Easton, Pennsylvania December 4, 2014

A regular meeting of the Northampton County Council was held on the above date with the following present: Margaret L. Ferraro, President (via telephone); Glenn A. Geissinger, Vice-President; Mathew M. Benol; Kenneth M. Kraft; 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.

Prayer

Pastor Rick Sergi, Emmanuel E.C. Church, Bethlehem, PA, led County Council in prayer to open the meeting.

Pledge of Allegiance

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

Approval of the Minutes

Mr. Kraft made the following motion:

Be It Moved By the Northampton County Council that the minutes of the October 22, 2014, October 29, 2014 and November 20, 2014 meetings shall be approved.

Mr. Parsons seconded the motion.

The minutes were approved by voice acclamation.

Courtesy of the Floor

Mr. Bruce Haines, 63 West Church Street, Bethlehem, PA – stated he was the Managing Partner of the Historic Hotel Bethlehem and was present to thank Councilman Kraft for his amendment to increase the contribution to the Historic Hotel Bethlehem Partnership by $25,000 to restore the funding for the docent program, which was a wonderful marketing tool that spread the word about the new National Landmark District in Bethlehem. He further stated tourism was up and indicated the revenue for his hotel was up 7%.
Mr. Haines advised he would also like to support the amendment for the State Theater because it was a tremendous asset to Northampton County as well.

Confirmation of Appointments

Mr. Kraft introduced the following resolution:

R. 105-2014 RESOLVED, by the Northampton County Council that the following individuals shall be confirmed in their appointments/re-appointments as indicated hereafter:

LEHIGH VALLEY WORKFORCE
INVESTMENT BOARD

Appointment: Laura B. Haffner
750 Golden Eagle Drive
Nazareth PA 18064

Terms to Expire: 12/31/17

Re-appointment:
Kelly Gould
2135 Mark Twain Circle
Bethlehem PA 18017

Lisa Z. Nesbitt
4201 Bethman Road
Easton PA 18045

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

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

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

County Executive's Report

Mr. Brown advised he did not have anything to report.
Consideration of the 2015 Northampton County Budget and Capital Improvements Plan: a. Public Hearing on the Proposed Revenue Amendment to the Proposed 2015 Budget; b. Consideration of 2015 Personnel Requests: (1) District Attorney, (2) Sheriff; c. 2015 Salary Resolutions: (1) Part-Time Professional Employees, (2) Full-Time Employees; d. Adoption of the 2015 Budget: (1) Consideration of Amendments to the Proposed 2015 Budget, (2) Adoption of the 2015 Northampton County Budget as Amended; e. Adoption of the 2015 Capital Improvements Plan; f. Adoption of the 2015 Real Estate Tax Millage Rate Ordinance

Public Hearing on the Proposed Revenue Amendment to the Proposed 2015 Budget

Mr. Geissinger asked if there were any questions or comments regarding the revenue amendment to the Proposed 2015 Budget as submitted by the County Executive.

There were no respondents.

Mr. Geissinger asked if there were any questions or comments from the members of County Council.

There were no respondents.

Consideration of 2015 Personnel Requests: (1) District Attorney, (2) Sheriff

Mr. Geissinger stated during the budget hearing held October 22, 2014, the District Attorney and the Sheriff presented 2015 personnel requests for their respective offices and the actual approval of each request would now be considered.

District Attorney and Sheriff

Mr. Kraft introduced the following resolutions:

R. 106-2014 RESOLVED, by the Northampton County Council that the position of Assistant District Attorney I (1.00 FTE), pay grade CE-03, salary range $55,431 to $78,906, shall be eliminated in the Office of the District Attorney, effective January 1, 2015.
IT IS FURTHER RESOLVED by the Northampton County Council that the position of Assistant District Attorney II (1.00 FTE), pay grade CE-04, salary range $65,638 to $94,812, shall be created in the Office of the District Attorney, effective January 1, 2015.

R. 107-2014 RESOLVED, by the Northampton County Council that the position of Sheriff’s Lieutenant PT (.50 FTE), pay grade CS-25, salary $48,282, shall be eliminated in the Sheriff’s Department, effective January 1, 2015.

IT IS FURTHER RESOLVED by the Northampton County Council that the position of Sheriff’s Lieutenant (1.00 FTE), pay grade CS-25, salary range $48,282 to $68,279, shall be created in the Sheriff’s Department, effective January 1, 2015.

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

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

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

2015 Salary Resolutions: (1) Part-Time Professional Employees, (2) Full-Time Employees

Mr. Geissinger advised the resolutions establishing the 2015 salaries for both part-time professional and full-time employees would now be considered.

Part-Time Professional Employees

Mr. Geissinger introduced the following resolution:

R. 108-2014 RESOLVED, By the Northampton County Council that the 2015 salaries of part-time professional employees shall be as indicated on the attached pay scale.

Mr. Parsons stated he wanted to acknowledge the salaries remained the same as the 2014 salaries.
As there were no further questions or comments, Mr. Geissinger called for the vote.

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

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

Full-Time Employees

Mr. Geissinger introduced the following resolution:

R. 109-2014 RESOLVED, By the Northampton County Council that the 2015 salaries of Career Service and Exempt employees, not within Collective Bargaining Units, whose job classifications are within the parameters of the Northampton County Career Service and Exempt Pay Scales, respectively, shall be as indicated on the attached pay scales.

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

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

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

Adoption of the 2015 Budget: (1) Consideration of Amendments to the Proposed 2015 Budget, (2) Adoption of the 2015 Northampton County Budget as Amended

Consideration of Amendments to the Proposed 2015 Budget

Mr. Geissinger introduced the following resolution:

R. 110(A)-2014 RESOLVED, By the Northampton County Council that the proposed 2015 Northampton County Budget shall be amended as indicated on the attached documents.
Mr. Geissinger advised these amendments included an adjustment to the revenue by the County Executive, as well as adjustments recommended by the members of County Council.

Mr. Geissinger stated the first amendment was for Hotel Room Rental Tax 2000 that would increase the contribution to the Historic Bethlehem Partnership by $25,000 and the State Theater by $30,000.

Mr. Phillips advised the City of Easton (City) was facing a number of problems and imposed a commuter tax to balance their pension fund. He further advised the City also passed a resolution supporting the issuance of driver’s licenses to illegal aliens and that bothered him.

Mr. Phillips stated District Attorney John Morganelli spoke out on issues regarding illegal aliens and their impact on the social and economic structure of the country, as well as the criminal justice system. He further stated he was also concerned about the impact illegal aliens getting driver’s licenses would have on national security.

Mr. Phillips advised the District Attorney stated granting driver’s licenses to illegal aliens meant terrorists from Yemen, Afghanistan, Iraq, Iran and other countries that sponsored state sanctioned terrorism would have equal access to state issued driver’s licenses, as well as gang members, drug dealers and other criminals from countries south of the United States border.

