Easton, Pennsylvania

June 18, 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 for part of the meeting); Mathew M. Benol; Kenneth M. Kraft; Lamont G. McClure, Jr.; Scott Parsons; Hayden Phillips; Seth Vaughn; Robert F. Werner; Linda M. Zembo, Clerk to Council, and Philip D. Lauer, Solicitor to Council.

Prayer

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

Pledge of Allegiance

Mr. Parsons 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 June 4, 2015 meeting shall be approved by voice acclamation.

The minutes were approved by voice acclamation.

Presentation of Proclamations

Mr. Benol presented proclamations to Deputy Sheriff George Volpe for receiving the Chiefs of Police Association Nathan Ogden Award for his ten month investigation that led to the arrest of a gang-related suspect who escaped from detention and to Sergeant Michael Orchulli and Deputy Sheriffs Lori Neff, Brian Budraitis and Greg Smith for their assistance in this investigation.
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Courtesy of the Floor

Mr. Jerry Green, President, United Steelworkers Union stated he represented the nurses and social workers at Gracedale and they have been working without a contract for the last five years. He further stated they have not had a bargaining session since October 2013 even though they have tried on numerous occasions without success.

Mr. Green advised they were highly insulted by the raises that were given out to the Administration by the County Executive because the nurses, who saved lives, deserved raises more than anyone else. He further advised the County was having a hard time recruiting nurses at the current rate of pay.

Mr. Green stated they were getting a three hour bargaining session on July 8, 2015 when they should have had numerous ones during the last year and half and the tentative agreements that were made with the previous Administration might not be honored.

Mr. Green advised he just wanted to let County Council know of their displeasure with the hope that somehow they could convince this Administration to do the right thing and sit down with them and negotiate a fair bargaining agreement.

Mrs. Ferraro stated there had been some information gathering sessions with his Union and now that five contracts have been completed, they should receive the full and undivided attention of the Administration.

In answer to Mr. Vaughn’s question as to what was the base salary for an entry level Registered Nurse, Mr. Green replied he did not know, but a member of the audience indicated it was $23.93 an hour, which was $5.00 under the current rate in the Lehigh Valley.

Mr. Justus James, American Federation of State, County and Municipal Employees - advised he was present to ask the five contracts be approved to bring some peace to the employees. He further advised the Administration and Union worked together on tentative agreements until they reached an impasse and then entered into interest arbitration under Act 195, noting four of these contracts were under Act 195.

Mr. James stated some people may be upset by the raises given by the arbitrator, however, even with them, the employees were still behind due to the healthcare changes, but this was a
move in the right direction.

Ms. Hanna Georgis - indicated she signed up to donate her time to Mr. James.

Ms. Elissa Garofalo, President/Executive Director, Delaware and Lehigh National Corridor, Inc. - provided a handout regarding the Delaware and Lehigh National Corridor (see Attachment #1). She advised her organization was based at Hugh Moore Park in Easton and had been established 25 years ago because of the nationally significant history revolving around the canals and the transportation system. She further advised they had an educational curriculum to raise the awareness of the importance of this national significance.

Ms. Garofalo stated their most evident project today was the Delaware and Lehigh Trail, which was a 165 mile trail that would extend from Bristol to Wilkes Barre. She further stated it was approximately 85% complete, but there were a number of gaps to be completed in Northampton County so they were working with the Department of Community and Economic Development and Open Space to close them.

Mr. David DeReemer, 2165 Girard Avenue, Lower Saucon Township, PA - advised he was a member of the Gracedale Advisory Board, but he was not speaking on their behalf tonight. He further advised he was in favor of calling for a study to examine the merits of creating a not-for-profit corporation that would operate Gracedale.

Mr. DeReemer stated a not-for-profit corporation could be structured with a self-perpetuating board or by naming a group of members that then elected a board and decide what action that board could take. He further stated County Council could be the members of the corporation and maintain control of the overall operation of Gracedale, but then convey to a board the ability to operate on a day-to-day month-to-month basis, as well as set other limits.

Mr. DeReemer advised this study would give County Council some insight on how to maintain the operation of a County nursing home and the structure would provide agility to the overall operation of Gracedale. He further advised part of the problem with Gracedale was it could not operate as quickly as it should in responding to a huge operation that was governed by many regulations.
Mr. DeReemer stated there was nothing in the County's scope of operation that had changed so dramatically within the last 30 years that it required a level of expertise that outpaced the ability of County Council to provide.

Confirmation of Appointments

Mrs. Ferraro advised the Personnel Committee met yesterday to review the County Executive's appointments/re-appointments to the Lehigh Valley Workforce Investment Board, Inc. and the Open Space Advisory Board.

Mr. Kraft introduced the following resolution:

R. 51-2015  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, INC.

Appointments:

Business Category - Two Year Terms
Stephen J. Bailey
3273 Oakland Square
Bethlehem, PA 18020

Terms to Expire: 6/30/17

Ellen S. Kingsley, Esquire
4441 Tusketee Drive
Bethlehem, PA 18020

John D. MacDonald
275 Cobblestone Lane
Bethlehem, PA 18020

Sharon J. Scheirer, SPHR
20 Longhill Drive
Easton, PA 18042-9609

Business Category - Three Year Terms
Anthony J. Biondi
7116 Goldcris Lane
Northampton, PA 18067-9743

Terms to Expire: 6/30/18

Fidel Gonzalez
5015 Preakness Place
Bethlehem, PA 18020
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Laura Haffner
750 Golden Eagle Drive
Nazareth, PA 18064

Constance Hood
3576 Westminster Way
Nazareth, PA 18064

Business Category - Four Year Term
Luke R. Cunningham
576 Angelo Drive
Bethlehem, PA 18017

Term to Expire: 6/30/19

Education Category - Four Year Term
Dr. Mark Erickson, President
Northampton Community College
3564 Bethman Road
Easton, PA 18045

Terms to Expire: 6/30/19

Dr. Joseph Roy
Bethlehem Area School District
720 Chestnut Street
Bethlehem, PA 18017

Workforce Category - Four Year Term
Kevin Lott
319 Durham Street
Hellertown, PA 18055

Term to Expire: 6/30/19

Optional - Community Based Organization
Category - Four Year Term
Lisa Z. Nesbitt
4201 Bethman Road
Easton, PA 18045

Term to Expire: 6/30/19

OPEN SPACE ADVISORY BOARD

Appointment:
Claire Wildermuth Sadler
4080 Suncrest Lane
Bethlehem, PA 18020

Terms to Expire: 3/18/17

Re-appointments:
Judith Henckel
1752 Robin Hood Road
Mount Bethel, PA 18343
Mr. Parsons stated there was another re-appointment for the Open Space Advisory Board, but as there was a concern about a conflict of interest it was set aside until a decision could be reached.

As there were no further questions or comments, Mrs. Ferraro 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.

