

Commissioners' Board Meeting Minutes March 27, 2014

The Berks County Board of Commissioners met in regular session on Thursday, March 27, 2014, 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 Chief Clerk Maryjo Gibson.

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

Presentation

Mary Lou Doyle, Information Specialist/Press Office, Pennsylvania Department of Labor & Industry, presented information on the Job Gateway Program. Ms. Doyle reported this is a program put forth by Governor Corbett and is meant to connect job seekers and employers and is available to all Berks County and Pennsylvania residents. Ms. Doyle commented the website is updated every day and will provide the number of jobs available that day. Ms. Doyle commented there are special features for veterans which identifies the veteran with an American flag next to the name. Ms. Doyle mentioned there is even a module for a mock interview. Ellen Horan, President and CEO of the Berks County Chamber of Commerce, and Pamela Shupp, Vice President of Greater Reading Economic Partnership (GREP), attended the meeting and praised the program as having a great impact for job seekers in Berks County and is perfect timing in the changing economic and mobile job market.

Approval of Minutes

The minutes of March 20, 2014 Commissioners' Board Meeting were approved as presented.

Agenda Items

1. A motion was made by Commissioner Barnhardt, seconded by Commissioner Scott and all voted unanimously to approve the items listed below:
 - 80.14 Adopt a resolution authorizing 2013 Budget Transfers in the amount of \$327,933.00, 2013 Appropriations in the amount of \$90,277.00 and 2014 Budget Transfers in the amount of \$113,590.00 per listing dated March 21, 2014.

- 81.14 Adopt a resolution authorizing Human Resources Recommendations per listing dated March 27, 2014 as follows:
1. Authorize the promotion of Martina Williams from PC011633 Part-Time RN Supervisor – Berks Heim/Nursing to PC011638 RN Supervisor – Berks Heim/Nursing Administration, effective 4/16/14. Rate of \$62,608/annually. Salary budgeted \$67,464/annually. Salary range Minimum \$49,406; Midpoint \$65,875; Maximum \$82,343. Replacement for Maxine Heller who transferred. This request meets the criteria of the Hiring Policy. Budget 53000 – 33090.
- 82.14 Adopt a resolution authorizing execution of the Working with Victims of Juvenile Offenders Grant Application to the Pennsylvania Commission on Crime and Delinquency in the amount of \$61,585.00 for the period July 1, 2014 through June 30, 2015. This is a resumption of funding for the victim-witness unit in Juvenile Probation. To fill the void, JPO was allocated some of the RASA (Rights and Services Act) money from the District Attorney's Office for the past eighteen months. Robert Williams, Chief Berks County Probation Officer, commented it was 20 years ago that the Commissioners approved forming the Victim-Witness Unit and it was fully funded until 2000 when the County started accessing State money. Mr. Williams stated in 2010 the budget was zeroed out by the Governor, but we are now slowly seeing an increase in funding.
- 83.14 Adopt a resolution authorizing execution of Change Order No. 01-24 to the Pyramid Network Services, LLC Contract in the amount of \$1,093,940.20 in regard to the Berks County Public Safety Radio Project. This Change Order is a construction change order for the remaining five sites that were not yet under construction at the time of the last Change Order and for various design changes at other sites.
- 84.14 Adopt a resolution authorizing Christopher Stress, Berks County Parks and Recreation Director, to execute applications for grants relating to Park projects and operations when such grants are for \$15,000.00 or less and do not involve County matching funds.
- 85.14 Adopt a resolution authorizing Christian Y. Leinbach, Commissioner Chair, to execute a Quit Claim Deed from the County of Berks to the Berks County Redevelopment Authority concerning all of the County's right, title and interest in the property commonly referred to as the Colebrookdale Spur Railroad Line.

