Easton, Pennsylvania  December 11, 2014

A regular meeting of the Northampton County Council was held on the above date with the following present: Margaret L. Ferraro, President; Glenn A. Geissinger, Vice-President; Mathew M. Benol; Lamont G. McClure, Jr.; Scott Parsons; Hayden Phillips; Seth Vaughn; Robert F. Werner; Frank E. Flisser, Clerk to Council, and Philip D. Lauer, Solicitor to Council. Absent was Kenneth M. Kraft.

Prayer

Mr. Stephen Toronto, Second Counselor Reading, PA, Stake Presidency, The Church of Jesus Christ Latter Day Saints, led County Council in prayer to open the meeting.

Pledge of Allegiance

Mrs. Ferraro 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 December 3, 2014 meeting shall be approved.

Mr. Parsons seconded the motion.

The minutes were approved by voice acclamation.

Courtesy of the Floor

Ms. Joan Dean, 1277 Briarwood Lane, Forks Township, PA stated she was present to talk about the proposed compressor station upgrades that were going to occur at the Easton Station that was located in Forks Township. She further stated the compressor station was owned by Columbia Gas and was approximately 2250 horsepower, but the upgrade was going to bring it close to 21,000 horsepower.
Ms. Dean advised the filings they have done with Federal Energy Regulatory Commission say this larger unit would run at a low load, which meant it would run at approximately 40% of capacity. She further advised why would a unit that big be put in to run at only 40% capacity because it was obvious they had plans for the future.

Ms. Dean stated neighbors in the surrounding area of the compressor spoke at the last Forks Township meeting about gaseous smells they were receiving on their properties now that were making them sick. She further stated it was against the law in Pennsylvania to let a school bus idle for 15 minutes because of the pollutants it puts into the air, but when this compressor was finished at the size it was proposed, it would be the equivalent of 168 school buses running 24 hours a day every single day of the year.

Ms. Dean advised this area in the Lehigh Valley had a designation of their air as being non-attainable, which meant because it was located in a valley and the dispersions from cars and the industries located there, they were unable to say there was good air in this area. She further advised the biggest problem she saw was to public health.

Ms. Dean stated some of the hazardous material that would be expelled every year would be approximately 70 tons of nitrous oxide; 163 tons of carbon monoxide; 15 tons of particulate matter that were particles that people breathed in and went deep into the respiratory system and never come out again; more than 9 tons of volatile organic compounds; 1.89 tons of hazardous air pollutants; 99,000 tons of greenhouse gases and more than a half a ton of sulfur dioxide.

Ms. Dean advised the residents of the County that were concerned about this unit being put in strongly recommend that County Council do its due diligent and research these actions.

Mr. Benol arrived at the meeting.

Mr. Thomas Church, 2805 North Delaware Drive, Easton, PA — stated he worked for a national gas company for 15 years so he was very familiar with the whole compressor situation and had talked to environmentalists about the expansions and Marcellus Shale. He further stated these were huge issues and a lot of people had a lot of concerns.
Mr. Church advised since the Marcellus Shale boom, there was a lot of gas that they wanted to get from one place to another. He further advised one plan was to bring it through Eastern Pennsylvania to Maryland.

Mr. Church stated they were basically asking local governing bodies to speak out and do what they can with resolutions and ordinances that supported the rights of individual citizens that were directly impacted negatively by for profit companies and investors in the gas business. He further stated these rights included the individual's ability to better control their property, environment, air, water, noise and quality of life.

Mr. Church advised governmental regulations systems in this country allow those who seek monetary gain to override the rights of property owners and individual citizens in many cases. He further advised the determination of need and the concept of "in the public interest" was made at a distance far away from the effects on the ground.

Mr. Church stated the gas industry's mission for its investors was to develop product and transport it to the highest bidder to make the best profit it can. He further stated the enormous environmental damages and damage to the value of the properties and people's health and welfare it affects were undervalued and considered to be somehow to be justified.

Mr. Church advised the air quality in the Lehigh Valley was already below the Federal attainment standards. He further advised the East Side expansion projects, which included the compressor station in Milford and in Forks Township, would use pipelines that have been raised from eight inches to twenty inches. He noted Penn East was talking about a 36 inch pipeline so they were growing bigger in size and pressure.

