

## **Commissioners' Board Meeting Minutes December 21, 2017**

The Berks County Board of Commissioners met in regular session on Thursday, December 21, 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 Vice Chair Kevin S. Barnhardt called the meeting to order with Commissioner Christian Y. Leinbach 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 Barnhardt opened the meeting with a moment of silence and Pledge of Allegiance to the Flag.

### **Approval of Minutes**

The minutes of December 14, 2017 Commissioners' Board Meeting were approved as presented.

### **Agenda Items**

1. A motion was made by Commissioner Scott to approve the Agenda as printed. The motion was seconded by Commissioner Leinbach, and all voted unanimously to approve the items listed below.

Enactment of County Ordinances:

04-2017 AN ORDINANCE AUTHORIZING THE BOARD OF COMMISSIONERS OF THE COUNTY OF BERKS TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE COMMONWEALTH OF PENNSYLVANIA, DEPARTMENT OF CORRECTIONS ("DOC"), AND THE COUNTY OF BERKS ("COUNTY") ESTABLISHING TERMS UNDER WHICH THE DEPARTMENT OF CORRECTIONS WILL ASSIST THE COUNTY OF BERKS IN ESTABLISHING A MECHANISM FOR INDIVIDUALS TO REPORT ALLEGATIONS OF SEXUAL ABUSES OCCURRING AT COUNTY CORRECTIONAL FACILITIES.

05-2017 AN ORDINANCE OF THE COUNTY OF BERKS, PENNSYLVANIA AUTHORIZING BERKS COUNTY TO ENTER INTO AN INTERGOVERNMENTAL TRANSFER AGREEMENT ("IGT") BETWEEN THE PENNSYLVANIA DEPARTMENT OF HUMAN SERVICES, OFFICE OF LONG-TERM LIVING ("DHS-OLTL") AND BERKS COUNTY ("COUNTY") TO PROVIDE FOR INTERGOVERNMENTAL

TRANSFERS OF FUNDS TO DHS-OLTL IN ORDER TO PROVIDE THE NON-FEDERAL SHARE OF MEDICAL ASSISTANCE PAYMENTS TO COUNTY NURSING FACILITIES.

Commissioner Barnhardt mentioned this was discussed in general last week.

Resolutions:

- 388.17 A resolution of the Board of Commissioners of the County of Berks, Pennsylvania, approving the financing by the Berks County Municipal Authority (“Authority”) of a project for the benefit of Tower Health and Reading Hospital, which project consists, generally, of the refunding of certain outstanding indebtedness of Tower Health and Reading Hospital, declaring that it is desirable for the health, safety and welfare of the people in the area served by Tower Health and Reading Hospital for the Authority to participate in the financing of the project; authorizing the approval of the project for Federal Internal Revenue Code purposes; and authorizing other necessary and appropriate action.

Peter Edelman, Esq., Stevens and Lee, Bond Counsel for Reading Hospital, reported this financing is in reaction to the proposed changes to the Tax Code and is solely related to the Reading Hospital. Mr. Edelman commented this is not a new project and is a standard resolution approving the project for Federal Income Tax purposes.

- 389.17 Adopt a resolution authorizing 2017 Budget Transfers in the amount of \$147,224 and 2017 Appropriations in the amount of \$6,242 per listing dated December 18, 2017.

- 390.17 Adopt a resolution authorizing renewal of the Worker Compensation Excess Insurance Renewal with Safety National Casualty Corporation for the renewal period beginning January 1, 2018 through January 1, 2019.

Michael Malinowski, EH&D, reported that from a Workers Compensation perspective, the County’s performance at the end of 2017 is trending at \$1 million all costs included, which is under budget.

Mr. Malinowski remarked Berks County is a good example for other counties throughout Pennsylvania in keeping costs down, and is a great tribute to the entire County team to monitor these costs.