Controller’s Report

Mrs. Ferraro advised Mr. Stephen Barron, Controller, was not able to attend tonight’s meeting.

County Executive’s Report

Mr. John A. Brown, County Executive, advised calling the pay raises he had given 14 employees illegal was intentionally inflammatory and inaccurate. He further advised there remained a difference of opinion, but Mr. Lauer had indicated that approaching the issue from the Administration’s point of view one would logically conclude there was sufficient basis for the actions taken and legal arguments supporting that decision.

Mr. Brown stated both Mr. Lauer and the Administration agreed that despite the differences of opinion all parties acted in good faith. He further stated it had been determined by everyone who examined the issue that there was some degree of uncertainty as to precisely where the responsibility rested for pay adjustments in individual cases.

Mr. Brown advised it was acceptable to have discussions and disagree as to what should be, but how those discussions took place was important to bringing about a positive resolution that was in the best interest of the County. He further advised as
former County Executive Gerald Seyfried remarked one branch of government suing another to resolve differences of opinion was a waste of time, money and only hurts the County.

Mr. Brown stated in working to resolve this issue, he looked at it from County Council's perspective and in reviewing not only the authorizing documents guiding the County, but also the specific actions taken, he determined it was absolutely reasonable for County Council to conclude that he was trying to circumvent the County's guidelines, usurp its authority and be offended. He further stated it was not now nor had it ever been his intention to circumvent the County's guidelines or usurp County Council's authority. He then publicly apologized to County Council for any offenses his actions may have created.

Mr. Brown advised the Administration provided all the detailed personnel and salary information County Council requested. He further advised as the difference of legal opinions remained, he voluntarily agreed not to authorize any additional salary adjustments without bringing the matter before County Council until a formal resolution of the matter could be achieved.

Mr. Brown stated he would like to offer an apology for any public and private upset caused to the 14 individuals who received the salary adjustments because they had nothing to do with his decision to authorize them without bringing the matter before County Council, but were brought into the discussion and made the central focus.

Mr. Brown advised he also felt the need to apologize to Ms. Catherine Allen, Deputy Director of Administration, who was doing an exemplary job and her efforts in managing all of the County's insurance programs, working with department heads and implementing various computer programs resulted in several millions of dollars in savings. He further advised she had established strong working relationships with most of the County's unions and was recognized as the go to person by many of the employees because of her reputation to get things done.

Mr. Brown stated her excellent work and results have been overshadowed due to the fallout of the growing discord between himself and County Council. He further stated Ms. Allen had become a surrogate target of County Council's frustration for his lack of understanding and consideration of its needs and concerns.
Mr. Brown advised the justifications provided for these adjustments should be sufficient for County Council to approve all of them without hesitation and suggested they vote on them as a block to alleviate the employees of any additional distress this process may have imparted upon them.

Mr. Brown stated recently County Council was informed the County benefited from an accounting error in the amount of $5.5 million. He further stated the Administration was recommending that $2.4 million of these funds be added to the Financial Stabilization Fund.

Mr. Brown advised the County already placed $7.6 million into this fund as a result of the 1 mill tax increase and the $2.4 million would increase the balance to $10 million, which should reduce the pressure to maintain the millage increase for the 2016 budget.

Mr. Brown stated the County had received a great deal of interest in the recently announced Community Investment Partnership Program that was designed to help facilitate revitalization and economic stimulus that provided a grant component and revolving loan fund supported by the monies received by the County from the casino table games.

Mr. Brown advised despite the challenges, in 2014, they were able to achieve a $17 million savings, which was equivalent to 20% of the County’s real estate taxes collected, that was returned to the General Fund and a reduction of $17.4 million in the 2015 budget.

Mr. Brown stated they were making the hard decisions such as the one regarding healthcare, but it was necessary to avoid the excise tax. He further stated they were holding the employees accountable for the work they were doing and providing the necessary resources for them to succeed. He noted as a result they were seeing dramatic improvements across the board that translated into greater job satisfaction and delivery of services to the taxpayers.

Mr. Brown invited County Council to join him in shifting the current paradigm of County Council versus County Executive and help put the County on the map as a well-run, efficient and highly functional government.
In response to Mrs. Ferraro's question as to whether he was stating there would be no further pay increases until the meeting with Mr. Lauer and this issue was resolved between the Administration and County Council, Mr. Brown acknowledged that was correct, noting he volunteered to do that until there was a formal resolution to the discrepancies in the opinions.

In answer to Mr. McClure's question as to whether he was maintaining the County Executive had the authority under the Home Rule Charter and/or Administrative Code to take the actions he took, Mr. Brown advised he maintained they had sufficient authorities and case law to support their position.

In response to Mr. McClure's question as to whether he believed the actions he took with respect to the raises that were not brought before County Council were legal, Mr. Brown answered in the affirmative.

In answer to Mr. McClure's question as to when he was considering the raises whether he asked former County Solicitor Victor Scomillio or any of the Assistant County Solicitors if it was lawful or not for him to take that action, Mr. Brown replied not specifically.

Mr. McClure stated Mr. Brown indicated he would not give any more raises unilaterally without bringing them to County Council, but in answer to Mrs. Ferraro's question he would not do it pending a resolution of a negotiation with Mr. Lauer.

Mr. Brown advised he was just referring to the meeting he had six weeks ago where this was discussed and he had not and would not provide any salary increases without going through the formal process until such time as there was a formal resolution, whatever it may be, to the difference of opinions.

Mr. McClure stated all litigation did not have to be contentious, noting County Council could file a Declaratory Judgement Action in the Courts to receive an interpretation of the law as it currently existed and then there would be a resolution to the dispute. He further stated if Mr. Brown was going to maintain that County Executives had the power to give unilateral raises without County Council's knowledge and being reflected in a budget then maybe it should go to Court for a decision.
Mr. Brown advised County Council would have to make that
decision, but they could collectively agree these were historic
challenges and subject to interpretation. He further advised
this was only one of the issues that had to be resolved and he
would prefer not to go through the Courts.

Mr. Brown stated while he apologized to County Council for
any offense that may have been perceived as that was not his
intention nor was it his intention to circumvent County Council,
but he like everyone else read the documents, arrived at
conclusions based on the logic of them and took action. He
further stated he was willing to recognize this was not about
County Council or the County Executive, but moving the County
forward in a meaningful way.

Mr. McClure advised there have been several issues with the
Home Rule Charter and Administrative Code that had previously
been settled through litigation and he felt in order to get a
permanent resolution to this issue that may be the way to
proceed.

Mr. Benol stated this issue went through the Courts before
and was not resolved so it was time to take action to rectify
the situation in such a way that it would not happen in the
future. He further stated in 2011, the Personnel Commission was
supposed to review the policies and procedures to determine
which items should be handled by what branch of government so he
felt that may be the way to proceed. He then asked the members
of County Council to do what they were elected to do and settle
this matter without going through the Courts.