- 86.14 Adopt a resolution authorizing termination of the Lease and Operating Agreement dated September 2, 2010 between the County of Berks and Eastern Berks Gateway Railroad Corporation and any amendments thereto concerning operation of the Colebrookdale Spur Railroad Line.
- 87.14 Adopt a resolution authorizing Christian Y. Leinbach, Commissioner Chair, to execute an Estoppel and Assignment and Assumption of Licenses and Agreements from the County of Berks to the Berks County Redevelopment Authority concerning operation of the Colebrookdale Spur Railroad Line.
- 88.14 Adopt a resolution authorizing execution of a letter to the Pennsylvania Fish and Boat Commission (the 'PFBC') notifying the PFBC of the County's intent to terminate the January 1973 lease of the Pennsylvania Fish and Boat Commission's Kaercher Creek Park property in Hamburg, Berks County, Pennsylvania, effective April 30, 2014. Commissioner Leinbach commented that the County has been in negotiations for several years in advance of the expiration date, which was December 2012, in trying to come to an agreement on a long term lease for Kaercher Creek Park which is owned by the Pennsylvania Fish and Boat Commission. Commissioner Leinbach commented we were close to an agreement as of last fall but unfortunately the EPA jumped in and identified a battery casings location. Commissioner Leinbach commented the County is now trying to secure an indemnification from PFBC as part of our long term lease, but PFBC will not agree to indemnify the County. Commissioner Barnhardt commented the area that was impacted is a walking trail and not in the general park area. Commissioner Barnhardt stated the area was remediated in 1999 and is not the typical lead contamination but only battery casings. Commissioner Barnhardt commented that without an indemnification he cannot agree to enter into a new lease, but is hopeful the PFBC will come around. County Solicitor Alan Miller pointed out the County wasn't asked and did not participate in the prior clean up. Commissioner Leinbach commented the Board of Commissioners would put lease negotiations back on the table for discussion if the PFBC agrees to an indemnification. Commissioner Scott commented that the EPA provided an 11th hour derailment to what was a done deal. and considering the length of time to negotiate a new lease. Commissioner Scott commented he was generally frustrated with the tenure of the PFBC considering the length of time it took to negotiate a new lease. Commissioner Scott commented he felt the PFBC treated us more like a co-owner and not a lessee, and thinks it fair of the County to be firm on our position.

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 March 25, 2014. Commissioner Leinbach reported there are 3 contracts and referenced the departments.
2. Motion to authorize payments set forth on Controller's Office vouchers payable listing dated March 25, 2014 for week ending March 26, 2014 and the payment of electronic transfers and employee payroll.

Reports

1. County Treasurer A. Dennis Adams, CPA submitted a prepared weekly Treasurer's report.
2. The Controller's weekly report was presented by Deputy County Controller Ronald Rutkowski.

REPORTS OF CHIEF OPERATING OFFICE/CHIEF FINANCIAL OFFICER

1. Carl E. Geffken announced that April is National County Government Month and the theme is *Ready and Resilient Counties: Prepare, Respond, Thrive*, which will begin the week of April 7 through April 14, 2014. Mr. Geffken commented his Executive Assistant Karen Barsoum is working on a series of radio spots, a presentation at a Commissioners' Meeting, a spot on Berks Community Television and his office will be working with Mary Young of the Reading Eagle on a news article. Mr. Geffken commented he received an email from CCAP regarding the filming of the Courthouse which has been chosen as the Historical Courthouse of the Year. Mr. Geffken thanked Solicitor Miller for crafting the resolution and for the Board approving County Parks Director Christopher Stress to approved grants under \$15,000.00 which will allow the Parks Department to act quickly on funding opportunities that have less than a month turn around time.
2. Robert J. Patrizio announced that at today's Budget meeting the Commissioners will be discussing a Community Development Plan, a follow up to the status of the elevator project, cash flow for February and select financial data.

COMMISSIONERS' COMMENTS

Commissioner Barnhardt commented that at the CCAP Spring Conference the Berks County Jail received honorable mention for Special Operations Group of the 21st Century Award. Commissioner Barnhardt reported tonight is the Municipal Officials Dinner sponsored by Berks Municipal Partnership and is an opportunity where local officials will discuss issues of importance and will also hear how the transportation bill will impact local communities.

Commissioner Scott questioned Solicitor Miller if the Estoppel, Assignment and Assumption Agreement regarding the railroad pertain to leases, licenses and agreements for billboards and signs. Solicitor Miller answered yes it is for the approaches to the

billboards and license fees for lease of those easements. Commissioner Leinbach commented that the ultimate objective is to move total ownership from the County to Colebrookdale Trust and Eastern Berks Gateway Railroad.

Commissioner Leinbach had no additional comments.

There being no further business, the meeting adjourned at 11:10 A.M.

Respectfully Submitted,

Maryjo Gibson, Chief Clerk