Easton, Pennsylvania  

February 21, 2019

A regular meeting of the Northampton County Council was held on the above date with the following present: Ronald R. Heckman, President; Lori Vargo Heffner, Vice President; John Cusick; Matthew H. Dietz; Margaret L. Ferraro (via telephone); Kevin Lott; William B. McGee; Robert F. Werner; Tara M. Zrinski; Linda M. Zembo, Clerk to Council and Christopher T. Spadoni, Solicitor to Council.

Pledge of Allegiance

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

Approval of the Minutes – February 7, 2019

Ms. Vargo Heffner made the following motion:

Be It Moved By the Northampton County Council that the minutes of the February 7, 2019 meeting shall be approved.

Mr. Dietz seconded the motion.

The minutes were approved by voice acclamation.

Confirmation of Appointments/Reappointments

Mr. McGee introduced the following resolution:

R. 17-2019   RESOLVED, by the Northampton County Council that the following individuals shall be confirmed in their appointments/reappointments as indicated hereafter:

CHILDREN, YOUTH & FAMILIES ADVISORY BOARD

Appointment:  Term to Expire:  2/21/21
Jeffrey M. Warren
1159 Blair Road
Bethlehem, PA  18017
Reappointment: Theresa L. Maynard
1150 Dotta Drive
Pen Argyl, PA  18072

Term to Expire:  2/21/21

ELECTION COMMISSION

Appointment: Layton “Lee” Snover, Jr.
107 Spyglass Court
Bath, PA  18014

Term to Expire:  12/31/19

LEHIGH AND NORTHAMPTON TRANSPORATION AUTHORITY

Reappointment: Michael Lichtenberger
3524 Darien Road
Bethlehem, PA  18020

Term to Expire:  3/2/24

LEHIGH VALLEY PLANNING COMMISSION

Appointment: Citizen Representative
Barbara Spirit Rutzler
625 Falcone Avenue
Roseto, PA  18013

Term to Expire:  12/31/21

Reappointment: Elected Official
Gerald C. Yob
354 Garfield Street
Freemansburg, PA  18017

Term to Expire:  12/31/19

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


The resolution was adopted by a vote of 9-0.
Courtes' of the Floor

Ms. Corrine Goodwin, 1401 Greenview Drive, Bethlehem, PA stated she was one of the leaders of Lehigh Valley Transgender Renaissance located at Metropolitan Community Church Lehigh Valley, 1401 Greenview Drive, Bethlehem. She further stated their organization had been around since 1992 and provided support and resources for transgender people in the Lehigh Valley.

Ms. Goodwin advised it was estimated that 6,000 to 10,000 people in the area were transgender individuals and that she wanted to speak about some of the issues that transgender people faced. She further advised 54% of all transgender students in primary and secondary schools indicated they had been seriously harassed and not just by students, but also faculty and staff causing most of them to drop out of school.

Ms. Goodwin stated they were banned from facilities that conformed to their gender, as well as sport teams and clubs, whose purpose was to mold people to become better citizens. She further stated when transgender people go out into the world as adults more than 30% encounter discrimination in the work place.

Ms. Goodwin advised the unemployment rate for transgender people was currently running at approximately 12%, which was three times the national average. She further advised 29% of transgender people living in Pennsylvania were living below the poverty line and 20% percent were homeless at some point in their life.

Ms. Goodwin stated transgender people wanted only to have the same opportunities as those who were not transgender and become productive members of society, but there was very limited amount of legislation on the books that helped them achieve those goals. She further stated she was present tonight to be visible and to ask County Council to become allies in the passage of legislation to ease the obstacles transgender people faced.

County Executive Report

Mr. McClure advised a third bridge that was part of the P3 Bridge Project was completed and the General Purpose Authority had accepted it. He further advised approximately $7.5 million in milestone payments have been made thus far.
Mr. McClure stated they were at a crossroads right now with the project and 2019 would either be a boost or bust for the project, noting at this time next year half of the bridges should be completed. He further stated the new constituted General Purpose Authority had a completely different attitude toward this project and everyone was working together to try and make this project a success.

In answer to Mr. Dietz’s question as to how many bridges would have been completed and at what cost if there was no P3 Bridge Project, Mr. McClure commented he had no idea because there were bridges that should not have been made part of this project and the others they would have tried to get into the Transportation Improvement Plan.

