Easton, Pennsylvania                                      April 21, 2016

A regular meeting of the Northampton County Council was held on the above date with the following present: John Cusick, President; Seth Vaughn, Vice President; Mathew M. Benol; Matthew H. Dietz; Margaret L. Ferraro; Glenn A. Geissinger; Hayden Phillips; Robert F. Werner; Linda M. Zembo, Clerk to Council, and Philip D. Lauer, Solicitor to Council. Absent was Kenneth M. Kraft.

Prayer

Mr. Cusick led County Council in a moment of silence.

Pledge of Allegiance

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

Approval of the Minutes

Mr. Werner made the following motion:

Be It Moved By the Northampton County Council that the minutes of the April 13, 2016 meeting shall be approved.

Mr. Dietz seconded the motion.

The minutes were approved by voice acclamation.

Presentation of Proclamation

Mr. Dietz presented a proclamation to Ms. Bethany Kuster for the work she had done in developing and promoting Color for Kids, which was an organization that collected crayons, markers, paint and other art supplies for schools that could not provide their children with art supplies.

Confirmation of Appointments

Mr. Cusick introduced the following resolution:
R. 46-2016  RESOLVED, by the Northampton County Council that the following individuals shall be confirmed in their re-appointments as indicated hereafter:

Jail Advisory Board

Re-appointments:  Terms to Expire: 12/31/17
William N. Argeros
3148 Shakespeare Road
Bethlehem PA 18017

Edward J. Boscola, P.E.
385 Palmetto Drive
Easton PA 18045

Daniel Christenson
114 Seminole Terrace
Mount Bethel PA 18343

Daniel W. Hood
4380 Eisenhower Drive
Bethlehem PA 18017

Harvey Joseph
958 Rainbow Drive
Bethlehem PA

Robin A. Rivera
3987 Lehigh Drive
Northampton PA 18067

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

The vote:  Cusick, "yes"; Dietz, "yes"; Ferraro, "yes"; Geissinger, "yes"; Phillips, "yes"; Vaughn, "yes"; Werner, "yes" and Benol, "yes".

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

Courtesy of the Floor

Mr. Cusick stated no one signed up for Courtesy of the Floor, but there was a request from Mr. Andy Daub and Mr. Andrew Zellers-Frederick from the Northampton County Historical and
Mr. Daub introduced Mr. Zellers-Frederick who was their new Executive Director. Mr. Daub advised the County directed the NCH&GS to prepare a history of Northampton County for its 200th Anniversary, which they did and put it into book form. He further advised County Council in 2011 gave them $20,000 to update this book.

Mr. Daub stated they were coming close to the end of that process so they would like to receive some direction from the County officials on how they wanted this information disseminated. He also urged everyone to visit the NCH&GS museum and become members.

Mr. Daub advised they were always asked how they helped the economy of the County so he suggested they look at their visitor logs, noting they had a professor from Germany who spent two months to study German immigration into Northampton County in the 18th Century. He further advised last month they had a 80th birthday party for Ms. Helaine Sigal and her relatives and friends came from all over the country to celebrate staying at hotels and eating in the restaurants.

Mr. Zellers-Frederick stated he had been in Easton for eight weeks and had been in this profession for three decades. He further stated he ran a number of historic entities in the area, noting the last five years he spent with the Colonial Williamsburg Foundation.

Mr. Zellers-Frederick advised they not only had the museum, but had three historic properties in Easton that cost a lot to run and keep them in good repair. He further advised they plan to go to a number of other historical society meetings to get people involved and increase membership.

Mrs. Ferraro stated the museum was an absolute treasure and it was very fortunate to have Mr. Zellers-Frederick because of his experience. She then asked Mr. Zellers-Frederick to talk about the Treaty of Easton.

Mr. Zellers-Frederick advised they currently had the 1758 Treaty of Easton on display courtesy of Mr. Daub, as well as a quilting exhibit.
Controller’s Report

Mr. Stephen Barron, Controller, stated the external audit work has been completed. He further stated that contract would have to go out for a Request for Proposal (RFP) later this year so he went over the requirements with his staff and they have determined the number of hours were adequate to complete all the work that had to be done.

Mr. Barron advised in the past when the bids came in a professor from the Northampton Community College reviewed them to make sure they were adequate and sufficient so he would suggest continuing that practice and maybe even reaching out to some of the other educational institutions.

Mr. Barron stated they still had an open position in their office and since they could not find anyone in house, it had been posted outside.

