Easton, Pennsylvania

February 20, 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; 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

Mr. Geissinger led County Council in prayer to open the meeting.

Pledge of Allegiance

Mr. Geissinger 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 February 6, 2014 meeting shall be approved.

Mr. Werner seconded the motion.

The minutes were approved by voice acclamation.

Courtesy of the Floor

Mr. Jack Dalessandro, 705 Front Street, Bangor, PA - stated he wanted to congratulate Mrs. Ferraro and the new members of County Council.

Mr. Dalessandro advised when the Sheriff was let go, it was indicated it was because the County wanted to go in a different direction so he felt the voters and taxpayers had a right to know what that direction was. He further advised since the County Executive had decided to personally oversee Gracedale, he felt, to be more fiscally responsible, the salary of the Human
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Services Director should be adjusted accordingly. He also wanted to know if this task would take the County Executive away from his other duties.

**Confirmation of Appointments**

Mr. Kraft stated the Personnel Committee met yesterday and recommended these appointments/re-appointments be confirmed.

Mr. Kraft introduced the following resolution:

**R. 14-2014 RESOLVED**, by the Northampton County Council that the following individuals shall be confirmed in their appointments/re-appointments as indicated hereafter:

**Area Agency on Aging Advisory Council**

Appointment: 

Wesley Smith  
870 Engler Road  
Nazareth, PA 18064

**Term to Expire: 07/01/15**

**Gaming Revenue & Economic Redevelopment Authority**

Appointment:  

James S. Pennington  
4450 Fieldstone Drive  
Nazareth, PA 18064

**Term to Expire: 12/31/18**

**Industrial Development Authority**

Re-appointment:  

Marilyn A. Lieberman  
1587 Pen Argyl Road  
Pen Argyl, PA 18072

**Term to Expire: 03/17/19**
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Lehigh and Northampton Transportation Authority - LANTA

Appointment: Term to Expire: 03/02/16

Richard D. McAteer
433 Paxinos Avenue
Easton, PA 18042

Re-appointment: Term to Expire: 03/02/19

James E. Reilley
1986 Sanbrook Drive
Bethlehem, PA 18015

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

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

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

County Executive's Report

In response to Mr. Delessandro's comments, Mr. John A. Brown, County Executive, advised once a Sheriff was selected a plan would be created and revealed to the public.

Mr. Brown stated Gracedale was still the responsibility of the Director of Human Services. He further stated his comment was intended to let the public know the needs of Gracedale were important to his office and would not take away for him other duties. He noted he initiated weekly meetings with himself, Mr. Millard D. Freeman, Nursing Home Administrator, and Ms. Allison Frantz, Director of Human Services, to review the issues facing Gracedale.

Mr. McClure advised he agreed that focusing some of his attention on Gracedale was one of the duties of the County Executive.

Mr. McClure stated when Sheriff Randall Miller was released from his position, Mr. Brown indicated there was a difference in philosophy regarding the operation of the Sheriff's Department
so he wondered if he could elaborate on that comment.

Mr. Brown advised Sheriff Miller wanted to continually bring in certain technologies, expand the scope and reach of the department and broaden its responsibilities outside of what he believed was its core function and aspects of it. He further advised since Mr. Chris Zieger became Acting Sheriff, the department was still functioning at a very high level.

In answer to Mr. Werner’s question as to whether he was considering putting a plan in place at Gracedale so when someone left a position there would be someone to take over, Mr. Brown stated he was already incorporating successor planning into a number of the County’s departments. He further stated the County had some very good long term employees who were meeting retirement qualifications and he felt the County did not have a good record of ensuring continuity.

Consideration of the Resolution Requesting the County Controller’s Audit of the Communication Education Centers Contract

Mrs. Ferraro advised at the February 6, 2014 County Council meeting a discussion was held about having the County Controller perform an audit of the Community Education Centers (CEC) programs at the Prison. She further stated the Controller indicated his willingness to perform the audit, but asked County Council to consider adopting a resolution setting forth the parameters of such an audit so at the request of Mr. McClure, a resolution was prepared for consideration.