391.17 Adopt a resolution authorizing Human Resources Recommendations per listing dated December 21, 2017 as follows:

1. Authorize the appointment of Lauren Otero to Assistant Public Defender I – Public Defender’s Office, effective 12/27/2017. Rate of \$46,500/annually. Effective 1/1/2018 the new start rate for Assistant Public Defender I will be adjusted to \$48,000. Salary range Minimum \$44,690; Midpoint \$59,587; Maximum \$74,483. Replacement for Meaghan Mahon who separated. This request meets the criteria of the Hiring Policy. Budget 10000 – 11570.
2. Authorize the transfer of Melissa Krishock from PC013287 Part-Time Temporary Guardian Ad Litem to PC011114 Full-Time Guardian Ad Litem – Court Administration, effective 1/3/2018. Rate of \$56,343/annually. Salary range Minimum \$49,121; Midpoint \$65,495; Maximum \$81,869. Replacement for Kristine Cahill who transferred. This request meets the criteria of the Hiring Policy. Budget 10000 – 11600.
3. Authorize the promotion of Rachel Silver from PC013230 Assistant Public Defender I to Assistant Public Defender II – Public Defender’s Office, effective 1/1/2018. Rate of \$51,000/annually. Salary range Minimum \$48,222; Midpoint \$64,297; Maximum \$80,371. This salary includes Ms. Silver’s 2018 annual increase. This request meets the criteria of the Hiring Policy. Budget 10000 – 11570
4. Authorize the promotion of Michael Nuccio from PC010172 Assistant Public Defender I to Assistant Public Defender II – Public Defender’s Office, effective 1/1/2018. Rate of \$51,000/annually. Salary range Minimum \$48,222; Midpoint \$64,297; Maximum \$80,371. This salary includes Mr. Nuccio’s 2018 annual increase. This request meets the criteria of the Hiring Policy. Budget 10000 – 11570
5. Authorize the promotion of Anna Ferguson from PC010179 Assistant Public Defender II to Assistant Public Defender III – Public Defender’s Office, effective 1/1/2018. Rate of \$56,000/annually. Salary range Minimum \$53,056; Midpoint \$70,741; Maximum \$88,427. This salary includes Ms. Ferguson’s 2018 annual increase. This request meets the criteria of the Hiring Policy. Budget 10000 – 11570.

6. Authorize the promotion of Amber Moll from PC010177 Assistant Public Defender II to Assistant Public Defender III – Public Defender's Office, effective 1/1/2018. Rate of \$56,000/annually. Salary range Minimum \$53,056; Midpoint \$70,741; Maximum \$88,427. This salary includes Ms. Moll's 2018 annual increase. This request meets the criteria of the Hiring Policy. Budget 10000 – 11570.
7. Authorize the promotion of Brian McBeth from PC010176 Assistant Public Defender II to Assistant Public Defender III – Public Defender's Office, effective 1/1/2018. Rate of \$56,000/annually. Salary range Minimum \$53,056; Midpoint \$70,741; Maximum \$88,427. This salary includes Mr. McBeth's 2018 annual increase. This request meets the criteria of the Hiring Policy. Budget 10000 – 11570.
8. Authorize salary adjustment for Brandon Baumann PC010170 Assistant Public Defender I – Public Defender's Office, effective 1/1/2018. Rate of \$48,000/annually. Salary range Minimum \$44,690; Midpoint \$59,587; Maximum \$74,483. Salary adjustment is due to a new salary structure. This salary includes Mr. Baumann's 2018 annual increase. This request meets the criteria of the Hiring Policy. Budget 10000 – 11570.
9. Authorize salary adjustment for Lynda Vernon PC010171 Assistant Public Defender I – Public Defender's Office, effective 1/1/2018. Rate of \$48,000/annually. Salary range Minimum \$44,690; Midpoint \$59,587; Maximum \$74,483. Salary adjustment is due to a new salary structure. This salary includes Ms. Vernon's 2018 annual increase. This request meets the criteria of the Hiring Policy. Budget 10000 – 11570.
10. Authorize salary adjustment for Michael Daly PC013228 Assistant Public Defender I – Public Defender's Office, effective 1/1/2018. Rate of \$48,000/annually. Salary range Minimum \$44,690; Midpoint \$59,587; Maximum \$74,483. Salary adjustment is due to a new salary structure. This salary includes Mr. Daly's 2018 annual increase. This request meets the criteria of the Hiring Policy. Budget 10000 – 11570.
11. Authorize salary adjustment for Zachary Smith PC013020 Assistant Public Defender I – Public Defender's Office, effective 1/1/2018. Rate of \$48,000/annually. Salary range Minimum \$44,690; Midpoint \$59,587; Maximum \$74,483.

Salary adjustment is due to a new salary structure. This salary includes Mr. Smith's 2018 annual increase. This request meets the criteria of the Hiring Policy. Budget 10000 – 11570.

