Commissioners’ Board Meeting Minutes
November 21, 2019

The Berks County Board of Commissioners met in regular session on Thursday, November 21, 2019, at 10:00 A.M. in the Commissioners’ Boardroom, 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 County Solicitor Christine M. Sadler, Chief Administrative Officer Ronald R. Seaman and Chief Clerk Maryjo Gibson.

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

PRESENTATION

Chief Financial Officer Robert Patrizio presented the proposed 2020 County Budget for consideration by Board of Commissioners and the citizens of Berks County.

Mr. Patrizio stated work on the Budget began early in the year and throughout the year at weekly Budget Meetings. Mr. Patrizio reported significant discussions on the Berks Heim, union negotiations, Jail staffing and discussions on closing the CRC building were discussed at these Budget Meetings.

Mr. Patrizio reported many of the Commissioners’ 2020 goals were reached, most importantly no property tax increase and the County will be able to balance the operating budget without the use of reserves.

Mr. Patrizio reviewed the highlights of the proposed 2020 Budget, noting the County will still be able to maintain commitments to GREP, RACC, the Library System, the Park System and the Council on Chemical Abuse, and are still able to maintain a Aaa stable outlook this year, being only 1 out of 4 counties in the State, and in the top 5% in the country.

Mr. Patrizio noted some of the more relevant risk factors to be aware of is the timing of a new jail, the outcome of the landfill litigation, federal immigration policy changes, and the never ending State Budget cuts and unfunded mandates.

Mr. Patrizio stated he is pleased to report at this time, he is not recommending a tax increase for 2020, and the preliminary budget package will be available in his office, the Commissioners’ Office and will be posted on the County website.

Commissioner Barnhardt commended Bob and his staff for presenting a stable financial outlook the past 12 years, and for keeping the Board on point. Commissioner Barnhardt noted for the public these discussions just don’t happen in the fall, but almost every Thursday, and the Budget is the number one issue the Commissioners deal with.

Commissioner Barnhardt noted it is significant we have a capital reserve fund balance that allows the County to catch up on capital projects especially County bridges and infrastructure, which has been neglected for years.

Commissioner Barnhardt stated moving forward the main issue will be justifying the cost to the taxpayers for a new jail.
Commissioner Scott commented it is important to point out that the Berks Heim will generate a surplus, and according to his understanding, pursuant to the Union agreement, those profits will be accumulated and netted off against future losses, which are anticipated; and the Commissioners will not consider selling the Heim for the next five years or longer so long as the net fund balance remains positive.

Commissioner Scott thanked the Budget staff that support Bob, and Bob, for his ongoing efforts on behalf of the County and the taxpayers of Berks County, and thanked Bob for all his efforts during his term as Commissioner.

Commissioner Scott remains concerned by the future actions of the Board relative to the Jail going forward, and in his opinion, it is the number one issue that could have a marked impact on the County tax rate. Commissioner Scott strongly feels privatizing the Jail is the most fiscally responsible option for the County.

Commissioner Leinbach thanked Bob and the Budget team for the work they do every day, noting the Commissioners must rely on a professional team when it comes to the Budget and finances.

Commissioner Leinbach encouraged the public to view the Budget Presentation and the full draft Budget on line, noting there could be some minor adjustments made before final adoption December 12, 2019.

**Approval of Minutes**

The minutes of November 7, 2019 Commissioners’ Board Meeting and November 7, 2019 Budget/Operations Meeting were approved as presented.

Commissioner Leinbach noted there was an Executive Session held November 20, 2019, dealing with litigation, personnel, lease negotiations and contract negotiations.

**Public Comment on Agenda Items**

Retired Berks County Court of Common Pleas Judge Arthur E. Grim and Jane Palmer, Wyomissing, requested to comment on Ordinance No. 04-2019.

Judge Grim commented he attended the meeting today to find out more about the proposed Ordinance and Contract with Centre County, and the use by Berks County to utilize bed space at the Centre County Jail. Judge Grim stated he has since learned this contract will not result in immediate transfer of inmates but is more of an insurance policy. Judge Grim acknowledged he understands there are times when it is necessary to separate inmates and was concerned about the 2 ½ hour trip to Centre County. Judge Grim also asked the Board of Commissioners to work with the Board of Judges to make sure this action effects a minimum number of inmates.