Mr. McClure introduced the following resolution:

R. 15-2014 WHEREAS, Northampton County Charter Section 202(8) provides that the County Council shall have, among others, the following powers: (8) to require periodic and special reports from elected officials and their subordinates; and

WHEREAS, the County of Northampton contracts with Community Education Centers, Inc. (CBC) to provide substance abuse treatment provider services: the Future Foundation Program for men; the Sister-to-Sister Program for women and the West Easton Treatment facility program. The term/cost of the contract is a
five year contract at the cost of $3,884,297.00, with a total payout of $5,548,953.00 if the (2) one year renewals are exercised; and

WHEREAS, to date there is no definitive evidence that the aforementioned programs were returning positive benefits to the taxpayers of Northampton County.

NOW, THEREFORE, BE IT RESOLVED, By the Northampton County Council that it hereby requests that the Northampton County Controller perform an audit of the CEC programs provided in Northampton County. It is requested that said audit address, but not necessarily be limited to, the following questions/issues:

1. Analysis of the samples and measures used to make the claims of program success. Are there additional measures that can be done (e.g. are people who have completed the CEC program and been arrested for a probation and/or parole violation counted in the recidivism rate? Are people who have completed the CEC program in Northampton County, but either commit a new crime and/or are imprisoned for a probation or parole violation and subsequently sentenced to state prison by a Northampton County Judge included in the recidivism rate?

2. How do people get referred to the program? What are the channels of referral? Can a person be enrolled more than once?

3. What are the salaries of all staff and clinicians that provide services in Northampton County?

4. How much of the money goes to CEC overhead that is not spent directly on the property?

5. What do other prisons pay for the same or similar services from CEC?

6. Obtain a benchmark to determine if other prisons with similar programs pay the same or similar fees.
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7. Determine if there is competition in the market for services like CEC provides throughout the Commonwealth and nearby jurisdictions?

8. Is the program accredited?

9. If the program is accredited, is it considered the highest accreditation?

10. Is there an accreditation that CEC does not have that other providers do have?

11. What percentage of our population is enrolled in the program(s) at any particular time?

12. Is the money spent by Northampton County properly segregated and used only for rehabilitation in the Northampton County Department of Corrections?

Mr. McClure stated these programs were provided by an outside independent contractor, which had already cost the County approximately $3 million. He further stated toward the end of last year, a contract was approved authorizing another $3.8 million to be spent with possible extensions for a total of $5.5 million.

Mr. McClure advised for a number of years, he had been asking for evidence that proved this program was working because one of his major concerns had been that the overall recidivism rate for the County’s Prison had not gone down. He further advised at the end of this process, County Council, in consultation with the County Executive, would have to determine whether the County should continue to spend money without a benchmark to ascertain whether the program was successful.

Mr. McClure stated he would acknowledge there had been some anecdotal evidence that the program worked for some individuals, which was a good thing, but the County had a larger responsibility to the taxpayers.

Mr. McClure advised he reached his own conclusions based upon his own research over the past several years as to what was going on with this program, but he wanted this audit performed so his colleagues could make their own determinations.
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Mr. McClure stated he would like to know if the program was so successful and the recidivism rates were so good, why the overall recidivism rate of the Prison was not decreasing. He further stated he would also like to know how the recidivism rate was calculated.

Mr. Geissinger advised the list of questions in the resolution were good ones, but he wondered what measures were in place to add or subtract from these questions and was there an estimated time period involved.

Mr. Stephen Barron, Controller, stated he was glad this list was not all inclusive because there was no way to tell where this investigation would lead.

Mr. Geissinger advised this was a necessary project because it was vital for County Council to understand how every dollar of the taxpayers' money was spent.

Mr. Barron stated he would not formulate or provide an opinion, but only answer the questions. He further stated this audit would probably not begin until the second quarter, but he would keep County Council apprised of his progress.

Mr. Werner advised he felt along with these questions, the term recidivism had to be clearly defined to determine if it meant the same to CEC and the County and if the CEC programs fit into the County's programs. He further advised this was just an informational gathering endeavor and not meant to find fault with anything.

Mr. Benol stated one of the questions that caught his attention was whether this program was accredited. He further stated it bothered him that the County already spent $3.8 million for the program without that being established.

Mr. Parsons advised the basic questions were how many individuals did this program help and was it worth the money being spent on it. He further advised he agreed the recidivism rates provided were questionable because it was not known what happened to these individuals after they left the Prison.

Mr. Arnold Matos, Director of Corrections, stated he did not believe there was one prison in America that would know whether an individual had been incarcerated in any other
jurisdiction throughout the country. He further stated they based their recidivism rates on every individual that left the County’s prison and came back regardless of the reason and that was how they instructed CEC to calculate their rates. He noted they welcomed this audit and were going to be as transparent as they could possibly be.