Mr. Phillips stated County Council was being told to give this money to the State Theater because it would help build up the City, but he felt the City had to look at how it was going to help itself and not pull the County down with it.

Mr. Phillips advised he was not going to vote for this increase as a protest to the resolution passed by the City regarding the issuance of driver’s licenses to illegal aliens.

Mr. Kraft stated he was just as concerned about national security, but a non-profit residing in the City had nothing to do with the foibles of Mayor Sal Panto and his administration. He further stated the hotel tax money was established to help such organizations to attract tourism not terrorism. He noted he was going to vote for it because it was a worthy cause and was revitalizing the City for the business owners.
Mr. Werner advised the State Theater was part of the history of the County and he felt the preservation of history was critical. He further advised he was not always in favor of things the State Theater did, but based on what it had done for the City, he was going to support it.

In answer to Mr. McClure’s question as to what was the grant last year, Mr. Werner replied it was $42,000.

As there were no further questions or comments, Mr. Geissinger called for the vote on this amendment.

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

The amendment passed by a vote of 8-1.

Mr. Geissinger stated the next amendment proposed funding for farmland preservation be increased by $750,000 and environmentally sensitive by $400,000. He further stated neither items were funded in the 2015 Proposed Budget so the funding would come from Gaming Host County Tables grants.

Mr. Bryan Cope, Open Space Coordinator, provided a handout regarding the funding for the Municipal Park Acquisition and Development Program, Open Space and Natural Areas Program and the Farmland Preservation Program (see Attachment #1).

Mr. Cope advised the second page contained the One Lehigh Valley Report and it reflected within the Lehigh Valley, $800 million was put back annually into the local economy through outdoor recreation. He further advised $350 million was put toward environment services annually, $50 million in healthcare expenditures were avoided annually and increased residential properties located adjacent to protected open space increased in value by $10,000 per property.

Mr. Cope stated the first page reflected what the County had contributed over the past five years and the matching funds it received.

Mr. Lauer advised Mr. Kraft had asked him to determine if the money from the Gaming Host County Tables could be used for this purpose. He further advised the legislation itself indicated 60% had to go to the County where the licensed
facility was located for economic development and community improvement projects, as well as other projects in the public interest within the County.

In response to Mr. Werner’s question as to whether any grant money would be left, Mr. Parsons replied there would be $1.7 million left. He further replied he spoke with the Department of Community and Economic Development and they informed him there was enough money to do some projects they had in the pipeline with money remaining if some other project were to come up.

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

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

The amendment passed by a vote of 8-1.

Mr. Geissinger stated the next amendment called for a decrease of $93,500 in salaries/fringe benefits for Personnel in the Department of Administration.

Mr. McClure advised the purpose of this amendment was for County Council to validate their authority as the governing body. He further advised when Ms. Catherine Allen, Deputy Director of Administration (Deputy), was being recommended as Director of Administration (Director), she was overwhelmingly in a bipartisan manner rejected for several reasons.

Mr. McClure stated the County Executive then appointed her to the Deputy position, but gave her the duties of the Director as indicated in the Administrative Code, including the negotiating of contracts.

Mr. McClure advised in order for County Council to be able to make its will effective, they had to use the one power that was available to them and that was to appropriate money. He further advised he was not going to propose this amendment until he saw the taxpayers were being soaked in inappropriate mileage and meal reimbursements.
Mr. McClure stated Ms. Allen claimed more than 1000 miles in mileage reimbursement that not only the Internal Revenue Service did not recognize as reimbursable, but it specifically was in violation of County policy. He further stated that information was forwarded to County Council and clearly documented so he thought it was time they took action.

Mr. McClure advised the savings in the salary/benefits over the life of this Administration would be nearly $400,000. He further advised his colleagues have been talking about increasing revenues and raising taxes, but he felt it was important for them to have a responsible conversation about how to cut this budget and he felt this was a good place to start.

Mr. Werner stated he agreed with Mr. McClure and would also direct the amendment to include the removal of consultant contracts that actually duplicated responsibilities of the Director and Deputy and these duplications of services have not been outstanding for the extra money that was paid.

Mr. Geissinger advised he wanted to make County Council aware they were only addressing the original amendment. He further advised he did not in any way promote nor support the County spending money that did not encourage it to be the most fiscally responsible that it could.

Mr. Geissinger stated he did support the County operating in a manner that helped to promote the savings of tax dollars and efficiencies of services wherever possible, but he did not know that saving $400,000 over the next several years was going to significantly change anything when it was facing a $20 million deficient. He further stated he was not going to support something that told the Administration how to run their division and he did not see this as anything more than a protest vote.

Mr. Phillips advised he was pretty outspoken about the appointment of Ms. Allen as Director and the reimbursement issues should be addressed, but he did not like the idea of County Council micromanaging the County Executive and removing one of his key people.

Mr. Parsons stated this position was created because it was determined there was a need for it, but the County Executive and Administration had deemed it necessary to go outside to do a lot of the duties the Director and Deputy were hired to do.
Mr. Parsons advised there had been some discussion about taking some of the divisions under the Director and moving them to the Department of Community and Economic Development. He further advised if these individuals were going to perform the duties as outlined in their job descriptions, he did not have an issue with it; however, if outside people were going to be hired to do some of these duties, then he did not see a reason for them.

Mr. Benol stated he was not going to vote for this, but he agreed with Mr. Parson that the job descriptions should be looked at and if the duties continued to be outsourced next year, he would support decreasing the salaries, changing the job descriptions or completely eliminating the positions.

Mr. McClure advised his colleagues were talking about raising property taxes because they did not have any confidence in what the Administration was proposing to do would actually happen. He further advised he had been around for a while and he had seen budget numbers not turn out to be what they were predicted to be and more often than not it was to the good.

Mr. McClure stated they had to find a way to reasonably cut expenditures before taxes were raised and the $400,000 was not just a drop in the bucket, but a beginning.

Mr. Geissinger advised he did have faith that the County Executive would be able to deliver on his savings, but that would still only put them at $24 million at best, which was the borderline and that made him nervous. He further advised right now they projected a $7 million loss at Gracedale, but that building is extremely old and anything could happen.

Mr. Brown stated the policies regarding reimbursements were being reviewed and when a conclusion was made appropriate action would be taken. He further stated Ms. Allen had earned the faith and trust of many of the employees, specifically at Gracedale and was an extremely value part of the Administration.

With regard to the job descriptions, Mr. Brown advised his powers allowed him to direct and redirect personnel as he saw fit. He further advised he felt they would be doing a disservice to the County to defund Ms. Allen's position as she helped to institute a number of the changes necessary in order to properly balance the budget and to bring the systems into alignment so the County did not find itself in this financial situation going forward.
Mr. Brown stated he agreed with Mr. McClure that $400,000 was more than just a drop in the bucket, but he found it ironic that over the past several years between $50 and $80 million have been spent without a concern for controlling expenses. He further stated this Administration had been working diligently to try and avoid a tax increase while maintaining jobs.

