

A meeting of the Lehigh County Board of Commissioners was held at 7:30 p.m. on this date, at Cedar View Apartments, 4230 Dorney Park Road, located in South Whitehall Township, with Percy H. Dougherty presiding as Chairman

**Present:** Commissioners Percy Dougherty, George Laughlin, **Grayson McNair**, **Joseph Maher**, Joseph Pascuzzo, Sterling Raber, Roger Reis, and Linda Rosenfeld. Commissioner John McHugh was absent.

**Others:** Rick Klotz, Director of Administration; Ken Mohr, Director of Development; Bob Korp, Director of Planning; Bill Berndt, Deputy Court Administrator; Gloria Zimmerman, Nursing Homes Administrator; Carol Olenek, Cedarbrook-Fountain Hill Administrator; Mary **Hazzard**, Assistant Nursing Homes Administrator; Janice Nisbet, Human Resources Director; Judy Johnston, Executive Administrator; Henry **Perkin**, County Solicitor; Robin Flores, Aging/Adult Services Executive Director; Stacy Wescoe, Director of Public Information; Christopher Christman, Legislative Aide; John Servis, Deputy Solicitor; Elaine **Deutch**, Vice President, Finance and Administration Cedar Crest College; Diane Heydt, Director, The **Rodale** Aquatic Center for Civic Health Cedar Crest College; **Randell** Holmes, President, Wireless Communication Consultants, Inc; Catherine **Naughton** Durso, Attorney, Fitzpatirck, Lentz & Bubba; Kenneth R. Foster; reporters Michael Buffer and Dan Hartzell; and David Barilla, Clerk to the Board.

Commissioner Dougherty said it is very nice to be at Cedar View Apartments as part of our "Government on the Go" series. He introduced Barbara Shultz, Secretary of the Cedar View Social Club and Mildred Eck, President of the Cedar View Senior Citizens Club. He said Eck is a former Mayor of the Borough of Macungie. Eck thanked the Commissioners for all that has been done for the residents of Cedar View apartments, Commissioner Dougherty introduced Harry Cleet, Building Superintendent and Linda Titmus, Housing Manager.

The Minutes of the Board of Commissioners Meeting held May 23, 2001 were approved upon the motion of Commissioners McNair and Rosenfeld and a unanimous voice vote. Under Executive Sessions, the clerk said the Parks Committee met in Executive Session on May 31 to discuss potential real estate acquisitions.

Under Citizens Input, Commissioner McNair said he wants everyone to appreciate the type of care that is given at Cedarbrook Nursing Homes. He read a statement that was read at the Memorial Service for **Freda** Yost, a Cedarbrook-Fountain Hill resident, by her daughter. He said that statement being shared at the funeral service made him very proud to be affiliated with Lehigh County.

Commissioner **McNair** said he received a letter from the librarian at the **Emmaus** Public Library. He said the Trexler-Lehigh County Game Preserve has a program to work with the public libraries on their summer reading programs. He read a letter from Martha Vines, Children's Librarian. He said this is a great cooperative effort between the Game Preserve and all of our libraries on this summer reading program.

There was nothing under the Chair's Review.

Under Appointments, the clerk announced the following reappointment to the Trexler-Lehigh County Game Preserve Advisory Board:

Kostas Kalogeropoulos  
5340 Northwood Drive  
Center Valley, PA 18034

Term expiring April 30, 2004

Commissioner Dougherty said this was reviewed by the Intergovernmental & Appointments Committee on May 23. Commissioner **Maher** said it was the unanimous recommendation of the Intergovernmental & Appointments Committee that the **full** Board of Commissioners reappoint Mr. Kalogeropoulos. He said this appointment is one that the Board of Commissioners makes to this advisory board. Upon the motion of Commissioners **Maher** and **McNair** and a unanimous voice vote, the reappointment of Kostas Kalogeropoulos to the Trexler-Lehigh County Game Preserve Advisory Board was approved. Commissioner **Maher** said Mr. Kalogeropoulos phoned him and said that due to an out-of-town funeral, he would be unable to attend tonight's meeting. He said he did express his desire to serve if reappointed.

Commissioner Dougherty said with no objections, he would like to bring forward Resolutions 2001-24 and 2001-25 at this point in the agenda. The clerk announced Resolution 200 1-24: Honoring Sandra L. Bodnyk for Being Named One of Pennsylvania's Best 50 Women in Business (sponsored by Commissioner Dougherty) and Resolution 2001-25: Honoring Wendy Body **Rothrock** for Being Named One of Pennsylvania's Best 50 Women in Business (sponsored by Commissioner Dougherty). Commissioner Dougherty said it is great honor for Lehigh County to have two recipients of this very prestigious award. He said this is a great chance for us to honor two representatives of the Lehigh Valley business community. Upon the motion of Commissioners **McNair** and **Laughlin** and a unanimous voice vote, all Commissioners present agreed to sponsor Resolutions 2001-24 and 2001-25. With no further discussion, Resolutions 2001-24 and 2001-25 were approved by a unanimous voice vote. Resolution 2001-24 was presented to Sandra Bodnyk. Commissioner Dougherty said Wendy **Rothrock** was unable to attend tonight's meeting due to business commitments.

