

Commissioners' Board Meeting Minutes August 27, 2015

The Berks County Board of Commissioners met in regular session on Thursday, August 27, 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 Kevin S. Barnhardt and Commissioner Mark C. Scott in attendance. Also present were First Assistant County Solicitor Christine M. Sadler, 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

Jack Gulati, Chuck Gulati and Ken Pick attended the meeting to make a request to the Board of Commissioner for a possible Tax Increment Financing (TIF) for a project at Stokesay Castle. Also attending the meeting in support of this request was Jon Scott, Greater Reading Economic Partnership and Lee Olsen, Olsen Design. Mr. Gulati remarked that in 2009 he purchased the ruined Stokesay Castle and to date it has been a very successful venture. Mr. Gulati stated two years ago he purchased an additional 18 acres and a few months ago purchased an additional two acres, giving Stokesay Castle additional access to Spook Lane. Mr. Gulati commented that with 30 acres he would like to build a combined hybrid residential development since that is what it is zoned and presented prepared site plans of his proposal showing the location of the buildings and roadways. Mr. Gulati commented they had a study performed as required for senior housing, and they have met all the requirements except pricing of the units, and that is why he is before the Board today to request the Commissioners consider a TIF for this project. Ken Pick reported that the estimated cost of the project would be \$51 million to \$61 million with a possible increase in assessment of \$34 million to \$37 million. Mr. Pick commented should the project go through the local municipalities including the County could realize an increase in tax revenue as well as the creation of approximately 102 new jobs. Mr. Pick stated they are also before the Board today to request the Board of Commissioners appoints someone to the TIF Committee. Commissioner Leinbach requested Ken Pick contact each Commissioner individually to discuss this request. Mr. Gulati reported the Township has appointed someone and he is expecting to hear from the School District shortly on who they will appoint to the TIF Committee.

Approval of Minutes

The minutes of August 20, 2015 Commissioners' Board Meeting were approved as presented.

Agenda Items

1. Enactment of County Ordinance:

No. 05-2015 AN ORDINANCE OF THE COUNTY OF BERKS, PENNSYLVANIA, PRESCRIBING TRAFFIC REGULATIONS AND PROVIDING PENALTIES FOR THE ENFORCEMENT THEREOF.

Commissioner Leinbach commented this Ordinance is for a stop sign to be placed at the intersection at County Welfare Road.

2. A motion was made by Commissioner Barnhardt to approve the Agenda as presented but voted No to Item No. 227.15, stating he believes the County can undertake operating the Sewage Treatment Plant with County staff. The motion was seconded by Commissioner Scott and all voted unanimously to approve the items listed below:

225.15 Adopt a resolution authorizing 2015 Budget Transfers in the amount of \$92,589.00 and 2015 Appropriations in the amount of \$144,610.00 per listing dated August 24, 2015.

226.25 Adopt a resolution authorizing Human Resources Recommendations per listing dated August 27, 2015 as follows:

1. Authorize the appointment of Scot Boyd to PC013097 Technical Support Administrator – Information Systems, effective 9/9/2015. Rate of \$39,000/annually. Salary range Minimum \$37,577; Midpoint \$50,102; Maximum \$62,628. New position created by Salary Board on 3/19/15. This request meets the criteria of the Hiring Policy. Budget 10000 – 11170.
2. Authorize the utilization of a temporary agency for the Internal Auditor position – Controller's Office, effective 8/28/2015. Rate not to exceed \$29.95/hr. Utilization of the temporary agency will cease when a candidate is hired to fill the Internal Auditor position. This request meets the criteria of the Hiring Policy. Budget 10000 – 11120.

227.15 Adopt a resolution authorizing the award and the Director of Contracts & Procurement to execute as a result of Invitation to Bid #14-31-MB an (18) month contract for the Waste Water Treatment Plant Operations as identified therein:

M & B Environmental
744 Harleysville Pike
Harleysville, PA 19438

Labor/Personnel Services: \$183, 813.00

It is the County's intention to directly procure all goods and services outside of this contract for the operation of the plant. However, should it be deemed to be cost beneficial at any time, the County may elect to have M&B Environmental procure a good and/or additional service to operate the plant, they shall invoice the County for the actual cost plus a 15% management/process charge.

