

## **Commissioners' Board Meeting Minutes October 10, 2019**

The Berks County Board of Commissioners met in regular session on Thursday, October 10, 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.

### **Approval of Minutes**

The minutes of October 3, 2019 Commissioners' Board Meeting and October 3, 2019 Budget/Operations Meeting were approved as presented.

### **Public Comment on Agenda Items**

None.

### **Agenda Items**

1. A motion was made by Commissioner Scott to approve the Collective Bargaining Agreement with SEIU as presented. Said motion was seconded by Commissioner Barnhardt, and all voted unanimously to approve the following resolution:

313.19 Adopt a resolution authorizing execution of the Collective Bargaining Agreement between the County of Berks and SEIU Healthcare Pennsylvania effective January 1, 2020 through December 31, 2024, representing non-management and non-supervisory full-time, regular part-time and part-time Registered Nurses and Licensed Practical Nurses employed at the Berks Heim Nursing and Rehabilitation.

Attending on behalf of SEIU to execute the Collective Bargaining Agreement was Matt Yarnell, President, and Carlos Rivera, Vice President, and member Nurses from the Bargaining Committee – Mary Ellen Nussbuetel. Also attending from the Bargaining Committee was Tracy Beebe and Danielle Leazier.

Mr. Yarnell was glad for the opportunity and reason for attending the meeting today, and on behalf of the nurses and the patients they serve at the Berks Heim, is very proud of the process and progress of the negotiations, noting it was a true partnership between SEIU, UFCW and the County. Mr. Yarnell commented it is very important the Heim remain a County nursing home, but acknowledged there will be challenges, and he looks forward to a good working relationship.

A motion was made by Commissioner Barnhardt to approve the Collective Bargaining Agreement with UFCW as presented. Said motion was seconded by Commissioner Scott, and all voted unanimously to approve the following resolution:

- 314.19 Adopt a resolution authorizing execution of the Collective Bargaining Agreement between the County of Berks and the United Food and Commercial Workers Union, Local 1776 effective January 1, 2020 through December 31, 2024, representing non-management and non-supervisory/confidential full-time and regular part-time non-professional employees, barbers and beauticians.

Attending on behalf of the UFCW to execute the Collective Bargaining Agreement was Barbara Johnson, Union Representative. Mark Jacobs, Lead Negotiator, arrived late and also executed the Agreement (Note: the CBA was taken back to Harrisburg to obtain the signature of Wendell Young, President of the UFCW.

Chris Naylor, Legislative and Political Director, thanked the Commissioners and the bargaining committee, stating contract reflects the hard work and dedication of all involved. Mr. Naylor also thanked the Berks County community for their support in this process, especially the staff at the Berks Heim, and it is important to keep the Nursing Home in County hands.

Commissioner Leinbach opened the floor to comment by the Commissioners –

Commissioner Scott remarked this is a dream come true for him, when in the spring of 2018 he contacted some officials from the unions, especially SEIU; Mary Ellen, Tracey and Carlos Rivera, where he raised the issue of negotiating the union contracts in order to save the Berks Heim. Commissioner Scott stated his interactions with the union was surprisingly and refreshingly positive and cordial, and he respects very much the sacrifices made by the unions to keep the Berks Heim in the hands of the County. Commissioner Scott thanked everyone from the County and Union negotiating team, it speaks well of the ability to reach a compromise.

Commissioner Barnhardt praised the union membership for making this process come to fruition, they are the heart and soul of the Berks Heim and they are the reason people are so well taken care of. Commissioner Barnhardt thanked the County's legal team and Human Resources. It was an amazing opportunity for us to continue the services to the people who deserve it.

Commissioner Leinbach thanked County leadership and union members for their commitment to the future of the Berks Heim and its residents.

A motion was made by Commissioner Barnhardt to approve the following items as presented. Said motion was seconded by Commissioner Scott, with a request to comment. All voted unanimously to approve the items listed below, and request to comment by Commissioner Scott granted by the Chair.

