

Commissioners' Board Meeting Minutes September 10, 2020

The Berks County Board of Commissioners met in regular session on Thursday, May 21, 2020, at 10:00 A.M. via Microsoft Teams Live, 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 Michael S. Rivera in attendance. Also present were County Solicitor Christine M. Sadler, Chief Administrative Officer Ronald R. Seaman and Maryjo Gibson, Chief Clerk.

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

Presentation –

Dr. Edward Michalik, Mental Health/Developmental Disabilities Administrator, accepted a Proclamation recognizing September as Suicide Awareness and Prevention Month and September 10, 2020 as Suicide Awareness and Prevention Day.

Dr. Michalik said this recognition is intended to promote awareness surrounding suicide prevention resources available to the community, and the goal is to learn how to help those around us about suicide without increasing the risk of harm. Dr. Michalik mentioned the Berks County MH/DD Program created the Berks County Suicide Prevention Task Force to address this growing need, and provided the following current projects to raise awareness; Public Service Announcement entitled “Back to School”, posters placed at Reading Parking Authority garages advertising the County Crisis Line and Text Line, and a mural to be painted on the Mosaic House on Cherry Street, and encouraged individuals to check resources at the ruOK website.

Berks County Covid-19 Data Report – Brian Gottschall, Director of Berks Department of Emergency Services

Mr. Gottschall presented a review of the weekly data related to COVID-19 published on the State’s Early Warning Dashboard. Mr. Gottschall reported there is some good news as most of the indicators are headed down, and those headed up are very small.

Mr. Gottschall noted the daily spot numbers for both testing and daily case count have up and down days, and testing numbers are significantly above the State recommended minimum for our County. The case count is remaining reasonably flat after a period of elevation following mitigation lockdown.

Mr. Gottschall added a new slide, Smooth First Test Positivity. Those numbers result from taking the number of positives divided by the number of tests.

Approval of Minutes

The minutes of September 3, 2020 Commissioners’ Board Meeting and the September 8, 2020 Operations Meeting were approved as presented.

Public Comment on Agenda Items

None.

Commissioner Leinbach announced there were two Executive Sessions held September 3, 2020 dealing with personnel and union negotiations, and September 8, 2020 dealing with personnel.

Agenda Items

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

311.2020 Adopt a resolution authorizing 2020 Budget Transfers in the amount of \$1,657,019 and 2020 Appropriations in the amount of \$49,953 per listing dated September 7, 2020.

312.2020 Adopt a resolution authorizing Human Resources Recommendations per listing dated September 10, 2020 as follows:

1. Authorize the appointment of Suzanne Miller to PC013442 Office Manager – Recorder of Deeds, effective 09/14/2020. Rate of \$48,531/annually. Salary range Minimum \$36,357; Midpoint \$48,475; Maximum \$60,594. New position created by Salary Board on 09/03/2020. This request meets the criteria of the Hiring Policy. Budget 10000 – 11150.
2. Authorize the promotion of Suzette Melendez from PC012945 Human Resources Generalist to PC013443 Senior Human Resources Generalist – Human Resources Department, effective 09/09/2020. Rate of \$53,000/annually. Salary range Minimum \$39,768; Midpoint \$53,024; Maximum \$66,280. New position created by Salary Board on 09/03/2020. This request meets the criteria of the Hiring Policy. Budget 10000 – 11410.
3. Authorize the promotion of Betsy Kartsotis from PC013315 Senior Compensation Analyst to PC013444 Compensation Manager – Human Resources Department, effective 09/09/2020. Rate of \$58,000/annually. Salary range Minimum \$46,641; Midpoint \$62,188; Maximum \$77,735. New position created by Salary Board on 09/03/2020. This request meets the criteria of the Hiring Policy. Budget 10000 – 11410.

