

## **Commissioners' Board Meeting Minutes January 21, 2016**

The Berks County Board of Commissioners met in regular session on Thursday, January 21, 2016, 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 County Solicitor Christine M. Sadler and Chief Clerk Maryjo Gibson. Chief Operating Officer Carl E. Geffken was attending a PaCorp conference.

Commissioner Leinbach opened the meeting with a moment of silence and Pledge of Allegiance to the Flag. Commissioner Leinbach announced there was an Executive Session held Tuesday, January 19, 2016 regarding personnel.

### **Approval of Minutes**

The minutes of January 14, 2016 Commissioners' Board Meeting were approved as presented.

### **Agenda Items**

1. A motion was made by Commissioner Barnhardt to approve the Agenda as presented. The motion was seconded by Commissioner Scott with a request for discussion on the item listed under Purchasing. Commissioner Scott requested clarification of the Feasibility Study regarding the Ag Center, stating he was aware of the need for additional floor space for some of our tenants, a concern for storage for some of the machinery used by Election Services, and a concern of the current fit out for the Library System, but he also heard the driving factor was the thought to take on additional detained individuals by the Federal Government who are currently housed at the Residential Center, and that would be a concern for him. Commissioner Leinbach responded that taking on additional detainees from the Federal government was not a driving factor for the Study, but additional floor space for NRCS and FSA, as well as storage space for Elections Services is part of the study, and the Library came into the discussion much later. Commissioner Leinbach commented that configuration of space due to Federal regulations and requirements was too complicated for Facilities to handle, and that is why we went out for bid for this project. Commissioner Scott commented that based on these explanations he does not oppose this matter. Commissioner Scott voted Aye to everything on the Agenda with exception of Item 21.16, the Section 108 Loan Guarantee, and all voted unanimously to approve the items listed below with the exceptions cited heretofore:

- 17.16 Adopt a resolution authorizing 2015 Budget Transfers in the amount of \$58,647.00, 2015 Appropriations in the amount of \$3,885,817.00, 2016 Budget Transfers in the amount of

\$10,914.00 and 2016 Appropriations in the amount of \$83,159.00 per listing dated January 20, 2016.

- 18.16 Adopt a resolution authorizing Human Resources Recommendations per listing dated January 21, 2016 as follows:
1. Authorize the appointment of Matthew Fitzpatrick to PC011984 Enterprise Support Technician – Information Systems, effective 2/3/2016. Rate of \$45,000/annually. Salary range Minimum \$44,292; Midpoint \$59,057; Maximum \$73,821. Replacement for Michael Kemp who transferred. This request meets the criteria of the Hiring Policy. Budget 10000 – 11170.
- 19.16 Adopt a resolution authorizing the award and the Director of Contracts and Procurement to execute a contract as a result of RFP# 15-17-KO for Agricultural Center Feasibility Study as identified herein:
- Muhlenberg Greene Architects, Ltd.**  
955 Berkshire Blvd, Ste. 101  
Wyomissing, PA 19610-1278  
**Total (Not to Exceed): \$17,328.00**
- 20.16 Adopt a resolution authorizing execution of the Certification of Statement for County Children & Youth Social Service Programs to the Office of Children, Youth and Families (OCYS), Department of Public Welfare for Fiscal Year 2014/2015, 1st quarter (July – September 2015).
- 21.16 Adopt a resolution authorizing Christian Y. Leinbach, Commissioner Chair, to execute and submit an application for the Section 108 Loan Guarantee Program in the amount of \$1,100,000.00. The Chair, on behalf of the County is further authorized to provide such assurances, certifications, supplemental and/or revised data, and signatories as may be required in connection with the application and resulting contracts. The funds will be used by the Redevelopment Authority of the County of Berks for rehabilitation of a commercial building and property located at 2940 and 3000 Penn Avenue, Spring Township.  
Ken Pick, Executive Director of the Berks County Redevelopment Authority, requested the Commissioners approve the resolution to submit the application to the Department of Housing and Urban Development for a Section 108 Loan to use to renovate two commercial properties in Spring Township. Mr. Pick stated the County is the applicant and the Authority is the borrower. Mr. Pick commented the Township will charge rent to businesses that lease space.

Commissioner Scott expressed tentative opposition for a 99 year lease, and was concerned who will maintain the building and who will pay for capital improvements. Commissioner Scott wondered if these federal dollars could better be used instead to demolish blighted properties in the City. Commissioner Scott is also concerned with the Redevelopment Authority getting into the real estate business.