Jane Palmer, Wyomissing, hopes the Board does not send pre and post trial inmates to Centre County, and asked the Board to be more transparent regarding decisions made at the Jail.
Commissioner Barnhardt responded that these contracts are common for counties to enter, and Berks County is only being proactive. Commissioner Barnhardt noted we are also working with Lehigh County on a similar agreement.

**Agenda Items** –

1. Commissioner Scott stated due to the hour (11:06 a.m.), and because the Agenda Items are routine in nature, he motioned to approve the Agenda as presented. Said motion was seconded by Commissioner Barnhardt, and all voted unanimously to approve the items listed below:

   A. Enactment of County Ordinance:

   04-2019 An Ordinance authorizing the Board of Commissioners of the County of Berks to enter into an Intergovernmental Agreement between the County of Centre and the County of Berks for the purpose of housing Berks County Pre-Trial and Post-Trial detainees at the Centre County Correctional Facility.

   B. Adopt the following Resolutions:

   362.19 Adopt a resolution authorizing 2019 Budget Transfers in the amount of $676,718 and 2019 Appropriations in the amount of $135,974 per listing dated November 18, 2019.

   363.19 Adopt a resolution authorizing Human Resources Recommendations per listing dated November 21, 2019 as follows:

   1. Authorize the appointment of Emmanuel Soto to PC010218 Buyer – Purchasing Department, effective 11/25/2019. Rate of $38,500/annually. Salary range Minimum $35,168; Midpoint $46,891; Maximum $58,614. Replacement for Patricia Barnes who separated. This request meets the criteria of the Hiring Policy. Budget 10000 – 11180.

   2. Authorize the transfer of Patricia Stupp from PC010046 Activity Therapist to PC011722 Office Support II – Berks Heim Nursing Administration, effective 12/11/2019. Rate of $16.57/hour. Salary range Minimum $25,866; Midpoint $34,487; Maximum $43,109. Replacement for Carol Gemmiti who separated. This request meets the criteria of the Hiring Policy. Budget 53000 – 33030.
364.19 Adopt a resolution authorizing the appointment of Amanda Gosling, M.D., FAAP, Shillington, Pennsylvania, to the Berks County Children and Youth Services Advisory Board filling an unexpired term ending December 31, 2020.

365.19 Adopt a resolution authorizing the reappointment of Marie Erlandson, Bechtelsville, Pennsylvania, to the Berks County Children and Youth Services Advisory Board for a three (3) year term ending December 31, 2022.

366.19 Adopt a resolution authorizing the reappointment of Amanda Hernandez, Blandon, Pennsylvania, to the Berks County Children and Youth Services Advisory Board for a three (3) year term ending December 31, 2022.

367.19 Adopt a resolution authorizing the reappointment of Mark Sprow, Esq., Shillington, Pennsylvania, to the Berks County Area Agency on Aging Advisory Council for a two (2) year term ending December 31, 2021.

368.19 Adopt a resolution authorizing the appointment of Ken Lebron, Reading, Pennsylvania, to the Berks County Area Agency on Aging Advisory Council for a two (2) year term ending December 31, 2021.

369.19 Adopt a resolution authorizing the reappointment of Karen Miller, Bernville, Pennsylvania, to the Berks County Area Agency on Aging Advisory Council for a two (2) year term ending December 31, 2021.


371.19 Adopt a resolution authorizing the reappointment of Timothy Snyder, Blandon, Pennsylvania, to the South Central Transit Authority for a five (5) year term expiring December 31, 2024.

372.19 Adopt a resolution authorizing the reappointment of Barb Werner, Hamburg, Pennsylvania, to the Berks County Children & Youth Services Advisory Board for a three (3) year term expiring December 31, 2022.
373.19 Adopt a resolution authorizing the appointment of Kim McGrath, Douglassville, Pennsylvania, to the Berks County Agricultural Land Preservation Board to fill the remainder of a three (3) year term expiring December 31, 2021.