- 313.2020 Adopt a resolution authorizing the appointment of Michael B. Emery, Reading, Pennsylvania, to the Berks County Parks and Recreation Board to fulfill the unexpired term of Joseph Seltzer. This term will expire December 31, 2020.
- 314.2020 Adopt a resolution authorizing Christian Y. Leinbach, Chair, execute the Participation Agreement between Healthshare Exchange of Southeastern Pennsylvania, Inc. (HSX) and the County of Berks, through the Berks County Area Agency on Aging, to allow access and share patient medical record data securely and electronically to improve quality of care through real-time access to patient data. There is no cost for the first three (3) years due to a State Onboarding Grant. Received by HSX.
- 315.2020 Adopt a resolution authorizing Christian Y. Leinbach, Chair, to electronically execute the 901 Municipal Waste Planning Grant with the Pennsylvania Department of Environmental Protection (the "DEP") to provide financial assistance for the Berks County Household Hazardous Waste ("HHW") Education Program for the 2020/2021 collection events.
- 316.2020 ~~PULLED FROM THE AGENDA. Adopt a resolution authorizing execution of the Memorandum of Agreement between the County of Berks and SEIU Healthcare Pennsylvania amending Article IV, Section 4.2 (Wages) and Article XXIV (Miscellaneous) of the existing Collective Bargaining Agreement.~~
- 317.2020 Adopt a resolution authorizing Deborah Olivieri, Director of Election Services, to execute the Contractual Agreement between the County of Berks and The Crowne Plaza Reading, for rental of space for a polling place for the November 3, 2020 Election.
- 318.2020 Adopt a resolution authorizing the Chief Clerk to advertise enactment of proposed Ordinance No. 03-2020 authorizing execution of an Intergovernmental Agreement between the County of Berks, the Berks County Office of the District Attorney and the Court of Common Pleas of Berks County-Domestic Relations Section, for the provision of legal services specified in the Title IV-C Cooperative Agreement at § 3.13 and Attachment B on behalf of Domestic Relations Sections.

- 319.2020 Adopt a resolution authorizing the Chief Clerk to advertise enactment of proposed Ordinance No. 04-2020 authorizing execution of two Intergovernmental Agreements between the County of Berks, the Berks County Sheriff's Office and the Court of Common Pleas of Berks County-Domestic Relations Section, for the assignment of Deputy Sheriffs to provide continuous security coverage, maintain and execute bench warrants and other assigned duties on behalf of the Domestic Relations Section.
- 320.2020 Adopt a resolution authorizing Christine M. Sadler, Berks County Solicitor, to execute the Waiver of Conflict letter for Stevens & Lee to represent the Richard J. Caron Foundation in pending property tax exemption matters.
2. Motion authorizing execution of Contract Agreements/Amendments as furnished by the Contract Coordinator per listing dated September 8, 2020. Commissioner Leinbach reported there are 11 contracts and referenced the departments.
3. Motion authorizing payments set forth on Controller's Office vouchers payable listing dated September 8, 2020, 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 ADMINISTRATIVE OFFICER

None.

COMMISSIONERS' COMMENTS

Commissioner Barnhardt

Commended WFMZ and the Reading Eagle for the tremendous coverage concerning the contact tracing program, focusing on the need to make people aware that if they are contacted to comply to help stop the spread of COVID-19.

CARES Act Update – Pulling together an internal team to focus on the process, and involve the stakeholders in the community; go through the applications to determine the greatest needs in the community. Witt O'Brien's will provide an individual to be part of the sub-committees.

Elections Update – As of this morning Election Services has received 54,354 applications for ballots. The ballots are still not ready because of the challenge by the Democrats to the Green Party court decision. As soon as that case is decided, online ballot sign up will be available. Appointments will also be available every 15 minutes in Election Services for the completion of ballot applications.

Harvesting of ballots – Election Services received inquiries if an individual can “harvest” ballots and deliver to Election Services. Commissioner Barnhardt said that is illegal, you should only be delivering or dropping off your own ballot.

Mail-in voters who provided an alternative address in the Primary Election will receive their ballot at that address. If you are back in Berks County, you must notify Election Services in writing, otherwise your ballot will be mailed to the address provided in the spring.

Crown Plaza Reading – residents at the Highlands will be voting at the Crown Plaza, and will be receiving a letter from Election Services advising them of the change in location. All other polling places in Wyomissing will remain the same.