Mr. Matos advised the prison’s population this morning was 707, which was a lot less than projected and CEC was part of the reason why their numbers were low and their recidivism rate was down.

Mr. Matos stated recidivism was hard to determine, but they had planned to do a report that reflected the last three years so in moving forward, they would be able to have a better handle on the recidivism rates of the individuals coming to the County’s prison.

As far as whether the program was working, Mr. Matos advised the overall culture in the prison was better, noting there were less problems and lower misconduct issues. He further advised they believed the program worked, but if the report from Mr. Barron showed something different, they would like to know that.

Mr. Phillips stated he wanted to know what the spirit was behind questions three and four because if it was proven the program worked and it reduced recidivism, he did not care what the staff was paid and if it turned out not to be a good program the benefits their employees received also did not matter to him.

Mr. McClure advised it all came down to whether the County was spending too much money for relatively few positive outcomes and one of the ways he envisioned determining that was knowing what the overhead of the program was as opposed to the actual amount going toward the program itself because the more money going for profit, the less went for treatment.

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

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

Consideration of Open Space Initiative Project Resolutions: a. Palmer Township Phase I Municipal Grant - Chrin Community Center Development; b. Borough of Pen Argyl Phase II Municipal Park Grant - Weona Park Rehabilitation Project; c. Upper Mount Bethel Phase II Municipal Park Grant - Community Park Development; d. Transue Conservation Easement

Mrs. Ferraro stated the Open Space Committee met on February 17, 2014 to consider the following open space projects.

Palmer Township Phase I Municipal Grant - Chrin Community Center Development

Mr. Parsons advised Palmer Township was requesting to change the project for which they had previously received a grant. He further advised this was the Phase 1 process of a park grant.

Mr. Parsons introduced the following resolution:

R. 16-2014 RESOLVED, By the Northampton County Council that resolution 41-2009 shall be amended to read as indicated hereafter (sections marked with strikethrough have been deleted and sections marked with bold underline have been added):

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 Palmer Township - Community Pool Rehabilitation Project Chrin Community Center Site Park Improvements; and

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

Property Owner: Palmer Township
Site Location: Prior Cliff Park at Farmersville & Palmer Pool Roads, Palmer Township, Northampton County 4100 Green Pond Road
NOW, THEREFORE, BE IT RESOLVED By the Northampton County Council:

(1) The Northampton County Council hereby approves the Palmer Township - Community Pool Rehabilitation Project Chrin Community Center Site Park Improvements. Further, the Northampton County Executive, through the office of the Program Administrator of the Northampton County 21st Century Open Space Initiative, or his 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 $243,308 as the Northampton County contribution to the Palmer Township - Community Pool Rehabilitation Project Chrin Community Center Site Park Improvements.

In response to Mr. Vaughn's question as to why they decided to do this project instead of the community pool rehabilitation, Mr. Bryan Cope, Open Space Coordinator, stated they were awarded this grant in 2009 and since then, the Department of
Conservation and Natural Resources (DCNR) was cutting back on grants for pool projects.

In answer to Mr. Vaughn's question as to the status of the pool project, Mr. Cope advised they were still going to work on it, but were not going to go through this grant to do it.

Mr. Parsons stated an ordinance was passed that indicated grants for Phase II could not be applied for before Phase I money had been expended so by moving this money, it would open up their portion of the Phase II grants.

Mr. Phillips advised at the Finance Committee meeting yesterday, discussion was held regarding the County's financial state and he felt the County had to stop spending money on things other than those related to its core function. He further advised County Council should reject these proposals and work with the County Executive to put through budget resolutions to put this money aside to alleviate or avoid a tax increase in the future.

Mrs. Ferraro stated a few years ago, a referendum was overwhelmingly passed by the voters that dedicated a tax increase to provide a funding stream for open space projects.

When Mr. Phillips commented that was approximately eight years ago when conditions were different and it was not binding, Mrs. Ferraro advised if the County did not follow through on its promise, it would be equivalent to having a back door tax increase.

Mr. Werner stated this past year, the House of Representatives approved Bill 1052 that gave municipalities the flexibility to target recreational fees to benefit all residents of the County. He further stated these types of programs were to expand recreational facilities within municipalities, improve green space, safeguard environments and allow people of all ages to enjoy a place to relax and be with their families.