Refer to the Resolution Book for County of Lehigh Resolution 200 1 – 24.  
Re: Honoring Sandra L. Bodnyk for Being Named One of Pennsylvania's Best 50 Women in Business.

Refer to the Resolution Book for County of Lehigh Resolution 200 1 – 25.

Re: Honoring Wendy Body Rotbrock for Being Named One of Pennsylvania's Best 50 Women in Business.

Under Old Business, the clerk announced Commissioner Bill 2001-30: Requiring the Approval of Individual Severance Plans to Lehigh County Employees by the Lehigh County Board of Commissioners (sponsored by Commissioners Pascuzzo and **Maher**). Commissioner Dougherty said this has gone through the Administrative Committee on March 13, May 16 and June 13. Commissioner Pascuzzo said an amended version of this bill was distributed to all Commissioners in the Administrative Committee meeting held earlier this evening. He said he would ask that the amended version replace the prior version and have first reading this evening. Commissioner Dougherty said that is a motion to replace the existing version of Bill 2001-30 with the amended version that was distributed this evening. The motion was seconded by Commissioner **Maher**. Commissioner McNair said we are not voting to approve anything here, we are voting to replace Bill 200 1-30.

Commissioner Dougherty called for a voice vote on replacing Bill 2001-30 with the amended version that was distributed to all Commissioners. The voice vote indicated dissent and Commissioner Dougherty called for a roll call vote. The clerk said that this is roll call vote on replacing the existing Bill 2001-30 with the version that Commissioner Pascuzzo distributed at tonight's Administrative Committee meeting, which is labeled "Amended Version" "Revised Paragraph three". A copy of which is attached to these minutes. With no further discussion, the existing Bill 2001-30 was replaced by the following vote: Commissioners Laughlin - yes; McNair - yes; **Maher** - yes; Dougherty - yes; Pascuzzo -yes; Raber - yes; Reis - yes; and Rosenfeld - no.

Commissioner Dougherty asked for any further discussion. Commissioner McNair said he voted for the amendment because he thinks it now brings forth a bill that should meet legal review and be in accord with the Lehigh County Home Rule Charter. He said however, he is opposed to this bill on the basis that it is micro-management, not just for the County Executive, but the judiciary and any elected office. He said he thinks it is appropriate that the Commissioners not pass this bill.

Commissioner Pascuzzo said as it stands now, the administration can negotiate a severance package with an employee that is being let go **from** the County. He said the County would be offering a settlement so the employee would not sue the County. He said right now, this can be done without the Board of Commissioners knowing about this or the money being offered. He said the Commissioners would not know and the public would not know. He said this bill does not advocate that there be a public pronouncement of the agreement. He said the Board of Commissioners represent the tax payers of Lehigh County and the Board of Commissioners would be informed in an executive session as to the financial terms of the agreement. He said since we represent the tax payers of Lehigh County, he feels we have a right to know that. He said over the last few months, he has spoken with the County Executive, other administrative officials and the County Solicitor to get their input. He said he believes that we have removed the

fmal objection that the County Solicitor had. He said this is for informational purposes only. He said he thinks this is a legal and appropriate bill. He said the Board of Commissioners, representing the citizens of Lehigh County, would be notified what tax dollars are being paid out.

Commissioner **Maher** said he concurs with Commissioner Pascuzzo's comments. He said within the next two weeks, in a timely fashion, we should have comments back **from** the County Solicitor's Office. He said **after** seeing the response **from** the legal department, he anticipates that he will have more comments before this comes up for a vote.

Commissioner McNair asked the Vice Chair of the Administrative Committee for a report on the action taken on this bill. Commissioner Reis said the bill was discussed and reviewed by the Administrative Committee and by a vote of two to one, it was recommended that it not be approved by the full Board of Commissioners. With no further discussion, the Chair announced the bill's first reading. Second reading, discussion and vote will be held on June 27, at **7:30 p.m.** in the Public Hearing Room of the Lehigh County Government Center.

The clerk announced Commissioner Bill 2001-48: Approving a Professional Services Agreement with the Pennsylvania State University for Educational and Surveillance Services in Connection with the West Nile Virus (sponsored by Commissioners McHugh and Raber), and the deputy solicitor provided a summary. Commissioner Dougherty said this was reviewed by the Administrative Committee on May 16. Commissioner Raber said this is a contract for about \$132,000 for services in relation to the West Nile Virus. Commissioner McNair said these funds are being provided through a grant from the state. With no further discussion, Bill 2001-48 was approved by the following vote: Commissioners McNair - yes; **Maher** - yes; Dougherty - yes; Pascuzzo - yes; Raber - yes; Reis - yes; Rosenfeld - yes; and Laughlin - yes,

Refer to the Ordinance Book for County of Lehigh Ordinance 2001 - No. 147.