Census 2020 ends September 30, 2020. It is critically important to complete and return the questionnaire.

Tomorrow is September 11, the anniversary of the terrorists' attack on our country; let us never forget.

Commissioner Rivera

Small Business New Start Grant Program opened today at 9:00 a.m.. Go to CommunityFirst.org or RebuildBerks.com to apply.

The Governor ordered beginning September 21, 2020 restaurants will be able to operate at 50% occupancy, but must first complete a self-certification acknowledging they are aware and will comply with all the rules and regulations. The Commissioners, particularly Commissioner Leinbach, and CCAP have been pressuring the Governor to provide data on why restaurants are only allowed to operate with 25% occupancy.

September 11 – Many people we know had family and friends that may have died on September 11, 2001. Remember them, and our thoughts are with you this weekend.

Commissioner Leinbach

Restaurant/Bar decision by Governor Wolf –

Ever since the Governor rolled back capacity for bars and restaurants from 50% to 25%, all three Commissioners have been calling on the Administration (State) to provide the data that justified that the problem was in the restaurants and bars. CCAP also called for the same data. After weeks of asking for this data, the bottom line is, there wasn't any data, it was more a gut decision coming from the Administration.

September 11 – Commissioner Leinbach shared his experience of his visit to the memorial at Shanksville, Pennsylvania. It is worth remembering because it was such a tragic day in America. We should also remember how people came together.

ELECTED OFFICIALS' COMMENTS

None.

COMMENTS FROM THE FLOOR

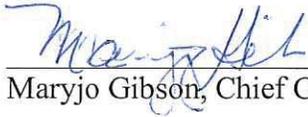
Comments are attached hereto.

Becks Ellis – Kaercher Creek –

County Solicitor Christine Sadler provided background information on Kaercher Creek. Ms. Sadler has been personally involved since the beginning in 2003. The County has spent a great deal of time and effort trying to work out an agreeable solution to continue the long-term relationship with the Fish and Boat Commission. The reason why the County did not and cannot continue with that Lease Agreement is because of a lack of indemnification. NOTE: The property has lead contamination issues because it was used for the disposal of batteries. Ms. Sadler said because of potential exposure, the County is asking the Fish & Boat Commission to take responsibility for future cleanup of the site, but are unwilling to agree to those terms. It is not the County's unwillingness to continue the relationship, but the potential magnitude and exposure going forward.

There being no further business, the meeting adjourned at 11:07 A.M.

Respectfully Submitted,



Maryjo Gibson, Chief Clerk

Source	Type	Identity	Timestamp	Content
Moderator	Announcement	Heather Berger (HBerger@countyofberks.com)	9/10/2020 12:52	Public comment will be accepted through the Q&A function. Please include your first name, last name and municipality. Any comments without name and municipality will not be considered. Each citizen can submit one comment. Comment length is dictated by limitations of the platform being used (Teams Q&A, Facebook, YouTube). The meeting comment period is limited to 30 minutes in total. Please be concise. Comments will be read during the meeting and should not be considered to be interactive dialog with the Commissioners. Any Commissioner response to public comment will be done at the discretion of the Commissioners.
Moderator	Announcement	Lori Schneider (LSchneider@countyofberks.com)	9/10/2020 13:25	Berks County Small Business New Start Grant Program: https://communityfirstfund.org/financing/covid-loans/berks-county-small-business-new-start-program/
Moderator	Announcement	Lori Schneider (LSchneider@countyofberks.com)	9/10/2020 13:26	Link to Census website: https://2020census.gov/
Moderator	Announcement	Lori Schneider (LSchneider@countyofberks.com)	9/10/2020 13:29	COVID-19 Early Warning Monitoring System Dashboard: https://www.health.pa.gov/topics/disease/coronavirus/Pages/Monitoring-Dashboard.aspx
Attendee	Question	Melvia Ahmed, Wyomissing (Unverified)	9/10/2020 13:33	Frequently, I visit the County of Berks website to review the past minutes and to read the agenda for the upcoming meeting. I have noticed that the last meeting minutes were for the meeting two weeks ago. I checked the Agenda for today yesterday, and it was not available. Do you have a schedule for posting public information? For the public to be able to comment on currently discussed topics of interest, it would be useful to have access to that information at least the day before the meeting. Also, last week I asked what other methods besides staffing are you considering to prepare for the flood of absentee ballots expected?