Mr. Werner advised it was a proven fact that when there were recreational areas available, people came to those areas and spent money in the communities. Therefore, he felt this was a very important part of the County's core function and he was committed to the Open Space Initiative programs.
Mr. Geissinger stated at yesterday’s meeting there was a discussion regarding the financial impact of the dollars spent versus the dollars returned and he wondered if Mr. Cope had those numbers.

Mr. Cope advised he did not have them at this time, but they were working on their Open Space Plan and Economic Development Plan with the Lehigh Valley Planning Commission and should have hard core numbers by the end of this year.

Mr. Geissinger stated indications were that by creating these open space opportunities not only did the quality of life improve and better environmental situations were provided, it created an economic factor.

Mr. Kraft advised having these kinds of parks attracted businesses which resulted in more tax revenue.

Mr. Parsons stated for these park projects, the municipalities have provided matched funding so they were sharing the costs. He further stated if the County did not help the municipalities, they would have to raise their taxes.

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


The resolution passed by a vote of 8-1.

Borough of Pen Argyl Phase II Municipal Park Grant – Weona Park Rehabilitation Project

Mr. Parsons introduced the following resolution:

R. 17-2014 WHEREAS, the County of Northampton implemented the Northampton County Open Space Initiative 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 Weona Park Rehabilitation Project located in the Borough of Pen Argyl; and

WHEREAS, the Northampton County funding will be used as follows:
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Property Owner: Borough of Pen Argyl
Site Location: South Main Street and PA 512
Parcel Identifications:

Park Development Description: Mini Golf Course: removal and installation of a new pre-fab course; landscaping, interior drainage, lighting and metal fencing; and will retain its original historic setting; Basketball Court: removal and replacement of poles and lights; new paving and seal coat & three sets of boards to be installed; and full under-drain piping and grading.

Appraised Value: No acquisition involved

Phase II Municipal Allocation: $60,372.48
County Grant Request: $60,372.48 (47.0%)
Other Grants: $67,027.53 (53.0%)

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

(1) The Northampton County Council hereby approves the Borough of Pen Argyl Weona Park Rehabilitation Project. Further, the Northampton County Executive, through the office of the Program Administrator of the Northampton County 21st Century Open Space Initiative, or his 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 $60,372.48 as the Northampton County contribution to the Borough of Pen Argyl Weona Park Rehabilitation Project.

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

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

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

Upper Mount Bethel Phase II Municipal Park Grant - Community Park Development
Mr. Parsons introduced the following resolution:

R. 18-2014 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 Community Park Phase III located in Upper Mount Bethel Township; and

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

<table>
<thead>
<tr>
<th>Property Owner:</th>
<th>Upper Mount Bethel Township</th>
</tr>
</thead>
<tbody>
<tr>
<td>Site Location:</td>
<td>1535 Potomac Street, Mount Bethel, PA</td>
</tr>
<tr>
<td>Parcel Identifications:</td>
<td>Innovative American Disability Act compliant play area; Modular Play system to accommodate children ages 5 to 12, with 14 activities; Completed play area will accommodate 62 to 67 children at one time; Playground materials will be manufactured with recycled content; Stand-alone slide will be installed on a grassy hill with an ADA path; and Green design - grass covered earth mounds, a pollinator/bird &amp; butterfly habitat area and trees/bushes</td>
</tr>
<tr>
<td>Park Development Description:</td>
<td></td>
</tr>
<tr>
<td>Appraised Value:</td>
<td>No acquisition involved</td>
</tr>
<tr>
<td>Phase II Municipal Allocation:</td>
<td>$112,616.92</td>
</tr>
<tr>
<td>County Grant Request:</td>
<td>$112,616.92 (45.81%)</td>
</tr>
<tr>
<td>Other Grants:</td>
<td>$114,061.39 (46.4%) PA DCNR</td>
</tr>
<tr>
<td></td>
<td>$972.00 (0.39%) Upper Mount Bethel Township EAC</td>
</tr>
<tr>
<td></td>
<td>$5,000.00 (2.04%) Mount Bethel Community Park Foundation</td>
</tr>
<tr>
<td></td>
<td>$2,000.00 (0.82%) Martine-Jacoby Watershed Assoc.</td>
</tr>
</tbody>
</table>

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

1. The Northampton County Council hereby approves the Community Park Phase III located in Upper Mount Bethel Township. Further, the Northampton County Executive, through the office of the Program Administrator of the Northampton County 21st Century Open Space Initiative, or his 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 $112,616.92 as the Northampton County contribution to the Community Park Phase III located in Upper Mount Bethel Township.
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Mr. McClure advised this was a fantastic project and he would like to see the County’s focus turn toward more environmentally sensitive projects or hybrid projects like this.

