

Commissioners' Board Meeting Minutes September 18, 2014

The Berks County Board of Commissioners met in regular session on Thursday, September 18, 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.

PUBLIC HEARING

Commissioner Leinbach convened a special public meeting to discuss and take comment with respect to the issuance by the Municipal Authority of the Township of South Heidelberg for Berks Women in Crisis for the refinancing of an existing loan to be used for the design, planning, construction, furnishing and equipping of a new women's shelter, daycare and housing facility. Attorney Douglas Rauch, Solicitor for the Municipal Authority, and Mark Kay Bernosky, Executive Director for Berks Women in Crisis, attended the meeting. Mr. Rauch commented that Fulton Bank has a mortgage on the property and has graciously agreed to lower the interest rate which results in approximately a \$480,000.00 cash flow savings. Ms. Bernosky commented that in 2012, the facility increased capacity and has seen a growing population mainly due to the location.

By unanimous vote, the Board of Commissioners adopted the following Resolution:

- 272.14 A. Adopt a resolution approving, pursuant to the provisions of the Internal Revenue Code of 1986, as amended, the refinancing of a project by the Berks County Women In Crises d/b/a Berks Women In Crisis (the "Company"), a nonprofit corporation serving the public in the County of Berks.

Approval of Minutes

The minutes of September 4, 2014 Commissioners' Board Meeting were approved as presented. Commissioner Leinbach announced there was an Executive Session held Monday, September 15, 2014 dealing with personnel issues.

Agenda Items

1. Enactment of Ordinance No. 07-2014

AN ORDINANCE OF THE BOARD OF COMMISSIONERS OF THE COUNTY OF BERKS, PENNSYLVANIA, AUTHORIZING AND DIRECTING INCURRING OF NONELECTORAL DEBT THROUGH THE ISSUANCE OF TWO SERIES OF GENERAL OBLIGATION BONDS, SERIES OF 2014 AND SERIES 2015 BONDS OF THE COUNTY IN THE AGGREGATE PRINCIPAL AMOUNT OF NOT TO EXCEED THIRTY MILLION DOLLARS (\$30,000,000) PURSUANT TO THE ACT OF THE GENERAL ASSEMBLY OF THE COMMONWEALTH OF PENNSYLVANIA, KNOWN AS THE LOCAL GOVERNMENT UNIT DEBT ACT, 53 PA.C.S., CHAPTERS 80-82, AS AMENDED, KNOWN AS THE LOCAL GOVERNMENT UNIT DEBT ACT (THE "ACT"). Commissioner Leinbach commented this Bond issue was discussed a few weeks ago at a Budget Meeting. Michael Vind, Esq., Bond Counsel, commented that with lowering of interest rates there was an opportunity to do a refinance, and the proceeds will be used to advance refund a portion of the County's outstanding 2010 A Bonds.

2. A motion was made by Commissioner Barnhardt, seconded by Commissioner Scott and all voted unanimously to approve the items listed below:

273.14 Adopt a resolution authorizing 2014 Budget Transfers in the amount of \$409,595.00 and 2014 Appropriations in the amount of **(\$295,673.00)** per listing dated September 8, 2014. Budget Director Robert Patrizio commented the negative appropriation is Human Services related and is due to moving money between fiscal years, and for Adult Probation Office RIP grants that have been combined

274.14 Adopt a resolution authorizing Human Resources Recommendations per listing dated September 18, 2014 as follows:

1. Authorize the transfer of Jennifer Sharp from PC011285 Lieutenant to PC011288 Lieutenant-Records Division – Jail System, effective 9/10/2014. Rate of \$64,087/annually. Salary range Minimum \$45,184; Midpoint \$60,246; Maximum \$75,307. Replacement for Evelyn Walker who separated. This request meets the criteria of the Hiring Policy. Budget 10000 – 12090.
2. Authorize the promotion of Fernando Torres from PC012260 Sergeant to PC013022 Captain – Jail System, effective 9/24/2014. Rate of \$68,000/annually. Salary range Minimum \$48,576; Midpoint \$64,768; Maximum \$80,960. New position created by Salary Board on 6/19/2014. This request meets the criteria of the Hiring Policy. Budget 10000 – 12090.
3. Authorize the transfer of Miguel Castro from PC011284 Lieutenant to PC013023 Lieutenant-Internal