Re: Approving a Professional Services Agreement with the Pennsylvania State University for Educational and Surveillance Services in Connection with the West Nile Virus.

The clerk announced Commissioner Bill 2001-49: Approving a Professional Services Agreement with National Center for State Courts (sponsored by Commissioner Reis). The clerk said a revised version of Appendix B is included in this bill for second reading. The deputy solicitor provided a summary. Commissioner Dougherty said this was reviewed by the Judiciary and Corrections Committee on May 23. Commissioner Reis said this is a contract with the National Center for State Courts to review the computer system used by law enforcement and other agencies in Lehigh County. He said they will be reviewing the computer programs and making a recommendation,

Commissioner **Maher** said some questions were raised about this bill to monitor the costs of the contract. He said there were some questions about teleconferencing rather than extensive travel by the vendor. Bill Berndt said there will be an attempt to use videoconferencing to the extent that we have that available. He said he thought the initial concern of Commissioner Pascuzzo was that we did not have a maximum total compensation. He said we will be keeping a close look on the administrative costs. Commissioner Pascuzzo said part of the issue was that these expenses could change if teleconferencing was used rather than site visits. He asked if this contract allows us to cut down on expenses if that happens. Berndt said yes. He said the availability of teleconferencing facilities is an issue that we are going to have to deal with, Commissioner Pascuzzo said there are maximum amounts and it could be less than this. Berndt said yes. Commissioner McNair said he wants to note that we did receive a memo from Susan Schellenberg concerning this contract in which Mr. Willis from NCSC outlined some of the details concerning these expenses and a pledge to do what they can through teleconferencing to try to keep travel expenses under control.

Rick **Klotz** said all Commissioners received a letter **from** the Records Retention Improvement Committee. He said by Act 8 of 1998, fees were established to come in the Recorder of Deeds Office. He said \$1 per document to come directly to the County and \$1 to fund the Recorder of Deeds Office or go to a records improvement fund. He said the state mandated board members have recommended that the Board of Commissioners do what is necessary to do this type of project. He said as of June 8<sup>th</sup> there was approximately \$342,000 in fees collected in that fund. He said we will be using those funds to make a portion of the bond **fund** payments for these projects. He said there is a funding source that we are hoping will cover a lot of the costs of the computerization. With no further discussion, Bill 2001-49 was approved by the following vote: Commissioners **Maher** – yes; Dougherty – yes; Pascuzzo – yes; Raber - yes; Reis – yes; Rosenfeld – yes; Laughlin – yes; and McNair – yes.

Refer to the Ordinance Book for County of Lehigh Ordinance 2001 - No. 148.

Re: Approving a Professional Services Agreement with National Center for State Courts.

The clerk announced Commissioner Bill 2001-50: Approving a Professional Services Agreement with Integrated Marketing Concepts (sponsored by Commissioners Reis and McNair), and the deputy solicitor provided a summary. Commissioner Dougherty said this was discussed by the Judiciary & Corrections Committee on May 23. Commissioner Reis said this bill was detailed at first reading. He said basically, this will be a telephone contact survey with about 400 clients for customer satisfaction. He said it is aimed at improving services through the domestic relations office. With no further discussion, Bill 2001-50 was approved by the following vote: Commissioners Dougherty – yes; Pascuzzo – yes; Raber - yes; Reis – yes; Rosenfeld – yes; Laughlin – yes; McNair – yes; and **Maher** – no.

Refer to the Ordinance Book for County of Lehigh Ordinance 2001 - No. 149.

Re: Approving a Professional Services Agreement with Integrated Marketing Concepts.

The clerk announced Commissioner Bill 2001-53: Approving an Agreement of Sale and the Conveyance of a Deed to the Commonwealth of Pennsylvania, Department of Transportation for Improvements Involving County Owned Land West of Route 100 in Upper Macungie Township as part of the Route 222 Relocation (sponsored by Commissioner McNair), and the deputy solicitor provided a summary. Commissioner Dougherty said this was discussed by the Planning Committee on June 11. Commissioner McNair said this is a requirement for the relocation of Route 222. He said it would be detrimental for us not to approve this because we have already invested over \$100,000 to make sure this project goes forward. He said he supports this transfer of property so that a relocated Route 222 can be constructed. Commissioner **Maher** said he would like to be added as a sponsor of the bill. He said he supports this legislation for the reasons stated by Commissioner McNair. Commissioner Dougherty said he would also like to be added as a sponsor. With no further discussion, Bill 2001-53 was approved by the following vote: Commissioners Pascuzzo - yes; Raber - yes; Reis - yes; Rosenfeld - yes; Laughlin - yes; McNair - yes; **Maher** - yes; and Dougherty - yes.

Refer to the Ordinance Book for County of Lehigh Ordinance 2001 - No. 150.

Re: Approving an Agreement of Sale and the Conveyance of a Deed to the Commonwealth of Pennsylvania, Department of Transportation for Improvements Involving County Owned Land West of Route 100 in Upper Macungie Township as part of the Route 222 Relocation.

