

Commissioners' Board Meeting Minutes November 16, 2017

The Berks County Board of Commissioners met in regular session on Thursday, November 16, 2017, 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 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.

Commissioner Leinbach announced there was an Executive Session held yesterday November 15, 2017 to discuss litigation, personnel and real estate.

Presentation

Chief Financial Officer Robert Patrizio presented the proposed 2018 County Budget for consideration by the Board of Commissioners ("Board"), and based on direction and guidance from the Board, this Budget achieves the Board's directive to provide a responsible budget, while not placing an undue tax burden on the citizens of Berks County. Mr. Patrizio reported the Budget supports core services, maintains long term financial stability and maintains the County's Aa1 Bond rating, while limiting the growth of new discretionary services, limits head count, does not add new debt, prioritizes capital expenditures and technology. Mr. Patrizio reported the proposed Budget further maintains the Board's commitment to County facilities and parks, agricultural land preservation and pension obligations, as well as continued funding for RACC, GREP, the Library system and COCA. Mr. Patrizio reported the growth in county property taxes has lagged behind the rate of growth in our personnel costs; and State and Federal unfunded mandates, most notably the new Child Protective Act, frozen Medicaid rates, and a decrease in Common Pleas Judges reimbursements have contributed to a \$5.3 million operating deficit.

Mr. Patrizio remarked that the Board looked at discretionary programs, such as the Berks Heim, County Parks, COCA, Pre-Trial Services, and have capped funding of some programs, reduced funding and froze others, but due to the value some of these programs to Berks County citizens, and the unintended consequences of eliminating them, there wasn't a consensus among the Board to make additional cuts. Therefore, Mr. Patrizio is recommending for the first time in five years, a property tax increase of 4.08%, and if enacted, the current tax rate of 7.372 mills will increase to 7.668 mills.

Commissioner Barnhardt commented this report shows our fiscal house is in order in Berks County, and we do not take tax increases lightly. Commissioner Barnhardt thanked Bob and his staff for a phenomenal presentation, and thinks it is important to see the comparison with other counties. Commissioner Barnhardt stated he reluctantly will support a minimal tax increase of 4% that will keep us where we need to be, adding law

abiding citizens need to get something out of paying taxes, and discretionary items such as the parks and library system should be available to the citizens. Commissioner Barnhardt commented the Courts also have a stake in this Budget as he feels there are too many senior judges for which the County has to pay staff positions, as well as additional assistant district attorneys, assistant public defenders, stenographers, etc. that puts an undue burden on the County. Commissioner Barnhardt reported he would still like to see a consolidation of some magisterial district court offices into a regional type facility, and the constables are an unchecked area, and suggested sharing some of the constable work with the Sheriff's Department.

Commissioner Scott commented he hasn't made up his mind on this Budget, but it is clear to him that Berks County is one of the highest taxing counties, and that puts us at a competitive disadvantage in a number of areas when competing with other counties. Commissioner Scott observed that much of the projected tax increase is derived from the Jail and the Heim, and he continues to believe the Jail and to some extent the Heim, represent a great opportunity for cost reduction. Commissioner Scott feels it is imperative this Board get out a request for proposals to determine whether the Jail could be operated at significant savings. Commissioner Scott stated another item he disagrees with the funding of GREP.

Commissioner Scott commented he agrees with Commissioner Barnhardt regarding the need of the number of current senior judges, and if we really need 13 sitting judges. Commissioner Scott thinks there should be a mechanism given to the Board to determine the number of judges or elimination of judicial positions.

Commissioner Scott thanked Bob and his staff for a very thorough presentation and documents.

Commissioner Leinbach commented he also has not decided on how he will vote on the proposed tax increase. Commissioner Leinbach commented he is very frustrated with the lack of understanding at the federal and state level of the impact of their decisions on counties and unfunded mandates. Commissioner Leinbach believes that if it is important enough to mandate, it is important enough to fund, and if it isn't important enough to fund, it isn't important enough to mandate.

Approval of Minutes

The minutes of November 9, 2017 Commissioners' Board Meeting were approved as presented.

Agenda Items

1. Due to the length of the Budget Presentation, Commissioner Chair Leinbach entertained a motion to approve the Agenda as presented. Commissioner Scott so motioned to approve the Agenda as presented, and Commissioner Barnhardt seconded the motion, with a dissent vote to Agenda Item #345.17. Seeing no further discussions, all voted unanimously to approve the items listed below.

330.17 Adopt a resolution authorizing 2017 Budget Transfers in the amount of \$933,442 and 2017 Appropriations in the amount of \$251,229 per listing dated November 13, 2017.