Mr. Brown advised Ms. Allen, Mr. Campos and all the members of the Administration have provided tremendous value to the taxpayers and the employees of this County. He further advised the use of outside source contracts was not atypical to the County and they were not replacing work done by the employees, but supplementing it with specific skill sets and knowledge.

In answer to Mr. McClure’s question as to what was the skill set Ms. Allen brought to the job of Deputy that helped balance the budget, Mr. Brown stated he felt that was an open-ended question and he was not going to answer. He further stated he felt she had proven herself as an employee in what she was delivering to this County overall and both he and Mr. Campos would hire her again tomorrow and he personally would love to have ten more of her.

In response to Mr. Werner’s question as to why Ms. Allen waited so long to bring forth the insurance gap program, Mr. Brown advised any decisions concerning the health insurance were his and presented them when he felt it was appropriate to do so.

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

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

The amendment failed by a vote of 4-5.

Mr. Geissinger stated the next amendment called for a decrease of $150,000 in Operating budget of Department of Administration.

Mr. McClure advised before raising taxes, he felt a look had to be taken at serious ways to plug the big holes in the budget and one of those was to take $150,000 to degrade the County Executive's ability to hire outside consultants that he felt were one of the primary reasons the first year of the
Administration had been so inconsistent. He further advised some members of County Council just voted to keep Ms. Allen on so he felt breaking this culture of consultant cronyism now or attempting to would only help the County move forward and be able to avoid future tax increases.

In answer to Mr. Phillips’ question as to how Mr. McClure arrived at the $150,000, Mr. McClure stated he estimated that was what was going to be spent on consultants whom he felt had very little experience and interest in the functioning of the County so it was wasteful spending.

In response to Mr. Phillips’ question as to whether he was referring to current or future consultants, Mr. McClure replied both.

Mr. Kraft advised some of the duties of the Deputy were now being performed by a consultant and cited the County Newsletter as an example so he did not feel it was fiscally responsible for the County to pay double for these services.

Mr. Werner stated one of the duties of the Deputy was public relations work and that was being done by a public relations firm. He further stated the combined salaries of the Deputy and the public relations firm was $180,000.

Mr. Geissinger advised he agreed in principle because he did not want to see money wasted on duplicate efforts or on things that should be done by someone that was already receiving a salary to do them. He further advised his only concern was that even though this particular line item was being decreased, the County Executive could take that money from another line item so what was the true purpose of the vote.

Mr. McClure stated that was true and he would have to make that decision, but County Council would have clearly demonstrated they wanted to break the culture of spending money on consultants, which over the term of the Administration would be $600,000.

Mr. Phillips advised he agreed that money should not be spent on consultants.

Mr. Werner stated County Council had been frustrated because instead of receiving information from the County Executive, they were getting it through consultants. He further stated he would much rather have the Administration that was
being paid to do their jobs and to oversee those programs than have consultants brought in that had no contact with County Council.

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

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

The amendment passed by a vote of 5-4.

Mr. Geissinger advised the next amendment called for a decrease of $750,000 in Operating in the Department of Corrections.

Mr. McClure advised this was $750,000 from the 2015 budget, but over the life of the Community Education Centers (CEC) contract, it could be $3.8 million and if the contract was extended, $5.5 million. He further advised when savings were discussed, they had to look at places that have big numbers that could be captured through the years and this was a big number.

Mr. McClure stated the CEC program did not work when compared to the cost of running it. He further stated he had been asking questions for many years about the recidivism rates and no one had ever been able to provide what the recidivism rates actually were.

Mr. McClure advised last year when this CEC contract was brought before County Council, they were essentially misled because numbers were just thrown about in order to induce County Council to enter into this contract.

Mr. McClure stated he knew his colleagues were concerned about drug treatment and he was too, but that could be accomplished without CEC. He further stated less than half of the people who have gone through CEC, have reoffended and returned to the County. He noted that did not include the individuals that were missed because the documentation was not accurate as it could be with respect to the State system or other jurisdictions where those individuals were reoffending.
Mr. McClure advised when the Controller did the audit that indicated the success rate was less than 50%, he found that two of the individuals that had been in the program were in the Prison and CEC did not even know they were there. He further advised he felt this program was not being effective in anyway when compared to the cost.

Mr. McClure stated the first director of the Northampton County CEC Program reflected the CEC Programs were only as good as the person allowed and the staff that was in place. He further stated she indicated it focused more on the criminal behavior than the addiction, which was backwards. He noted she also reflected if the County was really committed, they should hire their own staff instead of contracted service because they were paying way too much for what they were getting.

Mr. Geissinger advised he wondered if the CEC Program needed to be revamped and perhaps have parameters put on it in order to gauge its successes or failures. He further advised he was concerned if this funding was removed, a void was going to be created in the treatment of these individuals.

In answer to Mr. Phillips’ question as to whether the County Executive had a status on the recovery court being proposed by the Courts, Mr. Brown stated a few weeks ago, an announcement was made regarding the creation of a mental health court and a potential diversionary drug court and those discussions were continuing to be held.

Mr. Brown advised the behavioral and addiction treatment could be separated. He further advised there was a 30-day opt out option in the contract and CEC was aware changes would be occurring if a diversionary drug court was adopted. He noted the prison officials did not want the inmates to be idle and had to be provided with something to focus on that helped prepare them as they went through the system and re-entered the community.

In response to Mr. Geissinger’s question as to whether the void of removing this program could be filled quickly enough in order to cover the services necessary to treat these individuals, Mr. Brown stated he did not believe they would have the time to replace the program in the next few weeks. He further stated they were looking at the changes that had to be made to the program, but he did not think it was wise to stop the program, leave a void and then bring something in later.
Mr. Brown advised his request would be to leave it as is and let the Administration work with the interested parties to try and bring about changes to the program that everyone could agree on, which could mean not continuing with CEC.

In answer to Mr. Benol's question if a timeline should be placed on it in order to expedite the issue, Mr. Brown stated there were a lot of issues to be addressed and they were visiting other Counties to see how they handled their drug courts so they were not treating this as a passive project. He further stated there was no resistance to the effort, but it was a matter of identifying and getting the right pieces in place.

Mr. Werner advised he would suggest not ending the program right away and not before they had an alternative in place.

Mr. Parsons stated it was agreed that the County was paying too much for what they were receiving, but it was felt that there had to be something so he did not feel it was appropriate to defund it totally at this time. He further stated he would support decreasing it so they know down the line there would be no funds and they would have to put something together.