Mr. Cope stated Upper Mount Bethel was going to be using recycled material for the playground equipment and everything would be Americans with Disability Act accessible. He further stated the playground would be interactive for all ages and hold between 62-65 children at one time.

Mr. Cope advised DCNR was looking at this as a pilot project and to show, throughout the State, how a good project like this could be done.

Mr. Cope stated they have an open field where they planned to plant new native grasses, trees and shrubs and to have an interactive walking system throughout it to show why these pollination areas were there.

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


The resolution passed by a vote of 8-1.

Transue Conservation Easement

R. 19-2014 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 the conservation easement acquisition by the Nature Conservancy for the Transue property, Upper Mt. Bethel Township, Northampton County; and

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

Property Owner(s): Barrett & Doris Transue
County Council Meeting

Site Location: 258 Audubon Drive, Mount Bethel, PA 18343
Upper Mount Bethel Township, Northampton County

Parcel Identification: C 11-95-0131

Site Information: Approximately 95 acres: wooded acreage
with Minsi Lake vernal pools & Mount Bethel Pans Natural Area

Appraised Value:

Municipal Allocation: $289,388.00 from Upper Mount Bethel Township

County Grant Request: $276,867.00

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 conservation easement acquisition, by the Nature Conservancy of the Transue property, Upper Mt. Bethel Township, being approximately 95 acres, located at 258 Audubon Drive, Mount Bethel, PA 18343, Upper Mount Bethel Township, Northampton County, and also known as Uniform Parcel Identifier Numbers C 11-95-0131.

(2) The Northampton County Council hereby directs the Northampton County Executive to appropriate $276,867.00 as consideration for the conservation easement acquisition by the Nature Conservancy of the Transue Property.

In response to Mr. McClure’s question as to whether this was environmentally sensitive land, Mr. Cope advised it was under their program and through the past rankings that Lehigh Valley Planning Commission received from the County’s natural area inventory done by the Pennsylvania Western Conservancy. He further advised their new guidelines indicated this was a globally significant area, which meant the plants and animals that were there were of the rarest kind.
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As there were no further questions or comments, Mrs. Ferraro called for the vote.

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

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

Consideration of the Pennsylvania Act 106 Compliance Resolutions: a. Appointment of Risk Manager; b. Form and Content

Mrs. Ferraro introduced the following resolutions:

R. 20-2014 WHEREAS, on November 23, 2011, Act 106 became immediately effective, authorizing counties to obtain individual bonds, blanket bonds or crime insurance covering county officers and employees, replacing prior requirements that certain individual officers of the County have separate bonds;

WHEREAS, pursuant to sub-section 1130(a) of the Act which requires County Council, as the governing body of the County of Northampton, to establish a procedure by which it "shall annually determine the form and required amount of required security that will be reasonably sufficient to protect against the risks of loss in compliance with this subchapter;"

WHEREAS, sub-section 1130(b) of the Act permits the County Council to appoint a risk manager to "compile and submit information relevant to the determination of an amount of required security under subsection (a);"

WHEREAS, section 1129 of the Act requires that "the form and contents of a bond and insurance obtained in compliance with this subchapter shall be approved by the governing body of the county, after review by the County Solicitor and consultation with the County risk manager...;"

THEREFORE IT IS HEREBY RESOLVED that the County shall hereby adopt the following procedure for compliance with the provisions of the Act:
1. County Council is designating the Director of the Department of Administration, or his/her designee to serve as "risk manager" for purposes of this Act.

2. The Director of Administration or his/her designee is hereby designated to compile and submit information to County Council prior to close of every calendar year as to the amount of security that the risk manager recommends that the County maintain during the succeeding year and otherwise to provide the information as set forth below to enable County Council to place into force the bond and insurance required by the Act for the succeeding year;

3. In the course of performing the duties assigned under 1. above, the Department of Administration and the Solicitor shall confer to determine the form and content of the bond and insurance would comply with the provisions of the Act;

4. At least two weeks prior to the close of every calendar year the Department of Administration shall present to County Council for its consideration and approval the form and amount of the required security, together with a recommendation as to the bond or policy satisfying the criteria set forth in the Act.