Commissioner Barnhardt commented the City has its own Redevelopment Authority, and the County would be acting as agent for Spring Township who doesn't have a Redevelopment Authority, and while he is concerned with the details of the lease agreement, he supports moving forward with the loan application. Commissioner Leinbach commented that the Redevelopment Authority represents the entire County and we must be careful not to strictly invest in the City with the exclusion of the rest of the County. Commissioner Leinbach will support submission of the application and does have some concerns with the lease.

- 22.16 Adopt a resolution authorizing Christian Y. Leinbach, Commissioner Chair, to execute the Certification of County Funds for 2016 Program Year for the purchase of agricultural Conservation Easements.  
Tami Hildebrand, Executive Director of Agricultural Land Preservation Board (BCALP) and Vicki Kintzer, BCALP Board Chair, attended the meeting. Ms. Hildebrand commented this is an annual certification of monies for easement purchases; and for 2015 the County general fund amount was \$1,000,000.00 and \$24,002.00 from Clean & Green. When asked by the Board how many applications are on the waiting list for 2016, Ms. Hildebrand reported there are 127 total on the waiting list and 16 farms were approved in 2015.
- 23.16 Adopt a resolution authorizing execution of Professional Services Agreement #PSA-175941 between the County of Berks and HRV Conformance Verification Associates, Inc. of Moon Township, Pennsylvania to provide quality assurance inspection services during fabrication and post coatings of the 10M bridge barrier material for the Normal Avenue (#10A) at a not to exceed amount of \$5,000.00 including reimbursable expenses.
- 24.16 Adopt a resolution authorizing Christian Y. Leinbach, Commissioner Chair, to execute the Contractual Agreement between Crowne Plaza Reading Hotel ("Hotel"), Wyomissing, Pennsylvania and the County of Berks for use of the Hotel for the PA CareerLink Job Fair to be held May 2, 2016.
- 25.16 Adopt a resolution authorizing execution of the Settlement

Agreement and Release by and between Otis Elevator Company and the County of Berks regarding the matter of the *County of Berks v. Otis Elevator Company*, 15-cv-04862-LS.

- 26.16 Adopt a resolution authorizing Martin R. Siegel, Esquire, counsel for the County of Berks, to execute the Stipulation of Settlement between with the Commonwealth of Pennsylvania, Department of Environmental Protection, Exide Technologies and Berks County regarding the matter of *Berks County v. Commonwealth of Pennsylvania, Department of Environmental Protection and Exide Technologies*, EHB Docket No. 2014-023-L (consolidated with 2012-167-L) EHB Docket No. 2015-173-L.
2. Motion authorizing Christian Y. Leinbach as Chairman of the Board, to execute Contract Agreements/Amendments as furnished by the Contract Coordinator, per listing dated January 19, 2016. Commissioner Leinbach reported there are 10 contracts and referenced the departments.
3. Motion to authorize payments set forth on Controller's Office vouchers payable listing dated January 19, 2016 for week ending January 20, 2016 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 Grazyna Nykiel, Sr. Governmental Accountant.

### **REPORTS OF CHIEF OPERATING OFFICE/CHIEF FINANCIAL OFFICER**

1. Robert J. Patrizio reported the Commissioners will continue the discussion of the Reading Area Community College capital campaign, a continuing discussion of the BCTV funding request, an update of the natural gas purchase and a report on recent real estate development.

### **COMMISSIONERS' COMMENTS**

Commissioner Barnhardt reported the first Election Board Meeting of the year will be held today at 11:00 AM and the major topic for discussion is Kutztown University's request to again consider moving the Maxatawny 3 Polling Place back to the University.

Commissioner Scott commented that based on the most recent statistics the Board received regarding the turnouts in previous elections, and with all but the Presidential Election, the number of resident turnout stunningly dwarfs the students who voted. Commissioner Scott commented on the Settlement Agreement between the County and the Department of Environmental Protection regarding the long battle with Exide.

Commissioner Scott remarked that to the County's credit, Berks County did more than any other County in Pennsylvania to enhance and preserve the health, safety and welfare of its citizens in the environs surrounding the Exide facility, and the Plant is now closed.

Commissioner Leinbach commented on the recent omnibus spending bill passed by Congress last year and mentioned a few of the items NACo saw positive movement on. One was the delay of the Cadillac Tax until 2020, adding there is still continued bi-partisan efforts to completely eliminate the tax; and the attempt to cut the Community Development Block Grant program has failed. Commissioner Leinbach feels this is one of the better federal spending programs, as it allows communities like Berks to spend the funds based on projects we determine on the local level.

Commissioner Leinbach reported NACo has released a new tool on their website which allows anyone to look at data on counties across the United States and can be found at [www.naco.org](http://www.naco.org).

There being no further business, the meeting adjourned at 10:46 A.M.

Respectfully Submitted,

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Maryjo Gibson, Chief Clerk