Mr. Dietz advised the issues with the P3 Bridge Project lie more with the General Purpose Authority’s handling of it than the actual project.

Mr. McClure stated the County could not really take advantage of the P3 Bridge Project because at the State level they had different ways to monetize the project.

In response to Mr. McGee’s question as to whether they were making any headway with the General Purpose Authority pulling some bridges out and receiving compensation, Mr. McClure advised Ms. Vargo Heffner may address that in her report.

Mr. McClure stated he was really pleased with the Deputy Sheriffs’ contract that was being presented to County Council, noting it was the same contract economically that the other six unions agreed with so he hoped they would approve it. He further stated two major things that changed were the way they handled overnight trips when picking up someone from another County and hospital stays saving money in overtime.

Mr. McClure advised there were two ordinances and a resolution before County Council to consider with respect to moving 911 forward. He further advised the City of Bethlehem adopted all of the contracts and the Memorandum of Understanding so he hoped County Council would do the same.

Mr. McClure stated the move was going along fairly expeditiously and they would make the State mandated change over date, but they were not going to rush to get there.
Consideration of an Ordinance Entitled, "AN ORDINANCE OF THE NORTHAMPTON COUNTY COUNCIL AUTHORIZING THE COUNTY OF NORTHAMPTON, EASTON, PENNSYLVANIA, TO ENTER INTO A COMMUNICATION SITE LEASE AGREEMENT WITH THE CITY OF BETHLEHEM, PENNSYLVANIA REFERRED TO AS DEMISED PREMISES"

Mr. Heckman advised the following ordinance was introduced by Messrs. Lott and McGee at the November 1, 2018 meeting and was tabled at the November 15, 2018 meeting:

AN ORDINANCE OF THE NORTHAMPTON COUNTY COUNCIL AUTHORIZING THE COUNTY OF NORTHAMPTON, EASTON, PENNSYLVANIA, TO ENTER INTO A COMMUNICATION SITE LEASE AGREEMENT WITH THE CITY OF BETHLEHEM, PENNSYLVANIA REFERRED TO AS DEMISED PREMISES

WHEREAS, Northampton County Administrative Code Article XIII, Section 13.14 Purchase, Sale and Lease of Real Estate Section c. (1) Purchase/Sale/Lease of Real Estate, provides, "The County Executive, or his designee, may negotiate a contract for the purchase, sale or lease (with the County as lessor or lessee) of real estate. Any such purchase/sale/lease shall be approved by County Council, and no such contract shall bind the County nor shall any conveyance be lawful, until County Council approves of the terms of the purchase/sale/lease."; and

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

NOW, THEREFORE, BE IT HEREBY ORDAINED AND ENACTED by Northampton County Council that it does hereby authorize the County of Northampton to lease certain real property more fully described in Exhibit "A" of attached documentation. The terms and conditions of the lease shall be in accordance with the lease agreement and related documentation, copies of which are attached hereto and made a part hereof as Attachment A.

Effective Date: This ordinance shall become effective thirty days after the date of enactment.
Mr. Lott made a motion to remove this ordinance from the table.

Mr. McGee seconded the motion.

Mr. Heckman called for the vote on the motion.

The vote: Lott, "yes"; McGee, "yes"; Heckman, "yes"; Vargo Heffner, "yes"; Werner, "yes"; Zrinski, "yes"; Cusick, "yes"; Dietz, "yes" and Ferraro, "yes".

The motion passed by a vote of 9-0.

In answer to Mr. Cusick’s question as to whether it was correct that the lessor would not charge the leasee any rent for the length of the lease, Mr. Charles Dertinger, Director of Administration, replied that was correct.

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

The vote: Lott, "yes"; McGee, "yes"; Vargo Heffner, "yes"; Werner, "yes"; Zrinski, "yes"; Cusick, "yes"; Dietz, "yes"; Ferraro, "yes" and Heckman, "yes".