Mr. Church advised the East Side expansion project with larger pipelines and higher horsepower compressor stations, the Penn East and other projected pipelines were all part of an overall plan to make more money for investors at the expense of the citizens of the Commonwealth of Pennsylvania.

Mr. Church stated the industry was far bigger and better financed than the people affected and the governmental agencies that were charged with applying common sense regulations, but it did not have all the power. He further stated there was a regulating authority within local and Federal governments, such
FERC and the Department of Environmental Protection (DEP).

Mr. Church advised they were asking all the regulating authorities to investigate their options and to put into place whatever protections they could to curb this attempt to remove the Commonwealth’s resources of gas and oil, clean water and air, property rights, natural beauty and the quality of life they were told they could expect by the Constitution of Pennsylvania.

Mr. Church stated he provided a list of possibilities they might consider, noting one was to sign onto the Forks Township Klein Road Compressor resolution (see Attachment #1). He further stated there were different resolutions and ordinances being passed in the State and in New Jersey where they were having the exact same issues.

Mr. Church advised they could also consider providing and publishing an emergency response plan for pipelines and compressor stations, noting Chester County had a website reference where this had been done (see Attachment #2).

Mr. Church stated they could have a policy to help the Lehigh Valley obtain a Federal clean air standard. He further stated they could submit position letters to FERC and DEP about the Forks Township compressor station as it was up for approval by the DEP.

Mr. Church advised they could also state publicly a position that considering the current gas supply enlarging the infrastructure was not necessary to the point where eminent domain should be used.

Ms. Sheila Gallagher, 2805 North Delaware Drive, Easton, PA - passed out several handouts (see Attachment #3). She stated one was an invitation to a DEP hearing on November 10, 2014 and the other was a flyer they delivered to their neighbors.

Ms. Gallagher advised the compressor station was located in Forks Township in their farmland preservation district so it was critical this pollution not be allowed to come into their neighborhood. She further advised she was requesting County Council pass a resolution discouraging the DEP from automatically approving this permit without taking into account the quality of the air and pollution they had already.
Ms. Gallagher stated another impact would be the loss of property values, which would decrease the tax base, and there was no way to compensate these individuals to what would happen to their investments.

Mr. Werner advised he followed the Marcellus Shale issue and Lycoming County was successful in fighting some of the companies like Columbia Gas. He further advised they had a protocol they followed so he would suggest looking into that and to talk to the Sierra Club.

Ms. Gallagher stated this was all connected to the pipeline. She further stated the compressor was just one small part of the whole infrastructure that was being forced upon them for profit corporation without any regard to the citizens and what it was doing to their lives.

Mr. Ed Urban, Forks Township, PA - advised in November someone from the Clean Air Council came to his door in an attempt let people know about this compressor expansion. He further advised the Columbia Gas Company called it an enhancement, but this would make the unit almost ten times the size.

Mr. Urban stated the air quality permit was before the DEP and the public comment ended December 8, 2014, but he was requesting, as they requested with Forks Township, that County Council provide a written communication to DEP that claimed certain rights and concerns for the population of the County and Forks Township. He further stated the air quality concerns were really important because these two turbines that would be run 24 hours a day, seven days a week would burn a tremendous amount of natural gas and there would be a tremendous amount of pollution to go with it and the permit should address that.

Mr. Urban advised because the Lehigh Valley was in an area of air quality non-attainment because of particulates and ground level ozone, the air quality permit should address that, but it required that the municipalities provide written communication to the DEP that they were concerned and would not abrogate any of the rights of the citizens of Forks Township and the County.

Mr. Urban stated the Columbia Gas Company should be required to use what was known as best available technology because these compressors were located area that was not compliant with the local zoning requirements of the township. He further stated because they had non-attainment air quality,
it was important they did certain things to make sure the air quality was preserved as best as possible.

Mr. Urban advised they were trying to impress upon County Council that this was an important issue and required not only concerned citizens standing up, but the people that represent and support them in the township and County address these issues with the DEP. He further advised there were Counties in Pennsylvania that already set up websites so they could continue to inform their citizens about these kinds of issues.

Confirmation of Appointments

Mrs. Ferraro stated County Council would be considering the County Executive’s appointments to the Airport Authority and to the Gaming Revenue and Economic Redevelopment Authority.

