

Commissioners' Board Meeting Minutes December 19, 2013

The Berks County Board of Commissioners met in regular session on Thursday, December 19, 2013, 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. Commissioner Leinbach announced that all three Commissioners and the Chief Operating Officer are now using iPads to view the Agenda documents in an effort to reduce the use of excess paper.

PRESENTATION

Dr. Donna Singleton, a Humanities faculty member and Honors Program Coordinator at Reading Area Community College (RACC), provided information on the Honors Program, Phi Beta Kappa Honor Society and the Beacon Conference at RACC as part of RACC's quarterly update. Ms. Singleton commented the Honors Program began in 1986, and provided the criteria and strict requirements students must meet before being considered and accepted into the Honors Program.

Approval of Minutes

The minutes of December 12, 2013 Commissioners' Board Meeting were approved as presented.

Agenda Items

1. Enactment of Ordinance No. 03-2013:

AN ORDINANCE OF THE COUNTY OF BERKS, PENNSYLVANIA, AMENDING ORDINANCE NO. 1-75, ADOPTED MAY 20, 1975, AS AMENDED BY ORDINANCE NO. 1-90 ADOPTED MARCH 8, 1990, OF THE LAND SUBDIVISION AND LAND DEVELOPMENT REGULATIONS OF THE COUNTY OF BERKS. Commissioner Leinbach announced this Ordinance will have to be pulled and rescheduled for another date because it requires a public hearing, and it was not advertised as such.

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

- 403.13 Adopt a resolution authorizing 2013 Budget Transfers in the amount of \$134,936.00 and 2013 Appropriations in the amount of \$59,922.00 per listing dated December 16, 2013.
- 404.13 Adopt a resolution authorizing Human Resources Recommendations per listing dated December 19, 2013 as follows:
1. Authorize the appointment of Mary Lynn Orlando to PC011153 Judicial Administrative Assistant – Court Administration, effective 1/2/14. Rate of \$40,279/annually. Salary budgeted \$40,282/annually. Salary range Minimum \$31,715; Midpoint \$42,286; Maximum \$52,858. This request meets the criteria of the Hiring Policy. Budget 10000 – 11600.
 2. Authorize the appointment of Jamie Lynn Martin to PC011100 Fiscal Operations Manager – Domestic Relations, effective 1/6/14. Rate of \$45,000/annually. Salary budgeted \$47,187/annually. Salary range Minimum \$37,735; Midpoint \$50,313; Maximum \$62,891. Replacement for Todd Reinert who transferred. This request meets the criteria of the Hiring Policy. Budget 24000 – 26280.
 3. Authorize the promotion of Kristi Duffy to PC012990 Fiscal Operations Officer – Department of Emergency Services, effective 1/1/14. Rate of \$49,500/annually. Salary range Minimum \$37,496; Midpoint \$49,995; Maximum \$62,494. New position created by Salary Board on 12/19/13. This request meets the criteria of the Hiring Policy. Budget 51100 – 36010.
 4. Authorize the appointment of Melanie Sommons to PC012987 Administrative/Human Resources Assistant – Department of Emergency Services, effective 1/2/14. Rate of \$32,000/annually. Salary range Minimum \$28,772; Midpoint \$38,363; Maximum \$47,953. New position created by Salary Board on 12/19/13. This request meets the criteria of the Hiring Policy. Budget 51100 – 36010.
 5. Authorize the promotion of Christina Wood to PC012989 CAD Administrative Officer – Department of Emergency Services, effective 1/2/14. Rate of \$52,000/annually. Salary range Minimum \$42,781; Midpoint \$57,042; Maximum \$71,302. New position

created by Salary Board on 12/19/13. This request meets the criteria of the Hiring Policy. Budget 51100 – 36010.

