Easton, Pennsylvania                                             August 20, 2015

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 (via telephone); Mathew M. Benol; Kenneth M. Kraft; Scott Parsons; Hayden Phillips; Seth Vaughn; Robert F. Werner; Linda M. Zembo, Clerk to Council, and Alex Ward for Philip D. Lauer, Solicitor to Council. Absent was Lamont G. McClure, Jr.

Prayer

Mrs. Ferraro led County Council in a moment of silence.

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 August 6, 2015 meeting shall be approved.

Mr. Parsons seconded the motion.

The minutes were approved by voice acclamation.

Courtesy of the Floor

Mr. Jack Dalessandro, 705 Front Street, Bangor, PA - stated the gentleman that talked about the pipeline at the last meeting was correct, but he left out two very important things. He further stated the pipeline was put up on blocks and was welded outside the ditch and then every weld was x-rayed.
Controller’s Report

Mr. Stephen Barron, Controller, advised there were going to be several reports for the next Finance Committee meeting. He further advised since they were able to wrap up several projects, they would be able to do the audit regarding the Open Space program.

Mr. Barron advised they should have someone to fill the open position in his office very soon.

In answer to Mr. Werner’s question as to whether money from the gaming tables could be used for projects outside the County under Act 1, Mr. Barron stated they could not.

With regard to the ReStore project, Mr. Barron advised there was a question about it being located in Allentown so he talked to Emily, who worked for ReStore but was an employee of Habitat for Humanity, and she explained the breakdown of the $35,000. He further advised $10,000 was to supplement her salary for the portion of work she was going to be doing; $10,000 had to be paid to a consultant to train people on the equipment and then the $15,000 was broken down into two parts, one of which was for the build out because the equipment had to be in its own area for safety and environmental reasons and the other was for the purchase of the equipment.

Mr. Barron stated the only collections that have been set up were in Northampton County, noting Lehigh County had none, and the reason they chose that retail location is because they felt it was a better location to sell the paint.

Mr. Barron advised the money was sent to the Habitat for Humanity headquarters. He further advised another benefit of this project was Habitat for Humanity would be able to offset some of their other costs for supplies when they rehabilitated houses.

County Executive’s Report

Mr. John A. Brown, County Executive, stated West Easton Borough Council approved a change in their local ordinance that would allow the County to better utilize its facility located there. He further stated they were currently moving approximately 50 inmates through that facility, but hoped to have 113 next week, which was the targeted number when the
project began. He noted they planned to leverage that number over the next few months to take some pressure off of the old portion of the Jail and to better utilize its resources.

In response to Mr. Parsons' question as to what the maximum number of inmates that would be allowed, Mr. Brown advised the ordinance allowed up to 150, but the challenge was to find appropriate candidates so they were going to maximize the facility as best they could.

Mr. Brown stated he wanted to publicly thank the West Easton Borough Council for approving that change because this was a huge step forward for the Jail.

Mr. Brown advised there was a lot of concern about the number of Corrections Officers vacancies in the Jail and they have been looking at where the hiring process bottlenecked. He further advised they found they had a number of individuals who passed the written part, but a lot of them were lost during the physical agility portion.

Mr. Brown stated when they reviewed the physical agility testing they discovered it did not really align to the needs of the job so Mr. Daniel Keen, Director of Corrections, and his team reviewed it to make it more in line with the job. He further stated next week, they planned to bring a number of candidates through the new physical agility portion. He noted they also planned to contact qualified candidates that did not pass that portion before.

Mr. Brown advised they were also going to stage back to back academies in order to close the gap on a number of vacancies.

Mr. Brown stated the County would be participating in the 911 study that was approved by Bethlehem City Council in response to the 911 funding legislation. He further stated the cost for each of the entities was $9,750 and it would be looking at different scenarios to determine the best way for 911 to operate either as two regional County centers, as one consolidated center or to remain independent.

In answer to Mr. Phillips' question as to whether the recycling of the paint was funded by table game money or another source, Mr. Brown advised it was from the table game money.
Mr. Werner stated he read in the newspaper about the Borough of Freemansburg having a flooding problem and it indicated that they were going to ask the County to split $50,000 for a study. He then asked if there have been any discussions regarding that either with Ms. Diane Donaher, Director of the Department of Community and Economic Development, or the Administration.

Mr. Brown advised he had no knowledge of any discussions, but that did not mean conversations did not take place because the County was always being approached by both public and private entities for funding. He advised it could be part of the Community Investment Partnership Program granting process, but he would follow up on it and report back.