- 331.17 Adopt a resolution authorizing Human Resources Recommendations per listing dated November 16, 2017 as follows:
1. Authorize the appointment of Melissa Krishock to Part-time Temporary Guardian Ad Litem – Court Administration, effective 11/29/2017. Rate of \$37.77/hour. The part-time Temporary position will provide coverage until the hiring of a full-time Guardian Ad Litem, at which time, the part-time Temporary position will be eliminated. This request meets the criteria of the Hiring Policy. Budget 10000 – 11600.
- 332.17 Adopt a resolution authorizing the award and the Director of Contracts and Procurement to execute three (3) agreements as a result of ITB# 17-28-KSJR, Inmate and Resident Clothing, for a period of one (1) year for the participating members of the Southeastern Pennsylvania Counties Cooperative Purchasing Board (SPCCPB) including Berks County. The County reserves the right to extend the agreements for two (2) additional one (1) year terms upon mutual agreement of both parties at the unit prices below:
- Bob Barker Company, Inc.**
134 North Main Street
Fuquay-Varina, NC 27526
Line Items – 1, 3, 7, 10, 12, 13
Estimated Annual Expenditure- Grand Total \$ 3,033.54
Estimated Annual Expenditure- Berks Portion: same as above
- The Liberty Store, Inc.**
5 East Genesee Street
Auburn NY 13021
Line Items – 2, 8, 9, 11, 14, 15
Estimated Annual Expenditure – Grand Total \$ 98,788.47
Estimated Annual Expenditure – Berks Portion \$ 33,316.49
- Charm-Tex, Inc.**
1618 Coney Island Ave.
Brooklyn, NY 11230
Line Items – 5 and 6
Estimated Annual Expenditure – Grand Total \$ 3,123.94
Estimated Annual Expenditure – Berks Portion \$ 339.84
- 333.17 Adopt a resolution authorizing the award and the Director of Contracts & Procurement to execute as a result of Invitation to Bid #17-40-KO, two (2) contracts for the Angora Fruit Farm Barn Renovation – Plumbing & Septic/Well Construction Project as identified herein:

SMJ Contracting, Inc.

1050 Benjamin Franklin Hwy. West
Douglassville, PA 19518

Base Bid Total:	\$61,680.00
Alternate (Well System to Park Office):	\$ 3,400.00
Septic & Well Construction Total:	\$65,080.00

Unit Price No. 1: Rock Excavation

A. By Hand, Air Hammer	\$935.00/CY
B. By Ram Hammer	\$345.00/CY
C. By Blasting	\$3,000.00/CY
Unit Price No. 2: Well Casing	\$47.50/LF
Unit Price No. 3: Trenching	\$18.00/LF

SMJ Contracting, Inc.

1050 Benjamin Franklin Hwy West
Douglassville, PA 19518

Plumbing Construction Base Bid Total: \$74,990.00

Unit Price No. 1: Rock Excavation

A. By Hand, Air Hammer	\$935.00/CY
B. By Ram Hammer	\$345.00/CY
C. By Blasting	\$3,000.00/CY
Unit Price No. 2: Trenching	\$18.00/LF

- 334.17 Adopt a resolution authorizing the award and the Director of Contracts & Procurement to execute as a result of Invitation to Bid #17-40-KO, a contract for the Durable Medical Equipment – Customized Wheelchair Project for Berks Heim Nursing and Rehabilitation as identified herein:

Ocean Home Health

1000 Airport Road
Lakewood, NJ 08701

Total (Not to Exceed): \$20,961.60

- 335.17 Adopt a resolution approving the Drawings Authorizing Acquisition of Right-of-Way as prepared by professional engineers with P. Joseph Lehman, Inc., Consulting Engineers, pertaining to parcels of land affected by the Dreibelbis Station Covered Wooden Bridge (County Bridge #46B) Rehabilitation Project in Windsor and Greenwich Townships, Berks County, Pennsylvania.

- 336.17 Adopt a resolution authorizing execution of the PennDOT MS-339 Application for County Aid Form between the County of Berks ("County") and Tulpehocken Township ("Township") to encumber funds that will be used to reimburse the Township for engineering studies and expenses associated with the potential restriction of heavy traffic on Salem Road that would negatively impact the County-owned Weidner's Bridge (BMS 06 7205 0628 9362, Salem Road over the Little Swatara Creek). The County is making this contribution in recognition of the County's interest in protecting its historically-relevant bridge from potential damage and undue wear that results from heavy truck traffic. This action finalizes the contribution of County Liquid Fuels Tax Funds being made to this project in the amount of \$4,500, which represents the entire amount of the encumbrance.
- 337.17 Adopt a resolution adopting a policy prohibiting use of marijuana by Berks County Correctional Facility employees pursuant to the Pennsylvania Medical Marijuana Act, 35 P.S. Chapter 64, Section 1309(2).
- 338.17 Adopt a resolution authorizing execution of a Lease Agreement between Gibraltar Investments, LLC, ("Lessor") and the County of Berks for property located at 2312 Fairmont Avenue, Reading, Pennsylvania, to be used as office space for Magisterial District Court 23-3-09 for a ten (10) year term beginning January 1, 2018, or upon the date when Lessor shall deliver possession of the Premises to the County, at an initial monthly rent amount of \$3,000.
- 339.17 Adopt a resolution authorizing Christian Y. Leinbach, Chair, to execute the Agreement to Authorizing Electronic Access to PennDOT Systems Pennsylvania Crash Information Tool between the Commonwealth of Pennsylvania, Bureau of Maintenance and Operations of the Department of Transportation, and the County of Berks, for use by the Berks County Planning Commission of the State VPN System for crash data and access to State provided webinars.
- 340.17 Adopt a resolution authorizing Shannon Rossman, Executive Director of the Berks County Planning Commission, to execute the Internship Agreement between Kutztown University of Pennsylvania, and the Berks County Planning Commission for purposes of provided internship opportunities to Kutztown University students for a five (5) year term effective from the date of final signature.

