

Commissioners' Board Meeting Minutes August 15, 2019

The Berks County Board of Commissioners met in regular session on Thursday, August 15, 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 - Due to technical difficulties, the Presentation was held after Agenda approval at 10:09 A.M.

Elaine Paul Schaefer, Executive Director of Schuylkill River Greenways (SRG), National Heritage Area, and Tim Fenchel, Deputy Director, provided a PowerPoint Presentation overview about Schuylkill River Greenways and its current projects.

Ms. Schaefer stated the mission of the SRG is to connect with people and communities along the Schuylkill River and Schuylkill River Trail to foster stewardship of the watershed and its heritage. Ms. Schaefer commented the signature project is the completion of the 120 miles of trail from Philadelphia to the headwaters in Frackville, and there are four active construction projects, two in Berks County.

Mr. Fenchel talked about the Schuylkill River Restoration Fund, a public/private grant program between the Delaware River Basin Commission, Exelon Nuclear and SRG.

Mr. Fenchel noted this is the 14th year and the program was implemented to improve the quality and quantity of water in the Schuylkill River and its tributaries. Mr. Fenchel also noted Berks County makes up 40% of the watershed and has received \$1,791,000 in grant awards and has leveraged an additional \$4,413,013.

Approval of Minutes

The minutes of August 8, 2019 Commissioners' Board Meeting were approved as presented.

Public Comment on Agenda Items

None.

Agenda Items

1. A motion was made by Commissioner Barnhardt to approve the Agenda as presented. Said motion was seconded by Commissioner Scott, and all voted unanimously to approve the items listed below:

- 260.19 Adopt a resolution authorizing 2019 Budget Transfers in the amount of \$109,682 and 2019 Appropriations in the amount of \$131,470 per listing dated August 12, 2019.
- 261.19 Adopt a resolution authorizing Human Resources Recommendations per listing dated August 15, 2019 as follows:
1. Authorize the appointment of Nathan Volpi to Assistant Public Defender II – Public Defender’s Office, effective 09/04/2019. Rate of \$53,000/annually. Salary range Minimum \$48,222; Midpoint \$64,297; Maximum \$80,371. Replacement for Cole Bauer who separated. This request meets the criteria of the Hiring Policy. Budget 10000 – 11570.
 2. Authorize the salary adjustment for Eric Muhlenberg, PC010172 Assistant Public Defender I – Public Defender’s Office, effective 08/14/2019. Rate of \$50,000/annually. Salary range Minimum \$44,690; Midpoint \$59,587; Maximum \$74,483. This request meets the criteria of the Hiring Policy. Budget 10000 – 11570.
 3. Authorize the salary adjustment for Chad Hienz, PC010171 Assistant Public Defender I – Public Defender’s Office, effective 08/14/2019. Rate of \$50,000/annually. Salary range Minimum \$44,690; Midpoint \$59,587; Maximum \$74,483. This request meets the criteria of the Hiring Policy. Budget 10000 – 11570.
 4. Authorize the salary adjustment for Kirby Gordon, PC010169 Assistant Public Defender I – Public Defender’s Office, effective 08/14/2019. Rate of \$50,000/annually. Salary range Minimum \$44,690; Midpoint \$59,587; Maximum \$74,483. This request meets the criteria of the Hiring Policy. Budget 10000 – 11570.
 5. Authorize the salary adjustment for Lauren Meers, PC010170 Assistant Public Defender I – Public Defender’s Office, effective 08/14/2019. Rate of \$50,000/annually. Salary range Minimum \$44,690; Midpoint \$59,587; Maximum \$74,483. This request meets the criteria of the Hiring Policy. Budget 10000 – 11570.
 6. Authorize the salary adjustment for Samuel Mills, PC013340 Assistant Public Defender I – Public Defender’s Office, effective 08/14/2019. Rate of \$50,000/annually. Salary range Minimum \$44,690; Midpoint \$59,587; Maximum

\$74,483. This request meets the criteria of the Hiring Policy.
Budget 10000 – 11570.

7. Authorize the utilization of a temporary agency for a Senior Governmental Accountant – Office of the Controller, effective 08/16/2019. Rate not to exceed \$34.00/hour. Utilization of the temporary agency will cease when a candidate is hired to fill the Senior Governmental Accountant position. This request meets the criteria of the Hiring Policy. Budget 10000 – 11120.
 8. Authorize Eric Heckman, PC012252 Sergeant – Sheriff's Department to work out of classification in the Captain position, effective 08/06/2019. Rate of \$32.0655/hour. Salary range Minimum \$45,724; Midpoint \$60,966; Maximum \$76,207. This working out of classification will provide coverage during an employee's leave of absence and will be cease upon employee's return from leave. This request meets the criteria of the Hiring Policy. Budget 10000 – 11510.
- 262.19 Adopt a resolution authorizing the award and the Director of Contracts & Procurement to execute as a result of Invitation to Bid #19-20-GR, a contract for the Guide Rail Improvements for Bridges 32C in Albany Township, 48A in Hereford Township, 55B in Maxatawny Township, and 73B in Tulpehocken Township as identified herein:
- Wm. Orr and Sons, Inc.**
P.O. Box 407
2845 Route 72 North
Jonestown, PA 17038
Total Bid Not to Exceed Amount: \$119,933.05
- 263.19 Adopt a resolution authorizing the award and Director of Contracts and Procurement to execute a contract as a result of Invitation to Bid #19-23-JR, Ballot and Accessory Bags for the Election Services Department for a one year period as follows:
- William Penn Printing**
1800 Preble Ave
Pittsburgh, PA 15233
Total Estimated Expenditure: \$24,202.50
- 264.19 Adopt a resolution authorizing Alan D. Piper, Transportation Planner, to electronically execute Letter of Amendment 1 to the General Reimbursement Agreement for Federal Aid Projects (No. R18050005-1) between the Pennsylvania Department of

Transportation (PennDOT) and the County of Berks for the Glendale Bridge Replacement Project, County Bridge 43-A, Douglass Township. This amendment increases the total project costs from \$300,000 to \$648,597.59 to incorporate the professional costs for Final Design and ROW Acquisition into the overall funding for the project. The Berks County share of this project increases from \$150,000 to \$338,597.59. All other terms and conditions of the original Agreement, which are not being modified by this Letter of Amendment, remain in full force and effect.