Mr. Geissinger introduced the following resolution:

R. 118-2014 RESOLVED, by the Northampton County Council that the following individuals shall be confirmed in their appointments/re-appointments as indicated hereafter:

AIRPORT AUTHORITY

Appointment: Edwin R. Lozano
30 Central Drive
Easton, PA 18045

Term to Expire: 12/31/19

GAMING REVENUE AND ECONOMIC REDEVELOPMENT AUTHORITY

Re-Appointments: Municipality Representative
Freemansburg Borough
Gerald C. Yob, Mayor
354 Garfield Street
Freemansburg PA 18017-7164

Terms to Expire: 12/31/19

At-Large Representative
Slate Belt Council of Governments
John Dally, Jr.
202 Constitution Avenue
Wind Gap PA 18091
In answer to Mr. Phillips' question as to why these appointments did not go through the Personnel Committee, Mr. Flissar advised Mr. Kraft could not hold a meeting so it was decided to bring them directly to County Council rather than wait until next year.

Mr. Werner stated Mr. Lozano had been a staunch supporter of Braden Airpark and he had been very engaged with all the things that have gone on with the Airport Authority and he felt he would be an excellent appointment.

Mr. Geissinger advised he echoed Mr. Werner's comments as he had the opportunity to meet with Mr. Lozano on numerous occasions and found him to be a person of the highest character, a high degree of resolve and outstanding business acumen. He further advised he would make a great asset to the Airport Authority.

Mrs. Ferrararo stated she agreed and his skill sets he would bring to the Airport Authority were much needed.

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

The vote: Geissinger, "yes"; Ferrararo, "yes"; McClure, "yes"; Parsons, "yes"; Phillips, "yes"; Vaughn, "yes"; Werner, "yes" and Benol, "yes".

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

County Executive's Report

Mr. John A. Brown, County Executive, recognized Mr. Yob's 33 years as mayor and thanked him for his service.

Mr. Brown thanked County Council for their work on the 2015 budget that was adopted at the last meeting. He advised when he came into office and put together a strategic plan, his intention was to look at contracts, business processes and pull out as many of the excesses as possible within the system. He further advised when they introduced the budget in October, they were looking at reducing it by $16.4 million from 2014 with the amendments County Council introduced that number was $17.3 million so the 2015 would be $17.3 million less than the 2014 budget as adopted.
Mr. Brown stated they were able to contribute a return of approximately $10 million to General Fund when the 2014 Budget was adopted there was $17.5 million allocated to balance the budget and that number if things hold by year end would be reduced to $7.5 and that got them to the $21 million they were projecting in the General Fund, which they were using to balance the budget going forward.

Mr. Brown advised when the budget was introduced, they anticipated approximately $9.4 million less revenue to work with then they did in 2014 so overall he believed the adoption of the budget was something with all those conditions was quite an achievement.

Mr. Brown stated he would ask County Council to follow through on its commitment that the monies from the millage rate would be stipulated and confined to a true stabilization fund. He further stated for 2015, they could expect more of the same as they planned to continue to execute just as they had in 2014.

Mr. Brown advised in his budget message and during the course of the cycle here, he indicated he intended to continue with a number of programs that were really just beginning to get their legs underneath them and expected to continue to find these kinds of results and more in 2015.

Mr. Brown stated he thanked County Council for their work. He further stated he was not looking to make any changes and accepted the budget as adopted.

Retirement of Frank Flisser

Mr. McClure advised he wanted to publicly acknowledge Mr. Flisser. He further advised Mr. Flisser had been the only Clerk to Council since the beginning of Home Rule and as he was reflecting upon the difficulties of the last several years with the Home Rule Charter, his friend and former colleague, Mr. Charles Dertinger, always reminded him cemeteries were full of irreplaceable men, but he believed Mr. Flisser would be the exception to that because he was not certain Home Rule in Northampton County would be the same after Mr. Flisser leaves. He further advised Mr. Flisser had been an important part to the well-oiled functioning of the County and he will be missed.
Mrs. Ferraro stated she could not imagine what it was liked coming in as the first clerk into a Home Rule County when most County Commissioners did not know what Home Rule really was. She further stated Mr. Flisser navigated his way through and done it incredibly.

Mr. Werner advised was a true Statesman as he handled himself as a gentleman at all times. He further advised he was the most valued friend and colleague that he would ever have in his terms on County Council. He noted he valued is friendship and knowledge, noting he was one of the most impressive persons he ever met in his life.

