Commissioners’ Board Meeting Minutes
December 19, 2019

The Berks County Board of Commissioners met in regular session on Thursday, December 19, 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

Dr. Susan Looney, President of Reading Area Community College (“RACC”), attended the meeting to present a report RACC’s new five (5) Year Strategic Goals. Dr. Looney reported some the Goals have already been implemented. Dr. Looney talked briefly on the four goals, Student Learning and Success; Proactive Community Partner; Viable and Effective Workplace and Known for Excellence and thanked the Commissioners for the County’s continued support.

Approval of Minutes

The minutes of December 12, 2019 Commissioners’ Board Meeting and December 12, 2019 Budget/Operations Meeting were approved as presented.

Commissioner Leinbach announced there was an Execution Session held yesterday, December 18, 2019, dealing with personnel.

Public Comment on Agenda Items

None.

Agenda Items

A motion was made by Commissioner Barnhardt to approve the Agenda as amended. Agenda Items No. 426.19 and 435.19 were amended, and Item No. 446.19 was added from the Floor by Solicitor Sadler. Commissioner Leinbach recognized Solicitor Sadler:

- Ms. Sadler noted Item No. 435.19 will have to be changed to Ordinance No. 01-2020 because it is being enacted in 2020.
- Solicitor Sadler asked to amend Item 426.19 to include the appointment of David Hunter, Executive Director of Planning, Planning Department, effective 12/26/2019, at the rate of $95,000 annually, replacing Shannon Rossman who separated. This meets the criteria of the Hiring Policy.
- Solicitor Sadler requested approval of a resolution authorizing execution of a Memorandum of Agreement between the County of Berks and the American Federation of State, County and Municipal Employees, District Council 88, Local 462 ("AFSCME"), extending both AFSCME Agreements for one (1) year expiring December 31, 2020, and has been ratified by union membership.

Commissioner Scott seconded said motion but abstained from voting on the appointment of Daniel Hunter because he did not participate in the interview process for this position. Commissioner Scott did read Mr. Hunter’s resume, and feels it is a good resume, but is of the opinion Commissioner-Elect Rivera should weigh in and vote on this appointment. Commissioner Scott wished Mr. Hunter well. Commissioner Leinbach was a No vote to Item No. 441.19. Seeing no other comments, a motion made and seconded and all voted to approve the Agenda items as amended.

1. **Enactment of County Ordinance:**

   06-2019 An Ordinance authorizing the Board of Commissioners of the County of Berks to enter into a Service Agreement between the County of Lehigh and the County of Berks for the purpose of housing Berks County inmates at the Lehigh County Jail.

   **Authorize:**

   425.19 Adopt a resolution authorizing 2019 Budget Transfers in the amount of $501,528 and 2019 Appropriations in the amount of $17,399 per listing dated December 16, 2019.

   426.19 Adopt a resolution authorizing Human Resources Recommendations per listing dated December 19, 2019 as follows:

   1. Authorize approval of the 2020 Management/Confidential and Part-time annual salary increase of 2.75% per the attached memorandum.

   2. Authorize the appointment of David Hunter to PC011073 Executive Director of Planning – Planning Department, effective 12/26/2019. Rate of $95,000/annually. Salary range Minimum $70,983; Midpoint $94,644; Maximum $118,305. Replacement for Shannon Rossman who separated. This request meets the criteria of the Hiring Policy. Budget 10000 – 11140.

   **Added from the Floor by Solicitor Sadler.**
427.19 Adopt a resolution approving the following Human Resources Policy and Procedures:
   1. Leave of Absence Policy – Section 9.2 for SEIU and UFCW
   2. Leave of Absence Policy – Section 9.2 for AFSCME, PSSU, Teamsters, Detectives, Deputy Sheriff Association and Management Confidential.