6. Authorize the promotion of Lizette V. Epps from PC010217 Buyer – Purchasing to PC012986 – Senior Buyer - Purchasing, effective 12/19/13. Rate of \$44,100/annually. This salary shall include Ms. Epps 2014 annual increase. Salary range Minimum \$36,686; Midpoint \$48,914; Maximum \$61,143. New position created by Salary Board on 12/19/13. This request meets the criteria of the Hiring Policy. Budget 10000 – 11180.
7. Authorize the promotion of James Mancuso from PC010142 Assistant District Attorney I – District Attorney to PC010145 Assistant District Attorney II – District Attorney, effective 1/1/14. Rate of \$46,000/annually. Salary budgeted \$46,000/annually. Salary range Minimum \$44,485; Midpoint \$59,314; Maximum \$74,142. This request meets the criteria of the Hiring Policy. Budget 10000 – 11580.
8. Authorize the promotion of Jesse Leisawitz from PC010155 Assistant District Attorney III – District Attorney to PC012913 Assistant District Attorney IV – District Attorney, effective 1/1/14. Rate of \$54,000/annually. Salary budgeted \$54,000/annually. Salary range Minimum \$50,180; Midpoint \$66,907; Maximum \$83,634. This request meets the criteria of the Hiring Policy. Budget 10000 – 11580.
9. Authorize the promotion of Justin Bodor from PC010154 Assistant District Attorney III – District Attorney to PC012914 Assistant District Attorney IV – District Attorney, effective 1/1/14. Rate of \$54,000/annually. Salary budgeted \$54,000/annually. Salary range Minimum \$50,180; Midpoint \$66,907; Maximum \$83,634. This request meets the criteria of the Hiring Policy. Budget 10000 – 11580.
10. Authorize the utilization of a temporary agency to fill two (2) Internal Auditor positions - Controller, effective 12/20/2013. Rate not to exceed \$29.75/hr. Utilization of the temporary agency will cease when the Internal Auditor positions are filled. This request was reviewed and meets the criteria of the Hiring Policy. Budget 10000 – 11120.

11. Authorize approval of the 2014 Management/Confidential annual salary increase of 2.50% per the attached memorandum.
12. Authorize approval of the Part-Time rate increase of 2.50% per the attached memorandum.

Commissioner Leinbach commented that this increase follows on the heels of the first year he can recall of a pay freeze for County employees, both union and management/confidential.

- 405.13 Adopt a resolution authorizing the award and the Director of Contracts & Procurement to execute as a result of RFP #13-21-KL, a contract for an Audit/Assessment of the County of Berks Library System and the Reading Public Library System Financial, Operational and Administrative Structure and Procedures in the amount of \$87,360.00 to The Ivy Group, Ltd., 1489 Baltimore Pike, Suite 215, Springfield, Pennsylvania, 19064.
- 406.13 Adopt a resolution authorizing execution of a License to Utilize Premises between the County of Berks and CTSI, LLC, Dallas, Pennsylvania for the placing of 4" PVC Conduit/fiberoptic cable across the Buttonwood Street Bridge for a fifteen (15) year term expiring December 31, 2028. Commissioner Leinbach commented the Buttonwood Street is a County owned Bridge.
- 407.13 Adopt a resolution authorizing execution of a License to Utilize Premises between the County of Berks and UGI Utilities, Inc., Reading, Pennsylvania for the placing of 12" insulated steel pipeline across the Buttonwood Street Bridge for a fifteen (15) year term expiring December 31, 2028.
- 408.13 Adopt a resolution authorizing execution of a License to Utilize Premises between the County of Berks and Reading Area Water Authority for placing of 10" uninsulated ductile iron pipeline across the Buttonwood Street Bridge for a fifteen (15) year term expiring December 31, 2028.
- 409.13 Adopt a resolution authoring tax forgiveness and a refund in the amount of \$1,520.11 for 2013 County taxes, including penalties and interest for 205 Home Road (PIN No. 59-5472-01-28-5292), Longswamp Township owned by the Topton American Legion Community Ambulance Service, Topton, Pennsylvania as follows:
- Original bill - \$418.73 Paid 06/30/13
Interim bill - \$1,101.38 Paid 11/29/13
Total Refund \$1520.11