Mr. Parsons stated when he decided to run for County Council, a number of people told him when he got here, he was going to meet Mr. Flisser and that was someone he could trust and would give the best answers. He further stated the knowledge he had was unbelievable and the people did not lie to him when they told him he was the man to go see when he needed something.

Mr. Benol advised he was giving the same advice regarding Mr. Flisser and he could not thank him enough for all the help he had given to him and his colleagues. He further advised he never found any of Mr. Flisser’s answers to be anything but honest.

Mr. Geissinger stated he enjoyed the support of Mr. Flisser during the few meetings he had the opportunity to run this year. He further stated he got the opportunity to know Mr. Flisser and he found him to a man of the highest integrity, good common sense and judgment and a dedicated husband and father. He noted he exemplified the qualities that last long beyond service in any job and he was grateful for the opportunity to get to know him.

Mr. Vaughn advised in the short time he had known Mr. Flisser, he was very forthcoming and knowledgeable in answering any questions he had. He further advised he talked very highly about his family and having them in the audience at almost every meeting showed the connection and the true family values they possessed. He noted Mr. Flisser was always courteous and impartial and he felt that was important being the Clerk to County Council and dealing with many political ideologies.
Mr. Lauer stated Mr. Flisser was every municipal solicitor's dream because no one knew as much about what County Council and he did as he did. He further stated Mr. Flisser was a wonderful man to work for and with and he would certainly miss him.

Mr. Phillips advised this year if he did anything right, it was to talk to Mr. Flisser once or twice during a week to run things by him. He further advised Mr. Flisser was certainly someone who could talk to you and give you guidance, but not take a side. He noted he appreciated him so much he wished he could bring him back as a consultant.

Mrs. Ferraro stated Mr. Flisser was the one person she knew who could work in a political atmosphere for all his years and have a personality where she never once heard anything but positive spoken about him.


Consideration of the Appointment of Director of Corrections

Mrs. Ferraro advised the County Executive nominated Mr. Daniel S. Keen to serve as Director of Corrections.

Mr. Geissinger introduced the following resolution:

R. 119-2014 RESOLVED, By the Northampton County Council that Daniel S. Keen shall be confirmed in his appointment of Director of Corrections, at pay grade Group VI, step 4-D, salary $100,237.00 effective January 1, 2015.

Mr. Keen stated he currently resided in Chambersburg, which was approximately two and half hours away, and had approximately 15 years in corrections. He further stated he was the Warden of the Franklin County Jail, which was a 474 bed facility. He noted they had very aggressive treatment programs that were implemented by the former Warden who was now the Secretary of Corrections and hoped to bring them to Northampton County.
In response to Mr. Benol's question as to what was the biggest issue facing the Northampton County Prison and his thought process for fixing it, Mr. Keen advised there were some things that had to be tightened down a little bit. He further advised his number one priority was safety and security for the staff, public and inmates. He noted his number two priority was to get individuals on treatment and third to streamline the processes to reduce costs.

In answer to Mr. Parsons' question as to if he planned to move to the area, Mr. Keen stated he did.

Mr. Parsons advised he hoped he would consider the Northampton County area. He further advised that he felt he was qualified.

Mr. Phillips stated he saw he moved around quite a bit, but he was always moving up and he congratulated him on that.

In response to Mr. Werner's question as to whether he graduated from Edinboro University, Mr. Keen advised he attended it on a football scholarship, but he suffered a bad injury that resulted in him losing his scholarship. He further advised he was now at the point where he was in a better position to go back to school. He noted he was currently attending Bellevue University and would be graduating in June 2015.

In answer to Mr. Werner's question as to whether he took over the Warden position when the former Warden John Wetzel became the Secretary of Corrections, Mr. Keen stated when Warden Wetzel became Secretary of Corrections, he worked for the Department of Correction as the Director of Prison Inspections. He further stated when the position became open, Secretary Wetzel asked him to put his name in, which he did and he was selected as the best person for the Warden position.

Mr. Werner advised Franklin County built a brand new prison in 2007 for $24 million and there was an overcrowding problem that had to be addressed due to transportation.

Mr. Keen stated they implemented a transportation program to where they did all hospital transports and instead of burdening the Sheriffs, they took over Department of Corrections new commitments to the State of Corrections so they were moving inmates every week that helped to reduce the inmate population.
Mr. Werner asked if during his tour of the Prison with Ms. Cathy Allen, Deputy Director Administration, they discuss some of the overtime issues that occurred at the Prisons he was involved with.