Mr. Geissinger advised he agreed with Mr. Parsons and would suggest cutting the funding in half to a $375,000 reduction.

In response to Mr. Phillips' question as to whether there would be funding in the future if this program was defunded at this time, Mr. McClure stated the money that was being cut would go into the Fund Balance so it would have to be taken from there.

Mr. McClure advised this program had to be ended and it had to be ended now. He further advised there was no specific CEC line item so there would be time to get the diversionary court up and running.

Mr. Geissinger stated he wanted to end this contract as well, but he did not think it would be prudent to fully defund it at this time. He further stated he would support decreasing this amount, but he could not support fully defunding it.

Mr. Parsons advised taking $750,000 out of the budget of the Department of Corrections did not mean that the CEC program would be abolished and a budget amendment could always be made so he would support this amendment.
Mr. Vaughn stated the prison operated before the CEC Program and it will continue to operate after the program ended. He further stated he believed a cost benefit should be conducted on this program and if the costs were outweighing the benefits then he believed it was not in the best interest of the taxpayers to continue the program.

Mr. Benol asked since they were looking to defund this program now would a conversation be held at a later date to discuss the 30-day out option.

Mr. Geissinger stated if County Council voted to defund the program, it was sending a message to the County Executive that he should work with the Courts to establish a program for the individuals that were currently being treated as quickly as possible so he could then exercise the 30-day out option.

In response to Mr. Werner’s request that the Administration provide a statement that within the next few weeks an Ad Hoc Committee or a group of people would be established to explore the options, Mr. Brown advised there have been meetings with the Department of Human Services, District Attorney Office, the Courts and the Prison. He further advised these offices supported everything County Council was saying, but he thought it was premature to eliminate the funding because they needed time to put an alternative programming in place both in a diversionary recovery court as well as other options.

Mr. Brown stated the County was looking for the program that would provide the most for the money so he was not sure if it would use all the $750,000 or not. He further stated if this program was defunded and changes had to be made on January 1, 2015, it would have a significant impact and ripple effect in the Prison system so he asked they take the conservative approach and allow them to continue with their plan.

When Mr. McClure indicated the Corrections budget was for the entire year so the program would not have to end on January 1, 2015, Mr. Brown replied that was correct, but it was forcing the Administration to begin to pull resources from other areas of the Prison budget in order to fund the program or enforce the elimination of the contract. He further replied it was clear everyone wanted change and they would work toward the change as rapidly as possible, but they were still evaluating what the program should look like.
Mr. Phillips commented there have been having discussions regarding the advocacy court since September and it was known that CEC was going to be an issue in this budget so he would have liked to have been informed of those discussions.

Mr. Geissinger advised he understood everyone's frustration, but the Administration was saying if it was totally defunded, it would create a difficulty for them to continue the proper treatment and react properly.

Mr. Geissinger made a motion to amend the amount from $750,000 to $375,000.

There was no second to the amendment.

Mr. Benol made a motion to amend the amount from $750,000 to $450,000.

Mr. Geissinger seconded the motion.

In answer to Mr. Parsons' question as to whether the Administration would be acceptable to this amendment, Mr. Brown stated the implication here was that if the purse strings were tightened, things would move quicker, but that would not necessarily be the case. He further stated they would be artificially handcuffing a department and individuals that needed time to do it right. He then reiterated his recommendation would be to leave it as budgeted and they would move the process through as quickly as possible.

Mr. Benol advised it had never been proven this program was successful so his intention for defunding it was to make sure there was sufficient time for the individuals who were in this program to complete it and if something else is put into place, great and if not, he felt it was on CEC to come to County Council with definitive objective facts that the program was working or not so they could decide if they wanted to move forward with them it nothing else was put into place.

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

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

The motion failed by a vote of 4-5.
Mr. Geissinger called for the vote on the amendment as originally presented.

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

The amendment passed by a vote of 6-3.

Adoption of the 2015 Northampton County Budget as Amended

Mr. Geissinger stated the next step would be to adopt the budget as amended.

Mr. Geissinger introduced the following resolution:

R. 110(B)-2014  RESOLVED, By the Northampton County Council that the following 2015 Northampton County Budgets (incorporated by reference hereto) shall be adopted, as amended, this 4th day of December 2014.

1. General Fund
2. Special Revenue Funds
3. Capital Project Funds

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

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

The resolution was adopted by a vote of 7-2.

Adoption of the 2015 Capital Improvements Plan: (1) Consideration of Amendments to the Proposed 2015 Capital Improvements Plan; (2) Adoption of the 2015 Northampton County Capital Improvements Plan

Mr. Geissinger advised there were no amendments to the
proposed 2015 Capital Improvements Plan so the next step would be to adopt the plan.

Adoption of the 2015 Northampton County Capital Improvements Plan

Mr. Geissinger introduced the following resolution:

R. 111-2014 RESOLVED, By the Northampton County Council that the proposed 2015 Northampton County Capital Improvements Plan (Plan) shall be adopted this 4th day of December 2014.

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

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

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

Adoption of the 2015 Real Estate Tax Millage Rate Ordinance

Mr. Geissinger stated the following ordinance was introduced by Messrs. Phillips and Kraft at the November 6, 2014 County Council meeting, with the public hearing held on November 20, 2014:

AN ORDINANCE PROVIDING FOR THE REAL ESTATE TAX MILLAGE RATE IN THE COUNTY OF NORTHAMPTON FOR THE YEAR 2015

IT IS HEREBY ORDAINED AND ENACTED that the millage rate for real estate tax purposes for the year 2015 shall be set at 10.8 mills on every dollar of assessed valuation of taxable real estate or $1.08 on every $100.00 of assessed valuation.

Mr. Phillips introduced the following resolution to amend the millage rate ordinance:

WHEREAS, Bill No. 662-2014, the ordinance titled, "AN ORDINANCE PROVIDING FOR THE REAL ESTATE TAX MILLAGE RATE IN THE COUNTY OF NORTHAMPTON FOR THE YEAR 2015" was introduced by Messrs. Hayden Phillips and Kenneth M. Kraft at the meeting held November 6, 2014, and the public hearing was held at the
NOW, THEREFORE, BE IT RESOLVED By the Northampton County Council that Bill No. 662-2014 shall be amended as indicated hereafter (sections marked with strikeout have been deleted and sections marked with bold underline have been added):

"IT IS HEREBY ORDAINED AND ENACTED that the millage rate for real estate tax purposes for the year 2015 shall be set at 10-8 12.8 mills on every dollar of assessed valuation of taxable real estate or $1.08 $1.28 on every $100.00 of assessed valuation.

IT IS FURTHER ORDAINED AND ENACTED that two (2) mill of the overall 12.8 millage rate shall be placed in, and made a part of, and committed to the Northampton County Stabilization Fund."

Mr. Geissinger seconded the amendment.