In response to Mr. Parsons’ question as to where they were in the hiring of a 911 Director, Mr. Brown stated they advertised nation-wide through NeoGov and attracted quite a few qualified applicants, noting some were from outside the region. He further stated a committee evaluated them and held a round of telephone interviews and based on those, they would be setting up one on one interviews on August 28, 2015 from which they hoped to narrow it done to two candidates for final evaluation.

Scout Proclamations

Mr. Parsons advised next meeting he would be inviting the Scouts that raised money to bring the Vietnam Remembrance Wall to Moore Township to receive proclamations.

Executive Session

Mrs. Ferraro asked for a motion to move into Executive Session to discuss possible litigation.

Mr. Benol made a motion to move into Executive Session.

Mr. Kraft seconded the motion.

The motion was approved by voice acclamation.

Mrs. Ferraro indicated that County Council went into Executive Session at 6:48 p.m. and return at 7:14 p.m.
Public Hearing on the Ordinance Providing for the Lease for Magisterial Court 03-2-03, Located at 3650 Nazareth Pike, Bethlehem, Pennsylvania

Mrs. Ferraro stated Messrs. Kraft and McClure introduced the following ordinance on August 6, 2015:

AN ORDINANCE PROVIDING FOR THE LEASE FOR MAGISTERIAL DISTRICT COURT 03-2-03, LOCATED AT 3650 NAZARETH PIKE, BETHLEHEM, PENNSYLVANIA

WHEREAS, Northampton County Home Rule Charter Section 602 (a)(6) provides that the Northampton County Council shall enact an ordinance for any act which conveys, leases, purchases or authorizes the conveyance, lease or purchase of any real property of the County; and

WHEREAS, the County of Northampton has requested a Lease Agreement with the Bethlehem Village Associates for the property located at 3650 Nazareth Pike, Bethlehem, Pennsylvania, for the operation of a District Court of the Minor Judiciary of the Commonwealth of Pennsylvania and all related functions.

NOW, THEREFORE, BE IT HEREBY ORDAINED AND ENACTED by the Northampton County Council that it does hereby agree to the lease of said property for the sum of Four Thousand Four Hundred Ten Dollars ($4,410.00) per month from the Bethlehem Village Associates in accordance with the Lease Agreement which is attached hereto and made a part hereof as Exhibit “A”.

Public Hearing

Mrs. Ferraro asked if there were any questions or comments from the public.

There were no respondents.

As there were no questions or comments from members of County Council, Mrs. Ferraro called for the vote.


The ordinance was adopted by a vote of 8-0.
Public Hearing on the Ordinance Amending Ordinance No. 141-1988, Also Known As The Northampton County Real Estate Rules and Regulations Ordinance

Mrs. Ferraro stated the following ordinance was introduced by Messrs. Vaughn and Benol at the meeting held on July 1, 2015 and tabled at the meeting held on July 16, 2015:

AN ORDINANCE AMENDING NORTHAMPTON COUNTY ORDINANCE NO. 141-1988, ALSO KNOWN AS THE NORTHAMPTON COUNTY REAL ESTATE RULES AND REGULATIONS ORDINANCE

WHEREAS, Ordinance No. 141-1988, the ordinance titled, "AN ORDINANCE OF THE COUNTY OF NORTHAMPTON PROVIDING FOR RULES AND REGULATIONS GOVERNING THE USE OF THE NORTHAMPTON COUNTY PARK SYSTEM AND OTHER REAL ESTATE OWNED OR LEASED BY THE COUNTY OF NORTHAMPTON AND PROVIDING PENALTIES FOR VIOLATION OF SAME," was enacted by the Northampton County Council on September 19, 1988. The ordinance was subsequently amended via the enactment of ordinance No. 466-2007, the ordinance titled, "AN ORDINANCE AMENDING NORTHAMPTON COUNTY ORDINANCE NO. 141-1988, ALSO KNOWN AS THE NORTHAMPTON COUNTY REAL ESTATE RULES AND REGULATIONS ORDINANCE," on June 22, 2007 and by the enactment of Ordinance No. 560-2012 on November 16, 2012.

NOW, THEREFORE, BE IT HEREBY ORDAINED AND ENACTED by the Northampton County Council that SECTION 47. SMOKING of ordinance No. 141-1988, the ordinance titled, "AN ORDINANCE OF THE COUNTY OF NORTHAMPTON PROVIDING FOR RULES AND REGULATIONS GOVERNING THE USE OF THE NORTHAMPTON COUNTY PARK SYSTEM AND OTHER REAL ESTATE OWNED OR LEASED BY THE COUNTY OF NORTHAMPTON AND PROVIDING PENALTIES FOR VIOLATION OF SAME," shall be amended as indicated hereafter (sections marked with **bold underline** have been added and sections marked with strikeout have been deleted), however, all other sections shall remain the same:

SECTION 47. SMOKING

No person shall smoke in any area, building or portion of a building, structure or portion of a structure, on County property, where signs are in place advising that smoking is prohibited at such locations.
Mrs. Ferraro asked if there was anyone who wished to remove this ordinance from the table.

