

## **Commissioners' Board Meeting Minutes February 14, 2013**

The Berks County Board of Commissioners met in regular session on Thursday, February 14, 2013, at 10:00 A.M. in the Boardroom on the 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 and Commissioner Mark C. Scott in attendance. Also present were Solicitor Alan Miller, Chief Operating Officer Carl E. Geffken and Deputy Chief Clerk Kaitlin P. Daley.

Commissioner Leinbach opened the meeting with a moment of silence and Pledge of Allegiance to the Flag.

### **Approval of Minutes**

The minutes of February 7, 2013 Commissioners' Board Meeting and February 7, 2013 Special Commissioners' Meeting were approved as presented.

### **Consent Agenda Items**

1. A motion was made by Commissioner Barnhardt, seconded by Commissioner Scott and all voted unanimously to approve the items listed below:
  - 45.13 A. Adopt a resolution authorizing 2012 Budget Transfers in the amount of \$390,251.00 and 2012 Appropriations in the amount of \$416,105.00 and 2013 Budget Transfers in the amount of \$29,187.00 and 2013 Appropriations in the amount of \$652,217.00 per listing dated February 8, 2013.
  - 46.13 B. Adopt a resolution authorizing execution of the following Change Orders with regard to the Public Safety Radio Project:
    - Contractor: Pyramid Network Services, LLC**  
Change Order: No. 01-12  
Description: Quantity pricing updates for the following Sites: North Campus, Earl Township, Robeson Township, Mt. Penn II, Hamburg (final), Alsace Township, North Heidelberg and Ontelaunee (updated)  
Change Order Amount: \$285,214.98
    - Contractor: Pyramid Network Services, LLC**  
Change Order: No. 01-13  
Description: Underground electrical service replacement at Mt. Penn  
Change Order Amount: \$31,732.05

- 47.13 C. Adopt a resolution authorizing the County of Berks to affirm that at such time as the County deploys public safety communications technology that makes unnecessary the communications system performance gained by continued maintenance of the Albany (Pulpit Rock), Blue Mountain, and Bethel tower sites at their current location or at their current height, the County will modify or deconstruct such sites.

Director of Berks County Emergency Services, Brian Gottschall, and Jerry Regan from Hawk Mountain Sanctuary attended the meeting to discuss the cooperation between Hawk Mountain and the County of Berks to reach an agreement on this resolution. Mr. Gottschall stated that an MOU is being developed for Albany and Bethel, but no MOU is required for the Blue Mountain site. He stated he hoped the resolution language could be incorporated in the MOUs. He thanked Commissioner Leinbach and Mr. Regan for their efforts in this matter. Mr. Regan expressed his pride for the heritage at Hawk Mountain. He stated that the bylaws at Hawk Mountain Sanctuary prevent them from supporting the tower site; however, they are able to withdraw their opposition because they do support 911 services. Mr. Regan stated he is pleased with the result of this and it was a positive thing to be able to sit down with Commissioner Leinbach and Mr. Gottschall and come to a compromise. Commissioner Barnhardt asked Mr. Regan if there were any similar agreements along any other parts of the Appalachian Trail. Mr. Regan stated he is not aware of any, but hopefully this could open the door to that possibility going forward.

Commissioner Leinbach noted that at the June 2013 CCAP Board Meeting, County Commissioners from across the state will be visiting Hawk Mountain. Mr. Regan pointed out that Hawk Mountain will be dedicating its Education Center on July 12<sup>th</sup> and 13<sup>th</sup>, which will add technology to do project webcasts to classrooms as an alternative to school field trips which have been cut back due to school budget deficits.

- 48.13 D. Adopt a resolution authorizing execution of Addendum No. 1 to Engineering Services Agreement (No. 134627) between the County of Berks and McCormick Taylor, Inc. to include additional services necessary to prepare an alternate road closing design concerning the removal of the DeTurks Bridge superstructure at a not to exceed fee of three thousand dollars (\$3,000.00).

- 49.13 E. Adopt a resolution authorizing the Director of Facilities and Operations to execute the following Change Order in regard to the ICE/ERO Fitout Project:

**Contractor:** Blanski Energy Management, Inc.

**Agreement No.:** AIA-139768-12

**Change Order No.:** MC-01

**Request Date:** January 23, 2013

**Funding Source:** Capital Project Account

52013.32200.00000.81120.200141

**Description:** Request to furnish labor and materials required to install a permanent, cleanable, anti-microbial coating to seal all loose fibers and inhibit microbial growth in all existing ductwork insulation. Project Engineer has reviewed and endorsed this Change Order Request and all stated quantities. Costs to be funded with County dollars allocated to this Project.

