

Commissioners' Board Meeting Minutes May 29, 2014

The Berks County Board of Commissioners met in regular session on Thursday, May 29, 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 and Chief Clerk Maryjo Gibson. Chief Operating Officer Carl E. Geffken was attending a CCAP Conference for County Administrators.

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

Approval of Minutes

The minutes of May 22, 2014 Commissioners' Board Meeting were approved as presented.

Agenda Items

1. A motion was made by Commissioner Barnhardt to approve the Agenda as presented with exception of 156.14 dealing with guaranteed open and fair competition for construction projects. Commissioner Barnhardt commented he has numerous reasons why he won't support this ordinance naming legal time expended and the cost to advertise an ordinance he feels is totally unnecessary and not needed that deals with project labor agreements (PLA). Commissioner Barnhardt also objected to the section of the ordinance that deals specifically with any monies given to municipalities by the County that would require them to not adhere to any project labor agreements. Commissioner Barnhardt stated that County contracts are negotiated and open, and are available to open shop contractors and there is never a restriction placed on that. Commissioner Barnhardt commented this ordinance could be challenged by the laws of the state and federal government. Commissioner Barnhardt stated for all those reasons and more, he doesn't feel this is necessary, and is akin to the payroll protection resolution, which stirs animosity towards organized labor, who do a lion share of the work for the County and municipal governments. Commissioner Scott seconded the motion to approve the Agenda, and voted in favor of advertising the ordinance. Commissioner Scott commented the ordinance is designed to provide for maximum free market competitive bidding in construction projects, and offers freedom of opportunity for everyone, and doesn't see any reason why we should make any exception to that policy that merely confirms a long standing belief that in America everyone should have equal opportunity to engage in the economic process, union and nonunion people alike. Commissioner Scott stated this ordinance is neutral and doesn't favor one side over the other. Commissioner Leinbach stated he will also support the ordinance and challenged anyone to look

at this ordinance and see anything other than an ordinance that seeks to guarantee fair, open and transparent competition when it comes to building construction projects, adding project labor agreements are none of the above. Commissioner Leinbach stated this ordinance has been looked at very carefully by legal people and believes it will stand up to any challenge or scrutiny. Commissioner Barnhardt interjected, stating that the County does operate in an open, fair and transparent way, and we do not favor one organization over the other. Commissioner Barnhardt commented Commissioner Leinbach and Commissioner Scott are reacting to something the City was asked to do, and it's a solution looking for a problem. Commissioner Scott pointed out that there is a clause in the ordinance which would, by unanimous vote, exempt a project, contract, etc. from any or all provisions of the ordinance. Commissioner Leinbach ended by stating this ordinance is not being voted on today, but is being offered for advertisement as law requires, and requested the ordinance be posted on the County's webpage. All voted unanimously to approve the items listed below with the exception as previously noted.

150.14 Adopt a resolution authorizing 2014 Appropriations in the amount of \$1.00 per listing dated May 23, 2014.

151.14 Adopt a resolution authorizing Human Resources Recommendations per listing dated May 29, 2014 as follows:

1. Authorize the appointment of Michael Oppenheimer to PC012683 Senior Governmental Accountant – Controller's Office, effective 6/11/2014. Rate of \$56,000/annually. Salary budgeted \$56,375/annually. Salary range Minimum \$40,643; Midpoint \$54,190; Maximum \$67,738. Replacement for Mark Westover who separated. This request meets the criteria of the Hiring Policy. Budget 10000 – 11120.
2. Authorize a temporary salary increase for Charles Brantman PC011416 Network Administrator – Information Systems, effective 6/4/2014. Rate of \$75,000/annually. Salary budgeted \$68,880/annually. Salary range Minimum \$54,161; Midpoint \$72,214; Maximum \$90,268. This working of out classification compensation will cease upon the appointment of an Oracle Services Manager. This request meets the criteria of the Hiring Policy. Budget 10000 – 11170.
3. Authorize a temporary salary increase for Andrew Seroka PC011942 Oracle Application Developer – Information Systems, effective 6/4/2014. Rate of \$72,000/annually. Salary budgeted \$63,345/annually. Salary range Minimum \$52,292; Midpoint \$69,723; Maximum \$87,153. This working out of classification

compensation will cease upon the appointment of an Oracle Services Manager. This request meets the criteria of the Hiring Policy. Budget 10000 – 11170.

4. Authorize the utilization of a temporary agency for Office Support – Jail System, effective 5/30/2014. Rate not to exceed \$16.50/hour. Utilization of the temporary agency will cease when the Office Support IV position is filled. This request meets the criteria of the Hiring Policy. Budget 10000 – 12090.

- 152.14 Adopt a resolution authorizing Christian Y. Leinbach, Commissioner Chair, to execute the Memorandum of Understanding between the County of Berks and the City of Reading for the allocation of \$13,056.00 from the 2014 Edward Byrne Memorial Justice Assistance Grant. This is an annual grant applied for by the City of Reading and is shared with the District Attorney's Office. The funds will be used for equipment, supplies, training, investigative expenses and payment of overtime wages and other such projects as the District Attorney deems appropriate.

Detective Todd Trupp, Berks County District Attorney's Office, commented this Memorandum of Understanding will be used for training and crash investigations and other matters relating to criminal investigations.

- 153.14 Adopt a resolution authorizing Brian A. Gottschall, Director of Berks County Emergency Services, to execute on behalf of the County of Berks, an Agreement between the County of Berks and Union Township which will allow the County to apply for partial funding for the installation of a standby power generator capable of powering core systems of the Township Building (HVAC) and the designated Emergency Operations Center (EOC) area of the building.

