, 2013, the County Executive entered into a Memorandum of Understanding with the developer for the Wolf Building that allowed them 90 days to negotiate the terms of an Agreement of Sale. He further stated they planned to have an Agreement of Sale to County Council by May 26, 2013.

With regard to the Bechtel Building, Mr. Mohr advised they were convening a team to discuss a plan to sell the building for the best price to a developer with the best proposed redevelopment project for the Bethlehem community. He further advised they planned to issue a Request for Proposal and news release in May with the proposals to be returned by June-July for review and then a recommendation would be made to the County Executive. He noted they would then negotiate an Agreement of Sale, bring it to County Council in August-September with closure to take place upon the County moving out of the building.

Introduction of the Ordinance Providing for Hotel Tax Room Rental Tax Rules and Regulations

Mr. Cusick stated the Economic Development Committee met on April 4, 2013, to review the Rules and Regulations for the Administration of the Hotel Tax in Northampton County and recommended they be presented to County Council. He further stated the public hearing, debate and possible vote would be held at the May 2, 2013 County Council meeting.

Mrs. Ferraro and Mr. Kraft introduced the following ordinance:

AN ORDINANCE ESTABLISHING RULES AND REGULATIONS FOR THE ADMINISTRATION OF THE NORTHAMPTON COUNTY HOTEL ROOM RENTAL TAX

WHEREAS, at the meeting held September 1, 2005, the Northampton County Council adopted Ordinance #440-2005, titled “AN ORDINANCE IMPOSING A HOTEL ROOM RENTAL TAX AND PROVIDING FOR THE COLLECTION AND ENFORCEMENT OF THE PAYMENT OF SAID TAX” (a copy of which is attached hereto and labeled as Exhibit “A”).
NOW, THEREFORE, BE IT HEREBY ORDAINED AND ENACTED By the Northampton County Council that the County of Northampton, Hotel Room Rental Tax Rules and Regulations (a copy of which is attached hereto and labeled as Exhibit “B”) are hereby approved.

Section I. Short Title

This Ordinance shall be known as, and may be cited as, “AN ORDINANCE ESTABLISHING RULES AND REGULATIONS FOR THE ADMINISTRATION OF THE NORTHAMPTON COUNTY HOTEL ROOM RENTAL TAX”.

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.

Review of the Request for Outside Legal Counsel - Gracedale Collections

Mr. Cusick advised the Human Services Committee met earlier this evening to review this matter.

Mr. Dietrich introduced the following resolution:

R. 14-2013 WHEREAS, Northampton County Administrative Code Section 11.03 Outside Legal Counsel, provides in Section 11.03 a., “The Solicitor, with the approval of the County Executive and County Council, may retain outside legal counsel where necessary.” and in Section 11.03 b., “For the purposes of this section, outside legal counsel shall mean the use of any legal counsel, attorney, or firm of attorneys, other than the County Solicitor and Assistant County Solicitors, which may be used to defend and/or represent the County of Northampton, a County employee, or a County elected official in litigation; and/or assist the Solicitor’s Office with matters involving the County of Northampton.”; and
WHEREAS, Northampton County Administrative Code Section 16.04 Outside Legal Counsel, provides in Section 16.04 a., “The requirements set forth in Administrative Code Section 11.03, Outside Legal Counsel, shall apply to all departments, services, bureaus, offices, divisions, or other administrative unit under the direction and supervision of the County Executive." and in Section 16.04 b., “For the purposes of Section 11.03, the term approval of County Council shall mean either the adoption of a separate and specific resolution, or ordinance, regarding any retention of outside legal counsel."; and

NOW, THEREFORE, BE IT RESOLVED that the Northampton County Council authorizes the County Executive to award a contract to Kennedy, PC Law Offices for outside legal counsel to assist Gracedale with collections of unpaid patient care accounts.

Mr. Dietrich stated the Human Services Committee voted unanimously to present this contract to the whole of County Council for approval.

Mr. Werner advised the Gracedale Advisory Board also voted to present this contract to County Council.

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


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


Bridge No. 90 – Rehabilitation

Mr. Cusick introduced the following resolution:
WHEREAS, Northampton County Administrative Code Article XIII Procurement and Disposition of County Property, Section 13.16 Contracts and Agreements c.(2) requires approval of County Council for "any contract where costs are to be funded with monies outside of the County’s General Fund, such as those funded through bonded indebtedness."