428.19 Adopt a resolution authorizing the award and the Director of Contracts and Procurement to execute as a result of Invitation to Bid # 19-34-GW, a three (3) year contract for Specialized Tree Pruning & Removal Services to be utilized by the County of Berks as follows:
   **The F. A. Bartlett Tree Expert Company**
   1480 Phoenixville Pike
   West Chester, PA 19380
   Total Estimated Expenditure: $17,910.00
   The County of Berks reserves the right to extend for two additional one-year terms at the unit prices herein, upon mutual agreement of both parties.

429.19 Adopt a resolution authorizing the award and the Director of Contracts & Procurement to execute a contract as a result of Request for Proposal #19-17-KL for Closed Circuit Television System (CCTV) and Access Control Upgrades for the Berks County Services Center, Courthouse and Archives/Coroner as identified herein:
   **Unlimited Technology, Inc.**
   20 Seen Drive
   Chester Springs, PA 19425
   -Parts, Labor, Training & Warranty (*Warranty Years 1-3) -
     Total Not to Exceed: $2,059,073.05
   -Maintenance (Years 4-10) -
     Total Not to Exceed: $648,885.71
   -Spare Parts – Total Not to Exceed: $13,611.65
   Commissioner Leinbach mentioned this is for the upgrade of the Security System in the Courthouse and Services Center.

430.19 Adopt a resolution authorizing the award and the Director of Contracts & Procurement to execute as a result of Request for Proposal #18-27-KL contracts for software as a service and implementation services for a Human Resources Management System (HRMS) and Payroll System with the following vendors:
   **Oracle America, Inc.,** 500 Oracle Parkway, Redwood Shores, CA 94065, will provide Oracle cloud services. The County will execute an Oracle Cloud Services Agreement, Oracle Cloud Services HCM Ordering Document, Oracle Cloud Services Budget Ordering Document and HIIPA (Oracle) Business Associates agreement. All cost shall be part of the Applications
Technology, LLC Agreement #PC-225620-19.

Applications Technology LLC, 4343 Commerce Court, Suite 701, Lisle IL 60532, for subscription and implementation services for the Oracle software modules and 10 years of support for an HRMS and Payroll System as identified in Agreement #PC-225620-19. This agreement includes a total of three options for the personal budgeting component as well as requirements and options for HRMS and Payroll reporting, an Autonomous Cloud Tester (ACT) Subscription Agreement and ACT Software Ordering Document.
Total not to exceed cost: $7,892,316

431.19 Adopt a resolution authorizing execution of the Plan and Budget Amendment Certification Statement for County Children & Youth Social Services Programs for Fiscal Year 2018/2019. The amendment is necessary because of increase expense in Institutional Placements for Juvenile Probation Office assuming the 10% variance to budget threshold allowed by the State.

432.19 Adopt a resolution authorizing Christian Y. Leinbach, Chair, to execute the County Application for GEMS Program Funds to the Commonwealth of Pennsylvania, Department of State, for reimbursement of the County’s share of the cost of voting equipment and software.

433.19 Adopt a resolution authorizing A. Dennis Adams, Berks County Treasurer, to execute the Partial Settlement Agreement between Frank T. Perano d/b/a GSP Management Co. and Pleasant Hills Management, LLC (collectively “Perano”) and the Berks County Tax Claim Bureau to settle a claim by Perano against the County of Berks regarding property exposed to upset tax sale.

434.19 Adopt a resolution ratifying, confirming and approving the Berks County Board of Commissioners execution of a letter of support to the Pennsylvania Veterans’ Trust Fund for the submission of a 2019-2020 Veterans’ Trust Fund application by Catholic Charities-Diocese of Allentown for a grant in the amount of $50,000 to provide ongoing services to homeless and near homeless veteran households.