- Affairs/PREA – Jail System, effective 9/24/2014. Rate of \$64,087/annually. Salary range Minimum \$46,386; Midpoint \$61,848; Maximum \$77,309. New position created by Salary Board on 6/19/2014. This request meets the criteria of the Hiring Policy. Budget 10000 – 12090.
4. Authorize the transfer of Kenneth Kelecic from PC012761 Assistant Public Defender IV – Public Defender's Office to PC010156 Assistant District Attorney IV – District Attorney's Office, effective 9/24/2014. Rate of \$56,429/annually. Salary range Minimum \$50,180; Midpoint \$66,907; Maximum \$83,634. Replacement for Christopher Connard who separated. This request meets the criteria of the Hiring Policy. Budget 10000 – 11580.
 5. Authorize the promotion of John Parsons from PC010858 Deputy Sheriff to Sergeant – Sheriff's Office, effective 9/24/2014. Rate of \$56,376/annually. Salary range Minimum \$38,189; Midpoint \$50,918; Maximum \$63,648. New position created by Salary Board on 9/18/2014. This request meets the criteria of the Hiring Policy. Budget 10000 – 11510.
 6. Authorize the promotion of Todd Reinert from PC010318 Contract Monitor to Contract Manager – Area Agency on Aging, effective 9/24/2014. Rate of \$52,000/annually. Salary range Minimum \$41,501; Midpoint \$55,335; Maximum \$69,168. New position created by Salary Board on 9/18/2014. This request meets the criteria of the Hiring Policy. Budget 28100 – 23150.
 7. Authorize a salary increase for Tracy Brown PC010800 Deputy Director – Domestic Relations, effective 9/24/2014. Rate of \$68,000/annually. Salary range Minimum \$48,986; Midpoint \$65,315; Maximum \$81,643. Salary increase is a result of a WMS re-evaluation of the Deputy Director position. This request meets the criteria of the Hiring Policy. Budget 24000 – 26280.
 8. Authorize \$200 uniform/clothing allowance for Lieutenants and Sergeants – Jail System, effective in the 10/7/2014 paycheck, per attached listing. Budget 10000

- 12090.

- 275.14 Adopt a resolution authorizing Christian Y. Leinbach, Commissioner Chair, to execute 3 AIA A132-2009 Agreements between the County of Berks and K & A Environmental Contractors, Inc., Mohnton, Pennsylvania, to provide a quotation for the removal and disposal of asbestos materials at the following locations at the Angora Fruit Farm, Lower Alsace Township:
- Animal House - \$825.00
 - Cider Cooler - \$5,073.00
 - Garage Shop - \$1,225.00
- 276.14 Adopt a resolution authorizing Christian Y. Leinbach, Commissioner Chair, to execute the Department of the Army License Agreement for use by the Berks County Parks & Recreation Department of a barn structure at Blue Marsh Lake for a term ending June 30, 2017 at the rental rate of \$510.00 for the term of the Agreement.
- 277.14 Adopt a resolution authorizing Christian Y. Leinbach, Commissioner Chair, to execute Amendment P00005 (HSCEDM-14-F-IG203) to the Agreement between Department of Immigration and Customs Enforcement (ICE) for the Berks County Residential Center. This amendment is to incorporate the rates in the proposal dated July 9, 2014 for the annual costs associated with the expansion project at the Berks Family Shelter.
- 278.14 Adopt a resolution authorizing Brian A. Gottschall, Director of Emergency Services, to execute an application for a Hazardous Materials Emergency Preparedness grant with a performance period of October 1, 2014 to September 30, 2015. This is an annual recurring grant and is to support Berks County's efforts to prepare for and respond to hazardous materials incident.
- 279.14 Adopt a resolution authorizing execution the Pennsylvania Emergency Management Agency State Fiscal Year 2014/2015 Hazardous Material Response Fund Grant Agreement in the amount of \$52,781.00. This is an annual recurring grant agreement used to manage, update and perform hazardous response reports, requirements and training.
- 280.14 Adopt a resolution authorizing execution of the First Amendment to Lease Agreement between the Borough of Boyertown and the County of Berks for the long-term operation and maintenance of the post-construction stormwater maintenance best management practices is a covenant running with the land, and amends the term to renew for nine additional five year terms for a tower site

in regard to the Berks County Public Safety Radio Project.