There were no respondents.

Introduction of the Ordinance Providing for the Lease Agreement for Minsi Lake, Upper Mount Bethel Township

Messrs. Parsons and Kraft introduced the following ordinance:

AN ORDINANCE PROVIDING FOR THE LEASE WITH THE PENNSYLVANIA FISH AND BOAT COMMISSION FOR MINSI LAKE IN UPPER MOUNT BETHEL TOWNSHIP, PENNSYLVANIA

WHEREAS, Northampton County Home Rule Charter Section 602 (a)(6) provides that the Northampton County Council shall enact an ordinance for any act which conveys, leases, purchases or authorizes the conveyance, lease or purchase of any real property of the County; and

WHEREAS, the Pennsylvania Fish and Boat Commission has requested a Lease Agreement with the County of Northampton for the Minsi Lake located in Upper Mount Bethel Township, Pennsylvania.

NOW, THEREFORE, BE IT HEREBY ORDAINED AND ENACTED by the Northampton County Council that it does hereby agree to the lease of said property for the sum of One Dollar ($1.00) until September 1, 2020 in accordance with the Lease Agreement which is attached hereto and made a part hereof as Exhibit "A".

Mrs. Ferraro stated the public hearing, discussion and possible vote would be held at the September 3, 2015 meeting.

Consideration of Personnel Request Resolutions: a) Court Administration - Juvenile Detention; b) Department of Human Services - Gracedale Nursing Home; c) Public Works - Operations and Maintenance Division

Court Administration - Juvenile Detention

Mr. Kraft introduced the following resolution:
R. 73-2015  RESOLVED by the Northampton County Council one (1) full time position of Accountant II, pay grade CS-25, salary $62,875, in the Department of Court Administration - Juvenile Detention, shall be reclassified to Court Fiscal Administrator, pay grade CS-30, salary $69,359, effective the 20th day of August 2015.

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

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

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

Department of Human Services - Gracedale Nursing Home

Mr. Kraft introduced the following resolution:

R. 74-2015  RESOLVED by the Northampton County Council 4.00 FTE (16 Headcount at .25 FTE each) positions of Registered Nurse Supervisor Per Diem, pay grade CS-29-A, Step 1-A, salary $29.00 per hour, be created in the Department of Human Services - Gracedale Nursing Home, effective the 20th day of August 2015.

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

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

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

Public Works - Operations and Maintenance Division

Mr. Kraft introduced the following resolution:

R. 75-2015  RESOLVED by the Northampton County Council that the one (1) full time position Painter, pay grade CS-15, salary range $30,467 to $43,349, in the Department of Human Services - Gracedale Nursing Home shall be transferred to the
Department of Public Works - Operations and Maintenance Division, effective the 20th day of August 2015.

RESOLVED by the Northampton County Council that the one (1) full time position Painter, pay grade CS-15, salary range $30,467 to $43,349, shall be created in the Department of Public Works - Operations and Maintenance Division, effective the 20th day of August 2015.

RESOLVED by the Northampton County Council 2.80 FTE (4 Headcount at .70 FTE each) positions of Housekeeping Attendant I PT, pay grade GU-01, salary range $16,871 to $21,445, shall be created in the Department of Human Services - Gracedale Nursing Home, effective the 20th day of August 2015.

When Mr. Benol asked if this was just a transfer, Ms. Catherine Allen, Deputy Director of Administration, explained that there was one painter in the Housekeeping Division at Gracedale and he would be transferred to the Department of Public Works. She further explained that another painter position would be created in the Department of Public Works that would cover the rest of the County.

Mr. Benol advised the salary range being created was the same, but in essence the taxpayers were potentially paying $60,000 - $75,000 for painting.

Mr. Kraft stated he was going to make a motion to increase it by $10,000 to be equal to the prevailing wage for painters in Northampton County.

Mr. Benol advised the County just received a grant to train inmates in various skill sets and he had discussions with Mr. Keen and Mr. Stan Rugis, Director of Public Works, with regard to having them do this type of work.

Ms. Allen stated while she understood Mr. Benol’s train of thought, he was not taking into account the liabilities that would be incurred. She further stated Mr. Kraft suggested bringing in different union painters rather than employing them, but to be in compliant with the County’s hiring regulations, this was the way it had to be done.

