

## **Commissioners' Board Meeting Minutes July 24, 2014**

The Berks County Board of Commissioners met in regular session on Thursday, July 24, 2014, 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 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.

Commissioner Leinbach reported there was an Executive Session this morning dealing with personnel issues.

### **Approval of Minutes**

The minutes of July 17, 2014 Commissioners' Board Meeting were approved as presented.

### **Agenda Items**

1. Commissioner Barnhardt motioned to approve the items listed below, but voted No to Item 1 presented by Human Resources for the Courts stating under the circumstances, and what has been brought to his attention this morning, he cannot support this hire. Commissioner Scott seconded the motion to approve the Agenda as published and all voted unanimously to approve the items listed below. Individual Commissioner comments are listed with Item 211.14.

210.14 Adopt a resolution authorizing 2014 Budget Transfers in the amount of \$38,516.00 and 2014 Appropriations in the amount of \$1,057,390.00 per listing dated July 18, 2014.

211.14 Adopt a resolution authorizing Human Resources Recommendations per listing dated July 24, 2014 as follows:

1. Authorize the appointment of Hannah Seiple to PC010317 Contract Coordinator – Purchasing, effective 7/30/2014. Rate of \$35,000/annually. Salary budgeted \$37,895/annually. Salary range Minimum \$32,443; Midpoint \$43,258; Maximum \$54,072. Replacement for Christine Nawrocki who separated. This request meets the criteria of the Hiring Policy. Budget 10000 – 11180.

2. Authorize the utilization of a temporary agency for an Executive Assistant to the Chief Operating Officer, effective 7/25/2014. Rate not to exceed \$23/hour. Utilization of the temporary agency will cease when the Executive Assistant position is filled. This request meets the criteria of the Hiring Policy. Budget 10000 – 11010.
3. Authorize the utilization of a temporary agency for Office Support – Treasurer/Tax Claim, effective 7/25/2014. Rate not to exceed \$16.50/hour. Temporary position will be utilized to provide coverage during an extended leave of absence. Utilization of the temporary agency will cease upon the employee's return from leave. This request meets the criteria of the Hiring Policy. Budget 10000 – 11110.

**The following item is presented by Human Resources  
for the Courts:**

1. Authorize the appointment of Lisa Jozwiak to PC011172 Judicial Coordinator – Courts, effective 8/6/2014. Rate of \$29,440/annually. Salary budgeted \$0. Salary range Minimum \$29,440; Midpoint \$39,253; Maximum \$49,066. Replacement for Jonathan Myatt who separated. Budget 10000 – 11600.

Human Resources Director Arnel Wetzel commented that the Human Resources Department was asked to put this request to the Commissioners, but is not recommending this action in light of the fact that the individual in question just recently worked for the County less than one month ago and separated. Mr. Wetzel stated considering the short time frame and circumstances surrounding this matter Human Resources could not in good conscious recommend it, but listed it being respectful of an appointed official's right under 1620.

Commissioner Scott commented he supports the request by the Courts as under the County Code and Section 1620 he must abide by the law. Commissioner Scott stated he understands the concerns raised, but it is very clear and supported by case law. Commissioner Barnhardt is concerned about the message it sends to the rest of the county workforce regardless of 1620 rights. Commissioner Barnhardt commented he has the ability to vote no whether this person is hired and stated his vote is more of a philosophical no. Commissioner Barnhardt commented he respects the law, but also respects the employees who work for the County, and under these circumstances cannot support this hire. Commissioner Leinbach commented consistency with the law is vital and this is the first time in his memory he is presiding

over where the Board is publicly not supporting the hiring of a particular individual where there is not agreement on the two sides of the organization. Commissioner Leinbach commented the County's role relative to the Courts is financial and has a budgetary responsibility by law. Commissioner Leinbach commented he will respectfully support the request but doing so only in recognition of the managerial role that the Courts have.