Mr. Parsons advised he would like County Council and the
County Executive to go before the Personnel Commission to
present their opinions and then let them decide on the wording
that both parties could agree on.

Mr. McClure stated County Council could solve the issue in
two weeks by putting the language from the proposed manual into
an ordinance for approval. He further stated County Council and
the County Executive could have it certified by taking the issue
to the Courts for their decision.

Mr. Benol advised it would be a quick fix for this issue,
but the overall bigger subject was the whole manual had to be
reviewed and that was part of the 2011 lawsuit.
Mr. McClure stated the manual governed the day to day operation of the employees, but this issue was a separation of power issue.

Mr. Benol advised he spoke to the Chair of the Personnel Commission, who indicated in 2011 they were fully prepared to review the manual, but it was never presented to them. He further advised the Personnel Commission was comprised of experts of this subject matter so they should be consulted and to move forward without having them involved was wrong.

Mr. Benol stated a decision was reached by the Courts in 2011, but it was not followed through on so the ground work was already laid out and it was not necessary to waste anymore of the Courts’ time.

Mr. McClure advised this was a very important issue because it was to determine if the County Executive had the power to grant these raises, which County Council by a vote of 9-0 said were unlawful.

Mr. Brown stated he had no problem going through the Personnel Commission process and then the Administration would be bound by their decision. He further stated this was an important issue, but there were multiple discrepancies that may need to be clarified as the Personnel Policy and Procedures Manual was under the domain of the Executive Office and the Administration, but it also encumbered the Career Service Regulations that was actually under the domain and the approval of County Council.

Mr. Vaughn advised Mr. Brown indicated he was willing to work with the legislative body and his intentions were not malicious in any form so it would behoove the County to try and work together to resolve this issue. He further advised as both parties were willing to negotiate, he felt going to Court was excessive and possibly costly.

Mr. Kraft stated Mr. Seyfried related the reason the Personnel Commission was enacted to write the Personnel and Policy Manual was because this issue came up with another County Executive and the Court sided with County Council that they had the authority to approve raises. He further stated the Personnel Commission wrote the manual, which was supposed to be approved by County Council but never was so Mr. Durkin’s basis of law was on a manual that was never approved.
Mr. Kraft advised the Solicitors for the County and County Council should submit their opinions to the Courts for their decision so the issue could be resolved once and for all.

Mrs. Ferraro stated she felt the first step should be to work with the County Executive, Mr. Lauer and some members of County Council to resolve the issue and then send it to the Personnel Commission. She further stated if at that time, the issue was not deemed resolved, it could be sent to the Courts.

Consideration of Resolution Amending Resolution No. 15-2015

Mrs. Ferraro advised due to a change in a term limit for an appointment of the Lehigh Valley Planning Commission, an amended resolution was prepared.

Mr. Kraft introduced the following resolution:

R. 52-2015 WHEREAS, on March 19, 2015, County Council adopted Resolution Number 15-2015; and

WHEREAS, on June 8, 2015, County Council was informed the termination date for the Lehigh Valley Planning Commission had to be amended.

NOW, THEREFORE, BE IT HEREBY RESOLVED By the Northampton County Council that Resolution Number 15-2015, shall be amended as indicated hereafter (section marked with strikeout have been deleted and sections marked with bold underline have been added):

Number 15-2015

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

CHILDREN, YOUTH AND FAMILIES ADVISORY BOARD

Appointment: Terri Maynard
Term to Expire: 4/1/17
1150 Dotta Drive
Pen Argyl PA 18072

Pen Argyl PA 18072
As there were no questions or comments, Mrs. Ferraro 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.

Introduction of the Ordinance Providing for Approval of Table Game Revenues

Mrs. Ferraro stated at the request of Mr. McClure, an ordinance was prepared regarding table game revenues. She further stated the public hearing, debate and possible vote would be held at the County Council meeting on July 1, 2015.

Messrs. McClure and Kraft introduced the following ordinance:

AN ORDINANCE PROVIDING FOR APPROVAL OF TABLE GAME REVENUES

WHEREAS, Home Rule Charter Article VI Legislation Section 602 Ordinances (a) (12) states "provides for redevelopment, rehabilitation, conservation, and renewal programs for the alleviation and prevention of slums, obsolescence, blight, or other conditions of deterioration, and the achievement of the most appropriate use of land"; and
WHEREAS, Home Rule Charter Article VI Legislation Section 602 Ordinances (a) (14) states "intends to have the force and effect of law or is required by law to be an ordinance"; and

WHEREAS, Northampton County Council deems any project or program receiving funding from the table game revenues requires the approval of County Council.

NOW, THEREFORE, IT IS HEREBY ORDAINED AND ENACTED by Northampton County Council that it does hereby authorize the County Executive to submit any and all projects/programs that purport the distribution of table game revenues to County Council for its approval.

Introduction of the Ordinance Providing for Amendments to the 2015 Budget

Mrs. Ferraro advised the public hearing, debate and possible vote on this ordinance would be held at the County Council meeting on July 1, 2015.

Messrs. Geissinger and Parsons introduced the following ordinance:

AN ORDINANCE AMENDING THE 2015 NORTHAMPTON COUNTY BUDGET: DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT - AFFORDABLE HOUSING; DEPARTMENT OF ADMINISTRATION - CONSERVATION DISTRICT, HAZMAT ACT 165; DEPARTMENT OF HUMAN SERVICES - HOMELESS ASSISTANCE, DEVELOPMENT FUND, BLOCK GRANTS, CHILDREN, YOUTH AND FAMILIES, AREA AGENCY ON AGING, MENTAL HEALTH, DEVELOPMENTAL PROGRAMS, DRUG AND ALCOHOL; FINANCIAL STABILIZATION, DEPARTMENT OF PUBLIC WORKS - C I HUMAN SERVICES BUILDING; COUNTY WIDE - FRINGE BENEFIT

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**Human Services - Area Agency On Aging**

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<td>2,349,900</td>
<td>159,200</td>
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<tr>
<td>41330</td>
<td>Base Allocation</td>
<td></td>
<td></td>
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<tr>
<td>41400</td>
<td>Early Intervention</td>
<td>2,673,500</td>
<td>4,600</td>
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<td>41570</td>
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<td>35,800</td>
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<tr>
<td>60300</td>
<td>Pooled Subcontracted Services</td>
<td>550,900</td>
<td>199,600</td>
<td>750,500</td>
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**Human Services - Drug & Alcohol**