- 154.14 Adopt a resolution authorizing execution of the Agreement for Engineering Services for Design and Construction Services for Normal Avenue Bridge, Kutztown Borough, Berks County between the County of Berks and McCormick Taylor, Inc., Exton, Pennsylvania, at the not to exceed amount of \$125,514.58.

- 155.14 Adopt a resolution changing the expiration dates of all members of the Berks County Public Libraries Board ("Board") from June 30 to December 31 as follows:

1. Ruth Perkins from June 30, 2014 to December 31, 2014
2. Kim Stahler from June 30, 2015 to December 31, 2015
3. John W. Smith from June 30, 2016 to December 31, 2016
4. Robert W. Jones from June 30, 2014 to December 31, 2014
5. Michelle Kircher from June 30, 2016 to December 31, 2016

6. Andrew S. George from June 30, 2015 to December 31, 2015
7. Tina Marie DeLong from June 30, 2015 to December 31, 2015

This change in expiration dates is due to the Board realigning their annual calendar with those of other member libraries taking place in January.

Commissioner Leinbach commented this request was made by the Library Board and puts the Board in line with the County's fiscal year that the County functions on.

- 156.14 Adopt a resolution authorizing the Solicitor's Office to advertise the enactment of proposed Ordinance 06-2014 whereby the County of Berks guarantees fair and open competition for construction projects.
2. Motion to authorize payments set forth on Controller's Office vouchers payable listing dated May 27, 2014 for week ending May 28, 2014 and the payment of electronic transfers and employee payroll.

Reports

1. Commissioner Leinbach presented the weekly Treasurer's report for County Treasurer A. Dennis Adams who did not attend the meeting.
2. The Controller's weekly report was presented by First Deputy Controller Ronald Rutkowski.

REPORTS OF CHIEF OPERATING OFFICE/CHIEF FINANCIAL OFFICER

1. Robert J. Patrizio reported there will be a review of the June 1 Insurance renewal with Mr. Malinowski of EH&D, an update of the April cash flow and a review of the 5 year pension evaluation.

COMMISSIONERS' COMMENTS

Commissioner Barnhardt reported he attended the first Joint Coordinating Committee meeting with BARTA and Red Rose Transit in Lancaster County yesterday, and it went extremely well. Commissioner Barnhardt stated there will be subsequent meetings once more financial data is collected. Commissioner Barnhardt commented the Committee anticipates a formalized recommendation of the Joint boards by the end of September on whether to consider either a partial or full consolidation, or leaving both agencies as they are. Commissioner Barnhardt reported the Committee did find out that any actual real savings by either agency by merger or consolidation, the local match that the counties contribute will go down dollar for dollar based on administrative savings for a 5 year period. Commissioner Barnhardt added that state and federal funds are locked in by legislation and there would be no additional benefit in that regard. Commissioner

Barnhardt added a presentation will be made to the joint Authorities and possibly with the Commissioners of both counties, after all data is received and reviewed.

Commissioner Barnhardt reported the County is looking for some support for the Heister Mansion located at the Jail which was the residence of the former warden.

Commissioner Barnhardt stated he has reached out to the Berks Historical Society and Chris Stress, Park Director and the County's resident historical architect, to look at the building to remediate any short term issues, as well as look at long term restoration and remediation of the Heister Mansion. Commissioner Barnhardt stated he will report back to the Board with more information as it becomes available.

Commissioner Scott reported that yesterday he went on an extensive tour of the Antietam Lake Park forest land via walking trail and all-terrain vehicles with Mr. Latchar a Forester of Glatfelter Paper, and Chris Stress, park employees and reporter Mary Young. Commissioner Scott reported the tour covered most of the contiguous parcels that were the subject of an extensive study of the forest conducted in 2006. Commissioner Scott commented this is part of a management process in caring for mature woodlands, adding most of the forested area of Antietam Lake Park is a mature forest. Commissioner Scott stated Mr. Latchar will provide a detailed report of his tour of Antietam Lake Park forest land and develop some specific recommendations for the subject parcels.

Commissioner Leinbach reported on an article he read in the Women of Influence publication from the Lehigh Valley Business Journal that there were 3 Berks County ladies highlighted and congratulated Pamela Gockley, Jill Martin and Heidi B. Masano, a Berks County Assistant Solicitor, on earning that special recognition. Commissioner Leinbach highlighted two items from Monday, Memorial Day. Commissioner Leinbach mentioned the guest editorial in the online edition of the Reading Eagle of Commissioner Scott's father, Kenneth Scott, who served in the U.S. Navy during WWII. Commissioner Leinbach commented it was an amazing speech. Commissioner Leinbach reported on the sad news on the passing of Paul Revere Gordon, who was one of the subjects in the book "Ordinary Heroes" written by Sharon Wells Wagner.

Comments from the Floor

Berks County Recorder of Deeds Frederick Sheeler reported on the number of homeowners who have had hail damage and have paid off their mortgages but never had the lending institutions removed from their homeowners insurance policies. Mr. Sheeler commented that means the insurance checks will most likely be issued to both homeowner and the institution. Mr. Sheeler recommended the homeowners contact his office or go online to obtain a mortgage satisfaction piece.

There being no further business, the meeting adjourned at 10:42 A.M.

Respectfully Submitted,

Maryjo Gibson, Chief Clerk