374.19 Adopt a resolution of the Board of Commissioners of the County of Berks, Pennsylvania, amending Resolution No. 333-19 which approved a financing by the Berks County Municipal Authority of a project for the benefit of Alvernia University, approving a revised project description to include the financing of additional capital projects of the University, and permit proceeds of the Bonds to be allocated to reimburse costs incurred by the University to construct the new PLEX building; and declaring that it is desirable for the health, safety and welfare of the people in the area served by Alvernia University for the authority to participate in the financing of the project; authorizing the approval of the project, as revised, for Federal Internal Revenue Code purposes; and authorizing other necessary and appropriate action.

375.19 Adopt a resolution authorizing execution of the Addendum to Lease Agreement between Robert J. Marrella and John Reshetar, Wyomissing, Pennsylvania, and the County of Berks extending the term of the Lease for an additional five (5) year period beginning January 1, 2020 and ending December 31, 2024.

376.19 Adopt a resolution authorizing execution of Engineering Services Agreement #EA-222867-19 between the County of Berks and Elliott, LeBoeuf & McElwain, P.C., Springfield, Virginia, to perform the annual structural engineering evaluation at the conclusion of the 2019 burn season at the Burn Building located as the Berks County Fire Training Center, Reading, Pennsylvania at a not to exceed amount of $5,100.00.

377.19 Adopt a resolution authorizing Christian Y. Leinbach, Chair, to execute the Department of Army Easement for Public Trail located on Blue Marsh Lake, which extends the current Agreement for another fifteen (15) year period ending June 30, 2034 and allows and provides the County to operate and provide maintenance on the Union Canal Trail.

378.19 Adopt a resolution authorizing the Chief Clerk to advertise enactment of proposed Berks County Ordinance No. 05-2019 approving the participation in and execution of an Intergovernmental Transfer Agreement between the Pennsylvania Department of Human Services, Office of Long-Term Living (“DHS-OLTL”) and Berks County for intergovernmental
transfers of funds to DHS-OLTL in order to provide the non-federal share of Medical Assistance payment to County Nursing Facilities for Fiscal Year 2019-2020.


3. Motion authorizing payments set forth on Controller’s Office vouchers payable listing for the week ending November 11, 2019, and for the voucher listing dated November 19, 2019 for week ending November 20, 2019 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 County Controller Sandy Graffius.

REPORT OF CHIEF FINANCIAL OFFICER

No Report. Commissioner Leinbach reported the Budget/Operations Meeting is cancelled.

REPORT OF CHIEF ADMINISTRATIVE OFFICER

Ronald R. Seaman congratulated Bob Patrizio and his staff for a job well done, noting the new methodology and initiatives implemented this year were a success.

COMMISSIONERS’ COMMENTS

Commissioner Barnhardt
Commissioner Barnhardt announced he has the new 2020 Mt. Penn Preserve calendars. The cost is $10, and all proceeds benefit the Mt. Penn Preserve partnership, and the calendars can also be purchased from any member of the Council of Government (“COG”).

Commissioner Scott
No comments at this time but reserve time for comment if the need arises.

Commissioner Leinbach

No comment.

ELECTED OFFICIALS’ COMMENTS

None.
COMMENTS FROM THE FLOOR

Jane Palmer, Wyomissing, stated she will continue to advocate against the contract with ICE.
Ms. Palmer thinks the apprentice program at Berks County Pretrial Services is a great program, and she asked the Board to be more transparent with the overall plans with handling the incarcerated population at the Jail.

Commissioner Scott defended the transparency of the Board and stated the CGL Group report was presented at a publicly advertised meeting and suggested the public avail themselves to the newspaper reports of this meeting. Commissioner Scott stated this Board meets almost every Thursday at publicly advertised Budget Meetings, where no one from the public attends. The allegations of lack of transparency are misplaced.

Commissioner Barnhardt noted that all the programs previously provided at the CRC are still available at the Jail.

There being no further business the meeting adjourned at 11:24 A.M.

Respectfully Submitted,

Maryjo Gibson, Chief Clerk