Source	Type	Identity	Timestamp	Content
Moderator	Response	Christian Leinbach (CLeinbach@countyofberks.com)	9/10/2020 13:55	Minutes are not posted until they are approved. Minutes from Aug. 27th are posted. Last weeks have not been approved. Once approved they are posted.(Melvia Ahmed, Wyoming (Unverified) asked "Frequently, I visit the County of Berks website to review the past minutes and to read the agenda for the upcoming meeting. I have noticed that the last meeting minutes were for the meeting two weeks ago. I checked the Agenda for today yesterday, and it was not available. Do you have a schedule for posting public information? For the public to be able to comment on currently discussed topics of interest, it would be useful to have access to that information at least the day before the meeting. Also, last week I asked what other methods besides staffing are you considering to prepare for the flood of absentee ballots expected?"")
Attendee	Question	Linda Brancadora, Bern Twp (Unverified)	9/10/2020 13:42	Some have mentioned drop off boxes. Folks that just brings another risk into play and makes the process even more cumbersome. The less locations for ballots the more secure the integrity of our election will be. Mail in ballots can be requested up to 50 days before the election. This is more than enough time to receive an application and receive a ballot and put it in the mail. For the few that for some reason this is not enough time can drop it off at the secured drop off location inside the courthouse. No need for others scattered throughout. On election day, as a last resort you're also able to vote in person even after receiving a mail in ballot. Some may say they don't want to go to the polls because of COVID 19. Folks, the few minutes that you are at the polls with a mask and social distance is less of a risk than going to the supermarket for half an hour or the doctor or dentist or out to eat or big box store or anywhere in public. It also will prevent a strain on counting the votes and insuring that the votes are tabulated on time. Commissioners please no other drop off box locations. Please make every effort to vote in person.We all want to insure that all votes are received and counted.
Attendee	Question	Liz Cates Bern Twp (Unverified)	9/10/2020 13:57	The Berks Family Detention Center continues to be a stain on our county, the Commonwealth, and the nation. It is a devil's bargain money-maker for the county coffers. Shut it down.
Attendee	Question	FYI (Unverified)	9/10/2020 14:04	I don't believe the Facebook feed is live
Moderator	Response	Christian Leinbach (CLeinbach@countyofberks.com)	9/10/2020 14:05	TY - We will look into this(FYI (Unverified) asked "I don't believe the Facebook feed is live")
Moderator	Response	Christian Leinbach (CLeinbach@countyofberks.com)	9/10/2020 14:06	It is live(FYI (Unverified) asked "I don't believe the Facebook feed is live")

Source	Type	Identity	Timestamp	Content
Attendee	Response	FYI (Unverified)	9/10/2020 14:08	https://www.facebook.com/CountyofBerksPA/posts/3299837820052848? FYI (Unverified) asked "I don't believe the Facebook feed is live"
Attendee	Response	FYI (Unverified)	9/10/2020 14:08	Ah, yes, just came online(FYI (Unverified) asked "I don't believe the Facebook feed is live")
				Good Morning Commissioners, Given the escalation of violence and the ever-diverging perception of its causes, I am once again asking for a town hall on police use of force and equitable enforcement of the law. In reality for this to be useful, it should grow into a series of discussions. The communities and individuals impacted by unequal use of force and harsher enforcement of the law need to be heard. Berks County has a wealth of organizations working tirelessly on these issues. Because of this we are fortunate to have available parties that can share their experiences. I am happy to help coordinate if that would facilitate the process. We have been talking for years about the need for input from the communities that have been affected. This really does need to happen immediately.
Attendee	Question	Crystal Kowalski - Wyomissing (Unverified)	9/10/2020 14:06	Thank you, Crystal Kowalski Wyomissing