<table>
<thead>
<tr>
<th>Code</th>
<th>Description</th>
<th>16-18</th>
<th>16-19</th>
<th>17-18</th>
<th>17-19</th>
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<tr>
<td>61000</td>
<td></td>
<td>585,100</td>
<td>24,900</td>
<td>610,000</td>
<td></td>
</tr>
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<td>41240</td>
<td>Treatment Block Grant</td>
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<tr>
<td>41315</td>
<td>Act 152</td>
<td>498,200</td>
<td>(257,400)</td>
<td>240,800</td>
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<td>41330</td>
<td>Base Allocation</td>
<td>750,200</td>
<td>78,500</td>
<td>828,700</td>
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<tr>
<td>41340</td>
<td>BISI</td>
<td>256,600</td>
<td>(133,800)</td>
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<td>41373</td>
<td>Compulsive Gambling</td>
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<td>72,700</td>
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<td>41488</td>
<td>Human Services Block Grant</td>
<td>-</td>
<td>784,500</td>
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<tr>
<td>41600</td>
<td>PCCD</td>
<td>135,800</td>
<td>(7,800)</td>
<td>128,000</td>
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<tr>
<td>41722</td>
<td>Gaming Authority Grant</td>
<td>92,200</td>
<td>80,700</td>
<td>172,900</td>
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<tr>
<td>42105</td>
<td>Act 198 Fee</td>
<td>151,200</td>
<td>(7,200)</td>
<td>144,000</td>
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<td>43030</td>
<td>DUI Fines</td>
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<td>1,100</td>
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<td>62100</td>
<td>Pooled Subcontracted Services</td>
<td>759,170</td>
<td>566,600</td>
<td>1,325,770</td>
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</table>
In accordance with Northampton County Home Rule Charter § 705 (e) this ordinance shall become effective upon the date of enactment.

Consideration of Collective Bargaining Agreement Between Northampton County and Northampton County Corrections Officers District Council 88 and Local 2549 AFSCME, AFL-CIO

Mrs. Ferraro stated this agreement was reviewed at the Personnel Committee meeting held June 17, 2015.

Mr. Kraft introduced the following resolution:

R. 53-2015 WHEREAS, Northampton County Charter Section 202 (12) provides that, "the County Council shall have the power to approve any collective bargaining agreements with officers and employees".

NOW, THEREFORE, IT IS HEREBY RESOLVED by the Northampton County Council that the Collective Bargaining Unit Agreement between the County of Northampton and the Northampton County Corrections Officers District Council 88 and Local 2549 American Federation of State, County and Municipal Employees, American Federation of Labor and Congress of Industrial Organizations shall be approved this 18th day of June 2015.

In response to Mr. Phillips’ question as to the impact on the 2015/2016 budget, Mr. Brown replied the impact on the salary basis for 2015 was $166,000.
In answer to Mr. Kraft's question as to the impact of the other four contracts, Mr. Brown responded $384,000.

In response to Mr. Parsons' question as to what was the cost of arbitration, Mr. Brown advised the total cost was $14,097.

Mr. Benol stated he always had an issue with the County collecting union dues, but under Article 9 of the agreement it stated "The Employer agrees to deduct from the paychecks of Employees covered by this Agreement voluntary contributions to the Union Political Action Committee." He further stated he understood it was voluntary, but one political action committee was being singled out so he felt they should all be included or there should be none.

Mrs. Ferrararo advised she believed that was pretty standard wording for the agreements and it was voluntary. She further advised she believed this issue was brought before the State House.

Mr. Lauer stated the fact that it was voluntary eliminated any serious difficulty with it. He further stated whether or not other entities could be added as part of the agreement was not the issue before County Council because this was what they negotiated. He added he did not deem it unlawful and this agreement was the result of arbitration and the decision of the arbitrator was binding.

Mr. James advised an arbitrator's ruling was final and binding and the employee had the right to voluntarily have the deduction. He further advised this was a negotiable item, but it was basic boiler plate language.

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

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

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

Consideration of Resolution Requesting Premier Healthcare Resources to Provide Report Pertaining to Gracedale Becoming an Internal Revenue Code 501(c)(3) Organization
Mrs. Ferraro stated at the request of Mr. Phillips, a resolution was prepared requesting Premier Healthcare Resources to provide a report on Gracedale becoming a 501 (c) (3) organization.

Mr. Phillips introduced the following the resolution:

WHEREAS, Premier Health Care Resources has provided administrative services to Northampton County’s Gracedale Nursing Home since 2011 and has developed detailed knowledge of the operation of that facility, and

WHEREAS, Premier Health Care Resources, in the case of Monroe County’s Pleasant Valley Manor and Clinton County’s Susque View Nursing Home and Rehabilitation Center, have experience transitioning to and operating under Internal Revenue Code 501(c) (3) nursing home organization.

THEREFORE, BE IT HEREBY RESOLVED that Northampton County Council requests Premier Health Care Resources to prepare an analysis of the prospect of moving Gracedale Nursing Home to a IRC 501(c)(3) organization. The analysis should be of a high enough level to provide a straightforward understanding of the major areas of challenge and benefit, yet detailed enough to help County Council make a decision if Internal Revenue Code 501(c)(3) organization is an undertaking that warrants further County Council deliberation.

Mr. Werner advised he was going to support this resolution because it was for the good of the County and Gracedale and it had been discussed with the representatives of Premier Healthcare Services (Premier). He further advised it was time the County took a different approach regarding Gracedale instead of just raising taxes or talking about closing it. He added he was also in support of seeking funding as a 501 foundation organization.

Mr. Benol stated he was opposing this resolution because he felt it limited the scope of what should be looked at and would like to see all possibilities explored.

Mr. McClure advised for years he had said it was the County’s moral obligation to keep Gracedale County owned and as well intentioned as this resolution was, he felt it was a replay of the type of thinking that led up to the referendum and
relinquishing County control. He further advised he felt things were going well at Gracedale and the voters were happy with the way it was being operated.

Mr. Werner stated this was just an analysis and it was not leading down any path. He further stated it was just to gather information, noting County Council was asking for information, communication and facts so he did not want anyone misconstruing what was being presented. He noted it was analysis of what could be done if the County decided to pursue this option and it could not be considered a bad thing until it was presented.

Mr. Benol advised he was concerned that it would once again open up the discussion as to whether Gracedale should be sold or not, but his other concern was that he did not feel it was appropriate to get one option especially since it was being provided by an organization already working for the County.

In answer to Mr. Kraft’s question as to whether they were seeking a 501 (c)(3) to get donations, Mr. Phillips stated this was not a charitable organization, but it pertained to the management of the facility as it was occurring in some other nursing homes. He further stated he had talked to a number of individuals and they indicated this would help the County receive more funding from the State. He noted he was just looking at a different option so it could be discussed.

Mrs. Ferraro advised all this resolution was doing was allowing information to be gathered to provide another option for the operation of Gracedale and she would never vote to sell Gracedale. She further advised there were different ways to set up this organization and one way was for County Council to act as its board.

In reply to Mr. McClure’s question as to why this information was necessary because Gracedale just received a good report, Mrs. Ferraro stated the County was constantly looking for ways to save money at Gracedale and this was another option.