265.19 Adopt a resolution ratifying, confirming and approving the execution by Christian Y. Leinbach, Chair, of the letter agreement with The Association of Local Government Auditors (ALGA) to perform a peer review of the County's audits and reports in accordance with the guidelines contained in the ALGA Peer Review Guide, 2011 Revision.

266.19 Adopt a resolution ratifying, confirming and approving the execution by Christian Y. Leinbach, Chair, of the Memorandum of Understanding between the County of Berks and the City of Reading for allocation of \$15,096 from the 2019 Edward Byrne Memorial Justice Assistance Grant.

This is an annual grant applied for by the City of Reading and shared with the Berks County District Attorney's Office and will be used to pay for a software license renewal and for payment of overtime and travel expenses.

267.19 Adopt a resolution authorizing execution of the Berks Heim Nursing and Rehabilitation Open Employment & Volunteer Policy and the Equal Opportunity for Staff Development in accordance with the provisions of the Federal Civil Rights Act of 1964 and the Pennsylvania Human Relations Act.

2. Motion authorizing execution of Contract Agreements/Amendments as furnished by the Contract Coordinator per listing dated August 13, 2019. Commissioner Leinbach reported there are 4 contracts and referenced the departments.
3. Motion authorizing payments set forth on Controller's Office vouchers payable listing dated August 13, 2019 for week ending August 14, 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. County Controller Sandy Graffius was absent. The Controller's weekly report was presented by Arthur Oliver, Manager of Auditing.

REPORT OF CHIEF FINANCIAL OFFICER

Robert Patrizio reported the Budget Meeting will begin at 2:00 and the Commissioners will discuss the Entech Report for the Jail; discuss select 2020 Budget Items and discuss the Epler School.

REPORT OF CHIEF ADMINISTRATIVE OFFICER

Nothing to report today.

COMMISSIONERS' COMMENTS

Commissioner Barnhardt

Commissioner Barnhardt reported he spent most of yesterday meeting with the Council of State Governments and the Stepping Up team focusing on mental health in the criminal justice system. Commissioner Barnhardt noted this is because Berks County has been named an Innovator County.

Commissioner Barnhardt reported tonight at the Leesport Market and Saturday from 10 a.m. to 1 p.m. at the Wyomissing Library, the public is invited to view and experiment with the new voting system.

Commissioner Barnhardt mentioned this Sunday he will be participating in some way at the annual Run4Sam event at Gring's Mill started by Peggy Reed in memory of her son Sam. Commissioner Barnhardt noted Ms. Reed donates proceeds from the run and has been very generous in her support of the Parks.

Commissioner Barnhardt reported that he will be presenting some preliminary information regarding the Epler School at this afternoon's Budget Meeting.

Lastly, Commissioner Barnhardt responded to Crystal Kowalski's comments she made at last week's Commissioner's Meeting regarding two individuals being held at the Jail and their inability to post collateral. Commissioner Barnhardt asked his Executive Assistant Jessica Blausner and Solicitor Christine M. Sadler to research the two cases.

Commissioner Barnhardt said this information was gathered through contact with MDJ Kennedy and Patton's Offices and through the U.J.S. Portal.

The research showed both individuals had lengthy histories of driving without a license and a suspended license; driving an unregistered vehicle, first and second degree DUIs and driving without insurance, all which led to their incarceration.

Commissioner Barnhardt commented this type of behavior puts innocent people and their property at risk.

Commissioner Scott

Commissioner Scott commended Commissioner Barnhardt for his thorough research that we don't ordinarily hear, into Ms. Kowalski's claims. It revealed more than first glance.

Commissioner Leinbach

Commissioner Leinbach complimented the Berks Opera Company for their performance Friday evening at St. Ignatius Loyal Church of *Die Fledermaus*, noting the vocal talent in Berks County is unbelievable. Commissioner Leinbach and Dave Kline, had small parts in the performance.

Commissioner Leinbach reported he attended Ag Progress Days at Penn State yesterday and took a student from Boyertown High School who is majoring in Diesel Mechanics at the Berks Career And Technology Center in Oley.

ELECTED OFFICIALS' COMMENTS

None.

COMMENTS FROM THE FLOOR

Elizabeth Schmoyer, Heidelberg Township, encouraged the Commissioners to look at ways to bring public transportation back to Reading.

Crystal Kowalski, Wyomissing, responded to Commissioner Barnhardt's comments. Ms. Kowalski questioned in the one case where the defendant was released on the 29th and that person was then scheduled for a hearing August 5, but didn't show up, what is the purpose of posting collateral if it is to make sure the defendant shows up, why isn't the hearing held the day they do show up.

Solicitor Sadler responded it's not that simple to hold a hearing that same day, because the person is entitled to legal representation; and in this particular case because the offense could carry a potential mandatory incarceration, and due to the unavailability of a Public Defender, the hearing was rescheduled. Ms. Sadler further noted the individual in question did not even apply for a Public Defender when he should have, and eventually was assisted in applying for a Public Defender by the District Justice staff.

There being no further business, the meeting adjourned at 10:41 A.M.

Respectfully Submitted,

Maryjo Gibson, Chief Clerk