R. 21-2014  WHEREAS, on November 23, 2011, Act 106 became immediately effective, authorizing counties to obtain individual bonds, blanket bonds or crime insurance covering county officers and employees, replacing prior requirements that certain individual officers of the County have separate bonds;

WHEREAS, pursuant to sub-section 1130(a) of the Act which requires County Council, as the governing body of the County of Northampton, to establish a procedure by which it "shall annually determine the form and required amount of required security that will be reasonably sufficient to protect against the risks of loss in compliance with this subchapter;"
WHEREAS, sub-section 1130(b) of the Act permits the County Council to appoint a risk manager to "compile and submit information relevant to the determination of an amount of required security under subsection (a);"

WHEREAS, section 1129 of the Act requires that "the form and contents of a bond and insurance obtained in compliance with this subchapter shall be approved by the governing body of the county, after review by the county solicitor and consultation with the county risk manager...;"

WHEREAS, Northampton County Council Resolution 71-2013, enacted on September 5, 2013 designated the Director of the Department of Administration or his/her designee to serve as "risk manager" for the purposes of Act 106;

WHEREAS, prior to the close of every calendar year the amount of security that the risk manager recommends that the County maintain during the succeeding year and otherwise to provide the information as set forth below to enable County Council to place into force the bond and insurance required by the Act for the succeeding year;

WHEREAS, following a review by the county’s Solicitor, the Director of Administration is recommending that County Council approve the following levels of security as provided under the county’s insurance policy through the County Commissioners’ Association of Pennsylvania (CCAP), and its Pennsylvania Counties Risk Pool (PCoRP) program, and additional security though bonds that are required by law.

THEREFORE IT IS HEREBY RESOLVED that the County shall hereby accept the following level of security to cover public officials including members of County Council and the County Executive:

1. Crime coverage through the county’s insurance policy with PCoRP, which covers all County officials and employees for fraud, embezzlement, theft, forgery and other criminal acts up to $1 million per occurrence.

2. A Wire Transfer Bond in the amount of $4 million, which provides additional security above the maximum of $1 million crime coverage under PCoRP for certain county employees authorized to initiate wire transfers.
3. A Treasurer’s Bond in the amount of $72,000 which is
coverage required by the state based on revenue collection
levels, and is still required since Act 106 does not apply
to County Treasurers acting as tax collectors as provided
in Section 4 of the Local Tax Collection Law.

4. A Magisterial District Justice Bond in the amount of
$55,000 per MDJ since Act 106 does not apply to those
officials.

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

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

The resolutions were adopted by a vote of 9-0.

Consideration of the Public Works and Gracedale Personnel
Request

Mrs. Ferraro stated the Personnel Committee met yesterday
to review a personnel request involving Public Works and
Gracedale.

Mr. Kraft introduced the following resolution:

R. 22-2014 RESOLVED, by County Council of Northampton
County that the one (1) new full-time position of Deputy
Director of Public Works, pay grade CS-31, salary range $63,640
to $90,590 shall be created for the Public Works Department,
effective the 21st day of February 2014.

IT IS FURTHER RESOLVED that the one (1) existing position
of Operations and Maintenance Supervisor, pay grade CS-28,
salary range $55,431 to $78,906, currently existing in the
Public Works Department shall be eliminated effective February
21, 2014.

FURTHER, the one (1) existing position of Nursing Home
Operations Administrator, pay grade CS-30, salary range $60,779
to $86,518 currently existing in Gracedale Division, shall be
eliminated effective February 21, 2014.

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

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

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

County's Website

Mr. Vaughn advised there have been a lot of complaints about the County's website and he believed the taxpayers deserved a more user friendly and functional website with accurate search engines.

Mr. Vaughn stated he believed a committee should be formed geared toward creating a new website. He further stated he spoke to Mr. Kraft, who was interested in participating, and if any other member of County Council was interested to let him know.

In answer to Mr. Phillips' question as to whether he planned to work with the current Information Technology Steering Committee, Mr. Vaughn advised he was the liaison for that committee and would not want to go in any direction without coordination.