- 228.15 Adopt a resolution authorizing Christian Y. Leinbach, Commissioner Chair, to execute the First Addendum to License Agreement between the County of Berks and Council on Chemical Abuse, Inc., (COCA) Reading, Pennsylvania to lease an additional parcel of land and to make a one-time contribution in the amount of \$9,000.00 for maintenance of the licensed premises.
- 229.15 Adopt a resolution authorizing Christian Y. Leinbach, Commissioner Chair, to execute the PayGov.U.S, LLC Agency Service Agreement between the County of Berks and PayGOV.US, LLC, Indianapolis, Indiana, to provide payment processing services to the Berks County Sheriff's Department for a month-to-month terms effective upon execution of both parties at no cost to the County.
- 230.15 Adopt a resolution authorizing execution of the Engineering Services Agreement between the County of Berks and M & A Excavating, Mertztown, Pennsylvania to install a sewage pump and force main at the Park Office, Gring's Mill Recreation Area, at a not to exceed amount of \$9,250.00.
- 231.15 Adopt a resolution authorizing Christian Y. Leinbach, Commissioner Chair, to execute the Engagement Letter with Obermayer, Rebmann, Maxwell & Hippel, LLP, to provide legal representation to the County of Berks and the Berks County Recorder of Deeds Office in litigation against MERSCORP Holdings, Inc. (MERS) and such other banking and mortgage financial institutions as deemed appropriate that are members of MERS or have utilized the MERS national electronic registry system to avoid recording documents in the Berks County Recorder of Deeds Office. The litigation will be conducted on a contingent fee basis.
Commissioner Leinbach commented the retention of this law firm was discussed at last week's Meeting and has been brought up by Berks County Recorder of Deeds Frederick Sheeler over the past few years.

- 232.15 Adopt a resolution authorizing Christian Y. Leinbach, Commissioner Chair, to execute the Engagement Letter to appoint Mark R. Sprow, Esq., Derr, Hawman & Derr, as Special Counsel to represent the Berks County Agricultural Land Preservation Board.
3. Motion authorizing Christian Y. Leinbach as Chairman of the Board, to execute Contract Agreements/Amendments as furnished by the Contract Coordinator, per listing dated August 25, 2015. Commissioner Leinbach reported there are 2 contracts and referenced the departments.
4. Motion to authorize payments set forth on Controller's Office vouchers payable listing dated August 25, 2015 for week ending August 26, 2015 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 Controller Ronald Rutkowski.

REPORTS OF CHIEF OPERATING OFFICE/CHIEF FINANCIAL OFFICER

1. Carl E. Geffken reported last night he attended the Berks County Agricultural Land Preservation Board meeting and introduced Attorney Mark Sprow to the Board. Mr. Geffken reported the State Budget impasse is impacting our cash position in addition to the County Providers of human services.
2. Robert J. Patrizio reported the Commissioners will receive a report on the annual review of the capital plan especially as it relates to Facilities and Parks; and if time allows, discuss Route 222 expansion and a request that has been made by Maiden creek Township.

COMMISSIONERS' COMMENTS

Commissioner Barnhardt commented Reading Bridges.Net will be meeting tomorrow at the Reading Airport to go over the pros and cons of the detours, the Park n' Ride and driving into the City and tweak any areas that need to be.

Commissioner Barnhardt reported South Central Transit Authority has been asked to participate in the multi-region group and to look at the possibility of other consolidations throughout the south central Pennsylvania region.

Commissioner Scott reported that earlier this week he met with representatives of INR, an investment firm which had previously met with the Board at a Budget session regarding the County's 457B Plan. Commissioner Scott commented INR is one of the few firms that offer low cost index funds to County and municipal employees across the

State to invest in deferred compensation plans with very low fees. Commissioner Scott stated he asked the representative to put together a pro forma contract for consideration by the Board.

Commissioner Scott commented he is very pleased that the County has finally brought to a successful conclusion the procurement of a new operator for the County Sewage Plant which serves the North Campus and a portion of Bern Township.

Commissioner Leinbach announced that very early tomorrow morning he will be leaving with a group from his Church, including Mary Buerer and her husband, to travel to Haiti to help people at their sister Church with building projects and ministry work.

COMMENTS FROM THE FLOOR

Berks County Recorder of Deeds Frederick Sheeler commented that the legal action just authorized by the Board in the MERS matter is not solely based on the fee income we are losing, but also to make the records more transparent.

Berks County Clerk of Courts James Troutman asked for clarification on the TIF request made today, asking is it his understanding that the homes or units to be built would cost \$270,000 and would the TIF be used to reduce the cost per unit, and the additional funds to be used for roads. Commissioner Leinbach responded this is the first time the Board is hearing these details, and it is his understanding that a County TIF must only be used for public infrastructure and doesn't believe we can approve if it's for a private use.

There being no further business, the meeting adjourned at 10:44 A.M.

Respectfully Submitted,

Maryjo Gibson, Chief Clerk