When Mr. McClure commented that if Gracedale became a 501 (c)(3) it would no longer be County owned, Mrs. Ferraro vehemently disagreed.

Mr. Werner advised this had been discussed at the Gracedale Advisory Board meetings and he also spoke with the President of Premier and they all want to do what is right for Gracedale and did not want to take it down the wrong path. In addition, he
believed County Council owed it to the people they represented to bring as much information as it could about anything that would bring extra dollars into the County.

Mr. Millard Freeman, Nursing Home Administrator for Gracedale, stated the County buildings Premier currently managed that went with the 501 (c) option all retained their ownership. He further stated this was a management structure program that allowed for them to choose its financial pathway. He noted Gracedale would be owned by the County and managed by a 501 (c) corporation and County Council would select who ran it.

In response to Mr. McClure’s question as to why the County would want to do that, Mr. Freeman advised it provided for fundraising and allowed the County to choose whether it wanted to operate under the County reimbursement program or the for-profit reimbursement program, which were currently getting paid more.

In answer to Mr. McClure’s question as to what he meant by the County owned the home, Mr. Freeman stated there was no difference in the control of the home, but this would avail the County to other options on the way it was managed and operated.

Mr. Vaughn advised he agreed the study should be done, but he would like to see it done by someone other than Premier. He further advised there were several nursing homes in the area that were operating as not for profit.

Mr. Geissinger arrived at the meeting at this time.

Mr. McClure made a motion to table the resolution.

Mr. Kraft seconded the motion.

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


The motion failed by a vote of 4-5.

Mr. Phillips stated he would not object to changing the resolution to remove Premier and indicate another organization to do the study.
Mr. Kraft made a motion to have another organization to perform the study.

Mr. Phillips seconded the motion.

Mr. Geissinger advised he would like to amend that motion to remove the wording 501 (c)(3) and indicate that all options be considered because the County was committed to the continuous operation of Gracedale in the best interest of the citizens of the County that reside there and their families, as well as the employees so it should be studied from all angles.

In response to Mr. Benol's question as to whether there were other options beside the one proposed in the resolution and worth exploring, Mr. Freeman replied there were lots of options, but the cost and timetable would have to be considered because it could cost hundreds of thousands of dollars and years to be complete so he suggested choosing a few options.

Mr. Parsons stated he had always and will continue to support the County owning Gracedale. He further stated he felt County Council owed it to the constituents they represented and to the residents to look at all avenues short of sale, but since Premier was already operating facilities under this 501 (c)(3) they would be able to provide some insight into it.

Mr. Phillips advised Premier had offered to do the study for free so he would like to have it voted on as presented.

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

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

The motion failed by a vote of 4-5.

Mrs. Ferraro called for the vote on the resolution as presented.

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

The resolution failed by a vote of 4-5.
Consideration of Open Space Initiative - Open Space and Natural Areas Project Resolutions: a) Pennsylvania American Water Company Fee simple Acquisition; b) Glovas Property Conservation Easement; c) Borough of Northampton Trail Construction Grant - Nor-Bath to Delaware and Lehigh Connection

Mr. Parsons introduced the following resolutions:

**Pennsylvania American Water Company Fee Simple Acquisition**

**R. 54-2015 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 Pennsylvania American Water Company Fee Simple Acquisition; and

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

<table>
<thead>
<tr>
<th>Property Owner:</th>
<th>Pennsylvania American Water Company</th>
</tr>
</thead>
<tbody>
<tr>
<td>Site Location:</td>
<td>Parcels within Plainfield Township,</td>
</tr>
<tr>
<td></td>
<td>Washington Township, Upper Mount</td>
</tr>
<tr>
<td></td>
<td>Bethel Township, Borough of Wind Gap,</td>
</tr>
<tr>
<td></td>
<td>Borough of Pen Argyl and Monroe</td>
</tr>
<tr>
<td></td>
<td>County</td>
</tr>
</tbody>
</table>

| Parcel Identification: | Northampton County - B10 2 6 0131E; B9 2 8 0131E; C9 1 1 0131E; C9 1A 1 0131E; C9 1 9 0131; C9 1 6 0131; C9 1 42 0131E; D9 1 33 0134E; D9 1 33 0131E; C9 2 33 0131E; C9 1A 9A 0131; E8 1 1 0638; E8 1 23 0638; D8 1 1 0625; D8 1 1 0626; E8 1 1 0626; Monroe County - 07-6277-00-95-7942; 7-6277-00-11-3204; 15-6276-00-75-21C1-C1 |
| Site Information:    | 4,600 acres: includes six identified natural heritage areas, un-fragmented upland, hardwood forest, streams and wetlands |
| Appraised Value:     | $11,500,000 |
| County Grant Request:| $300,000 |
| Other Grants:        | $4,000,000 - Middle Delaware Mitigation Fund |
|                      | $3,500,000 - National Fish and Wildlife Federation |
|                      | $700,000 - Open Space Institute |
NOW, THEREFORE, BE IT RESOLVED By the Northampton County Council:

(1) The Northampton County Council hereby approves the Pennsylvania American Water Company Fee Simple Acquisition. 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 $300,000 as the Northampton County contribution to the Pennsylvania American Water Company Fee Simple Acquisition.

In answer to Mr. Phillips' question as to who would own the land, Mr. Brian Cope, Open Space Coordinator, stated the United States Fish and Wildlife and it was part of the Cherry Valley National Wildlife Refuge.

Mr. Parsons advised the amount of money the County was putting toward this project was minimal and it was going to be opened up to everyone. He further advised the Lehigh Valley Planning Commission (LVPC) had a rating system and this property was rated higher than any of the others because of the public access.

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

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

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

Glovas Property Conservation Easement

WHEREAS, the County of Northampton implemented the Northampton County Open Space Initiative enacting the
WHEREAS, the Northampton County Open Space Advisory Board has recommended approval of the Glovas Property Conservation Easement Project; and

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

<table>
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<tr>
<th>Property Owner</th>
<th>Michael &amp; Denise Glovas</th>
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</thead>
<tbody>
<tr>
<td>Site Location</td>
<td>590 Browns Drive, Easton, PA</td>
</tr>
<tr>
<td>Parcel Identification</td>
<td>N9 15 1 0836; N9 15 2 0836</td>
</tr>
<tr>
<td>Site Information</td>
<td>71 acres located within Hexenkopf Slope/Hexenkopf Rock area; wooded</td>
</tr>
<tr>
<td>Appraised Value</td>
<td>$319,969.78</td>
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<tr>
<td>County Grant Request</td>
<td>$111,989.42</td>
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<td>Other Grants</td>
<td>$47,995.47 - Williams Township</td>
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<td></td>
<td>$159,984.89 - Pennsylvania</td>
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<tr>
<td></td>
<td>Department of Conservation and Natural Resources</td>
</tr>
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</table>

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

(1) The Northampton County Council hereby approves the Glovas Property Conservation Easement 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 $111,989.42 as the Northampton County contribution to the Glovas Property Conservation Easement Project.