Mr. Keen advised he did not drill down far enough here to make a decision at that, but he knew what he did at Franklin County, which was to implement a new hiring process that tested candidates as to whether they were here for a job or career so they were able to retain individuals and keep their staffing levels high.

Mr. Parsons stated County Council just adopted a budget that did not give any raises to anyone and increased taxes so he could not justify hiring someone at the salary of $100,000. He further stated the last Director of Corrections worked his way up the system over 20 years and was only making $89,000.

Mr. McClure advised some concerns were raised about the multiple jobs the nominee had over a short period of time, and about the time it was taking for him to complete his education. He further advised there were a lot of people that took a lot of time to complete their educations and moved around to further their careers so he did not think that disqualified him.

Mr. McClure stated he fully intended to support the nomination, but he did not think his skill sets commanded the salary that was in excess of six figures. He further stated given a nomination on Tuesday for a vote on Thursday essentially diminished County Council's power to review a nominee and consent to it so he would appreciate in the future receiving them to allow them enough time to fully vet a nominee and he agreed with Mr. Parsons about the salary.

Mr. Werner advised the Franklin County Prison system salaries were considerably less than what was being offered to Mr. Keen. He further advised he was not against his nomination, but the salaries where in came from were not in line with Northampton County's so he hoped County Council would look at the percentages based on what Messrs. Parsons and McClure have stated. He noted the County's employees' salaries and benefits have been reduced and they were bringing in someone with a 15-20% increase in their current salary.
In response to Mr. McClure’s question as to what was the figure he had in mind, Mr. Werner stated it was his understanding, former Warden Wetzel received approximately $78,000 when he first began and Director of Corrections Matos received approximately $87,000.

Mr. Brown advised the Administration weighed the salary consideration against his experience. He further advised their job was to find the best candidate that they could and willing to take the helm of one of the most difficult institutions the County had to operate.

Mr. Brown stated they believed Mr. Keen was the right person for the position and it was worth the few dollars more to give him the incentive to move to the County and take on this responsibility. He further stated he believed that he would prove over time that he was well worth the salary being offered.

Mr. Phillips advised he was not against Mr. Keen’s appointment, but he felt County Council should have been given more time to review the matter. He further advised if this happened again, he believed he would enter a protest vote not to approve the appointment.

Mr. Phillips stated he like the progression that Mr. Keen took in his career so he did not see that as a bad thing. He further stated he believed Mr. Matos was a safe selection for Director of Corrections, but he did not believe he had the experience level Mr. Keen was bringing to the position so he would support the salary being offered.

Mr. McClure advised Mr. Kraft was the Chairman of the Personnel Committee, as well as the liaison for the Prison, and he took those responsibilities very seriously. He further advised during his time as the liaison, he had taken a lot of time to learn about the Prison system so as a courtesy, he would have expected this nomination would have been delayed until Mr. Kraft could bring it to a Personnel Committee where he could provide his viewpoint based on his experience with the Prison.

Mr. McClure stated this was such an important position with a high salary so he felt it should take more than two days to vet the nominee, therefore, he was making a motion to table the appointment until the first business meeting in the new year.

Mr. Parsons seconded the motion.
As there were no questions or comments, Mrs. Ferraro called for the vote.


The motion failed by a vote of 3-5.

Mr. Parsons made a motion to put the salary for Mr. Keen at Step 1-A of the scale, which would be $87,838.

Mr. Werner seconded the motion.

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


The motion failed by a vote of 3-5.

Mr. Werner advised there were a lot of questions he had about pushing through a 15 or 20% increase when he could be started at a lower salary and then after a six month evaluation, reconsider the salary.

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


The resolution was adopted by a vote of 5-3.

Department of Public Works

Mrs. Ferraro stated the Department of Human Resources Department forwarded to County Council a request for the elimination of a position and for creation of two new positions in the Department of Public Works.

Mr. Geissinger introduced the following resolution:
R. 120-2014 RESOLVED, by the Northampton County Council that the following personnel transactions shall be approved for the Department of Public Works:

(a) The one (1) full time position of Chief Operations & Maintenance Superintendent, Department of Public Works, pay grade CS-30, salary range $60,799 to $86,518, shall be eliminated, effective January 1, 2015.