The clerk announced Commissioner Bill 2001-54: Setting Forth Funding Allocations from the Economic and Community Development Fund (sponsored by Commissioners Dougherty, Laughlin McHugh, **Maher**, Raber, Rosenfeld and McNair), and the deputy solicitor provided a summary. Commissioner Dougherty said this was discussed by the Development Committee on May 23. He said this was the County contribution to the Wine and Dine Festival which attracted a lot of visitors from outside of the area. He said he feels we do a good job in sponsoring activities which attract tourists to the region. Commissioner Rosenfeld said this grant was specifically towards entertainment at the festival. Commissioner Reis said he would like to be added as a sponsor of the bill. With no further discussion, Bill 2001-54 was approved by the following vote: Commissioners Raber - yes; Reis - yes; Rosenfeld - yes; Laughlin - yes; McNair - yes; **Maher** - yes; Dougherty - yes; and Pascuzzo - yes.

Refer to the Ordinance Book for County of Lehigh Ordinance 2001 - No. 15 1.

Re: Setting Forth Funding Allocations from the Economic and Community Development Fund.

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The clerk announced Commissioner Bill 2001-55: Approving a Professional Services Agreement with Benjamin L. Walbert Architects & Planners (sponsored by Commissioners Reis and **Maher**), and the deputy solicitor provided a summary. Commissioner Dougherty said this was discussed by the Judiciary & Corrections Committee on May 23. Commissioner Reis said this was discussed by the Judiciary & Corrections Committee and also at first reading. He said basically, this is to meet with the Lehigh County Department of Corrections' officials to design and develop a new juvenile detention center. He said the detention center is very old, outmoded and sometimes a very crowded detention center.

Commissioner **Maher** said this is the first step to move forward with the construction of a juvenile detention center. He said one thing that makes this contract more palatable than some others is that we pay out-of-pocket expenses at cost without any mark-up. Commissioner McNair said he was at a meeting with the Northeast Regional Office of the Department of Public Welfare. He said the meeting was primarily to discuss Children & Youth services. He said they urged Lehigh County to increase the size of its juvenile detention center as quickly as possible. He said we are only licensed for 19, yet we have an average daily population exceeding 30. He said this is something that we have to move forward on.

Commissioner Dougherty said he is in full support of this new facility even though it will be very expensive. He said we have to be aware that we have put money into other programs to prevent juveniles **from** getting to the stage of incarceration. He said he is somewhat disappointed that we will not have a joint facility with Northampton County. He said he realizes the problems that are standing in the way of that. With no further discussion, Bill 2001-55 was approved by the following vote: Commissioners Reis - yes; Rosenfeld - yes; Laughlin - yes; McNair - yes; **Maher** - yes; Dougherty - yes; Pascuzzo - yes; and Raber - yes.

Refer to the Ordinance Book for County of Lehigh Ordinance 2001 - No. 152.

Re: Approving a Professional Services Agreement with Benjamin L. Walbert Architects & Planners.

The clerk announced Commissioner Bill 2001-56: Approving a Professional Services Agreement with Hanover Engineering Associates, Inc. (sponsored by Commissioners Reis and **Maher**), and the deputy solicitor provided a summary. Commissioner Dougherty said this was discussed by the Judiciary & Corrections Committee on May 23. Commissioner **Maher** said one of the main focuses of this agreement will be working with Lehigh County on the final land development approval in South Whitehall Township. With no further discussion, Bill 2001-56 was approved by the following vote: Commissioners Rosenfeld - yes; Laughlin - yes; McNair - yes; **Maher** - yes; Dougherty - yes; Pascuzzo - yes; Raber - yes; and Reis - yes.

Refer to the Ordinance Book for County of Lehigh Ordinance 2001 - No. 153.

Re: Approving a Professional Services Agreement with Hanover Engineering Associates, Inc.

The clerk announced Commissioner Bill 2001-57: Approving an Agreement of Sale and a Temporary Construction Easement to the Commonwealth of Pennsylvania, Department of Transportation, for Improvements Involving County Owned Land East of Route 100 in Upper Macungie Township as part of the Route 222 Relocation (sponsored by Commissioner McNair), and the deputy solicitor provided a summary. Commissioner Dougherty said this was discussed by the Planning Committee on June 11. Commissioner McNair said similar comments apply to this bill as those made for Bill 2001-53. He said this is for property east of Route 100. Commissioners **Maher** and Dougherty added their names as sponsors of the bill. Commissioner Dougherty said this relocation project is vital to the economic development of this section of Lehigh County. With no further discussion, Bill 2001-57 was approved by the following vote: Commissioners Laughlin - yes; McNair - yes; **Maher** - yes; Dougherty - yes; Pascuzzo - yes; Raber - yes; Reis - yes; and Rosenfeld - yes.

Refer to the Ordinance Book for County of Lehigh Ordinance 2001 - No. 154.