Mrs. Ferraro asked Mr. Cope to explain what an easement was and the benefit of this project to the County.

Mr. Cope stated a conservation easement was the same as an agricultural easement wherein the development rights were taken off the property and made part of the deed, but the landowner
still maintained ownership. He further stated the benefits were it was very high in the LVPC Natural Resources Plan and it abutted property the County already preserved.

In response to Mrs. Ferraro's question as to whether the property would be available for public access, Mr. Cope advised public access was allowed except during hunting season when permission would have to be granted by the landowner.

Mr. Vaughn stated it indicated it was a rocky slope so he wanted to know what the likelihood would be that someone would develop it.

Mr. Cope advised there was a portion that was not a rocky slope and 20-25 homes could be put there by a developer.

In answer to Mr. Vaughn's question as to whether there were any developments in that area, Mr. Cope stated mainly rural single family homes.

In response to Mr. Vaughn's question as to whether development could occur there per the township's zoning laws, Mr. Cope advised it would have to go through the township's subdivision, but it could be.

In answer to Mr. Vaughn's question as to whether it had ever been pursued, Mr. Cope stated it was a volunteer program and the township was in agreement with it and already committed funds for this project.

Mr. Cope advised whenever he brought a project before County Council for approval, he always made sure the funding was in place at the local level and then made sure there was an agreement in place before moving it to the Department of Conservation and Natural Resources for funding at the State level.

Mr. Vaughn stated his understanding was the Open Space Initiative was for environmentally sensitive lands and farmland preservation so he wanted to know if this was environmentally sensitive land.

Mr. Cope advised according to the LVPC's Natural Resources Map, it was a compilation of woodlands, wetlands and steep slopes and this was at the highest level of protection on their priority list.
Mr. Lauer stated he read it was a very unusual geological formation and not a lot of it was steep slope, but as he understood this easement covered a lot of land around the steep slope that could easily be developed. He further stated there was a lot of development near this area until the real estate market failed.

In response to Mr. Werner's question as to whether this property was on the Hexenkopf Slope or near it, Mr. Cope advised it was in close proximity to it, but not actually located on it.

Mr. Phillips stated in his opinion, the landowner had a nice piece of property and the County was paying him $320,000 to maintain it so he could not support this resolution.

Mr. Benol advised he liked the idea of preserving land, but he felt it should be opened to the public at all times because this was taxpayer money and the County was paying someone money for property that was already theirs so he could not support it.

Mr. Parsons stated the County did not go out and solicit these easements and parcels of lands that were being presented to County Council, but they were projects that came from conservancies and municipalities who were looking for funding assistance from the County. He further stated all the projects brought forward were in areas of the LVPC map that was created from studies they had done and rated.

Mrs. Ferraro advised Mr. Bill Mineo, who formerly worked for the County's Parks and Recreation Division, and was an authority on these issues spoke highly of it.

In answer to Mr. Kraft's question as to whether three appraisals were done, Mr. Cope stated according to the guidelines only one appraisal was required, but any funding being requested from the State required a second appraisal and the County always took the lowest appraisal.

Mrs. Ferraro advised Mr. Mineo, the conservancies and the township all felt it was important to keep development away from this property as it was contiguous to other preserved properties.

Mr. Geissinger stated he would like a more detailed understanding of exactly what the property encompassed and how much of it could realistically be developed so he would like the
resolution tabled until more information could be received.

Mr. Phillips advised he agreed with Mr. Kraft that he would like to see Williams Township match the County's contribution because they took away their Earned Income Tax for open space and the County was spending money to allow this landowner to maintain his estate.

Mrs. Ferraro stated Williams Township took away that tax because they had too much money.

Mr. Kraft advised the County was paying to preserve 71 acres, but it was unknown how many sites were actually able to be developed.

Mr. McClure made a motion to table this resolution.

Mr. Geissinger seconded the table.

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

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

The motion passed by a vote of 6-3.

Borough of Northampton Trail Construction Grant - Nor-Bath to Delaware and Lehigh Connection

R. 55-2015 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 Borough of Northampton has agreed to install the Nor-Bath Trail to D&L Connection, a 10 foot wide paved asphalt trail and "Share the Road" section of South 10th Street; and

WHEREAS, in constructing this section of trail it will also connect to the existing Nor-Bath/D&L Trailhead at Northampton's Canal Park and a new trailhead to be constructed at the Northampton Recreation Center; and
WHEREAS, this project will also include signage directing people from the trail into the local business community and detailing the rich history of the Borough of Northampton; and

WHEREAS, the County of Northampton's matching grant funding of $200,000 would be taken out of Act 13 Marcellus Shale Legacy Funding, which the County has already incorporated into the 2015 Budget.

NOW, THEREFORE, IT IS HEREBY RESOLVED that the Northampton County Council supports the use of Act 13 Marcellus Shale Legacy Funding for the Borough of Northampton to complete this project.

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

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

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

Consideration of Article XIII Contract Approval Resolutions: a) Hanover Engineering Associates, Inc.; b) Xerox State and Local Solutions; c) Bill Anskis Company; d) On Shift, Inc.; e) County Commissioners Association of Pennsylvania; f) Kennedy, PC Law Offices

Mrs. Ferraro stated the Finance Committee met yesterday to review these contracts.

Mr. Geissinger introduced the following resolutions:

Hanover Engineering Associates, Inc.

R. 56-2015  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 May 29, 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 $77,334, for a term of one year, with Hanover Engineering Associates, Inc. for architectural and engineering services for the design and construction documents for Two Rivers Trail Corridor - Gap 9A.

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 Hanover Engineering Associates, Inc. for architectural and engineering services for the design and construction documents for Two Rivers Trail Corridor - Gap 9A.

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

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

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

On Shift, Inc.

R. 57-2015  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 June 9, 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 $48,990 per year for a total expenditure of $146,970 for a 36 month term, with On Shift, Inc. for scheduling software.
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 On Shift, Inc. for scheduling software.

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

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

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

Xerox State and Local Solutions

R. 58-2015  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 June 4, 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 $596,284 with Xerox State and Local Solutions for NetApp Disaster Recovery Storage Unit.

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 NetApp Disaster Recovery Storage Unit.
Mr. Brown advised this contract was to provide an upgrade to the County’s disaster recovery servers and was part of the normal rotation. He further advised these servers were backups to the County’s computer system and would be used to restore everything if the County’s system was lost. He noted if that were to happen, the current system would take two weeks to fully restore the County, but after this upgrade it would take approximately an hour. He added it was in the Capital Improvements Projects Plan approved by the County for 2015.