Mr. Barron advised at the Finance Committee meeting there was a discussion regarding the extension of the services by Premier Healthcare Resources (Premier) to Gracedale for two years, but he felt it would be appropriate to put that out for bid. He further advised he liked the job Premier was doing, but it was kin to the Sahl contract and he would have no problem taking the same action if the proper process was not followed.

County Executive’s Report

Mr. Luis Campos, Director of Administration, stated notices would be sent out to each polling place indicating United States Senate candidate Joseph Vodvarka would be on the ballot and the question regarding the Judicial Retirement Age Amendment would also be on the ballot, but the value of the vote would not be counted.

In answer to Mr. Werner’s question as to whether he was confident with the number of voting machines and technicians, Mr. Campos advised they were over prepared compared to other elections and have taken the necessary steps to ensure minimal impact on the turnout of voters.

In response to Mr. Werner’s question as to whether they were still using County employees to move the machines, Mr. Campos replied they were.
Introduction of an Ordinance Providing for an Amendment to the Articles of Incorporation of the Lehigh-Northampton Airport Authority

Messrs. Geissinger and Werner introduced the following ordinance:

AN ORDINANCE PROVIDING FOR AN AMENDMENT TO THE ARTICLES OF INCORPORATION OF THE LEHIGH-NORTHAMPTON AIRPORT AUTHORITY

WHEREAS, the Lehigh-Northampton Airport Authority ("Authority") is a municipal authority organized under the Municipality Authorities Act of 1945, as amended; and

WHEREAS, pursuant to resolutions duly adopted by the Counties of Lehigh and Northampton (the "Counties"), the Authority’s original Articles of Incorporation were filed with the Pennsylvania Department of State on June 12, 1968, such Articles of Incorporation being amended on December 27, 1973, September 20, 1985, October 4, 1994, February 16, 2001; June 1, 2010 and December 31, 2012; and

WHEREAS, the Articles of Amendment dated September 20, 1985, extended the term of existence of the Authority for a period of fifty (50) years until September 20, 2035; and

WHEREAS, pursuant to 53 Pa.C.S.A. §5605(a), an authority may amend its articles to, among other things, extend the term of existence for a period not to exceed fifty (50) years from the date of approval by the Secretary of the Commonwealth of Articles of Amendment; and

WHEREAS, the Board of Governors of the Authority have determined that, without limitation, extending the term of existence of the Authority will be beneficial to the long term financial sustainability and marketability of the Authority; and

WHEREAS, on March 29, 2016 the Board of Governors of the Authority adopted resolution No. 5048 (a copy of which is attached hereto and labeled as Exhibit "A"), which provides for an amendment to extend its term of existence for an additional thirty-five (35) years from the date of approval of the Articles of Amendment by the Secretary of the Commonwealth of Pennsylvania.
NOW, THEREFORE, BE IT HEREBY ORDAINED AND ENACTED by the Northampton County Council that:

(1) The Articles of Incorporation of the Authority are hereby amended to amend Paragraph 9 to read in full as follows:

"9. The term of existence of the Authority shall be increased for a period of thirty-five (35) years from the date of approval of the Articles of Amendment seeking such an extension by the Secretary of the Commonwealth of Pennsylvania."

(2) The Northampton County Council concurs with the recommendation of the Board of Governors of the Authority, as set forth in resolution No. 5048, to provide for an amendment to the Authority's Articles of Incorporation to extend the term of existence for a period of thirty-five (35) years from the date of approval by the Secretary of the Commonwealth of Articles of Amendment.

(3) The appropriate personnel of the County of Northampton are hereby authorized and empowered to take all necessary further action and execute all necessary additional documents as they may deem appropriate to carry out the purpose of this ordinance.

(4) Any ordinance or parts of any ordinance conflicting with the provisions of this ordinance are hereby repealed insofar as the same affect this ordinance.

(5) Effective Date: This ordinance shall become effective thirty (30) days after the date of enactment.

Mr. Cusick stated the public hearing, debate and possible vote would take place at the May 5, 2016 meeting.