Mr. Kraft advised to clarify things, this increase would cost the average homeowner $9.80 a month or $117.60 per year.

Mr. Geissinger stated the purpose of the increase was strictly to create a stabilization fund.

In answer to Mr. Benol's question as to whether it was legal to have this money allocated to a specific fund, Mr. Lauer advised his understanding of the amendment was to simply increase the millage rate and create a designated destination for it. He further advised he had not researched the matter, but felt there was anything legally that would prevent this action.

Mr. McClure stated Mr. Phillips was proposing a two mill property tax increase that could not be used for operating expenses, which he thought was one of his concerns.

Mr. Geissinger advised the ordinance that established the stabilization fund was so general it was not really a stabilization fund because there was nothing that kept that money from being spent and this would create a fund that could only be spent after the approval by County Council.

Mr. Phillips stated there have been discussions about how much there should be in reserve as a stabilization fund and County Council had been told it should be $60 million and this
was part of an effort to build up that fund that could only be used during emergencies.

In response to Mr. Parsons’ question as to whether this would be a continuing action, Mr. Geissinger advised the reason he seconded the amendment was because in his discussions with the County’s fiscal affairs professionals, the $15 million was considered to be approximately six weeks of worth of cash flow and this would create a fund large enough that if the County came into a difficult situation, the fund would be available. He further advised it was his belief that if County Council were to impose it this year, it could be looked at next year to see if the savings being projected actually came to fruition and then appropriate action could be taken.

Mr. Benol stated there comes a point when taxes had to be increased, but he could not justify a two mill increase.

As there were no further questions or comments on the amendment, Mr. Geissinger called for the vote on the millage rate amendment resolution.


The resolution failed by a vote of 3-6.

Mr. Phillips introduced the following resolution to amend the millage rate ordinance:

R. 112-2014 WHEREAS, Bill No. 662-2014, the ordinance titled, “AN ORDINANCE PROVIDING FOR THE REAL ESTATE TAX MILLAGE RATE IN THE COUNTY OF NORTHAMPTON FOR THE YEAR 2015” was introduced by Messrs. Hayden Phillips and Kenneth M. Kraft at the meeting held November 6, 2014, and the public hearing was held at the November 20, 2014 County Council meeting.

NOW, THEREFORE, BE IT RESOLVED By the Northampton County Council that Bill No. 662-2014 shall be amended as indicated hereafter (sections marked with strikeout have been deleted and sections marked with bold underline have been added):

“IT IS HEREBY ORDAINED AND ENACTED that the millage rate for real estate tax purposes for the year 2015 shall be set at 10.8 11.8 mills on every dollar of assessed valuation of taxable
real estate or $1.08 $1.18 on every $100.00 of assessed valuation.

IT IS FURTHER ORDAINED AND ENACTED that one (1) mill of the overall 11.8 millage rate shall be placed in, and made a part of, and committed to the Northampton County Stabilization Fund."

Mr. Benol seconded the amendment.

Mr. McClure advised he understood the County’s portion of property taxes was not the largest, but he was concerned about the elderly lady that was trying to stay in her house and the families that are trying to figure out how to pay the college bills for the children. He further advised his colleagues were concerned about a stabilization fund, but they were not providing any parameters for it.

Mr. McClure stated taxes would one day go up, but no one here tonight had articulated a reason with any specificity other than there would be parameters in the future as to why they were raising taxes to let it sit in a savings account. He further stated he watched while the Administration sat on the $60 million because a former County Council member had them believing it was the seed corn.

Mr. McClure advised the $60 million the auditors were talking about was on the whole budget, but two thirds of it was money that was passed through from the State and Federal governments. He further advised if those monies stopped coming, they could not raise the millage rate high enough to provide the services those monies covered.

Mr. McClure stated the number they had to think about was two months of the General Fund and he thought based upon the things they had been hearing from the Administration in the proposed budget and his experience with past budgets, he believed it would be more in line with the two months.

Mr. Geissinger advised they have watched more than $40 million be misused or misguided spent. He further advised they had to make a decision as to whether they wanted to try and operate this government without a tax increase and without any improvements in the efficiencies to fulfill its services. He noted they had to allow the administration the opportunity to do what it needed to do, but if it fell short even $2 million at the end of the year, the County would not have enough cash to
operate and he was not going to sit here and let that happen.

Mrs. Ferraro stated that would have an impact on the County's bond rating and the auditors were going to be very upset if there was not a bigger fund balance.

Mr. Geissinger advised he felt it would be irresponsible and inappropriate for County Council not to put aside funds even if the parameters were not immediately provided.

As there were no further questions or comments, Mr. Geissinger called for the vote on the amendment resolution.

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

The resolution was adopted by a vote of 5-4.

As there were no questions or comments, Mr. Geissinger called for the vote on the following amended ordinance:

AN ORDINANCE PROVIDING FOR THE REAL ESTATE TAX MILLAGE RATE IN THE COUNTY OF NORTHAMPTON FOR THE YEAR 2015

IT IS HEREBY ORDAINED AND ENACTED that the millage rate for real estate tax purposes for the year 2015 shall be set at 11.8 mills on every dollar of assessed valuation of taxable real estate or $1.18 on every $100.00 of assessed valuation.

IT IS FURTHER ORDAINED AND ENACTED that one (1) mill of the overall 11.8 millage rate shall be placed in, and made a part of, and committed to the Northampton County Stabilization Fund.

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

The ordinance was adopted by a vote of 5-4.

Mrs. Ferraro disconnected from the telephone conversation at this time.
Consideration of Pending Open Space Initiative Projects: a. Moyer Fee Simple Acquisition; b. Consideration of Open Space Initiative Project Amendments: (1) Amendment to Resolution No. 47-2013 – Bath Borough Park Enhancement Projects, (2) Amendment to Resolution No. 73-2014 – Forks Township Resurfacing Basketball Court

Moyer Fee Simple Acquisition

Mr. Geissinger stated the Open Space Committee met on November 24, 2014 and recommended approval of the Moyer fee simple environmental project.

