

Commissioners' Board Meeting Minutes June 11, 2015

The Berks County Board of Commissioners met in regular session on Thursday, June 11, 2015, 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 Mark C. Scott in attendance. Commissioner Barnhardt was absent. 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.

Approval of Minutes

The minutes of June 4, 2015 Commissioners' Board Meeting were approved as presented.

Agenda Items

1. A motion was made by Commissioner Scott, seconded by Commissioner Leinbach, and all voted unanimously to approve the items listed below.
 - 151.15 Adopt a resolution authorizing 2015 Budget Transfers in the amount of \$119,572.00 and 2015 Appropriations in the amount of \$114,005.00 per listing dated June 8, 2015.
 - 152.15 Adopt a resolution authorizing Human Resources Recommendations per listing dated June 11, 2015 as follows:
 1. Authorize the appointment of Kenneth Brown to PC010158 Assistant District Attorney IV – District Attorney's Office, effective 6/17/2015. Rate of \$70,500/annually. Salary range Minimum \$50,180; Midpoint \$66,907; Maximum \$83,634. Replacement for Karissa Rodriguez who separated. This request meets the criteria of the Hiring Policy. Budget 10000 – 11580.
 2. Authorize the transfer of Ruth Somers, PC011638 RN Supervisor – Berks Heim Nursing Department to PC011009 Director of Staff Development – Berks Heim Staff Development Department, effective 7/1/2015. Rate of \$66,506/annually. Salary range Minimum \$47,327; Midpoint \$63,103; Maximum \$78,878. Replacement for Frank Berry who transferred. This request meets the

criteria of the Hiring Policy. Budget 53000 – 33330.

- 153.15 Adopt a resolution authorizing Christian Y. Leinbach, Commissioner Chair, to execute a letter to Bern Partners, L.P., (Lessor) Reading, Pennsylvania, providing notification of the County of Berks (Lessee) intent to exercise its option to renew the Lease Agreement for a one (1) year period beginning January 1, 2016 for Magisterial District Court 23-3-05 (Thomas Gauby).
- 154.15 Adopt a resolution authorizing Christian Y. Leinbach, Commissioner Chair, to execute a letter to Dierolf Enterprise, Oley, Pennsylvania, providing notification of the County of Berks (Lessee) intent to exercise its option to renew the Lease Agreement for a three (3) year period beginning December 1, 2015 for Magisterial District Court 23-3-03 (Victor M. Frederick IV).
- 155.15 Adopt a resolution authorizing Christian Y. Leinbach, Commissioner Chair, to execute the Memorandum of Understanding (MOU) between the County of Berks and the City of Reading for allocation of funds for the 2015 Edward Byrne Memorial Justice Assistance Grant.
- 156.15 Adopt a resolution authorizing the County Solicitor to advertisement enactment of proposed Ordinance No. 01-2015; No. 02-2015; No. 03-2015 and No. 04-2015 authorizing the County of Berks to delegate to the Pennsylvania Secretary of Transportation its authority to acquire the right-of-ways necessary for the following County Bridge projects:
1. Peach Street Bridge, Kutztown Borough (Bridge 10B)
 2. Burkeys Bridge, Washington Township (Bridge 74B)
 3. Blacksmith Road Bridge, Amity Township (Bridge 34A)
 4. Hartz Mill Road Bridge, Caernarvon Township (Bridge 38A)
- 157.15 Adopt a resolution authorizing Christian Y. Leinbach, Commissioner Chair, to execute the Engagement Letter with Dilworth Paxton, LLP, Philadelphia, Pennsylvania in connection with the recovery of 911 and/or E911 fees due the County of Berks.
- 158.15 Adopt a resolution authorizing Christian Y. Leinbach, Commissioner Chair, to execute the Professional Services Contract between the County of Berks and Phone Recovery Services, LLC, Hoboken, New Jersey to perform a forensic audit to detect, document and arrange for collection of unpaid 911 and/or E911 fees due the County of Berks.

2. Motion to authorize payments set forth on Controller's Office vouchers payable listing dated June 9, 2015 for week ending June 10, 2015 and the payment of electronic transfers and employee payroll.

Commissioner Leinbach announced there is one additional item being added and that is agreements to bring on the services of PRC and Dillworth Paxton pursuant to final approval by the County Solicitor. County Solicitor Miller commented that he and Brian Gottschall, Director of Emergency Services, have been working on this Agreement for quite some time with Tim Carson of Dilworth Paxson and representatives of PRC and have ironed out a good agreement and he has reviewed this matter with each Commissioner. Solicitor Miller commented this agreement is to provide legal services regarding uncollected 911 fees charged by telecommunication companies. Solicitor Miller mentioned Dillworth Paxton has been the lead firm in representing approximately 15 counties in southeast Pennsylvania regarding this same issue. Commissioner Leinbach commented the Board had several meetings on this, but before a decision was made, did some very significant investigation not only to the County bills, but also on some of the larger employers in Berks County, and has found some severe discrepancies as to telecom charges. Commissioner Leinbach stated these charges are relative to VOIP and digital trunk lines.