WHEREAS, on April 11, 2013, the Northampton County Council received a request on behalf of the County Executive for County Council to adopt a resolution endorsing a contract, in the amount of $195,150, with Bi-State Construction for the rehabilitation of Bridge No. 90 (City of Bethlehem).

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 Bi-State Construction for the rehabilitation of Bridge No. 90 (City of Bethlehem).

Mr. Cusick stated this contract was reviewed at yesterday’s Finance Committee and the members present voted to present it to the whole of County Council.

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


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

Bridge No. 105 – Rehabilitation

Mr. Cusick introduced the following resolution:

WHEREAS, Northampton County Administrative Code Article XIII Procurement and Disposition of County Property, Section 13.16 Contracts and Agreements c.(2) requires approval of County Council for “any contract where costs are to be funded with monies outside of the County’s General Fund, such as those funded through bonded indebtedness.”
WHEREAS, on April 11, 2013, the Northampton County Council received a request on behalf of the County Executive for County Council to adopt a resolution endorsing a contract, in the amount of $19,938.64, with Grace Industries for the rehabilitation of Bridge No. 105 (Upper Nazareth Township).

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 Grace Industries for the rehabilitation of Bridge No. 105 (Upper Nazareth Township).

Mr. Cusick stated this contract was also reviewed at yesterday’s Finance Committee and the members present voted to present this contract to the whole of County Council.

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


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

Emergency Operations Center Expansion and Garage

Mr. Cusick introduced the following resolution:

R. 17-2013  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 17, 2013, the Northampton County Council received a request from the County Executive for County Council to adopt a resolution approving a contract, totaling $134,350, with Schrader Group Architecture, LLC for architectural and engineering services for the design, specifications and construction administration for the Emergency Operations Center expansion and garage.

NOW, THEREFORE, BE IT RESOLVED that the Northampton County Council does hereby concur with the recommendation of the County Executive to award a contract to Schrader Group Architecture, LLC for architectural and engineering services for the Emergency Operations Center expansion and garage.

Mr. Cusick stated this contract was also reviewed at yesterday’s Finance Committee and the members present voted to present this contract to the whole of County Council.

Mr. Robert Mateff, Director of Emergency Management Services, advised the needs and financing of this project were discussed at yesterday’s meeting so he had nothing else to add at this, but would be willing to answer any questions.

Mr. Cusick suggested they invite the officials from the City of Bethlehem to tour the facility when this project was completed so they could decide whether they wanted to join the County’s 9-1-1 system.

Mr. Mateff stated they have approached them with some opportunities with regard to regionalization of services without them actually joining the County’s system.

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


The resolution was adopted by a vote of 9-0.
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County Courthouse Project Award

Mr. Kraft advised the County received a Historical Preservation project award from the Chamber of Commerce today, which was the Commercial Real Estate Development Award, for the County Courthouse project.

Human Services Committee Report

Mr. Dietrich stated the Human Services Committee met earlier in the evening where a discussion was held with regard to obtaining outside legal services for collections and a report was provided regarding bed closures at Gracedale. He further stated there was also a discussion with regard to holding a legislation delegation meeting to discuss extending the Human Services Block Grant to include the Counties that were not originally chosen.

Mr. Cusick advised the Committee recommended Mr. Marcus to move forward with a marketing plan for the unused beds.

Financial Committee Report

Mr. Cusick advised the Finance Committee met yesterday and discussions were held with regard to the contracts that were presented tonight. He further advised the maintenance contract for the Prison was tabled since Mr. Steve DeSalva, Director of Public Works, and Mr. Arnold Matos, Director of the Prison, were not present to answer questions regarding the length and cost of the contract.

Mr. Cusick stated they also discussed the closing of the Nazareth pool. He further stated the County’s funds had not yet been expended for this project and would not be released until it was completed to the County’s satisfaction.

Gracedale Advisory Board Liaison Report

Mr. Werner advised they recommended Gracedale move forward with hiring an outside legal counsel to assist in collecting its $1.6 million in outstanding Medicare/Medicaid deficits.
Mr. Werner stated they also discussed raising the private room rate $10 over a non-private room to help bring in revenue.

Conservation District Liaison Report

Mrs. Ferraro advised on April 25, 2013, the Envirothon was being held and she encouraged everyone to attend.

Lehigh Valley Planning Commission Liaison Report

Mr. Cusick stated they were in the process of renewing a 10-year lease for their current location on Marcon Boulevard in Allentown.

Adjournment

Mr. Parsons made a motion to adjourn.

Mr. Kraft seconded the motion.

The motion to adjourn passed unanimously by acclamation.