Mr. Parsons introduced the following resolution:

R. 113-2014 WHEREAS, the County of Northampton implemented the Northampton County Open Space Initiative by enacting the Northampton County Open Space Ordinance #423-2004 on November 5, 2004; and

WHEREAS, the Northampton County Open Space Advisory Board has unanimously recommended the fee simple acquisition by the Nature Conservancy of the Moyer Property, Upper Mount Bethel Township; and

WHEREAS, the Northampton County funding will be used to acquire properties as follows:

<table>
<thead>
<tr>
<th>Property Owner(s):</th>
<th>Estate of Ray W. Moyer, Jr. and Dorothy Moyer</th>
</tr>
</thead>
<tbody>
<tr>
<td>Site Location:</td>
<td>Institute Road, Upper Mount Bethel Township 18343</td>
</tr>
<tr>
<td>Parcel Identification:</td>
<td>B 10 5 14 0131</td>
</tr>
<tr>
<td>Site Information:</td>
<td>Approximately 5.51 acres: wooded acreage within the Minsi Lake Vernal Pools Preserve</td>
</tr>
<tr>
<td>County Grant Request:</td>
<td>$14,600 (44%)</td>
</tr>
<tr>
<td>Other Grants:</td>
<td>$18,800 (56%) Upper Mount Bethel Township</td>
</tr>
</tbody>
</table>

NOW, THEREFORE, BE IT RESOLVED By the Northampton County Council:
(1) The Northampton County Council hereby directs the Northampton County Executive, through the office of the Program Administrator of the Northampton County 21st Century Open Space Initiative, or his/her designee, to take any and all steps necessary to complete the fee simple acquisition by the Nature Conservancy of the Moyer property, being approximately 5.51 acres, located at Institute Road, Upper Mount Bethel Township.

(2) The Northampton County Council hereby directs the Northampton County Executive to appropriate $14,600.00 as consideration for the fee simple acquisition by the Nature Conservancy of the Moyer property.

Mr. Parsons advised this was in conjunction with all the other properties in the Minsi Trail Corridor and there was money in the fund balance for 2014 to finish this project.

Mr. Bryan Cope, Open Space Coordinator, stated it would be an addition to the Nature Conservancy Bear Swamp Preserve.

In answer to Mr. Phillips’ question as to whether the County was paying for individuals not to develop land that was not developable because of its vernal pools and would be protected by any of the environmental organizations, Mr. Cope replied there were vernal pools on the property, but the entire preserve did not contain vernal pools so this could be developed.

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


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

Consideration of Open Space Initiative Project Amendments:
(1) Amendment to Resolution No. 47-2013 - Bath Borough Park Enhancement Projects, (2) Amendment to Resolution No. 73-2014 - Forks Township Resurfacing Basketball Court
Amendment to Resolution No. 47-2013 - Bath Borough Park Enhancement Projects

Mr. Parsons stated these projects were part of the Municipal Parks projects for last year and both of them came in under the designated amount so the resolutions were being amended.

Mr. Parsons introduced the following resolutions:

R. 114-2014 RESOLVED, By the Northampton County Council that resolution no. 47-2013 shall be amended as indicated hereafter (sections marked with strikeout have been deleted and sections marked with bold underline have been added):

Number 47-2013

WHEREAS, the County of Northampton implemented the Northampton County Initiative by enacting the Northampton County Open Space Ordinance #423-2004 on November 5, 2004; and

WHEREAS, the Northampton County Open Space Advisory Board has recommended approval of the Borough of Bath Parks Enhancements Projects; and

WHEREAS, the Northampton County funding will be used as follows:

Property Owner: Borough of Bath
Site Location: Multiple Municipal Parks
Site Information:
Park Development Description: Rehrig Park: installation of bleachers with guard rails, installation of dugouts; Cowling Field: installation of bleachers, wireless camera monitoring system; Keystone Park: installation of composite picnic tables and a new swing set; Volunteer Firefighters Park: replace drinking fountain

Appraised Value: No acquisition involved
Municipal Allocation: $14,478.94 $14,109.33 (54%)
County Grant Request: $13,835.60 $12,019.23 (46%)
Other Grants:

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

(1) The Northampton County Council hereby approves the Borough of Bath Park Enhancements Projects. Further, the Northampton County Executive, through the office of the Program Administrator of the Northampton County 21st Century Open Space Initiative, or his/her designee, is directed to take any and all steps necessary to administer and complete Northampton County's obligations in this project.

(2) The Northampton County Council further directs the Northampton County
Executive to appropriate $12,919.23 as the Northampton County contribution to the Borough of Bath Park Enhancements Projects.

Amendment to Resolution No. 73-2014 - Forks Township
Resurfacing of Basketball Court Number 115-2014

RESOLVED, By the Northampton County Council that resolution no. 73-2014 shall be amended as indicated hereafter (sections marked with strikeout have been deleted and sections marked with bold underline have been added):

Number 73-2014

WHEREAS, the County of Northampton implemented the Northampton County Open Space Initiative by enacting the Northampton County Open Space Ordinance #423-2004 on November 5, 2004; and

WHEREAS, the Northampton County Open Space Advisory Board has recommended approval of the Penn’s Ridge Park Basketball Court Resurfacing Project, located in Forks Township; and

WHEREAS, the Northampton County funding will be used as follows:

<table>
<thead>
<tr>
<th>Property Owner:</th>
<th>Forks Township</th>
</tr>
</thead>
<tbody>
<tr>
<td>Site Location:</td>
<td>2755 Penn’s Ridge Blvd, Easton PA</td>
</tr>
<tr>
<td>Park Development Description:</td>
<td>Resurfacing of two basketball courts</td>
</tr>
<tr>
<td>Appraised Value:</td>
<td>No acquisition involved</td>
</tr>
<tr>
<td>Phase II Municipal Allocation:</td>
<td>$247,216.48</td>
</tr>
<tr>
<td>County Grant Request:</td>
<td>$6,050.00 – $5,834.50 (50.0%)</td>
</tr>
<tr>
<td>Other Grants:</td>
<td>$6,050.00 – $5,834.50 (50.0%) Forks Township</td>
</tr>
</tbody>
</table>

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

(1) The Northampton County Council hereby approves the Penn’s Ridge Park Basketball Court Resurfacing Project, located in Forks Township. Further, the Northampton County Executive, through the Office of the Program Administrator of the Northampton County 21st Century Open Space Initiative, or his/her designee, is directed to take any and all steps necessary to administer and complete Northampton County’s obligations in this project.

(2) The Northampton County Council further directs the Northampton County Executive to appropriate $6,050.00 – $5,834.50 as the Northampton County contribution to the Penn’s Ridge Park Basketball Court Resurfacing Project, located in Forks Township, PA.

As there were no questions or comments, Mr. Geissinger called for the vote on both resolutions.
The vote: Parsons, "yes"; Geissinger, "yes"; Kraft, "yes"; McClure, "yes"; Phillips, "yes"; Vaughn, "yes"; Werner, "yes" and Benol, "yes".

The resolutions were adopted by a vote of 8-0.

Consideration of an Administrative Code Article XIII Contract Approval Resolution: NTT Data Long Term Care Solutions, Inc.

Mr. Geissinger advised the County Executive requested County Council approve an Administrative Code Article XIII contract approval resolution for a cloud based electronic records software for Gracedale.

Mr. Geissinger introduced the following resolution:

R. 116-2014 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 November 25, 2014, the Northampton County Council received a request from the County Executive for County Council to adopt a resolution approving a contract, with NTT DATA Long Term Care Solutions, Inc., totaling $530,101.00 for five years and an additional $361,323.00 if the five year renewal is initiated for cloud based electronic health records software solution.