Reports

1. The County Treasurer's weekly report was presented by Commissioner Leinbach. Mr. Adams was absent.
2. The Controller's weekly report was presented by County Controller Sandy Graffius.

REPORTS OF CHIEF OPERATING OFFICE/CHIEF FINANCIAL OFFICER

1. Carl E. Geffken announced that on June 30, 2015 there will be an Open House at the Berks Heim for the new Rehabilitation Wing; and the bid for the elevator project will be going out within two weeks.
2. Robert J. Patrizio reported the Commissioners will receive a CYS intake/in-home budget update, and capital project progress report and cost update from Ryan Hunter and Jennifer Lawler.

COMMISSIONERS' COMMENTS

Commissioner Barnhardt apologized for being late but was attending a meeting at the West Reading Fire Company regarding ReadingBridges.net and the closure of the Buttonwood Street Bridge. Commissioner Barnhardt commented the meeting was well attended by the residents and he was very impressed by their questions and comments. Commissioner Barnhardt reported there will be another meeting this evening at the Fire Company.

Commissioner Leinbach reported to Commissioner Barnhardt that the Board added an item to the Agenda regarding retaining the law firm of Dilworth Paxton and PRC, and asked if the meeting could be reopened in order to allow Commissioner Barnhardt to vote. Commissioner Barnhardt commented he supported retaining Dilworth Paxson and PRC. Commissioner Scott motioned to open the meeting to allow Commissioner Barnhardt to participate in voting for the Agenda items; the motion was seconded by Commissioner Barnhardt and all voted unanimously to reopen the meeting for purposes of allowing Commissioner Barnhardt to vote on the Agenda items.

A motion was made by Commissioner Scott to approve the Agenda as presented, said motion was seconded by Commissioner Barnhardt, and all voted unanimously to approve the Agenda items as presented.

Commissioner Scott commented on the discuss for the Budget Meeting this afternoon item regarding CYS and the additional head count, and is a classic illustration of how amendments to the law impacts subordinate and subsidiary entities, specifically Counties, who are charged with enforcing the laws, and the financial impact could be substantial. Commissioner Scott stated this change is prompted by change in the definition of what type of individuals is mandated to report suspected cases of child abuse. The number of intake reports could be 20% to 40% or higher.

Commissioner Scott commented he has been contacted by an individual regarding complaints about the application of certain waste products on fields in Hereford Township and Upper Hanover Township. Commissioner Scott commented the waste material is derived from waste water treatment process of Hatfield Meat Processing Plant. Commissioner Scott reported the waste application supposedly creates a horrendous odor and very fine particulate matter when the will blows and has resulted in numerous complaints from nearby residents. Commissioner Scott commented his office has made numerous inquiries of State Agencies to try and bring some relief to those people but to no avail. Commissioner Scott commented he will continue to police this disposal of waste product and will continue to look into this issue and keep his colleagues informed.

Commissioner Leinbach commented last Saturday he took part in the 250 Anniversary of the founding of the Borough of Shoemakersville where he had the opportunity to speak. Commissioner Leinbach reported there were a couple thousand people in attendance. Commissioner Leinbach commented this Saturday he will participate in the 100 Anniversary of the Strausstown Fire Company and it is a great local Volunteer Fire Company. Commissioner Leinbach commented on the tragic motorcycle accident that occurred that week that claimed the life of one of the Pastors at Glad Tidings Church. Commissioner Leinbach stated Pastor Lynn Koch was killed and her husband, Pastor Brian Koch was seriously injured. Commissioner Leinbach commented he had just attended a service at Glad Tidings for first responders that morning and Pastor Brian Koch conducted the service. Commissioner Leinbach encouraged everyone to keep the family and Church in your prayers, and there will two memorial services next Wednesday for Pastor Lynn Koch.

Comments from the Floor

County Controller Sandy Graffius announced that the State County Controller's Conference will be held in Berks County July 19th and she has many good things planned.

Daniel Reavy, Director of External Affairs for Verizon, attended the meeting to observe and become familiar with County government. Mr. Reavy also requested to rebut Commissioners Scott's comments regarding the Hatfield Meat Processing Plant. Mr. Reavy stated he is a neighbor of the Hatfield Plant and has always found them to be a good corporate neighbor. Mr. Reavy admitted years ago there was some odor being emitted from the Plant, but Hatfield has since corrected that issue. Commissioner Scott replied he was not referring to the Hatfield Plant itself, but what happens to the product that is turned over to third parties for distribution.

There being no further business, the meeting adjourned at 10:35 A.M.

Respectfully Submitted,

Maryjo Gibson, Chief Clerk