Source	Type	Identity	Timestamp	Content
Attendee	Question	Adrian Jadic (Wyomissing) (Unverified)	9/10/2020 14:09	<p>Dear commissioners: Last week I asked you about the polling place at The Highlands. Commissioner Barnhardt informed us that the polling place had been moved to the Crowne Plaza. Apparently, there are more Wyomissing polling places that have been moved to the Crowne Plaza. I am addressing you again today with great concern. Both the Berks Election Services website and the Pennsylvania Department of State website still list The Highlands as polling place for Wyo-3 and the Wyomissing Library as polling place for Wyo-1. Commissioner Barnhardt, you assure us that all is taken care of and all is OK but evidence indicates otherwise. I am a precinct coordinator for Wyo-3 and after conversations with various voters in Wyomissing I found out they had no idea about this change. How could they have when our own Department of State still lists the traditional polling places. Moreover, after a persistent campaign of disinformation by President Trump most voters are avoiding to use mail ballots. As of today only about a third of Wyomissing residents have applied for a mail ballot which leaves over 5000 voters to vote in person. What will you do to ensure that such large numbers can vote and what are you doing to efficiently inform the voters of the polling place changes. Additionally, what measures are taken to debunk President's Trump's disinformation campaign and encourage voters to use the mail ballot which is a safer way to vote for everyone?</p>
Attendee	Question	Christopher Ellis, Reading (Unverified)	9/10/2020 14:10	<p>With local colleges allowing students from all over to come to campus, we are seeing community spread in Kutztown and it is only a matter of time until this happens in Reading. I don't blame the students; we all know when we were younger that we may have felt more invincible. We also know that the more gatherings you allow, the more likely it is to spread COVID19. I blame the Kutztown administration for OKing this in the first place. Anyone with any sense knew this was going to happen. It is paramount that contact tracing focus on this. Multiple employees at Kutztown have positive COVID cases and the borough is trying its best. Will you condemn Kutztown University's horrible decision to allow students back onto campus instead of going virtual and please reach out to them, if you haven't already, to implore them to go virtual to prevent further spread? Community spread is happening and until we act it will simply further explode. Permanent heart and breathing issues and even deaths may result from this horrible decision. I ask that you use your power of the bully pulpit to point out that Kutztown University erred and that they should close down face-to-face instruction AND also not send students back to their communities to further spread it. Thank you again.</p>

Source	Type	Identity	Timestamp	Content
Moderator	Announcement	Lori Schneider (LSchneider@countyofberks.com)	9/10/2020 14:14	Web Site: http://www.ruokberks.com Crisis Intervention:610-236-0530 Crisis Text Line: 484-816-7865 Facebook Page: ruokberks
Attendee	Question	Christopher Ellis, Reading (Unverified)	9/10/2020 14:28	the Green party challenge was heard, they are going on the ballot
Attendee	Question	From Facebook (Unverified)	9/10/2020 14:31	Becky Ellis, Reading - Good morning. Articles regarding Kaercher Creek in Northern Berks were printed in the Reading Eagle twice in the past 2 weeks, one regarding care for the park, and the other pertaining to a valve malfunction which drained 4 feet from Kaercher Creek Lake. Commissioner Leinbach, I want to recognize that you have responded to my e-mails both in 2015 and 2019 when I questioned the status of Kaercher Creek Park with regards to the lead clean-up and the reason that Berks Parks and Recreation is no longer leasing the park from the Pennsylvania Fish and Boat Commission. Would it be possible for the County Commissioners to hold a town hall for the community members affected by the non-renewal of the lease for Kaercher Creek Park, including a representative from the DEP and the Pennsylvania Fish and Boat Commission? The frustrations of the community are palpable as it appears that blame is cast from one party to the next, and what is needed is a public forum in which questions can be asked and answers given by the County Commissioners, DEP, and the Pennsylvania Fish and Boat Commission so that the public knows exactly where each party stands, and why. The Friends of Kaercher Creek Facebook page, which has 563 followers, states as much in its "About information" when it says "Berks County blames the PA Fish & Boat Commission. The PFBC blames Berks County. This is the result." Thank you.