Re: Approving an Agreement of Sale and a Temporary Construction Easement to the Commonwealth of Pennsylvania, Department of Transportation, for Improvements Involving County Owned Land East of Route 100 in Upper Macungie Township as part of the Route 222 Relocation.

Under New Business, Commissioner McNair made a motion that the Wednesday, July 11, 2001, meeting of the Lehigh County Board of Commissioners be held at Catasauqua Borough Hall, 118 Bridge Street, Catasauqua. The motion was seconded by Commissioner Laughlin and approved by a unanimous voice vote.

Commissioner McNair made a motion that the necessary expenses be approved for Commissioners Dougherty, Laughlin, Raber and Reis to attend the 2001 National Association of Counties Annual Conference, to be held in Philadelphia, Pennsylvania, July 13 to July 17, 2001. The motion was seconded by Commissioner Rosenfeld and approved by a unanimous voice vote.

Commissioner McNair made a motion that the necessary expenses be approved for Commissioners Dougherty, Laughlin Raber and Reis to attend the 2001 County Commissioners Association of Pennsylvania Annual Conference, to be held in Champion, Pennsylvania August 12 to August 15, 2001. The motion was seconded by Commissioner Rosenfeld and approved by a unanimous voice vote.

Commissioner McNair said he feels we should sponsor a resolution that CCAP hold a conference in Lehigh County. Commissioner Dougherty said he is on the conference committee and he has worked on bringing a conference here. He said unfortunately, the Allentown area does not have a hotel that could hold the entire meeting. He said most of the committee meetings are held at Penn State or Harrisburg.

He said commissioners from the western part of the state do not want to travel to the eastern part of the state.

Commissioner Dougherty said Commissioner Bill 200 1-5 1: Approving a Professional Services Agreement with Sam Bub, M.D. (sponsored by- Commissioner Laughlin) is deferred.

The clerk announced Commissioner Bill 2001-58: Approving a Professional Services Agreement with TuWay Mobile Communications, Inc., d/b/a, TuWay Wireless (sponsored by Commissioners Raber). The clerk said all Commissioners have received a revised copy of this contract. The deputy solicitor provided a summary. Commissioner Dougherty said this was reviewed by the General Services Committee on June 12.

Rick Klotz said this is a contract for \$144,000 which allows for desktop application and software for wireless applications. He said using this technology will be the backbone. He said local police departments will be able to buy computer systems for installation in their patrol cars. He said they will be able to do cellular transmissions, hook into the County's 911 system and access government systems to give them reports. He said this will take traffic off the other frequencies that are used for voice communication within the criminal justice industry.

Commissioner Pascuzzo asked if the meeting this week in Whitehall Township was regarding this purchase. Klotz said no. He said that meeting had to do with the dividing of the County into a northern and southern zone for voice communication.

Commissioner McNair said this system will decrease the amount of voice communications. He said with this data system, emergency services personnel can receive data directly in their vehicle. He said he believes that most of the funds to pay for this are coming from the 911 system fees. Klotz said yes.

Commissioner Dougherty asked if this system is compatible with all of the municipal systems in Lehigh County. Klotz said we have been advised that the system we are buying is compatible with the systems that are on the market. He said the cost of doing that is somewhat questionable. He said Whitehall and some police departments did go into a system to do this. He said at the time they had a grant to do that. He said we advised that we did not believe that the system they were buying was going to be compatible and that they would have to spend a high amount of money to be able to translate and tie into our equipment. He said we suggested that they might want to wait. He said they decided to go ahead with their system. He said they will either have to stay on their own system or pay the necessary reprogramming to the company that they decided to buy from. He said we were proactive and had active discussions with them. He said they are **fully** aware of this. Commissioner Reis said he would like to be added as a sponsor of this bill. With no further discussion, the Chair announced the bill's first reading. Second reading, discussion and vote will be held on June 27, at **7:30 p.m.** in the Public Hearing Room of the Lehigh County Government Center.

The clerk announced Commissioner Bill 2001-59: Approving a Professional Services Agreement with Bankers Trust Company d/b/a Deutsche Asset Management (sponsored by Commissioners McNair), and the deputy solicitor provided a summary. Commissioner Dougherty said this was reviewed by the Administrative Committee this evening. Commissioner McNair said he was appointed to serve on the County of Lehigh Employees Retirement Fund Board. He said he will ask Klotz to explain the purpose of this bill.

Klotz said this allows us to diversify the way we invest the money in the retirement fund. He said as of April 30, 2001, we had approximately \$269 million in the retirement fund. He said we have used an approach to increase the number of managers who are managing money. He said currently, in the equities market we hire managers who buy and sell stocks for the portfolios. He said the fees are higher because of the research that goes into that. He said we have determined that we would like to take a portion of the retirement fund and buy the index. He said we have made this approach to our consultant, Spagnola & Cosack. He said they are an independent consultant who reviews the managers that we use within the fund. He said they interviewed four firms and came up with Deutsche Asset Management. He said we are actually buying the index and are paying far less commissions to do that. He said in this scenario we will be buying the benchmark that we wanted the other investment managers to be at and we pay a lesser commission. He said it is his understanding that the Pennsylvania Retirement Fund has moved substantial amounts of their portfolio into buying investment indexes.