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 NTT DATA Long Term Care Solutions, Inc., totaling $530,101.00 for five years and an additional $361,323.00 if the five year renewal is initiated for cloud based electronic health records software solution.
Mr. Kevin McCormick, National Sale Support Manager, NTT DATA Long Term Care Solutions, Inc. (NTT), stated was one of the largest internet technology companies in the world and have been in business for more than 40 years in long term and acute care software. He further stated the net solution project was a fully integrated clinical and financial system and Certification Commission for Healthcare Information Technology (CCHIT) certified for electronic health records.

Mr. McCormick advised it was a cloud based solution and they maintained and serviced it with updates on a yearly basis. He further advised this contract included training for the personnel at Gracedale, implementation, hosting, maintenance and support of the system.

In response to Mr. McClure’s question as to whether there would be any Health Insurance Portability and Accountability Act (HIPPA) data loaded to the cloud, Mr. McCormick replied there would be.

In answer to Mr. McClure’s question as to how they remained HIPPA compliant, Mr. McCormick stated the cloud was a secured data center and the information was mirrored onto another hard driver at the same time.

In response to Mr. Kraft’s question as to where was their remote location for their service and whether there were redundancy services, Mr. McCormick advised it was in Atlanta, Georgia and they had multiple redundancy.

In answer to Mr. Kraft’s question as to whether they would be completing replacing the old system at Gracedale and whether it included hardware, Mr. McCormick stated they were completely replacing the current system and it did not include hardware.

In response to Mr. Kraft’s comment the County would then be paying them a fee if changes had to be made, Mr. McCormick advised they were not going to be doing customization, but it would capture all the long term needs of the long term care. He further advised the CCHIT certification meant that it passed vigorous testing for all the different components of the electronic record based on the Federal government guidelines.

In answer to Mr. Kraft’s question as to whether any of the current equipment would have to be updated, Mr. McCormick stated the only requirement was to have internet connection and Internet Explorer 9 or higher.
In response to Mr. Kraft’s question as to how much data was being stored for $100,000 a year, Mr. McCormick advised that was only a portion of the cost. He further advised they were paying for their expertise with training, implementation and the software.

Mr. Millard D. Freeman, Nursing Home Administrator, stated there was a regulation for nursing homes to have a software system to submit all their billing and assessments to the government. He further stated the system they had been using for the last several years was never able to be fully implemented.

Mr. Freeman advised they looked at different software programs, put out an extensive Request for Proposal and received seven bids. He further advised this particular software was also interactive and certified with their new pharmacy.

Mr. Benol stated he was not a big fan of Xerox because he did not see where the County got its money’s worth from them. He further stated he believed the County spent so much money on a new computer room in order that it did not have to go the cloud where it had no control.

Mr. Freeman advised there were discussions about which way to go, noting all the vendors had both a cloud based system and a system on campus so it was up to them whether they hosted or not. He further advised after considerable debate and visiting other County facilities that used the system, they decided to go with a cloud based system due to pulling updates, keeping it accurate and up and running the way it was supposed to be. He noted not going with the cloud base would have meant the purchase of redundant servers and this system was such a critical system he did not want to trust that to Xerox and extra outsourcing.

Mr. Vaughn stated he was part of the Request for Proposal process and coming from a healthcare background, he understood the angst of a very difficult transition between paper and electronic medical records and NTT had offered to assist that issue. He further stated there had been a lot of discussion about Gracedale and its future and this was necessary to bring it into the future.

As there were no further questions or comments, Mr. Geissinger called for the vote.
The vote: Geissinger, "yes"; Vaughn, "yes"; Werner, "yes"; Benol, "yes"; Kraft, "yes"; McClure, "yes"; Parsons, "yes" and Phillips, "yes".

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

**Consideration of the 2015 County Council Meeting Schedule Resolution**

Mr. Geissinger advised this resolution established the 2015 meeting schedule, but he wanted to note the Monday, January 5, 2015 meeting being held at 4:30 p.m. was County Council's reorganization meeting and any regular business would be discussed at the regular January meetings.

Mr. Geissinger introduced the following resolution:

**R. 117-2014** Notice is hereby given by the Northampton County Council that in accordance with Northampton County Home Rule Charter Section 206(a), the Northampton County Council organizational meeting will be held on Monday, January 5, 2015, and will begin at 4:30 p.m., prevailing time, in the third floor meeting room, room #3116, Northampton County Courthouse, 669 Washington Street, Easton, Pennsylvania, and (2) the regular schedule of meetings for the year 2015, shall be conducted on the first and third Thursday of each respective month, beginning at 6:30 p.m., prevailing time, in the third floor meeting room, room #3116, Northampton County Courthouse, 669 Washington Street, Easton, Pennsylvania, with the following exceptions: (a) for the month of January, the meetings normally scheduled for Thursday, January 1 and Thursday, January 15 are canceled and rescheduled for Thursday January 8, 2015 and Thursday, January 22, 2015, respectively. Both will begin at 6:30 p.m., prevailing time and both will be held in the third floor meeting room, room #3116, Northampton County Courthouse, 669 Washington Street, Easton, Pennsylvania, (b) for the month of April, the meeting scheduled for Thursday, April 2, 2015 is canceled and rescheduled for Wednesday, April 1, 2015, and will begin at 6:30 p.m. prevailing time, in the third floor meeting room, room #3116, Northampton County Courthouse, 669 Washington Street, Easton, Pennsylvania, (c) for the month of July 2015 the meeting scheduled for Thursday, July 2, 2015 is canceled and rescheduled for Wednesday, July 1, 2015 and will begin at 6:30 p.m., prevailing time, in the third floor meeting room, room #3116, Northampton County Courthouse, 669 Washington Street, Easton,
Pennsylvania, and (d) for the month of December 2015, the meeting normally scheduled for Thursday, December 17, 2015 is canceled and rescheduled for Thursday, December 10, 2015 and will begin at 4:30 p.m., prevailing time, in the third floor meeting room, room #3116, Northampton County Courthouse, 669 Washington Street, Easton, Pennsylvania.

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

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

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

Consideration of the Controller's Resignation Resolution

Mr. Benol stated he was concerned with the way the Controller had been conducting himself as he felt it was not right to make accusations that had not been proven nor did he like receiving e-mails that also included the media. He further stated he did not think the Controller's position warranted him making accusations almost every other week.

Mr. Benol read the title duties of the Controller as it appeared in the Home Rule Charter, Section 401:

"The Controller shall be the official of the County responsible for the internal control of the fiscal transactions of the County. During his term of office, the County Controller shall devote full time to the office and shall not actively engage in any other business or occupation. The salary of the full-time County Controller shall be established by the Northampton County Council in accordance with the Northampton County Home Rule Charter."