Request for Proposal for Legal/Consulting Professional Services for Review and Update of the Administrative Code Resolution

Mr. Cusick introduced the following resolution:

R. 47-2016 WHEREAS, the Home Rule Charter of Northampton County took effect on the first Monday of January 1978; and
WHEREAS, Section 901 of the Northampton County Home Rule Charter requires that:

"The County Council and the County Executive shall enact an Administrative Code which shall set forth in detail the organization and administrative structure and procedures of the County;" and

WHEREAS, the Northampton County Administrative Code was adopted by the Northampton County Council on June 26, 1978, signed by the County Executive on June 27, 1978, and became effective as such on July 28, 1978; and

WHEREAS, Section 102 of said Administrative Code indicates that:

"The purpose of this Code is to set forth the details of organization and administration of the Northampton County Government consistent with the provisions of the County of Northampton Home Rule Charter and other applicable law."; and

WHEREAS Section 602 (a) (1) states that "The County Council shall adopt an ordinance for any act which adopts or amends the Administrative Code;" and

WHEREAS, since adoption the Administrative Code has been amended by ordinance 43 times; and

WHEREAS, an updated Administrative Code is a critical component in maintaining the balance of powers between the legislative and executive branches of Northampton County; and

WHEREAS, an updated Administrative Code is necessary for the effective, efficient and transparent conduct of the business of Northampton County; and

WHEREAS, Section 202 (7) of the Northampton County Home Rule Charter indicates the County Council shall have the power to adopt, amend and repeal the Administrative Code; and

WHEREAS, the Northampton County Council desires to collaborate with the County Executive and his administration to conduct a review and potential update of the Northampton County Administrative Code.
NOW, THEREFORE, BE IT HEREBY RESOLVED that the Northampton County Council requests that in accordance with Article XIII of the Administrative Code, the County Director of Administration develop and issue a Request for Proposals (RFP) for Legal/Consulting Professional Services for the purpose of conducting a comprehensive review and suggested updates of the Northampton County Administrative Code.

Mr. Werner advised the Administrative Code is outdated and needs to be updated.

Mr. Phillips stated he would like to see the language of Article XIII be made more clear.

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

The vote: Cusick, "yes"; Dietz, "yes"; Ferraro, "yes"; Geissinger, "yes"; Phillips, "yes"; Vaughn, "yes"; Werner, "yes" and Benol, "yes".

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

Consideration of Open Space Initiative Project Resolutions: a. City of Easton - Pioneer Park Rehabilitation Project
b. Plainfield Township - Plainfield Township Walking Path Extension/Recreation Trail Improvements Project

City of Easton - Pioneer Park Rehabilitation Project

Mr. Dietz introduced the following resolution:

R. 48-2016 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 Pioneer Park Rehabilitation Project located in the City of Easton; and

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

Property Owner: City of Easton
Site Location: Reynolds and Milton Streets
Easton PA

Park Development Description: Removal of Existing play equipment; replacement of playground equipment to include climbers, swings and slides; ADA compliant musical and sensory panels, equipment and surfacing

Appraised Value: No acquisition involved

Phase II Municipal Allocation: $450,064.65

County Grant Request: $27,064.65 (36.7%)

Municipal Contribution $10,000.00 (13.3%)

Other Grants: $37,500.00 (50.0%) PA Department of Conservation & Natural Resources

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

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

(2) The Northampton County Council further directs the Northampton County Executive to appropriate $27,064.65 as the Northampton County contribution to the Pioneer Park Rehabilitation Project.

Mr. Werner advised this park was legendary and it was very appropriate to have work done on it at this time due to the development taking place in that area.

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

The vote: Dietz, "yes"; Geissinger, "yes"; Phillips, "yes"; Vaughn, "yes"; Werner, "yes"; Benol, "yes"; Cusick, "yes" and Ferraro, "yes".

The resolution was adopted by a vote of 8-0.
Plainfield Township – Plainfield Township Walking Path Extension/Recreation Trail Improvements Project

Mr. Dietz introduced the following resolution:

R. 49-2016 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 Plainfield Township Walking Path Extension/Recreation Trail Improvements Project located in Plainfield Township; and

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

<table>
<thead>
<tr>
<th>Property Owner:</th>
<th>Plainfield Township</th>
</tr>
</thead>
<tbody>
<tr>
<td>Site Location:</td>
<td>6101 Kellersville Road, Nazareth/Plainfield Township Recreation Trail</td>
</tr>
<tr>
<td>Park Development Description:</td>
<td>Construction of a 2,500 foot paved walking trail at Community Park; portable and mounted benches at Community Park; Installation of trash receptacles at three trailheads along the Plainfield Township Recreation Trail</td>
</tr>
<tr>
<td>Appraised Value:</td>
<td>No acquisition involved</td>
</tr>
<tr>
<td>Phase II Municipal Allocation:</td>
<td>$103,078.24</td>
</tr>
<tr>
<td>County Grant Request:</td>
<td>$41,875.00 (50%)</td>
</tr>
<tr>
<td>Municipal Contribution</td>
<td>$41,875.00 (50%)</td>
</tr>
<tr>
<td>Other Grants:</td>
<td>None</td>
</tr>
</tbody>
</table>