Commissioner Pascuzzo asked what effect this has, if any, on the relationship that the County has with Mr. Skinner. Klotz said nothing whatsoever. He said he does nothing with the retirement **fund** people themselves. He said he has aided us with some of the issues with retirement health care benefits.

Commissioner McNair said at the last retirement board meeting, he was very pleased with the performance of our money managers in relation to the performance of the stock market in the past year.

Commissioner Dougherty said he thinks Spagnola & Cosack is doing a great job for us. He said he thinks that an index fund is the way to go. He said he will have to vote against this because he does not think we are being responsible by selecting this particular company. He said spending money with a foreign **firm** to handle our money upsets him. He said he knows that we will save some more money here, but he thinks we should support local companies if at all possible. He said without a Lehigh Valley **firm**, he would prefer to go with a Pennsylvania **firm**, or at least a US company. He said Deutsche Bank has bought out Bankers Trust.

With no further discussion, the Chair announced the bill's first reading. Second reading, discussion and vote will be held on June 27, at 7:30 p.m. in the Public Hearing Room of the Lehigh County Government Center.

The clerk announced Commissioner Bill 2001-60: Approving the Lease of County-Owned Property Atop the Cedar View Apartments in South Whitehall Township to Sprint Spectrum, L.P. for the Construction and Operation of Cellular Communications (sponsored by Commissioners Raber). He said he would like to note that all Commissioners have received a revised page two of this agreement. The deputy solicitor provided a summary. Commissioner Dougherty said this was reviewed by the Planning Committee on June 11 and the General Services Committee on June 12.

Commissioner Raber said this involves an annual rental of \$10,800 and the structure will blend in with the building. Commissioner **Maher** said he would like to congratulate Sprint on being a good neighbor here, particularly, compared with some of his experiences with other wireless carriers in the Lehigh Valley. He said he appreciates that they were willing to revise the agreement on very short notice. He said that essentially gave the County the right to opt out of the contract with six months advance notice. He said Attorney Durso provided him a copy of a judicial rendering by the United States Supreme Court. He said this confirmed the fact that the FCC had set up adequate and safe radiation levels. He said it was explained to us that there would be little if any potential danger. He said there is very little traveling on the roof and adequate warnings will be placed if anyone has a reason to be up there. He said he commends them for a very thorough review of this project.

Mildred Eck asked about any side effects or if this could attract lightning. Klotz said there were several concerns that we wanted to address in this contract and they have all been adequately addressed. He said the major concern was the issue of safety. He said we were told that three of these units were currently on the **B'Nai Brith** property, but that did not give us a lot of comfort. He said we received a report from Kenneth Foster, who did a complete analysis of the site and building. He said the safety risk on this type of installation is if you are really right in **front** of the antenna. He said according to the study, a six foot person standing on the roof is 20 times under the limit of what you could be exposed to. He said within the building there is no problem at all. He said if a study comes out or there are some issues, we did not want to be tied to a lease that we could not get out of. He said if we feel that they are not being a good neighbor or there are any questions, upon six months notice they have to leave at no cost to the County.

Eck asked what area will be involved. Klotz said it will be attached to the penthouse. He said there is a steel shelf that has to be put on the roof. He said that needs South Whitehall Township zoning approval. He said it has been checked by a structural engineer. He said once they get township approval, they will be ready to do the installation. He said we were very happy with Sprint's forthrightness and the report that they have. With no further discussion, the Chair announced the bill's first reading. Second reading, discussion and vote will be held on June 27, at **7:30 p.m.** in the Public Hearing Room of the Lehigh County Government Center.

The clerk announced Commissioner Bill 2001-61: Approving a Professional Services Agreement with Fedetz & Martin Associates, P.C. to Provide **Architectural/Engineering** Services in the Design, Specifications and Construction Administration for the Conversion of the A-Wing into Independent living Units at Cedarbrook Nursing Homes – Allentown Site (sponsored by Commissioner Laughlin). The clerk said all Commissioners have received a revised version of this contract. The deputy solicitor provided a summary. Commissioner Dougherty said this was reviewed by the Cedar-brook Committee this evening.

Commissioner Laughlin said this agreement provides **architectural/engineering** services on the design, specification and construction administration for the conversion of the A-wing into independent living units at Cedarbrook Nursing Homes – Allentown Site. He said this will also provide for asbestos remediation and the design of a paved parking area adjacent to the A-Wing. He said this is an outgrowth of the CCAP program for assisted living units. He said funds are available for this from the intergovernmental transfer, He said the total compensation for these projects shall not exceed \$107,000. With no further discussion, the Chair announced the bill's first reading. Second reading, discussion and vote will be held on June 27, at 7:30 p.m. in the Public Hearing Room of the Lehigh County Government Center.