(b) The one (1) FTE position of Operations & Maintenance Supervisor, pay grade CS-28, salary range $55,431 to $78,906, shall be created in the Department of Public Works, effective January 1, 2015.

(c) The one (1) FTE position of Operations & Maintenance Associate Supervisor, pay grade CS-24, salary range $46,108 to $65,603 shall be created in the Department of Public Works, effective January 1, 2015.

Mr. Benol advised he echoed Mr. Phillips’ statement that these requests should be brought before the Personnel Committee meeting so background could be given as to why they were being made.

Mr. Stan Rugis, Deputy Director of the Department of Public Works, stated they were doing some restructuring in their department to streamline the workflow and increase efficiencies. He further stated the person in the position that was being eliminated would be retiring at the end of the year.

In response to Mr. Parsons’ question as to whether there were people working for the County now who would be moving into the two positions being created, Mr. Rugis advised they would be considered.

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

The vote: Geissinger, "yes"; Parsons, "yes"; Phillips, "yes"; Vaughn, "yes"; Werner, "yes"; Benol, "yes"; Ferraro, "yes" and McClure, "no".

The resolution was adopted by a vote of 7-1.
Department of Human Resources

Mrs. Ferraro stated the Department of Human Resources forwarded to County Council a request for two position reclassifications in that department.

Mr. Geissinger introduced the following resolution:

R. 121-2014 RESOLVED, by the Northampton County Council that the one (1) position of Clerical Technician III, pay grade CS-13, Step 3-C, in the Department of Human Resources, shall be reclassified to one (1) position of Clerical Specialist, pay grade CS-16, Step 1-A.

BE IT FURTHER RESOLVED that the one (1) position of Clerical Technician III, pay grade CS-13, Step 1-A, in the Department of Human Resources, shall be reclassified to one (1) position of Clerical Specialist, pay grade CS-16, Step 1-A.

Ms. Lorraine Schintz, Acting Director of the Department of Human Resources, advised they had five Clerical Specialists in their division at the Courthouse and there were two Clerical Technician IIIIs located at Gracedale so this would bring them all into the same classification. She further advised this was a 4.5% increase, which was a normal promotion increase, noting it was a $6,000 increase for two people for the year.

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


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

County Council: Appointment of Acting Clerk to Council

Mrs. Ferraro stated a resolution was prepared confirming the appointment of an Acting Clerk to Council pending the hiring of a permanent position. She further stated all the positions in the County Council office were exempt positions.

Mr. Geissinger introduced the following resolution:
R.122-2014 RESOLVED, By the Northampton County Council that Linda M. Zembo shall be confirmed in her appointment as Acting Clerk to Council, at pay grade Group VI, step 1-A, $87,838, effective December 22, 2014.

Mr. Werner advised Mrs. Zembo had been working with Mr. Flisser for 14 years and she had actually stepped in many times to aid him and work by his side. He further advised she had been a steadfast employee and would do well in this position.

Mr. McClure stated he could not emphasize enough the importance of continuity in the office and he felt this was an excellent idea. He further stated he believed Mrs. Zembo would work out perfectly well in this position and they should very seriously consider keeping her permanently.

Mr. Benol advised other members of County Council have stated they have lost sleep over some issues and he wanted to say he would lose sleep if they did not have someone the status of Mrs. Zembo in this position.

Mrs. Ferraro stated this was the first time this position had become open so for transparency in government Ms. Linda Markwith, Human Resources Generalist, Department of Human Resources, was asked to rewrite the job description and then place an ad in the newspapers for resumes.

Mr. Geissinger advised in the short time he had to work with Mrs. Zembo, she had been an excellent professional, he looked forward to her filling in for Mr. Flisser and believed she would do a great job.

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

The vote: Geissinger, "yes"; Werner, "yes"; Benol, "yes"; Ferraro, "yes"; McClure, "yes"; Parsons, "yes"; Phillips, "yes" and Vaughn, "yes".

The resolution was adopted by a vote of 8-0.
Consideration of the Administrative Code Article XIII Contract Approval Resolution: Hanover Engineering

Mrs. Ferraro stated the County Executive requested that the approval of this contract be withdrawn from the agenda for this meeting and be rescheduled for a meeting in January.