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

(1) The Northampton County Council hereby approves the Plainfield Township Walking Path Extension/Recreation Trail Improvements 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 $41,875.00 as the Northampton County contribution to the Plainfield Township Walking Path Extension/Recreation Trail Improvements Project.

Mr. Geissinger stated this facility was excellent and lengthening the trail would not take away any land.

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

The vote: Dietz, "yes"; Phillips, "yes"; Vaughn, "yes"; Werner, "yes"; Benol, "yes"; Cusick, "yes"; Ferraro, "yes" and Geissinger, "yes".

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


Alex's Tire Center, Brown-Daub KIA, Jeff's Automotive, and Nazareth Ford

Mr. Geissinger introduced the following resolution:

R. 50-2016 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 April 7, 2016, the Northampton County Council received a request from the County Executive for County Council to adopt a resolution approving a three year contract with the
price to be determined based on actual services provided according to the rate sheets with Alex’s Tire Center, Brown-Daub KIA, Jeff’s Automotive and Nazareth Ford for vehicle maintenance.

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 three year contract with the price to be determined based on actual services provided according to the rate sheets with Alex’s Tire Center, Brown-Daub KIA, Jeff’s Automotive and Nazareth Ford for vehicle maintenance.

Mr. Werner advised he would be abstaining as he had used Jeff’s Automotive.

Mr. Dietz stated only these four entities responded and the departments who used them were happy with their services.

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


The resolution was adopted by a vote of 7-0-1 abstention.

Arris Engineering Group, Ltd.

Mr. Geissinger introduced the following resolution:

R. 51-2016  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, 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 April 8, 2016, the Northampton County Council received a request from the County Executive for County Council to adopt a resolution approving an eighteen (18) month contract at a cost of $235,000, with Arris Engineering Group, Ltd. for architectural and engineering services for the design, specification and construction administration for the Emergency Generator Project for Gracedale.

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 an eighteen (18) month contract at a cost of $235,000, with Arris Engineering Group, Ltd. for architectural and engineering services for the design, specification and construction administration for the Emergency Generator Project for Gracedale.

Mr. Phillips advised he and Mr. Werner went to the RFP preparation meeting, pre-submittal meeting with the contractors, bid opening and pre-contract meeting and they were comfortable with the contractor selected.

Mr. Werner stated he felt this contractor was well qualified and had done work for some huge municipal projects and hospitals in the area.

In answer to Mr. Geissinger's question as to the time frame, Mr. Phillips advised the architect and engineering firm could not lay out a time frame for completion, but it probably would not be until 2018.

Mr. Werner stated there may only need to be two generators instead of three and they found efficiencies that were not found before and he believed the job would be done before 18 months.

Mr. Cusick advised he was just frustrated at the amount of time this project has taken since it was approved three years ago and the Empire State Building was built in only a year.
As there were no further questions or comments, Mr. Cusick called for the vote.

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

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

Human Services Committee Report

Mr. Vaughn stated the Human Services Committee earlier this evening received an update on the Electronic Medical Records system at Gracedale. He further stated representatives from NTT have reached out and they planned to have one of their technicians check the County's infrastructure to make sure it was capable of handling the data transfer.

Mr. Vaughn advised there was an update on Gracedale and the census was at 672, as well as an update from the Drug and Alcohol Division.

Mr. Vaughn stated there was also a discussion regarding whether Premier's contract should be extended or if a RFP should be prepared and sent out. He further stated the discussion was cut short due to time constraints and asked if County Council wished to further discuss the issue.

Mr. Werner advised the reasoning of being dedicated to the community, doing the right thing and sending out the right message to the taxpayers was the same reason the Administration and County Council spent the last four years providing oversight and stewardship of Gracedale to make sure it operated the way the voters wanted it to under their referendum. He further advised due to Premier working as well as they have been and closely with the Administration efficiencies have increased and the County's contribution was well under $3 million at this time.