When Mr. Phillips’ asked if this was on site, Mr. Brown indicated it was located at the Greystone Building.

Mr. Phillips stated this had nothing to do with the new Computer Room except it was using NetApp hardware, which was really good. He further stated he looked at this during the budget process and it seemed sufficient to him.

Mr. Benol advised he was not questioning the need for it, but the County just spent a lot of money to put in a cloud base backup for Gracedale instead of a County backup so he was leery of this type of contract.

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


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

Bill Anskis Company, Inc.

R. 59-2015 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 June 4, 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 $544,894 with Bill Anskis Company, Inc. for a term of one year, for latex modified concrete overlay for Bridge #29, #90, #112,
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 Bill Anskis Company, Inc. for latex modified concrete overlay for Bridge #29, #90, #112, #134 and #203.

Mr. Geissinger stated at the Finance Committee meeting, it was revealed this was the lowest bid out of three and Mr. Stan Rugis, Director of Public Works, was satisfied with the bid and gave his assurance that it would be done in a timely manner.

In response to Mr. Kraft's question as to whether there was a difference in material as the bid was $300,000 less, Mr. Geissinger advised there was no material difference, but it was the impression that the higher bids were made by companies that were not really concerned with receiving the bid.

In answer to Mr. Kraft's comment that he was still concerned about the difference in bids, Mr. Rugis stated this bid came in around the engineering costs and he confirmed with Mr. Tom Kohler, of the Bridge Division of the Department of Public Works, who confirmed this bid was right on target. Mr. Kohler further stated they also talked about extras and contingencies so they would be on top of them.

In response to Mr. Kraft's question as to whether there was room in the contract for them to have extras, Mr. Rugis advised there could be some unforeseen issues after the start of the project.

In answer to Mr. Phillips' comment that the County had a history with this firm, Mr. Rugis replied that was correct.

Mr. Werner stated there was a discussion at yesterday's meeting wherein County Council's concern regarding change orders and Mr. Rugis assured them that he would do his best to control them.

In response to Mr. Vaughn's question as to how long did the latex last and was it something that helped preserve the bridges, Mr. Rugis advised it depended on a lot of variables, but he suspected 15-20 years and it was to ensure the bridges were structurally sound.
As there were no further questions or comments, Mrs. Ferraro called for the vote.

The vote: Geissinger, "yes"; Kraft, "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 Commissioners Association of Pennsylvania

R. 60-2015 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."

WHEREAS, on June 12, 2015, the Northampton County Council received a request on behalf of the County Executive for County Council to adopt a resolution endorsing a contract in the amount of $822,705.00 with the County Commissioners Association of Pennsylvania (CCAP) for property and liability insurance.

NOW, THEREFORE, BE IT RESOLVED that the Northampton County Council does hereby concur with the recommendation of the County Executive, as set forth in the attached documentation, to award a contract to the County Commissioners Association of Pennsylvania (CCAP) for property and liability insurance.

Mr. Geissinger stated this contract was unanimously recommended by the Finance Committee due to its long history with the County and the services they have provided.

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

The vote: Geissinger, "yes"; Ferraro, "yes"; Kraft, "yes"; McClure, "yes"; Parsons, "yes"; Phillips, "yes"; Vaughn, "yes"; Werner, "yes" and Benol, "yes".
The resolution was adopted by a vote of 9-0.

Kennedy, PC Law Offices

R. 61-2015 WHEREAS, on April 18, 2013, Northampton County Council adopted Resolution No. 14-2013, which authorized the awarding of a $30,000 contract to Kennedy, PC Law Offices, for outside legal counsel to assist Gracedale with the collections of unpaid patient accounts; and

WHEREAS, on September 19, 2013, County Council adopted Resolution No. 81-2013, which authorized an increase in the contract with Kennedy, PC Law Offices to an amount not to exceed $150,000; and

WHEREAS, on July 17, 2014, County Council adopted Resolution No. 65-2014, which authorized an increase in the contract with Kennedy, PC Law Offices to an amount not to exceed $225,000; and

WHEREAS, on June 15, 2015, the County Solicitor requested a proposed third increase in the contract with Kennedy, PC Law Offices, up to the amount of $200,000.

NOW, THEREFORE, BE IT RESOLVED by the Northampton County Council that it does hereby concur with the request of the County Solicitor for the proposed third increase in the contract with Kennedy, PC Law Offices up to the amount of $200,000, as set forth in the attached documentation.

Mr. Geissinger advised the County to date invested approximately $340,000 and they have collected more than $1.5 million.

In answer to Mr. McClure’s question as to whether this firm went after the children outside of an estate for money owed, Mr. Freeman stated they did not and that was not a policy of Gracedale’s. He further stated they helped Gracedale to get retroactive approval for Medicaid cases that were initially turned down.

As there were no further questions or comments, Mrs. Ferraro called for the vote.
The vote: Geissinger, "yes"; Kraft, "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.

Consideration of Salary Increases Resolutions:  a) Human Resources-Clerical Technician III; b) Human Resources-Clerical Technician III; c) Human Resources-Benefits Administrator; d) Administration-Deputy Director of Administration; e) Human Services-Gracedale - Director of Nursing (2 resolutions: Acting then Promotion); f) Human Services-Gracedale - Housekeeping Manager; g) Human Services-Planning & Community Development- Administrative Officer III/Financial & Information Systems Director; h) Sheriff-Chief Deputy Sheriff; i) Administration-Executive Secretary; j) Public Works-Operations & Maintenance Supervisor (2 resolutions: Promotion then Promotion Increase); k) Human Services-Gracedale - Assistant Director of Nursing; l) Human Services-Gracedale - Assistant Director of Nursing; m) Public Works - Deputy Director of Public Works; n) Human Services-MR Administrative Support-MH/MR Administrator

Before the following resolutions could be introduced, Mr. Parsons made a motion to table them until an agreement was reached with the County Executive. He advised County Council’s previous resolution indicated these raises were illegal and the letter from the County Solicitor indicated that he was still in disagreement with County Council, but as the County Executive indicated this evening that he said he was willing to work with County Council, he would like to see that wording in place before these resolutions were considered.

Mr. McClure seconded the motion.

Human Resources - Clerical Technician III

RESOLVED, by the Northampton County Council that the position of Clerical Technician III in the Department of Human Resources, pay grade CS-13, step 3-C, salary $30,340, shall be increased to pay grade CS-13, step 4-D, salary $31,706, effective June 22, 2014.
Human Resources - Clerical Technician III

RESOLVED, by the Northampton County Council that the position of Clerical Technician III in the Department of Human Resources, pay grade CS-13, step 1-A, salary $27,784, shall be increased to pay grade CS-13, step 2-B, salary $29,034, effective June 22, 2014.