- 410.13 Adopt a resolution authorizing the execution of the 2014 JABG #25011 (Juvenile Accountability Block Grant) Application by and between the County of Berks (District Attorney) and the Pennsylvania Commission on Crime and Delinquency (PCCD), with respect to funding in the amount of \$7,696.00 (Federal Funds - \$6,927.00; Local Matching Funds \$769.00) covering the project period 4/1/2014 to 3/31/2015.
- 411.13 Adopt a resolution authorizing the execution of the 2014 JABG #25027 (Juvenile Accountability Block Grant) Application by and between the County of Berks (Chief Public Defender) and the Pennsylvania Commission on Crime and Delinquency (PCCD), with respect to funding in the amount of \$7,697.00 (Federal Funds - \$6,928.00; Local Matching Funds - \$769.00) covering the period 4/1/2014 to 3/31/2015. Glenn Welsh, Chief Public Defender, commented this grant assists in effective representation of juvenile clients in Juvenile Court and helps covers the salary of one public defender and one support staff.
- 412.13 Adopt a resolution authorizing Christian Y. Leinbach, Commissioner Chair, to execute the Financial Statement Funds Expended Under Specialized Probation Services, and the Board of Commissioners to execute a letter to the Juvenile Court Judges' Commission advising that Berks County probation officer salaries are equitable with other County and Court employees regarding the Juvenile Probation Services Grant application; and be it further resolved that Christian Y. Leinbach, Commissioner Chair, is authorized to execute any and all documents relating to the Grant application process. Robert Williams, Chief Berks County Probation Officer, commented this is part of the Juvenile Court Judges Commission grant and totals \$560,368.00 for fiscal year 2013/2014, and represents an increase of approximately \$72,400.00 over the prior fiscal year.
- 413.13 Adopt a resolution rescinding execution of the Lease Agreement dated October 13, 2011 between the County of Berks and the Birdsboro Municipal Authority regarding the Berks County Emergency Radio Project. Commissioner Leinbach commented the Birdsboro site could not be used and the tower site will now be moved to a Union Township location.
- 414.13 Adopt a resolution authorizing execution of the Memorandum of Lease between the County of Berks and the Hamburg School Area District for a certain portion of land owned by the School District for use as a tower site regarding the Berks County Public Safety Radio Project.

- 415.13 Adopt a resolution authorizing Brian Gottschall, Director of Emergency Services, to execute System User Agreements between the County of Berks and End Users who desire to access the new County-wide public radio system.
- 416.13 Adopt a resolution authorizing execution of the First Amendment to License Agreement between the American Towers LLC and the County of Berks for leasing of a certain portion of the Tower facility located in Union Township regarding the Berks County Public Safety Radio Project.
- 417.13 Adopt a resolution authorizing execution of the Memorandum of License Agreement between American Towers LLC and the County of Berks for use of a certain portion of a Tower facility located in Union Township regarding the Berks County Safety Radio Project.
- 418.13 Adopt a resolution authorizing execution of the First Amendment to Lease Agreement between Gibraltar Estates, LLC and the County of Berks for installation of grounding equipment for a tower site on a certain portion of land situate partially in Robeson Township and partially in Cumru Township regarding the Berks County Safety Radio Project, and subject to final approval by the County Solicitor and the Director of Emergency Services.
- 419.13 Adopt a resolution authorizing Brian Gottschall, Director of the Department of Emergency Services, to execute Contract Amendment No. 4 to the Motorola Agreement dated November 30, 2010 to upgrade the County's 9-1-1 phone system and engage in maintenance for the first 5 years at a not to exceed amount of \$2,800,000.00, and subject to final negotiations and approval by the County Solicitor and Director of Emergency Services. Commissioner Leinbach reported that Brian Gottschall recommended to the Board to negotiate with Motorola before the end of the year, as there is a lot of pressure from a sales number standpoint to get this deal done, which in turn helped the County get the best possible deal. Commissioner Leinbach commended Mr. Gottschall for seeing this opportunity and taking advantage of it.
- 420.13 Adopt a resolution authorizing the reappointment of Dale-Ann Farina, Reading, PA, to the Berks County Solid Waste Authority for a four year term expiring December 31, 2017.
- 421.13 Adopt a resolution authorizing Peter Edelman, Esquire, Stevens and Lee, to prepare and advertise an ordinance concerning the County of Berks guarantee of Berkshire Baseball for improvements at the County's Youth Recreation Fields subject to approval of the final terms and conditions of said guarantee by the Solicitor's Office; and further authorizes Attorney Edelman to

prepare Department of Community and Economic Development (DCED) filing concerning the above guarantee.