Mr. Werner stated, after confirming with the Administration that the letters went out, that the Intergovernmental Transfer (IGT) program would be going into effect and would bring Gracedale approximately $2.4 million in revenue. He further stated he believed Gracedale was on the right track and things should not be changed at this point.
Mr. Benol advised Gracedale had come a long way and no one was discussing its sale. He further advised Premier did a great job, but it would benefit the County to put this contract out for RFP because it was the right thing for the taxpayers, but he believed anyone would be hard pressed to beat Premier.

Mr. Werner stated it was not the County’s money, but the taxpayers’ money and County Council was tasked with making sure their money was spent well. He further stated he believed Premier would do everything possible to get the contract, but no one could say they have not done their part to live up to the expectations of those who voted to keep Gracedale.

Mr. Benol advised he agreed and this was not a slight on Premier, but according to the Administrative Code this contract should go out for RFP.

Mr. Cusick stated no one questioned the job Premier had done, but the question was per the Administrative Code should this go out for bid or whether it was a sole source contract. He further stated the Administration was requesting County Council to vote on a two year extension at its next meeting so he wanted to know how County Council wanted to proceed.

Mrs. Ferraro advised two years was not a life time and it was just an extension for a company that had went above and beyond the job they were given. She further advised she would be interested to know how much putting this contract out for RFP would cost in dollars and time.

Mr. Dietz stated if the contract went out for a RFP, it could be for longer than two years and then the County would not have to go through the whole process in two years.

In answer to Mr. Geissinger’s question as to the reason for the two year extension, Ms. Allen advised because within that time period, the County may want to take Gracedale over. She further advised the Administration just wanted to continue down this road to make Gracedale profitable for the first time in many years.

Ms. Allen stated the Administration was working with Premier very closely and they wanted the consistency. She further stated they were not looking for sole source just single source. She noted it would also help with Premier finding an Administrator because Mr. David Holland was only an Interim Administrator.
Mrs. Ferraro advised it made more sense to extend the contract for the two years instead of spending a lot of time, money and manpower when at the end of that time, the County may decide to take over Gracedale.

Mr. Cusick stated the current contract was for two years with three one year extensions so even if it went out for bid it would lock someone in for two years with options beyond that.

In response to Mr. Vaughn’s question as to how long the RFP process took, Ms. Allen advised normally it took 90-120 days, which would take it right to the end of the current contract.

Mr. Dietz stated if the contract went through the RFP process for a longer period of time maybe Premier would have better luck hiring an Administrator.

Ms. Allen advised the Administration was not sure they wanted someone for longer than two years.

When Ms. Allen indicated they were looking for the extension because Premier was having a hard time hiring an Administrator, Mr. Benol stated he had a great deal of respect for Premier, but it was not the County’s issue because Premier could not fill this position.

Mr. Benol advised all County contracts had an out clause so after two years it could opt out of a contract. He further advised the County running Gracedale caused this mess so he did not know if he could support the County taking it over.

Ms. Allen stated Premier has been here for five years and there have only been major changes during the last two years since this County Council and Administration had committed to implementing Premier’s ideas. She further stated it was going to depend on the Administration and County Council in place in two more years as to how the County was going to operate Gracedale.

Ms. Allen advised Premier and the employees have worked hard to obtain the results that have occurred and they would like to continue with them so Gracedale could operate in the black.

Mrs. Ferraro stated a management company was only as good as the people who were willing to work with them and give them the free reign and support they needed to do their job. She
further stated she was concerned a few years ago about Gracedale's operation, but things have come a long way and there was an Administration, a union and employees who were willing to work together to make it a success.

Ms. Allen advised Premier was a very strong management company and they have also assisted in a number of other ways that went beyond what was required of them.

Mr. Phillips stated the purpose was to put the right people in place and there currently were right people in place, but this was a nation of laws and not people and the County had the Home Rule Charter and Administrative Code Article XIII that laid down what had to be done so this was not a debatable issue and the contract had to be put out for bid.

Mr. Werner advised he agreed with Mr. Benol that the County was not good stewards of its assets, lands or buildings so he would suggest proceeding cautiously if it were to take Gracedale over because look at where Gracedale is now to where it was five years ago. He further advised he was not against protocol and he hoped Premier would come forward, but the County did not want to go backwards with Gracedale.

Mr. Werner stated if the IGT came to fruition, it would cancel the operating deficit at Gracedale so he wondered why after five years of engagement with a proven firm, the County Council would want to go backwards.