435.19 Adopt a resolution authorizing the Chief Clerk to advertise enactment of County Ordinance No. 01-2020 establishing procedures and guidelines for the installation of signal boosters associated with the Berks County Public Safety Radio System.
436.19 Adopt a resolution authorizing Christian Y. Leinbach, Chair, to execute Change Order No. 28 to Motorola Solutions Contract #10-23185/CR in the amount of $50,325.51. This Change Order will provide and implement licenses and related services to enhance the 9-1-1 recording solution at the Department of Emergency Services to add the City Hall communications center to the Berks County Public Safety Radio System.

437.19 Adopt a resolution authorizing Christian Y. Leinbach, Chair, to execute an Agreement between the County of Berks (“County”) and the Berks County Industrial Development Authority (“Authority”) whereby the County approves the activities for the redevelopment of the Berks County Trust Company Exterior Rehabilitation Project, 35 N. 6th Street, Reading, Pennsylvania, and the reimbursement to the Commonwealth of Pennsylvania for any reimbursement that may later be determined to have been ineligible for funding from the Redevelopment Assistant Capital Program (“RACP”) grant in strict accordance with the terms and conditions set forth is said Agreement.

438.19 Adopt a resolution authorizing the Director of Emergency Services to finalize negotiations with vendors proposing the needed periodic refresh of the county’s 9-1-1 customer premise equipment and incorporation of City Hall communications into the phone system; and further authorizing the Director of Emergency Services to execute a contract on behalf of the County of Berks in an amount not to exceed $1.825M for the next five (5) years of coverage with final terms and conditions approved by the County Solicitor’s Office.

439.19 Adopt a resolution authorizing Christian Y. Leinbach, Chair, to execute the Memorandum of Understanding between the Berks County Workforce Development Board (“WDB”), PA CareerLink® Berks County One-Stop Partners and the County of Berks regarding the operation and management of the PA CareerLink® Berks County program providing local oversight of workforce programming in Berks County.

440.19 Adopt a resolution authorizing the appointment of James D. Oswald, Reading, Pennsylvania, to the Reading Area Transportation Study Coordinating Committee (“RATS”) effective immediately. This is a replacement for Joseph E. Rudderow, III who resigned.
441.19 Adopt a resolution authorizing execution of an Agreement between the County of Berks and Greater Berks Development Fund, and any and all related documents necessary for the transfer and ownership of the Epler School House building located in Bern Township to the County of Berks. The County hereby agrees to reimburse the Greater Berks Development Fund for half of the moving expenses.

442.19 Adopt a resolution of the Board of County Commissioners hereby declaring an emergency to exist due to rapid deterioration of a portion of the Allegheny Aqueduct, thereby requiring immediate stabilization in order to preclude further deterioration or collapse and protect public health and safety.

443.19 Adopt a resolution authorizing Christian Y. Leinbach, Chair, to execute a renewal of the TextBehind Inmate Mail Screening, Processing and Management System Implementation Agreement between the County of Berks and TextBehind, Inc., Phoenix, Maryland, for the provision of services to implement and maintain the County’s Inmate Non-Privileged Mail Management System at the Berks County Jail. This is a three (3) year renewal effective December 19, 2019, with automatic renewals for additional three (3) year terms.

444.19 Adopt a resolution authorizing execution of the Memorandum of Understanding between the City of Reading (“City”) and the County of Berks (“County”) regarding the reimbursement by the County to the City for half of the amount spent by the City for the City’s purchase of a Bomb Robot. The County’s share of reimbursement shall not exceed $100,000.

445.19 Adopt a resolution authorizing execution of the Comprehensive Health Services Agreement between the County of Berks and PrimeCare Medical, Inc., Harrisburg, Pennsylvania, for the Berks County Jail System for a five (5) year term beginning January 1, 2020 and ending December 31, 2024.

446.19 Adopt a resolution authorizing execution of the Memorandum Of Agreement between the County of Berks and the American Federation of State, County and Municipal Employees, District Council 88, Local 462 (“AFSCME”), which will extend both AFSCME Agreements for one (1) year expiring December 31, 2020, subject to review and approval by the Solicitor’s Office.