- 212.14 Adopt a resolution authorizing execution of the collective bargaining agreement between the County of Berks and the American Federation of State, County and Municipal Employees, District Council 88, Local 462, Residual Unit, effective January 1, 2013 through December 31, 2014.
- 213.14 Adopt a resolution authorizing execution of the Pennsylvania Emergency Management Agency Federal Fiscal Year 2014 Emergency Management Performance Grant Agreement to enhance and sustain all-hazards emergency management capabilities within the Berks County Department of Emergency Services.
- 214.14 Adopt a resolution authorizing execution of Amendment No. 4 to the Agreement with Reynolds Construction, LLC, Harrisburg, Pennsylvania which modifies and amends the existing Agreement dated January 13, 2011, to change the scope of construction manager's services from a fixed rate to an hourly rate regarding the Public Safety Radio Project.
- 215.14 Adopt a resolution authorizing Christian Y. Leinbach, Chair, to execute a letter to McTish, Kunkel & Associates, 3500 Winchester Road, Suite 300, Allentown, PA 18104 granting an extension of time for completion of the construction phase inspection services pertaining to the Berne Station Bridge replacement project until January 30, 2015. This extension is intended to align the original duration of the Agreement as drafted by the PA Department of Transportation with the approved construction schedule, to include on-site services through the scheduled completion date of November 21, 2014 and approx. sixty (60) days of post-construction closeout services. There are no additional costs associated with this extension of time. This extension has been reviewed and endorsed by the County's contracted bridge engineer.
- 216.14 Adopt a resolution authorizing Ryan Hunter, Director of Facilities & Operations to execute Change Order No. 1 to the Worth & Company, Inc. Contract (AIA-147531-13) in the amount of \$14,645.00 for the Berks County Jail Infrastructure & Security Upgrades Project. This change order is to furnish labor and

materials associated with the removal of sixty-four (64) air diverters in the existing ductwork as a result of a balancing examination report performed by Optimum Performance Balancing earlier this year and is required to remove air flow turbulence and increase the overall air producing efficiency of the newly installed roof top units.

- 217.14 Adopt a resolution authorizing execution of an Agreement between the County of Berks and Colden Corporation, Blue Bell, Pennsylvania, to conduct a mold sampling in the stone office building/rangers office at the Angora Fruit Farm, Reading, Pennsylvania at a not to exceed amount of \$1,200.00.
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 July 22, 2014. Commissioner Leinbach reported 2 contracts and referenced the departments.
3. Motion to authorize payments set forth on Controller's Office vouchers payable listing dated July 22, 2014 for week ending July 23, 2014 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, Senior Government Account Team Leader.

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

1. Carl E. Geffken had nothing to report today.
2. Robert J. Patrizio reported the Budget Meeting will start at 1:00 today and there will be a presentation by the Conservation District relating to the 2015 budget and an update to the request from Information Systems to change the direction of the data base network platform.

### **COMMISSIONERS' COMMENTS**

Commissioner Barnhardt commented there will be a meeting this afternoon at BARTA to further discuss the potential merger possibilities with Red Rose Transit Authority, Lancaster County. Commissioner Barnhardt commented this will be the actual first full Board meeting after the 3 subcommittee meetings and there will be a recommendation for or against the potential merger. Commissioner Barnhardt stated he will keep the Board posted if there is any movement one way or another.

Commissioner Scott reported on the event yesterday at the Colebrookdale Railroad Line in Boyertown and was very pleased with the turnout. Commissioner Scott commented Commissioner Leinbach spoke very well to the progress being made on the Colebrookdale Railroad Line. Commissioner Scott commented equipment is partially in place and the engine is functional and repainted. Commissioner Scott commented this Line will link 2 of the border outposts of Montgomery and Berks County, being Pottstown and Boyertown, with an 8.6 mile link and has potential for successful tourism and a passenger railroad operation in addition, and hopefully for freight service. Commissioner Scott offered praise to Nathaniel Guest, a railroad enthusiast, who has been the driving force behind this project.

Commissioner Leinbach commented that the Colebrookdale Railroad is no longer owned by the Railroad Line, but it is completely under the ownership of the Redevelopment Authority and they are in the process of transferring owner to the Colebrookdale Trust. Commissioner Leinbach commented it is incredible to see what has been done in a short period of time. Commissioner Leinbach shared information on a visit he made while at the NACo Conference in New Orleans two weeks ago. Commissioner Leinbach commented that New Orleans is home to the National WWII Museum, and he learned the landing craft that was used in WWII was designed by New Orleans native Andrew Higgins.

#### **COMMENTS FROM THE FLOOR**

County Treasurer Dennis Adams reported that Pennsylvania dog licenses are now available on line as of last Monday, and the process went very smoothly.

Recorder of Deeds Frederick Sheeler reported for public information that the State has increased taxes and fees that are applied to almost all documents recorded in the Recorder of Deeds Office. Mr. Sheeler stated the fees go to the judicial system to fund the court system. Commissioner Leinbach mentioned the increase also pertains to the Register of Wills, Clerk of Courts and Prothonotary's offices.

Commissioner Barnhardt commented that yesterday he, along with Katie Daley, Carl Geffken and Karen Barsoum were at the Nursing Home serving lunch to the employees in recognition of registering a zero deficiency on State inspection of the Nursing Home which is quite an accomplishment. Commissioner Barnhardt commented that CHR, the management firm who operates the Heim provided the lunch.

There being no further business, the meeting adjourned at 10:32 A.M.

Respectfully Submitted,

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Maryjo Gibson, Chief Clerk