Mr. Geissinger advised he would like to hear from Mr. Lauer as to whether County Council had the authority in line with the Home Rule Charter and Administrative Code to extend the contract.

Mr. Lauer stated he believed the Administration wanted a contractual arrangement with Premier to continue using the non-competitive negotiation process. He further stated under the Administrative Code that method of contract selection may be used to purchase a product or service that could be obtained only from one source and he believed there was more than one provider who could provide this service.

Mr. Lauer advised that was his initial opinion, but then under Administrative Code Section 13.10 it stated that a contract may be awarded for a required or designated service to a sole supplier when the County Executive or his designee determined that it was not practical or prudent to use other
than the required or designated supply, service or item. He further advised this was in conflict with the first definition, but he felt if there were other sources that could provide this service something other than non-competitive negotiation had to be used.

Mr. Geissinger stated the conflict within the Administrative Code was obvious, but he felt County Council would be putting itself in jeopardy by extending the contract without going through the proper bidding process because there were other providers of this service.

Mr. Phillips made a motion to table this issue for two weeks to give Mr. Lauer time to provide his opinion.

Mr. Cusick advised he was actually looking to see if County Council wanted to put this on the agenda for the next meeting and vote on it or should a recommendation be made at this time for the Administration to move ahead with the RFP process due to the time it would take.

Mr. Benol stated based on the fact that the current County Council and Administration may potentially not be here in two years, he would like to make a motion to have the Administration put the contract for a management company for Gracedale out for RFP.

The motion was seconded by Mr. Vaughn.

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

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

The motion passed by a vote of 6-2.

Capital Projects and Operations Committee Report

Mr. Phillips advised at the Capital Projects and Operations Committee meeting, the Capital Improvements Plan, the Bond fund and bridges were discussed.
9-1-1 Liaison Report

Mr. Dietz stated he and Mr. Phillips attended the meeting that was held jointly with representatives from Lehigh County, different fire and rescue departments from Lehigh and Northampton Counties, Bethlehem and Allentown. He further stated after receiving the same presentation that was given at the Capital Projects and Operations Committee meeting, they also had more questions than answers.

Mr. Dietz advised they were planning to have another meeting in May with representatives from the Pennsylvania Emergency Management Agency, who was driving the consolidation process throughout the State. He further advised in early June there should be a ruling out on how PEMA was going to fund the process moving forward.

Gracedale

Mr. Werner stated there was a Health and Wellness Fair at Gracedale and he saw a lot of interesting things there, but what stood out to him was the County’s Department of Community and Economic Development had a table there with a paint can on it and the individual talked about recycling paint.

Mr. Werner advised 483 volunteers at Gracedale, who were critical to its operation, were honored two weeks ago. He further advised more than 100 people were given citations for putting in more than 5,000 hours of volunteer work.

Lehigh-Northampton Airport Authority (LNAA) Liaison Report

Due to the reception received toward the introduction of the ordinance tonight, Mr. Geissinger wanted to state County Council had been working hand in hand with Lehigh County’s Commissioners to have the staff of LNAA and the Board of Governors be more transparent and work with the governing bodies. He further stated he understood there were still some reservations among members of County Council, but Lehigh County was in favor of the amendments so he would request his fellow members to present any concerns they had and if he could not answer them, he would present them to the LNAA staff and/or Board of Governors to address them so the ordinance could move forward in two weeks.
In answer to Mr. Cusick's question as to whether Lehigh County had voted on the amendments, Mr. Geissinger replied he did not think so.

Mr. Cusick asked if Mr. Charles Everett, Executive Director of LNAA, could be at the next County Council meeting, Mr. Geissinger advised he would present the request.

IGT Letter

Mr. James Hunter, Director of Fiscal Affairs, stated he wanted to clarify that the County Executive had signed the IGT letter, but it was not mailed because the County Commissioners Association of Pennsylvania indicated they were making some revisions as a result of a lot of questions they received during their webinar and would not have them all answered by the original deadline.

In response to Mr. Cusick's question as to whether there was a new deadline, Mr. Phillips advised they did not have one, but would provide it at the next webinar.

Solicitor's Report

In response to Mr. Lauer's question as to whether County Council still wanted him to provide a legal opinion regarding the management contract and Article XIII, Messrs. Cusick and Phillips replied they did.

Adjournment

Mr. Benol made a motion to adjourn the meeting.

Mr. Dietz seconded the motion.

The motion to adjourn passed unanimously by acclamation.

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Linda M. Zembo
Clerk to Council