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

Consideration of an Ordinance Entitled, "AN ORDINANCE OF THE NORTHAMPTON COUNTY COUNCIL AUTHORIZING THE COUNTY OF NORTHAMPTON, EASTON, PENNSYLVANIA, TO ENTER INTO AN AGREEMENT OF SALE WITH THE CITY OF BETHLEHEM, PENNSYLVANIA FOR THE PURCHASE OF A MOTOROLA ASTRO 7.14 TRUNKED RADIO SYSTEM AND ASSOCIATED ITEMS"

Mr. Heckman stated the following ordinance was introduced by Mr. Lott and Ms. Zrinski at the November 1, 2018 meeting and was tabled at the November 15, 2018 meeting:

AN ORDINANCE OF THE NORTHAMPTON COUNTY COUNCIL AUTHORIZING THE COUNTY OF NORTHAMPTON, EASTON, PENNSYLVANIA, TO ENTER INTO AN AGREEMENT OF SALE WITH THE CITY OF BETHLEHEM, PENNSYLVANIA FOR THE PURCHASE OF A MOTOROLA ASTRO 7.14 TRUNKED RADIO SYSTEM AND ASSOCIATED ITEMS
WHEREAS, Northampton County Administrative Code Article XIII, Section 13.14 Purchase, Sale and Lease of Real Estate Section c. (1) Purchase/Sale/Lease of Real Estate, provides, "The County Executive, or his designee, may negotiate a contract for the purchase, sale or lease (with the County as lessor or lessee) of real estate. Any such purchase/sale/lease shall be approved by County Council, and no such contract shall bind the County nor shall any conveyance be lawful, until County Council approves of the terms of the purchase/sale/lease."; and

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

NOW, THEREFORE, BE IT HEREBY ORDAINED AND ENACTED by Northampton County Council that it does hereby authorize the County of Northampton to enter into an Agreement of Sale with the City of Bethlehem for the purchase of a Motorola ASTRO 7.14 trunked radio system and associated items specified in Attachment "A" of attached documentation. The terms and conditions of the lease shall be in accordance with the lease agreement and related documentation, copies of which are attached hereto and made a part hereof as Exhibit A.

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

Ms. Vargo Heffner made a motion to remove this ordinance from the table.

Ms. Zrinsiki seconded the motion.

Mr. Heckman called for the vote on the motion.

The vote: Vargo Heffner, "yes"; Zrinsiki, "yes"; McGee, "yes"; Werner, "yes"; Cusick, "yes"; Dietz, "yes"; Ferraro, "yes"; Heckman, "yes" and Lott, "yes".

The motion passed by a vote of 9-0.

In response to Mr. Cusick's question as to how old was the equipment and when was it expected to become obsolete, Mr. Dertinger advised through a bond the City of Bethlehem invested very heavily in it and most of it was approximately five years
old and in excellent condition. He further advised Motorola, the City of Bethlehem and Northampton County representatives documented and photographed all the equipment.

Mr. Dertinger advised everything was as good as they could ask for and the value the County was getting was actually more than what it was paying.

In answer to Mr. Cusick’s question as to how they came up with an estimated value, Mr. Dertinger stated the company that was charged with handling the consolidation was tasked with providing valuations for the equipment based on its age, condition and what the County was getting out of it. He further stated they provided a schedule of what it was worth on day one and what it was worth now and that was how they got to $1.56 million.

In response to Mr. Cusick’s comment that the payment schedule was over a multi-year period, Mr. Dertinger advised the County was paying off the remainder of the City of Bethlehem’s bond as a practical matter.

In answer to Mr. Cusick’s question as to whether the County was paying for the equipment with Act 12 funds or property taxes, Mr. Dertinger replied it was a combination, but the majority of it was coming from the 911 budget.

Mr. Cusick stated the residents of the City of Bethlehem currently receive a discount in their property taxes so he wanted to know if they would be paying the same millage rate as the rest of the County in next year’s tax bill.

Mr. McClure advised he believed they would, but he would look into the matter and report back.

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


The ordinance was adopted by a vote of 9-0.
Consideration of a Resolution Amending the Memorandum of Understanding Between Northampton County and the City of Bethlehem Regarding the Transfer of Ownership of a Trunked Radio Network

Mr. Lott introduced the following resolution:

R. 18-2019 WHEREAS, on October 25, 2018, County Council received a Memorandum of Understanding between Northampton County and the City of Bethlehem regarding the transfer of ownership of a Trunked Radio Network (see Attachment "A") pursuant to the Commonwealth of Pennsylvania adopting Act 12; and

WHEREAS, on November 1, 2018, County Council adopted Resolution No. 132-2018 approving the Memorandum of Understanding; and

WHEREAS, on February 13, 2019, County Council received an amended Memorandum of Understanding between Northampton County and the City of Bethlehem regarding the transfer of ownership of a Trunked Radio Network pursuant to the Commonwealth of Pennsylvania adopting Act 12 (see Attachment "A").