- 422.13 Adopt a resolution authorizing execution of the Cost Share Agreement between the Commonwealth of Pennsylvania, Pennsylvania Fish and Boat Commission and the County of Berks regarding Kaercher Creek Lake.
- 423.13 Adopt a resolution approving the attached Fee Schedule used by the Berks County Planning Commission for subdivision and land development reviews as authorized by the Pennsylvania Municipalities Planning Code and Berks County Ordinance No. 03-2013, effective January 1, 2014. PULLED until the Ordinance is enacted.
3. Motion authorizing Christian Y. Leinbach as Chairman of the Board, to execute Contract Agreements/Amendments as furnished by the Contract Coordinator, per listing dated December 16, 2013. Commissioner Leinbach reported there are 15 contracts and referenced the departments.
4. Motion to authorize payments set forth on Controller's Office vouchers payable listing dated December 17, 2013 for week ending December 18, 2013 and the payment of electronic transfers and employee payroll. The Controller submitted for approval the vouchers for the week ending December 25 and December 30, 2013 as there will be no public meetings until January 2, 2014.

Reports

1. County Treasurer Nelson Long, CPA submitted a prepared weekly Treasurer's report. Commissioner Leinbach commented this will be the last time the Board recognizes Nelson Long as CPA and Treasurer for the County. Commissioner Leinbach thanked Mr. Long for his service to the County, stating when it comes to fiscal and financial issues he is the go to person. Commissioner Leinbach commented he appreciates Mr. Long's experience and knowledge at Budget meetings. Mr. Long commented some of his greatest accomplishments were the transition to insourcing of all County tax bills and the merger of the Tax Claim Bureau to the Treasurer's Department.
2. The Controller's weekly report was presented by First Deputy Controller Ronald Rutkowski.

REPORTS OF CHIEF OPERATING OFFICE/CHIEF FINANCIAL OFFICER

1. Carl E. Geffken wished Nelson Long well.
2. Robert J. Patrizio reported the Commissioners will have a follow-up on the Health Care Plan and Cadillac Tax, a revised update to the 5 year forecast on the 2014 Budget, and an Aging fiscal update. Mr. Patrizio commented it has been a

pleasure to have the opportunity to know and work with Nelson Long over the last 10 years, and he has been an outstanding partner who had great ideas and appreciates his knowledge.

COMMISSIONERS' COMMENTS

Commissioner Barnhardt thanked Nelson Long and wished him best of luck in his retirement, stating he certainly has earned it. Commissioner Barnhardt thanked all County employees and staff who weathered a wage freeze last year, which helped balance the budget and will now benefit from a 2.5% wage increase. Commissioner Barnhardt gave special recognition to Denise Sticha, Library Director, on finally procuring the audit of financing operations and administrative procedures of not only the Berks County Library System, but also the Reading Public Library. Commissioner Barnhardt extended best wishes for a safe and happy holiday season to everyone.

Commissioner Scott praised Nelson Long, commenting he was part of a trend of increasing professionalism and greater qualifications among elected officials. Commissioner Scott commented it has been a pleasure serving with him these last 13 plus years adding he brought his accounting and fiscal expertise to the Office which was valuable to the taxpayers of Berks County. Commissioner Scott stated Nelson Long made a valuable contribution to the County Pension Board as it has reached an all-time peak. Commissioner Scott wished best of luck to Mr. Long and wished everyone in the viewing audience, fellow employees and elected officials a Merry Christmas and a prosperous and happy 2014.

Commissioner Leinbach wished everybody a very Merry Christmas and Happy Holidays. Commissioner Leinbach commented that at this time of year he is reminded of one of his favorite movies called *It's a Wonderful Life*, and shared his favorite part of the movie with the viewing audience.

Comments from the Floor

James Troutman, Berks County Clerk of Courts, thanked Nelson Long for his service to the County, commenting Nelson has been a good friend. Mr. Troutman welcomed Dennis Adams adding he brings great talent to office of Treasurer. Mr. Troutman reminded the public of the dangers and expense of drinking and driving over the holidays and recommends having a designated driver.

There being no further business, the meeting adjourned at 10:52 A.M.

Respectfully Submitted,

Maryjo Gibson, Chief Clerk