

## **Budget/Operations Meeting Minutes**

### **August 29, 2019**

The Berks County Board of Commissioners met in regular session on Thursday, August 29, 2019, at 2:00 P.M. in the Commissioners' Boardroom, 13th floor of the Berks County Services Center, pursuant to due notice to Board members and the public.

Commissioner Chair Christian Y. Leinbach called the meeting to order with Commissioner Kevin S. Barnhardt in attendance. Commissioner Scott was absent due to a scheduled legal seminar.

Also present were County Solicitor Christine M. Sadler, Chief Administrative Officer Ronald R. Seaman, Chief Financial Officer Robert Patrizio, Chief Clerk Maryjo Gibson. Elected Officials attending were County Controller Sandy Graffius, County Treasurer Dennis Adams, Clerk of Courts James Troutman, Sheriff Eric Weaknecht and Prothonotary Jonathan DelCollo.

The Honorable President Judge Thomas Parisi, Honorable Magisterial District Judges Gail Greth and Steven Chieffo and Court Systems Improvement Manager Trista Oxenreider attended for the discussion on constables.

The following items were discussed:

1. Constable Discussion – Commissioner Leinbach stated this discussion was scheduled because of the possibility of the County performing an audit of all financial aspects of the Magisterial District Justice System. The Commissioners do not fully understand the scope and size of the constable system, who authorizes service, the fees for service, how constables are paid, by whom they are paid, how much is charged to and collected from defendants, therefore, an audit would help in determining what can be done to help make the system more efficient.

Commissioner Leinbach stated the County is also concerned about the impact of proposed legislation by State Representative Barry Jozwiak that would phase out the constable duties to sheriff deputies. His concern is he does not know if we understand if this will increase or decrease county costs. He currently is not sure eliminating constables is a good idea but has no financial data to support or oppose the proposed legislation.

Commissioner Barnhardt stated he wants the goal to be an improved process. Before he commits to the expenditure of public funds for an audit, he wants to know the scope and cost of an audit. He also proposed if appropriate for the Record Improvement Fund to pay for the cost of any recommended software and/or process changes that might be recommended as a result of an audit.

District Justice Greth stated a small sub-committee of MDJ's , of which she is a member has been looking at the constable issue. She said the MDJ courts can run reports that show the financial data for payments to constables, constable fees assessed to defendants and collected. Judge Greth assumes Court Administration

can run the same reports. Judge Greth noted some reports are produced in County and others come from the AOPC.

Commissioner Leinbach asked the Judge to provide samples of all the reports they are able to generate to the Board.

Solicitor Sadler believes the Clerk of Courts Office should be able to produce a report of constable fees assessed by defendant and the amount still outstanding. Her response was based upon a recent inquiry related to a different type of fee that the Clerk of Courts is able to quantify.

President Judge Parisi stated he wants the constable service process to be efficient at the least amount of cost. He wants to know what we are trying to accomplish with an audit. He noted constables are independently elected and provide a useful service to the courts and private citizens. He noted constables are paid by the County, according to the State authorized fee bill, for criminal cases. He also noted they are paid directly by the MDJ courts and private citizens for non-criminal cases, none of which flows through the county books.

Sheriff Weaknecht pointed out there is inefficiency with the current use of constables citing an example of in person hearings for scofflaw violations. He noted these hearings can be accomplished by using video at the jail. The President Judge pointed out that Video is used and is an excellent tool. But the inmate must be ready when the Court is ready to hear from him/her and that is not always the case.

The Clerk of Courts, Jim Troutman, pointed out the issue is how constables are paid citing an example of fee for warrants served stating the state law needs to be changed by legislation.

The President Judge pointed out that no constables were represented at today's meeting and they should be. The Commissioners agreed.

In conclusion, and based on the discussion with all parties present, the Board would like to see the reports the District Justices are able to generate, what Court Administration is able to generate and what can be pulled from AOPC. At this time, the Board is not ready to look at an RFQ for audit services until the County has done its own due diligence.

2. 2020 budget items –

- 1) Greg Gnatt, Business Operations Manager, and Stephanie Shirk, Client Relations Manager at Penn State Extension Service, made a request for an additional \$23,790 to their 2020 Budget. After a brief discussion, the Board agreed to the request.