NOW, THEREFORE, IT IS HEREBY RESOLVED by the Northampton County Council that the amended Memorandum of Understanding shall be approved this 21st day of February 2019.

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

The vote: Lott, "yes"; Werner, "yes"; Zrinski, "yes"; Cusick, "yes"; Dietz, "yes"; Ferraro, "yes"; Heckman, "yes"; McGee, "yes" and Vargo Heffner, "yes".

The resolution was adopted by a vote of 9 0.

Consideration of a Waiver of Appraisals for the Human Services Building Resolution

Mr. Werner introduced the following resolution:

R. 19-2019 WHEREAS, Northampton County Administrative Code Section 13.14 b. provides that, "The County shall not purchase, sell or lease real estate without first obtaining
sealed appraisals from two (2) professional real estate appraisers."; and

WHEREAS, Administrative Code Section 13.14 b. 2. allows that provision to be waived when the purchase, sale or lease of real estate does not justify the cost of the appraisals or is otherwise deemed unnecessary; and

WHEREAS, Northampton County entered into a lease with Polaris Emrick Development, LP on March 28, 2013, which requires a payment of $14,468,731 to exercise a five-year purchase option on the Northampton County Human Services Building located at 2801 Emrick, Boulevard, Bethlehem, Pennsylvania.

NOW, THEREFORE, BE IT RESOLVED by the Northampton County Council that the requirement for two sealed appraisals as required under Section 13.14 (b) of the Administrative Code be waived for the purchase of the Northampton County Human Services building in March 2019.

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

The vote: Werner, "yes"; Zrinski, "yes"; Cusick, "yes"; Dietz, "yes"; Ferraro, "yes"; Heckman, "yes"; Lott, "yes"; McGee, "yes" and Vargo Heffner, "yes".

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

Consideration of Collective Bargaining Unit Agreement Between the Northampton County Deputy Sheriff’s Association and the County of Northampton Resolution

Mr. McGee introduced the following resolution:

R. 20-2019 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 Northampton County Deputy Sheriff’s Association and the County of Northampton shall be approved this 21st day of February 2019.
As there were no questions or comments, Mr. Heckman called for the vote.


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

Consideration of Article XIII Contract Approval Resolution: Vision Technologies

Mr. Werner introduced the following resolution:

R. 21-2019  WHEREAS, Northampton County Administrative Code Article XIII Procurement and Disposition of County Property, Section 13.15 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 February 7, 2019, the Northampton County Council received a request from the County Executive for County Council to adopt a resolution approving a contract in the estimated amount of $467,740 with Vision Technologies for Hardware for Disaster Recovery Refresh.

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 Vision Technologies.

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


The resolution was adopted by a vote of 9-0.
Human Services Committee Report

Ms. Vargo Heffner stated the Human Services Committee met earlier this evening and a discussion was held regarding Gracedale. She further stated they also discussed the changing of the time and date of these meetings.

Outside Auditors

In response to Mr. Cusick’s question as to whether things were in place for the outside auditors, Mr. Richard Szulborski advised they were due to visit during the first two weeks of March.

Parks and Open Space Committee Report

Ms. Zrinski stated the Parks and Open Space Committee met earlier this evening and a decision was made to change the name to Energy, Environment and Land Use Committee. She further stated they discussed holding an ad hoc meeting to discuss the merits of production of industrial hemp in the County.

Ms. Zrinski advised they also discussed some of the items related to the Green New Deal initiative and whether it would be feasible for the County to implement some of them.

Gracedale Advisory Board Liaison Report

Ms. Vargo Heffner stated she attended this meeting and there was a lot more information being provided than in previous meetings. She further stated there were discussions relating to the processes pertaining to the handling of wounds and falls.

General Purpose Authority Liaison Report

Ms. Vargo Heffner advised they would be holding a meeting on March 5, 2019.
Adjournment

Ms. Zrinski made a motion to adjourn the meeting.

Ms. Vargo Heffner seconded the motion.

The motion to adjourn passed unanimously by acclamation.

________________________________________
Linda M. Zembo
Clerk to Council