The clerk announced Commissioner Bill 2001-62: Approving a **Subgrant** Agreement Between the County of Lehigh and Cedar Crest College to Assist in the Construction of the **Rodale** Aquatic Center (sponsored by Commissioner Rosenfeld). He said all Commissioners have received a revised version of this contract. The deputy solicitor provided a summary. Commissioner Dougherty said this was reviewed by the Development Committee this evening. Commissioner Rosenfeld said this is a grant **from** HUD for the purpose of the Aquatic Center at Cedar Crest College, using Lehigh County as a pass-through. She said this is strictly for the educational use of Cedar Crest students, staff and intern related programs. She said Elaine N. **Deutch** and Diane M. Heydt **from** Cedar Crest College are here this evening for any questions. She said this was fully reviewed at the Development Committee meeting earlier this evening and recommended for approval by the **full** Board. With no further discussion, the Chair announced the bill's first reading. Second reading, discussion and vote will be held on June 27, at 7:30 p.m. in the Public Hearing Room of the Lehigh County Government Center.

The clerk announced Commissioner Bill 2001-63: Transferring Two Vacant Positions to the Juvenile Probation Department for Two Grant Funded Community-Based Juvenile Probation Officer Positions (sponsored by Commissioners Reis and **McNair**), and the deputy solicitor provided a summary. Commissioner Dougherty said this was reviewed by the **Judiciary & Corrections Committee** on May 23.

Commissioner Reis said this is a grant for \$78,000 to allow the County to add two juvenile probation officers. He said by this ordinance, two positions are being transferred from the nursing staff at Cedarbrook Nursing Homes to the juvenile probation department. He said there is a proviso that if the grant or the funding is terminated, then

the juvenile probation officer positions would also be terminated. Commissioner McNair said he would like to clarify Commissioner Reis' comments. He said the positions being transferred **from** Cedar-brook Nursing Homes to the juvenile probation office are not necessarily from the nursing staff. He said they could be any position from Cedarbrook Nursing Homes. He said these are grant **funded** positions, if that grant funding is no longer available for these positions, their employment will also terminate. He said this is similar to what has been done for other positions that are grant funded.

Commissioner Pascuzzo asked if we know which positions will be transferred **from** Cedarbrook. Gloria Zimmerman said not at this time. Commissioner Pascuzzo asked how that will be determined. Zimmerman said it will not be **from** the nursing department. Commissioner Pascuzzo asked when that determination will be made. Zimmerman said by the next Commissioners' meeting. Commissioner Pascuzzo asked if we will know that before a vote is taken on this bill. Zimmerman said yes. With no further discussion, the Chair announced the bill's first reading. Second reading, discussion and vote will be held on June 27, at 7:30 p.m. in the Public Hearing Room of the Lehigh County Government Center.

The clerk announced Commissioner Bill 2001-64: Approving a Grant to Treatment Trends, Inc. (sponsored by Commissioner McNair), and the deputy solicitor provided a summary. Commissioner Dougherty said this was reviewed by the Human Services Committee on June 5. Commissioner McNair said the Human Services Committee recommended approval of this bill by the Board of Commissioners. He said a facility operated by Treatment Trends was closed. He said they found a new facility which they will lease. He said these payments are for some physical improvements and rental fees for the first year to allow them to continue providing services through their contract with Lehigh County. He said this is a one-time grant that was not included in the budget. With no further discussion, the Chair announced the bill's first reading. Second reading, discussion and vote will be held on June 27, at 7:30 p.m. in the Public Hearing Room of the Lehigh County Government Center.

The clerk announced Commissioner Bill 2001-65: Approving an Intergovernmental Agreement with the Commonwealth of Pennsylvania Department of Environmental Protection for Solid Waste Disposal and Resource Recovery Demonstration as Part of the Re-Place, A Project of Good Shepherd Workshop/Vocational Services, Inc. (sponsored by Commissioner McNair), and the deputy solicitor provided a summary. Cornmissioner Dougherty said this was reviewed by the Planning Committee on June 11 and the Intergovernmental & Appointments Committee this evening.

Commissioner McNair this is a pass-through grant for \$175,000 to Good Shepherd. He said they will utilize people in rehabilitation or other types of work services that they currently do. He said this would essentially be a new product line of taking items that people are discarding and repairing them and putting them back into serviceable use. He said it is a good way to recycle things that would normally go to a

land fill. With no further discussion, the Chair announced the bill's first reading. Second reading, discussion and vote will be held on June 27, at 7:30 p.m. in the Public Hearing Room of the Lehigh County Government Center.

The clerk announced Commissioner Bill 200 1-66: Approving a Professional Services Agreement with Good Shepherd Workshop/Vocational Services, Inc. to Develop and Operate the Re-Place (sponsored by Commissioner McNair), and the deputy solicitor provided a summary. Commissioner Dougherty said this was reviewed by the Planning Committee on June 11. Commissioner McNair said this demonstrates the forward looking nature of Lehigh County. He said this is the contract with Good Shepherd to operate the program.