Original Contract Amount: \$156,825.00

Total of Previous Change Orders: \$0.00

Change Order Amount: **\$27,688.50**

Amended Contract Amount: \$184,513.50

- 50.13 F. Adopt a resolution authorizing execution of a Modification to the Single County Authority (SCA) Personnel Agreement incorporated in the Department of Drug and Alcohol Programs (DDAP) SCA Grant Agreement, which will remove specific requirements that relate to the submission of job descriptions and SCSC-100 forms to the Department's Office of Human Resources staff.

2. Motion authorizing Christian Y. Leinbach as Chairman of the Board, to execute Contract Agreements/ Amendments as furnished by the Contract Coordinator, per listing dated February 11, 2013.
3. Motion to authorize payments set forth on Controller's Office vouchers listing dated February 12, 2013 for the week ending February 13, 2013.

### Reports

1. County Treasurer Nelson Long, CPA submitted a prepared weekly Treasurer's report.
2. The Controller's weekly report was presented by County Controller Sandy Graffius.

**REPORTS OF CHIEF OPERATING OFFICE/CHIEF FINANCIAL OFFICER**

Chief Financial Officer, Bob Patrizio, reported that the Budget Agenda for February 14, 2013 included a fiscal forecast update and funding items for Children and Youth Services.

**COMMISSIONERS' COMMENTS**

Commissioner Barnhardt commented on the ICE/ERO fitout project. He stated ERO moved in last weekend and the ICE Family Shelter Program will be moving in next week. The County is hopeful that a Temporary Occupancy Permit will be awarded for the building within the next few days.

Commissioner Scott commented on the fact that lead paint and asbestos has been found at Camp Joy and he believes the County is responsible for remediating those issues prior to the Council on Chemical Abuse (COCA) moving in. Commissioner Scott asked George Vogel, Executive Director of COCA, to comment on the plans for the Camp Joy site. Mr. Vogel stated that the plan is for Camp Joy to become a drug and alcohol rehabilitation facility. COCA hopes to contract with a provider for drug and alcohol rehabilitation services.

Commissioner Scott also discussed the Berks County Historic Trust Preservation. He stated the Trust is eager to begin assisting the Planning Commission as soon as a resolution is passed outlining the responsibilities of each organization. Commissioner Scott suggested that a Memorandum of Understanding may be more appropriate than a resolution because it would be more specific. Commissioner Leinbach expressed concern that the relationship between the Planning Commission and the Berks Historic Preservation Trust may have a negative financial impact on the Trust being able to get grants.

Commissioner Leinbach remarked on his attendance at the confirmation hearing for Berks County Judge Jeffrey L. Schmehl in Washington, D.C. on Wednesday February 13, 2013. Judge Schmehl is nominated to fill a federal judgeship. He stated the hearing remains open for five days and a vote will take place sometime in the future.

Commissioner Leinbach also addressed an opinion piece that was anonymously submitted to and published by bctv.org with regard to the County's overhaul of the Emergency Radio System. Commissioner Leinbach stated he has received numerous questions regarding the piece and wanted to address the misconceptions in the opinion piece. Commissioner Leinbach noted that the County did extensive research on the project and the same system was recommended in both studies. He also noted Motorola guarantees the system. Brian Gottschall, Director of Emergency Services, also addressed some of the issues in the article. He states there are several comments in the article that are taken out of context. He noted that in an effort to oppose the project, this author is putting out misinformation. Mr. Gottschall believes the author has the best intentions; however, the technology we will be using is not failed technology, the studies conducted prove there is no health risk, and we are in compliance with all regulations. This system

is being used across the country and works well for those using it. Commissioner Barnhardt remarked that it is interesting how much opposition is received within Berks County for a system designed to save the lives of Berks County residents, yet we have received major cooperation from surrounding counties where we must locate towers. Those counties have gone out of their way to accommodate us because they recognize the importance of this project. Commissioner Barnhardt also stated that opposing areas will have to find their own way to provide and dispatch emergency services because there will not be service in those areas without the proposed towers if we cannot have them built, tested, and ready to go by January 2014.

There being no further business, the meeting adjourned at 10:56 A.M.

Respectfully Submitted,

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Kaitlin P. Daley, Deputy Chief Clerk