Regarding the Berks Heim negotiations, Commissioner Scott recognized two individuals for their work in the negotiating process; Jessica Weaknecht, Human Resources Director, and Terry Brennan, Berks Heim Administrator. Both contributed significantly to the success of the negotiations of the union contracts and Terry Brennan identified many of the issues that were negotiated.

315.19 Adopt a resolution authorizing 2019 Budget Transfers in the amount of \$19,252 and 2019 Appropriations in the amount of negative \$(195,215) per listing dated October 7, 2019.

316.19 Adopt a resolution authorizing Human Resources Recommendations per listing dated October 10, 2019 as follows:

1. Authorize the promotion of Andrew Faselka from PC010824 Deputy Sheriff to PC012250 Sergeant – Sheriff's Department, effective 10/09/2019. Rate of \$63,163/annually. Salary range Minimum \$41,396; Midpoint \$55,195; Maximum \$68,994. Replacement for John Matula who separated. This request meets the criteria of the Hiring Policy. Budget 10000 – 11510.
2. Authorize the promotion of Virra Saling from PC011103 Fiscal Technician to PC013201 Senior Contract Coordinator – Children and Youth Services, effective 10/16/2019. Rate of \$43,500/annually. Salary range Minimum \$39,147; Midpoint \$52,197; Maximum \$65,246. Replacement for Bradley Bernhard who separated. This request meets the criteria of the Hiring Policy. Budget 22000 – 23200.
3. Authorize the promotion of Tara DeWalt from PC012876 Conference Officer II to PC011141 Interstate Manager – Domestic Relations, effective 10/16/2019. Rate of \$68,000/annually. Salary range Minimum \$44,677; Midpoint \$59,569; Maximum \$74,462. Replacement for Laura Schlegel who transferred. This request meets the criteria of the Hiring Policy. Budget 24000 – 26280.

4. Authorize a salary adjustment for Elizabeth Samsel, PC010315 Conference Officer Manager – Domestic Relations, effective 10/16/2019. Rate of \$70,500/annually. Salary range Minimum \$46,072; Midpoint \$61,429; Maximum \$76,787. This request meets the criteria of the Hiring Policy. Budget 24000 – 26280.
- 317.19 Adopt a resolution authorizing Christian Y. Leinbach, Chair, to execute the renewal rates summaries for Capital Blue Cross effective January 1, 2020 through December 31, 2020.
  - 318.19 Adopt a resolution authorizing Christian Y. Leinbach, Chair, to execute the Employer Member Application 2020 with Pittsburgh Business Group on Health, Ambridge, Pennsylvania for participation in a health care consortium in order to secure better prescription costs and rebates. Membership is based on a 12 month period, January 1 through December 31, and will automatically renew unless notice of intent to terminate is provided by the County of Berks. Membership dues will be \$2,070 annually.
  - 319.19 Adopt a resolution authorizing Christian Y. Leinbach, Chair, to execute the McGriff Cobra Services Application effective January 1, 2020, for separated employees, who the County is required by law to offer healthcare insurance.
  - 320.19 Adopt a resolution authorizing execution of the 2020 National Forensic Science Improvement Act Grant (ISO Reaccreditation/Improve Quality of Evidence -#31388) from the Pennsylvania Commission on Crime and Delinquency (“PCCD”). The Berks County District Attorney’s Crime Lab, an ISO Accredited Lab, seeks a full reaccreditation in 2020. The grant is in the amount of \$101,926.00 and is 100% federally funded.
  - 321.19 Adopt a resolution authorizing the Director of Facilities and Operations, or in the absence of that incumbent, the Assistant Director of Facilities and Operations, to execute properly documented Change Orders for any and all authorized and approved projects under properly awarded contracts for total amounts not-to-exceed \$10,000.00.
  - 322.19 Adopt a resolution authorizing Terry J. Brennan, Administrator of the Berks Heim Nursing and Rehabilitation, to electronically execute the Pennsylvania Department of Health Licensing-Agreement renewal form effective December 1, 2019 through November 30, 2020.