Consideration of 2014 Contingency Allocations: a. Stephen’s Place

Stephen’s Place

Mrs. Ferraro advised at the request of Mr. McClure, a resolution was drafted allocating $5,000.00 from the 2014 Contingency Account to Stephen’s Place.

Mr. McClure introduced the following resolution:

R. 123-2014 WHEREAS, in October 1994, Stephen’s Place (Bethlehem, PA) officially opened its doors to provide residential support services to non-violent adult males coming out of prison with a history of substance abuse. The program helps these men to succeed in their recovery and in their reintegration from prison back to society.

NOW, THEREFORE, BE IT RESOLVED by the Northampton County Council that the sum of $5,000 shall be transferred from the 2014 Contingency account #05000-76050 and allocated to Stephen's Place, this 11th day of December 2014.

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

The vote: McClure, "yes"; Geissinger, "yes"; Parsons, "yes"; Phillips, "yes"; Vaughn, "yes"; Werner, "yes"; Benol, "yes" and Ferraro, "yes".

The resolution was adopted by a vote of 8-0.
Controller - Northampton Community College

Mr. Benol stated at the last meeting, he mentioned the qualifications for the Controller position at Northampton Community College (College). He further stated he received an e-mail from someone in Northampton County who had read the comments that were posted in the newspaper and was not sure how to take them.

Mr. Benol advised he spoke to that individual and he wanted to clarify that his comments were not a slight on the College, but he was looking at two Northampton County entities that were seeking a similar position and the qualifications that the College were posting for an Assistant Controller as opposed to the lack of qualifications to be a County Controller.

Council Clerk Report

Mr. Flisser stated it had been an honor and privilege to have served Northampton County for the past 37 years. He further stated from his first meeting in old Courtroom #4 to the current location, each meeting represented a different challenge.

Mr. Flisser advised he would like to thank current and past members of County Council, as well as those who had served in an executive, administrative or legal capacity for their cooperation and support throughout his career.

Mr. Flisser stated he would be remiss if he did not thank his wife, Mary Beth, and his son, Tom, for their assistance and encouragement throughout his career. He further stated without them he would not have been able to last as long as he did.

Mr. Flisser bestowed best wishes to everyone for a happy holiday season and a healthy prosperous new year.

Mr. Geissinger presented Mr. Flisser a plaque honoring his years of service as Clerk to County Council.

Council Solicitor Report

Mr. Lauer advised he received a request to evaluate the extent to which either the County Executive, County Council member or Controller might have any legal liability as a result
of what occurred at a recent meeting. He further advised these individuals were considered to be high public officials and they had absolute immunity from liability for things like defamation claims so long as they were acting in the course of their duties.

Mr. Lauer stated another question was asked as to the Controller’s use of a separate fraud hotline. He further stated the only thing he was able to determine was that currently the County’s liability insurance carrier was privy to whatever came in and out of the County fraud hotline, but he did not know if that was the case with the Controller’s fraud hotline.

Mr. Lauer advised he felt this could be an issue so he would suggest the matter be explored in case it turned out there was a requirement in the policy or elsewhere that they be fully apprised of all fraud claims. He further advised immunity would apply to the Controller so he would be immune from liability for this sort of thing.

Mr. Lauer stated he was also asked to look at the employee policy manual provisions relating to electronic resources. He further stated this was a document that was drafted by the Administration as part of the employee manual.

Mr. Lauer advised by the Home Rule Charter County Council had the ability to adopt Administrative rules or regulations that were binding on not just employees, but elected officials. He further advised this document was not enacted by County Council and by its terms, it could apply to public elected officials.

Mr. Lauer stated he did not believe the remedy that was provided in this document could be applied to an elected official. He further stated whether it applied specifically or not to the Controller, it certainly applied to the individuals who were receiving the e-mail correspondence. He noted it was up to the Administration to enforce this policy not County Council’s.

Mr. Lauer advised he was asked to conclude whether he felt something illegal was done with regard to the budget. He further advised he did not use the term illegal, but indicted he felt the revenues contained a revenue item that was not consistent to what the Home Rule Charter implied and, therefore, he felt it was improper.
Adjournment

Mr. Parsons made a motion to adjourn the meeting.
Mrs. Ferraro seconded the motion.
The motion to adjourn passed unanimously by acclamation.

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Frank E. Flisser
Clerk to Council