Commissioner Leinbach also asked for a meeting with Penn State Extension leadership to address future staffing of the Extension Office with Penn State.

- 2) The County Library System is requesting both an increase in county support to member libraries and a new IT support position, the combination of which will exceed a 2% increase. Mr. Patrizio asked if the increase is capped at 2% over the 2019 county support.  
Commissioner Barnhardt is ok with the 2% increase, but only if the 2% goes to salary increases to employees in the County Member Library System and the Reading Public Library. He will consider a new staff request separately and in addition to the 2% increase.  
Commissioner Leinbach stated he went on the record in the Spring and supported a 2% increase to the Library Budget and supports the request presented by the Library Director. He doesn't recall any discussion on a new position at that time. He is willing to consider it in addition to the 2% increase based upon further justification of the need.  
The Board would like Commissioner Scott to weigh on this before Mr. Patrizio moves forward with the 2% increase.  
The Board directed Ron Seaman to work with Human Resources and report back at a future meeting regarding the new position request.
- 3) Mr. Patrizio asked Commissioner Barnhardt if there was any update on the Lease with BARTA. Commissioner Barnhardt responded not at this time.
- 4) Mr. Patrizio asked what the chances are the County will receive a 60% reimbursement from the State for the purchase of new election equipment. Commissioner Leinbach doesn't think we should count on it, but Commissioner Barnhardt mentioned he received information from a good source that the Governor is pursuing a bond issue and the State PDEFA will discuss it at its September 18, 2019 meeting.
- 5) Mr. Patrizio asked if the Commissioners support the proposed Management/Confidential 2.75% increase for 2020 or would they like to change it. The Commissioners said they support it and would like this increase to extend to part time employees as well. Commissioner Leinbach pointed out that he believes part time employees should get the same increase as management every year instead of the current plan which is every other year. Commissioners Barnhardt said he needed to think about that. Mr. Patrizio was directed to discuss this with Commissioner Scott.
- 6) Berks County Solid Waste Authority –  
Mr. Patrizio met with Jane Meeks, Executive Director of the Berks County Solid Waste Authority. The Authority is looking for an increase from \$278,000 to \$320,000. After discussion on various aspects of the Authority's Budget and the salary for Ms. Meeks, Commissioner Leinbach is ok with a \$300,000 budget and Commissioner Barnhardt needs more detail information concerning salary figures before rendering a decision. The Board directed Ron Seaman to put together an outline for review.

7) Penn State St. Joseph's Medical Center –  
Ms. Sadler informed the Board she and Ron Seaman attended a meeting with the District Attorney this morning regarding unpaid bills for DUI/drug test charges to the Hospital. Mr. Patrizio pointed out that the County was not obligated for these charges pursuant to our contract.  
Ms. Sadler informed the Board she asked the Hospital to submit a proposal of how the Hospital would like to settle the outstanding balance. It was also recommended to change the contract going forward.

3. Met Ed Right-of-Way (“ROW”) Request-  
Matt Salkowski, Deputy Director of Facilities and Operations, advised the Commissioners Met Ed has requested a Right-of-Way on a parcel of land off County Welfare Road past Prison Road toward Willow Hollow Golf Course to install 3 regulators and replace 2 poles.  
Commissioner Barnhardt and Commissioner Leinbach support the Met Ed ROW contingent it has absolutely nothing to do with the Mega Watt Route B Transmission line. Commissioners said they want a letter from Met Ed stating the ROW is not the proposed Mega Watt Transmission Line. They directed Mr. Salkowski to secure this in writing.  
In addition, Mr. Salkowski informed the Commissioners he has a quote from Pagoda Electrical for tree removal of \$125,000 that will not be necessary if we bury our power lines while Met Ed is running their lines. The cost to do so, based upon a July 2019 quote is \$207,000. The difference is \$82,000. The Commissioners approved moving forward with this plan at the quoted price of \$207,000.

There being no further business, the meeting adjourned at 4:22 P.M.

Respectfully Submitted,

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Maryjo Gibson, Chief Clerk