3. Motion authorizing execution of Contract Agreements/Amendments as furnished by the Contract Coordinator per listing dated December 17, 2019.
Commissioner Leinbach reported there are 18 contracts and referenced the departments.

4. Motion authorizing payments set forth on Controller’s Office vouchers payable listing dated December 17, 2019 for week ending December 18, 2019 and the payment of electronic transfers and employee payroll, and for the weeks ending December 24, 2019 and December 31, 2019.

**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**

Robert Patrizio was absent at this time.

**REPORT OF CHIEF ADMINISTRATIVE OFFICER**

Ronald R. Seaman reported the Budget/Ops Meeting will begin at 2:00 p.m. and there will be discussions on proposed salary scales for Assistant District Attorneys and Assistant Public Defenders; a new position request for Children and Youth Services and review of a new program being implemented by Children and Youth Services called the “Watchful Shepherd”.

Mr. Seaman also announced the schedule of Holiday events that will be occurring this weekend at County Parks.

**COMMISSIONERS’ COMMENTS**

Commissioner Barnhardt

Commissioner Barnhardt announced the new edition of SOS Response Magazine is still available as well as the Mt. Penn Preserve calendars.

Commissioner Barnhardt read a prepared heartfelt letter recognizing Commissioner Scott’s tenure and accomplishments as County Commissioner over the past 24 years.

Commissioner Barnhardt shared his personal experiences and relationship he has had with Commissioner Scott, going back to when he was on West Reading Borough Council and then Mayor of West Reading, crediting Commissioner Scott with initiating the first volunteer recycling program and ridding the Borough of the Penn View Motel.

Commissioner Barnhardt stated it has been an honor and privilege to serve with Mark the past 12 years, and will miss his candor, wit and legal insight at public meetings and executive sessions, which sometimes gave him pause to reconsider his point of view.
Commissioner Scott
This was Commissioner Scott’s last Commissioners’ Meeting, and while standing at the podium, he shared a snapshot of his life and public service with the audience. Recalling his past 24 years as County Commissioner, Commissioner Scott talked about his accomplishments, highlighting his efforts in fighting landfills, the acquisition of Antietam Lake Park system and the purchase of the Colebrookdale Railroad. Commissioner Scott is also proud to have had a major role in building a new Berks Heim and the recent successful negotiations with the unions that ultimately saved the Berks Heim from being sold. In parting words, Commissioner Scott said for him, it has always been about serving the people of Berks County and making a difference, which he has.

Commissioner Leinbach
Commissioner Leinbach wished Commissioner Scott the best in his future, as well as his Executive Assistant Michelle Kircher. Commissioner Leinbach announced exiting news out of Washington DC; last evening NACo announced the House and Senate came together on the following key funding bills to keep government moving forward, and that impacts counties in a positive way. A two (2) year funding of PILT (“payment in lieu of taxes”); Approved the full repeal of the 40% Cadillac Tax; $425 million new election security funding; Provide $5 billion new funds for disaster relief; $1.5 billion local opioid response effort funding; national flood insurance extended; and $640 million to expand rural broadband services. Commissioner Leinbach wished everyone Happy Holidays and Merry Christmas, especially to County employees, who make County government run.

ELECTED OFFICIALS’ COMMENTS
James P. Troutman, Clerk of Courts, wished his friend Commissioner Scott a happy and exiting new future.
Mr. Troutman reminded people not to drink and drive this Holiday Season, cautioning you cannot afford a DUI, and always choose a designated driver.

COMMENTS FROM THE FLOOR
Jennifer Hanz, Reading; Jewels, Mt. Penn, and Jane Palmer, Wyomissing, all asked the Commissioners to shut down the Berks County Residential Center.

There being no further business, the meeting adjourned at 11:35 A.M.

Respectfully Submitted,

Maryjo Gibson, Chief Clerk