- 281.14 Adopt a resolution authorizing execution of the Amended and Restated Memorandum of Lease between the Borough of Boyertown and the County of Berks to include provisions for post-construction stormwater maintenance best management practices for a tower site in regard to the Berks County Public Safety Radio Project.
- 282.14 Adopt a resolution authorizing execution of an Agreement for Installation of Utility Facility between the County of Berks and the Reading Area Water Authority (RAWA) for the relocations associated with the rehabilitation of the Buttonwood Street Bridge Project.
- 283.14 Adopt a resolution authorizing execution of Amendment No. 1 to Memorandum of Grant Agreement between the County Commissioners Association of Pennsylvania (CCAP) and Berks County for the Berks Heim Rehabilitation Project which extends the agreement to October 31, 2014.
- 284.14 Adopt a resolution supporting and urging the passage of Senate Bill 1180 combating Opioid and Prescription overdose deaths in Pennsylvania. District Attorney John Adams attended the meeting and commented there is an epidemic in this County and the State due to the Mexican drug cartels flooding the markets with heroin. Mr. Adams stated in Berks County so far this year there have been 14 confirmed cases of heroin overdose deaths. Mr. Adams thanked the Commissioners for supporting this legislation as it is needed for the health and welfare of the County and State. Commissioner Leinbach commented this resolution shows the County is standing with law enforcement and encourages the State legislature and Governor to support and sign this Bill.
- 285.14 Adopt a resolution encouraging and supporting a greater prioritization and investment in water resources by the Commonwealth of Pennsylvania. The Chesapeake Bay Foundation has launched a statewide campaign, *Clean Water Counts*, and is urging Pennsylvania officials to make clean water a priority throughout the Commonwealth of Pennsylvania and to commit funds to ensure that all 83,000 miles of waterways in the Commonwealth are clean. Commissioner Leinbach commented 10% of Berks County is located in the Chesapeake Bay watershed.
- 286.14 Adopt a resolution authorizing the appointment of Tom M. Herman, Secretary/Treasurer, United Labor Council of Reading and Berks County, to complete the unexpired term of G. Fred Shaeff, Jr. on the Berks County Workforce Investment Board for

a term expiring June 30, 2015.

- 287.14 Adopt a resolution authorizing the appointment of Richard Walters, Acting District Administrator of the Reading Office of Vocational Rehabilitation, to complete the unexpired term of Janell Shaffer-Yoder on the Berks County Workforce Investment Board for a term expiring June 30, 2016.
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 September 16, 2014. Commissioner Leinbach reported there are 11 contracts and referenced the departments.
 3. Motion to authorize payments set forth on Controller's Office vouchers payable listing dated September 16, 2014 for week ending September 17, 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 Ronald Rutkowski, First Deputy Controller.

REPORTS OF CHIEF OPERATING OFFICE/CHIEF FINANCIAL OFFICER

1. Carl E. Geffken welcomed two new department heads; Greg Gnatt, the Penn State Cooperative Extension District Director and Dan Fogerty, the Executive Director of the Workforce Investment Board (WIB).
2. Robert J. Patrizio reported the Commissioners would be continuing a discussion of the Capital Plan update, IS Centric System update, 2 Parks items and a discussion on where we stand preliminarily on net costs for the Communication Center.

COMMISSIONERS' COMMENTS

Commissioner Barnhardt commented he attended the Berks County Chiefs of Police meeting in regard to the charge for dispatching for the new radio system. Commissioner Barnhardt stated that Brian Gottschall provided an excellent power point presentation. Commissioner Leinbach commented there are about 30 entities that are still in the process of discussion and review of the various agreements that are required for the implementation of the radio project.

Commissioner Scott announced the resignation of long time Executive Director of Berks County Children and Youth Services George Kovarie and read a prepared statement of the Board of Commissioners. Commissioner Scott commented Mr. Kovarie was

instrumental in getting the County out of State Civil Service system and most recently, Berks County Children and Youth Services Agency (the "Agency") was the recipient of perfect licensing audit by the Department of Public Welfare. Commissioner Scott commented the Agency is one of the most difficult, most expensive and most complex departments to manage and one of the most dangerous for caseworkers. Commissioner Scott wished George good luck and thanked him for his long and dedicated service to the County.

Commissioner Leinbach commented that when he was first elected Commissioner, George Kovarie was leading the effort to get the County out of Civil Service, and with the assistance of George and this current Board of Commissioners, worked with DPW to build an outline for the rest of the Commonwealth to use to get out of the State Civil Service Commission. Commissioner Leinbach agreed with Commissioner Scott that the Agency is one the most difficult departments, one of the most expensive and most complex and most dangerous for caseworkers. Commissioner Leinbach commented he served on a task force with George and DPW looking at children and youth issues, and 3 years ago George was awarded the Local Government award by the County Commissioners Association of Pennsylvania (CCAP). Commissioner Leinbach wished George the best.

There being no further business, the meeting adjourned at 11:00 A.M.

Respectfully Submitted,

Maryjo Gibson, Chief Clerk