Mr. Al Jordan, Xerox Director of Information Services, stated they did not currently post or create the website, but were aware that it needed to be updated. He further stated it would have to be redone completely and was one of the items on their list, but was not scheduled to be done at this time.

In response to Mr. Kraft's question as to what the County paid for a hosting fee monthly, Mr. Jordan advised it was $5,000 a year and a County employee was responsible for any changes. He further advised if he was told this was a priority project, it would be moved up on the list.
In answer to Mr. McClure’s question as to whether the County would be saving that $5,000 if it was done internally, Mr. Jordan replied it would.

**Notification of Information**

Mr. Benol stated he worked during the day and could not continually review his e-mails from Mr. Flisser so he took exception to the fact that before he had a chance to review them, a reporter contacts him regarding an e-mail.

Mr. Benol advised when Mr. Flisser sent out an e-mail, he believed it should promote dialogue between County Council members and/or with the County Executive. He further advised he did not believe having to respond to the media in a short amount of time provided him proper time to give an educated opinion on the subject matter. He noted it also did not provide adequate time for him to confer with colleagues to receive their opinions or to contact the County Executive for his opinion.

Mr. Benol stated he asked the Solicitors to look into, under the Right to Know laws, what part of their correspondence was considered private, if any. He further stated he was not trying to eliminate transparency, but he felt when something was in deliberation, they should have the ability to confer amongst themselves openly and honestly. He noted he should not have to be hesitant to reach out to one of his fellow County Council members especially ones that have been on County Council for some time.

Mr. Benol advised the public should not let the media drive their opinions, but to contact the members of County Council to answer their questions. He further advised he would like to see a 48 hour moratorium put on Mr. Flisser’s e-mails.

Mr. Geissinger stated he agreed with Mr. Benol that they were not trying to hide anything, but they should have time to review an e-mail that Mr. Flisser sent with information for them to consider.

Mr. Werner advised there could be no other answer than just to adjust to it, but he also did not like having to respond to things that he had not been able to fully research.
Open Space Committee Report

Mr. Parsons stated the Open Space Committee met on February 17, 2014 and the projects mentioned tonight were discussed.

Human Services Committee Report

Mr. Vaughn advised the Human Services Committee met earlier this evening and the current status of Gracedale was discussed. He further advised Mr. Freeman indicated they were always looking to improve its operation and they implemented certain clinical measures that have reduced the number of falls and decreased their wounds and were working on capturing some of the labor overtime costs that were getting excessive. He noted they also switched their accounting method and the projected loss of approximately $5 million was actually going to be approximately $3 million.

Mr. Vaughn stated the Human Services Building was ahead of budget, on schedule and should be opened next month. He further stated the next big discussion regarding it would be to decide whether the County should lease or purchase it.

Capital Projects and Operations Committee Report

Mr. Phillips advised he met with the County Executive and Mr. Steve DeSalva, Director of Public Works, to discuss the agenda for the March 18, 2014 meeting. He further advised he informed him of the reports he wanted to see, but was not sure if they would all be available.

Finance Committee Report

Mr. Geissinger stated the Finance Committee met yesterday and Mr. Barron reviewed various audit reports.

Mr. Geissinger advised they received the end of the year financial numbers and even though Gracedale’s loss would be approximately $3.5 million, the books still reflected the County contributed $5.5 million. He further advised it was determined that the County would not only look at the Governmental
Mr. Geissinger stated the County was looking at a $17 million short fall projection between revenues and expenditures in the year 2014, which he broke down to $46,500 a day. He further stated the County was eating into its reserve and had to move quickly to allow things to occur to change it.

Mr. Geissinger advised the County Executive needed County Council’s support in allowing him to accomplish the task to reverse this trend otherwise some really uncomfortable decisions were going to have to be made.

9-1-1 Liaison Report

Mr. Parsons stated he wanted to thank Mr. Robert Mateff, Director of Management Services, and his staff for their performance during the recent snow storms.

Council Solicitor’s Report

Mr. Lauer advised he was asked to look at a proposed ordinance that would change some issues with respect to taxation. He further advised he was in the process of discussing it with the County Solicitor and hoped to have something to report in the near future.

Adjournment

Mr. McClure made a motion to adjourn.

Mr. Vaughn seconded the motion.

The motion to adjourn passed unanimously by acclamation.

Frank E. Flisser
Clerk to Council