Mr. Benol advised under Duties, it indicated the Controller was to report to the County Council and the County Executive, which he interpreted to mean if the Controller found the County Council and/or the County Executive was doing something wrong, those were the two bodies that needed to be contacted. He further advised he was not saying the media should be made aware of things, but these two bodies should be informed first and everything should be in order before political pandering.
Mr. Benol stated he was online the other day and noticed the Northampton Community College was looking for an Assistant Controller and reviewed the minimum requirements need for this position. He further stated he went to the County’s website and looked at the degrees of the Controller, as well as his staff. He noted he checked the audits that were done by his office and he noticed there were only one from 2008 and another recently where the Controller was the lead auditor.

Mr. Benol advised his concern was the Controller did not have the expertise to deal with his staff nor to look at the various expenditures of the County because he spent his time going after political stances. He further advised there had been more than one instance where he had engaged in occupations outside the Controller’s office.

Mr. Vaughn stated he received two e-mails about gap insurance so he wanted to know the reason he sent them to all the employees.

Mr. Stephen Barron, Controller, advised the first e-mail was a correction e-mail because the term victor was used, but there was not a victory in Court so he was asked to clear that up. He further advised the second e-mail was sent as there were a lot of concerns about the gap insurance because the details had not been made clear.

Mr. Barron stated he was an employee as well as the duly elected Controller and he had to decide whether he was going to participate in the health insurance program or not. He further stated the employees were told there were going to be meetings, but there have not been any. He noted an e-mail was received as to what was going to take place that did not answer all the questions.

Mr. Barron advised many employees have been asking questions and there had not been a lot of responses from people in leadership and in the absence of leadership, he had to say something because a lot of people were trying to make decisions based on how they were going to plan for their families and their future.

In answer to Mr. Vaughn’s question as to whether the open enrollment was advertised enough, Mr. Barron replied it was, but when the gap insurance was proposed along with other details, it was stated that there would be a meeting to explain it, but it
had not been explained other than the costs involved with it.

Mr. Vaughn stated at the end of the first e-mail, there were comments about "der leader", our ignorant Administration which delivered needless beatings to the employees of Northampton County and the Administration did not listen anyway so why even bother. He then asked Mr. Barron if he felt those comments were a bit biased.

When Mr. Barron indicated that was his opinion, Mr. Vaughn advised he was not being paid for his personal opinions, but to operate a non-partisan office. He further advised he was turning the County’s e-mail website into a propaganda machine.

Mr. Barron stated his audit reports were available to everyone and there had never been a note of bias in them. He further stated the external auditors and several outside agencies praised their non-biased approach to dealing with the County’s fiscal and financial statements.

When Mr. Vaughn commented he was talking about the e-mails, Mr. Barron advised in the e-mails he stated his opinion and he was not going to change his opinion.

In response to Mr. Vaughn’s question as to whether he was aware there was an electronic resource policy in place and that employees should not send e-mails that were unprofessional, vulgar, profane, insulting, offensive or defamatory, Mr. Barron stated he never defamed or insulted anyone.

In answer to Mr. Vaughn’s comment that he did not insult the Administration, Mr. Barron advised they might take it as an insult, but that was a stretch.

Mr. Vaughn stated the County reserved the right to limit access to computer resources, internet and electronic mailing when necessary and violation of this policy may result in disciplinary action up and to and including termination. He further stated Mr. Barron's lack of oversight had led to this conversation regarding a tax increase as he had been here for seven years and watched this fund balance go down and did not conduct many audits. He noted he claimed he was a champion for Gracedale so why did it not have an electronic medical records system or only one Pyxis machine in the whole facility.
Mr. Vaughn advised he thought County Council needed to have a discussion as to whether or not the County required a cost beneficial analyst versus a full time or part-time Controller.

Mr. Barron stated they could have that conversation, but with regard to Gracedale, several recommendations were made by several Gracedale Administrations.

After Mr. Vaughn called him a political hack, Mr. Barron advised he could call him that, but the bottom line was he saved taxpayers, through his office, millions of dollars. He further advised in the healthcare audit alone, their recommendations saved $350,000 and helped the Department of Human Resources in eliminating duplications.

Mr. Barron stated when employees or outside sources come to him and say the County Executive and his Deputy were claiming millage from his home or paintings were being brought for the Human Services Building, he was going to look into it. He further stated if he thought he was tough on this Administration, he should ask the previous County Executive how tough he was on him.

Mr. Phillips advised last year when he learned Mr. Barron was teaching at the community college during the day when he should have been working, it caused him great angst and he was wondering how to address that so he prepared a resolution.

Mr. Phillips introduced the following resolution:

WHEREAS, Section 401 of the Northampton County Home Rule Charter declares "The Controller shall be the official of the County responsible for the internal control of the fiscal transactions of the County"; and

WHEREAS, recognizing the importance and the focus required of the Controller, Section 401 was amended by enactment of ordinance 08-480 by the Northampton County Council and subsequently the vote of the electorate through the referendum process at the General Election held November 4, 2008; and

WHEREAS, as a result of the above mentioned ordinance and the vote of the electorate, Section 401 now reads, in part "During his term of office, the County Controller shall devote full time to the office and shall not actively engage in any other business or occupation."; and
WHEREAS, in complete disregard to the Home Rule Charter, Controller Stephen Barron had been employed by Northampton Community College during his current tenure as Controller. Although no employment is allowed by the Charter, the fact that Mr. Barron was employed during normal business hours when he should be concentrating on his County responsibilities is particularly problematic; and

WHEREAS, the fact, that when it became public knowledge he was employed by Northampton Community College, Mr. Barron resigned from his position at the Community College, does not erase the deed that by his dual employment he knowingly acted in violation of the Home Rule Charter and only resigned when this obvious transgression was uncovered; and

WHEREAS, the fact that Mr. Barron continues to violate the Home Rule Charter through continued employment as a paid sports official.

NOW, THEREFORE, BE IT RESOLVED by the Northampton County Council, that it hereby states; due to his past and current disregard for the rules and regulations put forth in the Home Rule Charter and the criticality of the Controller’s position, which must be above reproach; that it has lost confidence in Mr. Barron’s ability to carry out his duties and do hereby call for his resignation as Northampton County Controller.

Mr. Geissinger stated he appreciated Mr. Phillips’ comments and resolution and asked Mr. Barron if he had any response to the resolution.

Mr. Barron advised he had no comment at this time.

Mr. Geissinger made a motion to table the resolution.

Mr. Benol seconded the motion.

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


The motion passed by a vote of 6-2.
Adjournment

Mr. McClure made a motion to adjourn the meeting.

Mr. Geissinger seconded the motion.

The motion to adjourn passed unanimously by acclamation.

Frank E. Flisser
Clerk to Council