Henry **Perkin** said he received a call today **from** Attorney Ed Fedock who represents Good Shepherd. He said they raised an issue dealing with the provisions of Appendix D, Security. He said the conditions that are imposed there may impact the validity of their bonds. He said between now and the next reading, he may have to come back with alternative language. He said he has no doubt that the problem can be resolved, but because of the late call that he received **from** Ed Fedock, he does not have a solution at this time. Commissioner Dougherty asked if that would be a substantive change. **Perkin** said he does not know at this time. With no **further** discussion, the Chair announced the bill's first reading. Second reading, discussion and vote will be held on June 27, at 7:30 p.m. in the Public Hearing Room of the Lehigh County Government Center.

The Committee Reports were given as follows:

General Services - Commissioner Raber said we met on June 12 and approved Bills 2001-58 and 2001-60.

Human Services - Commissioner McNair said the Human Services Committee met on June 5. He said we received updates on the Pennsylvania Health Choices program and Human Services Department staffing. He said public input was provided by Dorothy Roth, Treatment Trends Board of Directors and Bob Csndl, Treatment Trends Executive Director. He said they discussed the way in which some state funds were administered by the County, which is making it difficult for them to continue drug and alcohol treatment. He said they are also looking for the County to request additional dollars from the state for drug and alcohol treatment. He said they also raised concerns with the managed care operations under Pennsylvania Health Choices, feeling that the managed care organization will be looking for shorter stays in rehabilitation programs. He said they are concerned with the managed care organization aspect of this. He said in Lehigh County we are opting to do the Pennsylvania Health Choices program starting in October. He said rehabilitation stays is something that we are going to have to watch closely.

Commissioner McNair said the Children & Youth Success Team is meeting every other Friday. He said on May 18 we received input from employees of the office. He said this Friday, we will be receiving input from the school districts. He said we also received a report on the Court Appointed Special Advocate program. He said the County applied for a grant from the National CASA Office. He said the competition was too severe and Lehigh County did not receive the financial assistance we were looking for. He said the County is still looking to go ahead with the project and put those dollars in the needs-based Children & Youth plan with the state.

Commissioner McNair said he attended a meeting in Scranton with John Stoffa, Pam Buehrle and officials of the Northeast Region of the Department of Public Welfare. He said the goal is to develop a partnership type of relationship with them. He said he thought it was a very good meeting. He said some of the things they are calling to our attention to address may impact on the number of staff needed in that office. He said the Northeast Region has increased staff and can spend more time on a partnership basis with Lehigh County. He said previously, they only visited Lehigh County if problems arose. He said he thinks tremendous steps forward are being taken.

**Intergovernmental & Appointments** - Commissioner Maher said we met tonight and reviewed three reappointments to the Lehigh County Agricultural Land Preservation Board, two appointments to the Drug & Alcohol Abuse Advisory Board, and Bill 200-1-65. He said he expects the committee to meet on June 27.

**Judiciary & Corrections** - Commissioner Reis said the committee last met on May 23 and discussed five bills. He said four of those bills were voted on tonight and one bill had a first reading. He said we will meet again on June 27.

**Planning** - Commissioner Pascuzzo said the Planning Committee met on June 11 and reviewed Bills 2001-53, 2001-57, 2001-60, 2001-65, and 2001-66.

**Administrative** - Commissioner Reis said the Administrative Committee met tonight and discussed Bills 2001-59 and 2001-30.

**Cedarbrook** - Commissioner Laughlin said the Cedarbrook Committee met this evening and recommended Bill 2001-61 and discussed Bill 2001-5 1. He said the next meeting will be June 27<sup>th</sup> at 6:00 p.m.

**Development** - Commissioner Rosenfeld said the Development Committee met this evening and reviewed Bill 2001-62. She said Ken Mohr gave the members of the committee a presentation that he made to the Downtown Partnership in Allentown.

There was no Citizens Input On Committee Reports.

Under Commissioner Announcements, Commissioner McNair said June 1<sup>st</sup> was the opening of the Velodrome for its 2001 racing season. He said unfortunately, rain postponed the Olympic reunion. He said it has been rescheduled for August 10 and the June 1<sup>st</sup> tickets are good for August 10<sup>th</sup>.

Commissioner Pascuzzo thanked Rick **Klotz** for providing the curriculum/vitae of Mr. **Ronemus** which he requested at the last meeting. He said he also provided information on two individuals who were recommended by Carol Loomis.

Commissioner **Maher** said on June 5<sup>th</sup> there was a press conference held at Cedarbrook in which Lehigh County, in conjunction with LCCC, announced one of the most meritorious programs he has had the honor to be associated with. He said he commends Cedarbrook's administrative staff and the County's administration for promoting an education and training program for certified nursing assistants. He said this is an excellent program and a good way to retain good employees. He said he also participated in the opening ceremonies at Patriots Park. He said some of the best women softball players in the world participated in games over the weekend.

Commissioner Dougherty said many of us will be back at Cedar View on July 12<sup>th</sup> for the dedication of the pavilion.

The meeting adjourned at 9:02 p.m.

  
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David Barilla, Clerk to the Board