- 323.19 Adopt a resolution ratifying, confirming and approving Terry J. Brennan, Administrator of the Berks Heim Nursing and Rehabilitation, execution of the Recertification form to Novitas Solutions, Inc., Medicare Administration Contractor, for access to the FISS System to perform Direct Data Entry and/or Health Insurance Query Access.
- 324.19 Adopt a resolution authorizing Christian Y. Leinbach, Chair, to execute Letter of Amendment "D" to Agreement# 057368 as drafted by the Pennsylvania Department of Transportation, which incorporates the costs related to bridge pilings and costs associated over winter time extension into the overall project encumbrance for the replacement of the Schaeffer Road Bridge, aka the Blandon Bridge (County Bridge #53A) in Maiden Creek Township. As a result of this Amendment the costs reflected in Exhibit "AAAAA" and Paragraph 11 (b.) will be increased from \$2,465,000 to \$2,796,660. This Letter of Amendment also incorporates Exhibits "HH", "KK", "QQ", "R" and "S". All other terms and conditions of the Agreement and all previous amendments thereto, unless specifically revised by virtue of Amendment "D" remain in full effect. This resolution supersedes Resolution No. 104-19.
- 325.19 Adopt a resolution ratifying, confirming and approving Kevin S. Barnhardt, Vice Chair, execution of a letter to Lori Spera, Trailer Sales Manager, Perkin-TP Trailers, Inc, Limerick, Pennsylvania, authorizing and directing County Solicitor Christine M. Sadler, to execute any and all required forms, documents or other instruments relative to the purchase of a trailer sold to Berks County Sheriff's Office.
2. Motion authorizing execution of Contract Agreements/Amendments as furnished by the Contract Coordinator per listing dated October 8, 2019. Commissioner Leinbach reported there are 8 contracts and referenced the departments.
3. Motion authorizing payments set forth on Controller's Office vouchers payable listing dated October 8, 2019 for week ending October 9, 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.

1. The Controller's weekly report was presented by County Controller Sandy Graffius.

#### **REPORT OF CHIEF FINANCIAL OFFICER**

Robert Patrizio was absent for his report. Mr. Seaman reported there will be a discussion on the WRAP Program at the Jail; a request for additional staffing at the Jail; a discussion of elimination of the Legacy Program Parcel Identification, and a proposal by McCormick Taylor to provide additional services for the County Bridge Program.

#### **REPORT OF CHIEF ADMINISTRATIVE OFFICER**

Ronald R. Seaman announced Penn State Extension will be offering a program on healthy living habits - *Health Living for Your Brain and Body* on Tuesday, November 5, 2019. Mr. Seaman noted this will not interfere with Election results.

#### **COMMISSIONERS' COMMENTS**

##### Commissioner Barnhardt

Commissioner Barnhardt noted the passing of long time Berks Heim Administrator Jerry Fudeman, who retired 8 years ago.

Commissioner Barnhardt reported the Election Department is aggressively training over 1,200 election workers and interpreters and announced the new voting system will be on display at Immaculate Reception Church in Douglassville.

Commissioner Barnhardt also announced Election Services is always looking for poll workers and interpreters.

##### Commissioner Scott

Commissioner Scott reported he had an opportunity to take a trial run on the new election machines in Election Services. It was a very simple process and it shouldn't deter anyone from voting.

Commissioner Scott also remembered Jerry Fudeman, stating he was a very dedicated Administrator and cared greatly about the Berks Heim.

##### Commissioner Leinbach

Commissioner Leinbach added his condolences to Jerry Fudeman's family, and for his many years of service to the Berks Heim. He was very committed to the Berks Heim. Commissioner Leinbach noted this Saturday, Amity Township will be celebrating its 300<sup>th</sup> birthday. Amity Township is the oldest township in Berks County, has the oldest structure in the County, the Mouns Jones House, and St. Gabriel's Episcopal Church in Douglassville was the first congregation in Berks County.

#### **ELECTED OFFICIALS' COMMENTS**

None.

**COMMENTS FROM THE FLOOR**

None.

There being no further business, the meeting adjourned at 10:45 A.M.

Respectfully Submitted,

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Maryjo Gibson, Chief Clerk