Mr. Parsons advised everyone had to take into account the $75,000 included all the benefits and it was not out of line with what other individuals earned.
Mr. Brown agreed the County did offer a very good benefit package and the salaries were what they were. He stated when positions were presented to the Administration, they vetted out all the options to achieve the correct outcome. He further stated painters were needed in the County so it made sense to create this position.

In answer to Mr. Vaughn’s question as to whether the current painter was only responsible for jobs relating to the Department of Human Services, Ms. Allen advised he was only at Gracedale under the Housekeeping Division and one would be remaining there. She further advised there were a number of jobs under the Housekeeping Division union that really did not belong, but when they put the unions together they just put them in there.

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

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

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

Consideration of Administrative Code Article XIII Contract Approval Resolutions: a) Bi-State Construction Co., Inc.; b) Clearwater Construction, Inc.; c) Xerox State and Local Solutions

Bi-State Construction Co., Inc.

Mr. Phillips introduced the following resolution:

R.76-2015 WHEREAS, Northampton County Administrative Code Article XIII Procurement and Disposition of County Property, Section 13.16 Contracts and Agreements c.(2) requires approval of County Council for "any contract where costs are to be funded with monies outside of the County’s General Fund, such as those funded through bonded indebtedness."

WHEREAS, on August 7, 2015, the Northampton County Council received a request from the County Executive for County Council to adopt a resolution endorsing a contract, in the amount of $82,875.00 with Bi-State Construction Co., Inc. for a term of one year for stream (channel) cleaning for Bridges #14, #29, and
#69.

NOW, THEREFORE, BE IT RESOLVED that the Northampton County Council does hereby concur with the recommendation of the County Executive, as set forth in the attached documentation to approve a contract with Bi-State Construction Co., for stream (channel) cleaning for Bridges #14, #29 and #69.

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

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

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

Clearwater Construction, Inc.

R. 77-2015 WHEREAS, Northampton County Administrative Code Article XIII Procurement and Disposition of County Property, Section 13.16 Contracts and Agreements c.(2) requires approval of County Council for "any contract where costs are to be funded with monies outside of the County's General Fund, such as those funded through bonded indebtedness."

WHEREAS, on August 7, 2015, the Northampton County Council received a request from the County Executive for County Council to adopt a resolution endorsing a contract, in the amount of $228,805.00 with Clearwater Construction, Inc. for a term of one year for bituminous concrete overlay for Bridges #37, #78, #83, #130, #139, #146, #171 and #188.

NOW, THEREFORE, BE IT RESOLVED that the Northampton County Council does hereby concur with the recommendation of the County Executive, as set forth in the attached documentation to approve a contract with Clearwater Construction, Inc. for a term of one year for bituminous concrete overlay for Bridges #37, #78, #83, #130, #139, #146, #171 and #188.

In response to Mr. Vaughn's question as to what was bituminous concrete, Mr. Rugis replied it was basically asphalt.
As there were no further questions or comments, Mrs. Ferraro called for the vote.

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

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

Xerox State and Local Solutions

Mr. Phillips introduced the following resolution:

R. 78-2015 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 August 14, 2015, the Northampton County Council received a request from the County Executive for County Council to adopt a resolution approving a contract, in the amount of $241,987.20 with Xerox State and Local Solutions for Blade Servers and upgrades.

NOW, THEREFORE, BE IT RESOLVED that the Northampton County Council does hereby concur with the recommendation of the County Executive, as set forth in the attached documentation to approve a contract with Xerox State and Local Solutions for Blade Servers and upgrades.

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

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

The resolution was adopted by a vote of 6-2.
ReStore

In answer to Mr. Phillips’ question as to whether the grant given to ReStore should have been brought before County Council for approval due to the resolution that was adopted, Mr. Kraft stated it was considered before that resolution was adopted. He further stated he was behind it even though it was located in Lehigh County because they were taking paint from Northampton County residents and recycling it.

In response to Mr. Phillips’ comment that any grants going forward would be brought before County Council for approval, Mr. Kraft agreed.

Open Space Committee Meeting

Mr. Parsons advised the Open Space Committee would be holding a joint meeting with the Open Space Advisory Board on September 1, 2015 at 5:00 p.m. to review policies and procedures and how the County planned to move forward.

Adjournment

Mr. Kraft made a motion to adjourn the meeting.

Mr. Werner seconded the motion.

The motion to adjourn passed unanimously by acclamation.

Linda M. Zembo
Clerk to Council