341.17 Adopt a resolution authorizing the reappointment of the following currently serving members to the Berks County Workforce Development Board:

1. Pablo Tejada has been re-nominated by the United Way of Berks County to continue serving as a Workforce representative on the Board to complete his current term to June 30, 2018.
2. Jeannine Rohrbach has been re-nominated by the Greater Reading Chamber Alliance to continue serving as Business representative on the Board to complete her current term to June 30, 2019.
3. Gregg Riefenstahl has been re-nominated by the Greater Reading Chamber Alliance to continue serving as a Business representative on the Board to complete his current term to June 30, 2020.

These three members have recently joined new employers, and pursuant to Section C, §2(a) of the Pennsylvania Department of Labor and Industry's Local Governance Policy, a new nomination is required.

342.17 Adopt a resolution authorizing the reappointment of Barry Rohrbach, Reading, Pennsylvania, to the Redevelopment Authority Board for a five (5) year term expiring December 31, 2022.

343.17 Adopt a resolution authorizing the reappointment of Glenn Yeager, Reading, Pennsylvania, to the Redevelopment Authority Board for a five (5) year term expiring December 31, 2022.

344.17 Adopt a resolution authorizing the reappointment of Gregory R. Knies, Brook, Pennsylvania, to the Reading Public Library Board for a five (5) year term expiring December 31, 2022.

345.17 Adopt a resolution authorizing the reappointment of Michael A. Setley, Wyomissing, Pennsylvania, to the Reading Regional Airport Authority Board for a five (5) year term expiring January 1, 2023.

Commissioner Barnhardt voted No.

2. Motion authorizing execution of Contract Agreements/Amendments as furnished by the Contract Coordinator per listing dated November 14, 2017.
3. Motion to authorize payments set forth on Controller's Office vouchers payable listing dated November 14, 2017 for week ending November 15, 2017 and the payment of electronic transfers and employee payroll, and vouchers payables for November 22, 2017 for week ending November 22, 2017.

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 Governmental Accountant-Team Leader.

REPORT OF CHIEF FINANCIAL OFFICER

Robert J. Patrizio reported there will be a presentation by Marcus and Millichap at the Budget Meeting this afternoon.

REPORT OF CHIEF ADMINISTRATIVE OFFICER

Ronald R. Seaman congratulated Bob and his staff for the Presentation, and also for the due diligence with which they conduct their work throughout the year.

COMMISSIONERS' COMMENTS**Commissioner Barnhardt**

Commissioner Barnhardt reported he attended the South Central Transit Authority Meeting last night, and noted the passing of long time Red Rose Board Member Jeff Wibberley.

Commissioner Scott

Commissioner Scott reserved his comments for later.

Commissioner Leinbach

Commissioner Leinbach announced he and Commissioner Barnhardt will be attending the annual CCAP Fall Conference in Hershey this weekend, where he will be presenting information on the Spotted Lanternfly epidemic.

COMMENTS FROM THE FLOOR

Berks County Recorder of Deeds Fred Sheeler reported the State Legislature just increased the Judicial Fee on all recordings from \$35.50 to \$40.75, and reminded the public that half the cost of recording is sent to the State Department of Revenue. Mr. Sheeler reported he sat in a few discussions regarding the tax assessment software package and has finally come to the conclusion that real estate taxes are a cumbersome nightmare and very antiquated.

Mary Ellen Nussbetal, LPN at the Berks Heim, and a group of staff from the Berks Heim, attended today to speak and comment after recent comments by Commissioner Barnhardt that it would cost homeowners less than \$5.00 a month to keep the Berks Heim open.

Ms. Nussbetal thinks most people would think that is a small sacrifice to keep the Berks Heim intact.

Edie Murray, Switchboard Operator at the Heim, talked about Act 47, and if the County sells Berks Heim and the Jail she feels the City of Reading and the County will become more distressed. Ms. Murray also questioned Mr. Patrizio's comments about the County not being required to operate a nursing home under the 3rd Class County Code. Commissioner Leinbach responded that under the 3rd Class County Code, counties are not required to operate nursing homes.

There being no further business, the meeting adjourned at 11:34 A.M.

Respectfully Submitted,

Maryjo Gibson, Chief Clerk