Human Resources - Benefits Administrator

RESOLVED, by the Northampton County Council that the position of Benefits Administrator in the Department of Human Resources, pay grade CS-23, step 1-A, salary $44,036 shall be increased to pay grade CS-23, step 2-B, salary $46,017, effective June 22, 2014.

Administration - Deputy Director of Administration

RESOLVED, by the Northampton County Council that the position of Deputy Director of Administration in the Department of Administration, pay grade CS-24, step 6-F, salary $57,460, shall be increased to pay grade CS-24, step 9-I, salary $65,603, effective June 22, 2014.

Human Services - Gracedale-Director of Nursing (2 resolutions: Acting then Promotion)

RESOLVED, by the Northampton County Council that the position of Director of Nursing (Acting) in the Department of Human Services - Gracedale Nursing Home, pay grade CS-29, step 1-A, salary $58,042 shall be increased to pay grade CS-33, step 5-E, salary $83,212, effective July 7, 2014.

RESOLVED, by the Northampton County Council that the position of Director of Nursing (Promotion) in the Department of Human Services - Gracedale Nursing Home, pay grade CS-33, step 5-E, salary $83,212 shall be increased to pay grade CS-33, step 6-F, salary $86,957, effective October 26, 2014.

Human Services - Gracedale-Housekeeping Manager

RESOLVED, by the Northampton County Council that the position of Housekeeping Manager in the Department of Human Services - Gracedale Nursing Home, pay grade CS-24, step 1-A, salary $46,108 shall be increased to pay grade CS-24, step 3-C, salary $50,352 effective August 31, 2014.

Sheriff – Chief Deputy Sheriff

RESOLVED, by the Northampton County Council that the position of Chief Deputy Sheriff in the Department of Sheriff, pay grade CS-32, step 3-C, salary $72,770 shall be increased to pay grade CS-32, step 4-D, salary $76,045, effective August 31, 2014.

Administration – Executive Secretary

RESOLVED, by the Northampton County Council that the position of Executive Secretary in the Department of Administration, pay grade CS-19, step 1-A, salary $36,628 shall be increased to pay grade CS-19, step 3-C, salary $39,998, effective November 24, 2014.

Public Works – Operations & Maintenance Supervisor (2 resolutions: Promotion then Promotion Increase)

RESOLVED, by the Northampton County Council that the position of Operations & Maintenance Supervisor in the Department of Public Works, pay grade CS-28, step 4-D, salary $63,256 shall be increased to pay grade CS-28, step 5-E, salary $66,103, effective February 15, 2015 (retro to January 18, 2015).

RESOLVED, by the Northampton County Council that the position of Operations & Maintenance Supervisor in the Department of Public Works, pay grade CS-24, step 7-G, salary $60,045 shall be increased to pay grade CS-28, step 4-D, salary $63,256, effective January 18, 2015.
Human Services - Gracedale-Assistant Director of Nursing

RESOLVED, by the Northampton County Council that the position of Assistant Director of Nursing in the Department of Human Services - Gracedale Nursing Home, pay grade CS-29, step 1-A, salary $58,042 shall be increased to pay grade CS-29, step 7-G, salary $75,586, effective January 4, 2015.

Human Services - Gracedale-Assistant Director of Nursing

RESOLVED, by the Northampton County Council that the position of Assistant Director of Nursing in the Department of Human Services - Gracedale Nursing Home, pay grade CS-29, step 2-B, salary $60,655 shall be increased to pay grade CS-29, step 7-G, salary $75,586, effective January 4, 2015.

Public Works - Deputy Director of Public Works

RESOLVED, by the Northampton County Council that the position of Deputy Director of Public Works in the Department of Public Works, pay grade CS-31, step 8-H, salary $86,647 shall be increased to pay grade CS-31, step 9-I, salary $90,590, effective March 2, 2015.

Human Services - MR Administrative Support-MH/MR Administrator

RESOLVED, by the Northampton County Council that the position of MH/MR Administrator in the Department of Human Services - MR Administrative Support, pay grade HS-49, step 1-A, salary $70,579 shall be increased to pay grade HS-49, step 3-C, salary $77,073, effective April 26, 2015.

Messrs. McClure and Geissinger seconded the motion.

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

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

The motion passed by a vote of 8-1.
Salary Increase Resolutions

In response to Mr. Vaughn's question as to what happened to these raises, Mrs. Ferraro advised they stayed in place and then there would be a meeting between the Administration and County Council to see if this issue could be resolved.

When Mr. Vaughn commented that these employees had to remain in limbo as far as whether knowing if they have to pay this money back, Mr. McClure stated the consensus was that even if the raises were not approved, the employees would not be asked to return the money.

Sheriff's Department

Mr. Benol stated in talking to Sheriff David Dalrymple he discovered there were a lot of things happening in that office so he would like to have him come before County Council to give an overall of them.

Personnel Committee Report

Mr. Kraft advised at the Personnel Committee meeting yesterday, the Administration informed them that there would be four more contracts coming before County Council at the July 1, 2015 meeting. He further advised the respective unions had all ratified the contracts so he was requesting County Council to approve them.

Capital Projects and Operations Committee Report

Mr. Phillips stated at the Capital Projects and Operations Committee meeting, a tour was taken of the site where the generators were originally going to be placed, but it was determined not to be the spot. He further stated a monthly meeting will be held at Gracedale to discuss this to keep it moving forward, as well as other issues.

Human Services Committee Report

Mr. Vaughn advised at the Human Services Committee meeting, an update was provided on Gracedale wherein it was revealed the census had gone down, which was normal for this time of year.
He further advised that Mr. Freeman had asked County Council's assistance in obtaining a contract with the Veterans Administration.

Mr. Vaughn stated the HealthChoices Administrator, gave an overview of that division. He further stated this division provided mental health services, especially with individuals who had dual mental diagnosis, and housing.

Open Space Committee Report

Mr. Parsons advised at the Open Space Committee meeting, presentations were made regarding the projects that were brought before County Council tonight.

In answer to Mr. Parsons' question as to whether the project that was tabled should be brought back to a committee or County Council meeting, Mr. McClure stated it could be brought to the next County Council meeting.

Jail Grant

Mr. Werner advised the Jail received a half million dollar grant from the State for a program that would replace the Community Education Center in helping inmates return to the community. He further advised there were a number of grants being worked on and he wanted to thank the Director of Corrections, the Administration, Congressman Matt Cartwright and Laura Acetta from the Community Center.

Solicitor's Report

Mr. Lauer advised he had received a series of letters from the attorney representing the secretaries in the District Magisterial Offices and the last letter indicated the issue had been resolved so he wanted to know if it was still open.

Mr. Durkin stated it was currently open, but it was close to being resolved.
Adjournment

Mr. McClure made a motion to adjourn the meeting.

Mrs. Ferraro seconded the motion.

The motion to adjourn passed unanimously by acclamation.

Linda M. Zembo
Clerk to Council