12. Authorize salary adjustment for Stephanie Nocera PC010186 Assistant Public Defender III – Public Defender's Office, effective 1/1/2018. Rate of \$57,500/annually. Salary range Minimum \$53,056; Midpoint \$70,741; Maximum \$88,427. This salary includes Ms. Nocera's 2018 annual increase. This request meets the criteria of the Hiring Policy. Budget 10000 – 11570.
13. Authorize salary adjustment for Roarke Aston PC013160 Assistant Public Defender IV – Public Defender's Office, effective 1/1/2018. Rate of \$60,860/annually. Salary range Minimum \$54,395; Midpoint \$72,527; Maximum \$90,659. This salary includes Mr. Aston's 2018 annual increase. This request meets the criteria of the Hiring Policy. Budget 10000 – 11570.
14. Authorize the promotion of Corey Chwiecko from PC013063 Assistant District Attorney I to Assistant District Attorney II – District Attorney's Office, effective 1/1/2018. Rate of \$51,000/annually. Salary range Minimum \$48,222; Midpoint \$64,297; Maximum \$80,371. This salary includes Mr. Chwiecko's 2018 annual increase. This request meets the criteria of the Hiring Policy. Budget 10000 – 11580.
15. Authorize the promotion of Karissa Rodriguez from PC010146 Assistant District Attorney II to Assistant District Attorney III – District Attorney's Office, effective 1/1/2018. Rate of \$56,000/annually. Salary range Minimum \$53,056; Midpoint \$70,741; Maximum \$88,427. This salary includes Ms. Rodriguez's 2018 annual increase. This request meets the criteria of the Hiring Policy. Budget 10000 – 11580.
16. Authorize the promotion of Jordan Fegley from PC013062 Assistant District Attorney II to Assistant District Attorney III – District Attorney's Office, effective 1/1/2018. Rate of \$56,000/annually. Salary range Minimum \$53,056; Midpoint \$70,741; Maximum \$88,427. This salary includes Mr. Fegley's 2018 annual increase. This request meets the criteria of the Hiring Policy. Budget 10000 – 11580.

17. Authorize the promotion of Margaret McDonough from PC010145 Assistant District Attorney II to Assistant District Attorney III – District Attorney's Office, effective 1/1/2018. Rate of \$56,000/annually. Salary range Minimum \$53,056; Midpoint \$70,741; Maximum \$88,427. This salary includes Ms. McDonough's 2018 annual increase. This request meets the criteria of the Hiring Policy. Budget 10000 – 11580.
18. Authorize the promotion of Charles Prutzman from PC013061 Assistant District Attorney II to Assistant District Attorney III – District Attorney's Office, effective 1/1/2018. Rate of \$56,000/annually. Salary range Minimum \$53,056; Midpoint \$70,741; Maximum \$88,427. This salary includes Mr. Prutzman's 2018 annual increase. This request meets the criteria of the Hiring Policy. Budget 10000 – 11580.
19. Authorize the promotion of Amanda Kosmerl from PC010155 Assistant District Attorney III to Assistant District Attorney IV – District Attorney's Office, effective 1/1/2018. Rate of \$59,000/annually. Salary range Minimum \$54,395; Midpoint \$72,527; Maximum \$90,659. This salary includes Ms. Kosmerl's 2018 annual increase. This request meets the criteria of the Hiring Policy. Budget 10000 – 11580.
20. Authorize salary adjustment for Raymond Baker PC010141 Assistant District Attorney I – District Attorney's Office, effective 1/1/2018. Rate of \$48,000/annually. Salary range Minimum \$44,690; Midpoint \$59,587; Maximum \$74,483. Salary adjustment is due to a new salary structure. This salary includes Mr. Baker's 2018 annual increase. This request meets the criteria of the Hiring Policy. Budget 10000 – 11580.
21. Authorize salary adjustment for Adam McNaughton PC010163 Assistant District Attorney IV – District Attorney's Office, effective 1/1/2018. Rate of \$59,000/annually. Salary range Minimum \$54,395; Midpoint \$72,527; Maximum \$90,659. Salary adjustment is due to a new salary structure. This salary includes Mr. McNaughton's 2018 annual increase. This request meets the criteria of the Hiring Policy. Budget 10000 – 11580.
22. Authorize salary adjustment for Daniel Troy PC012915 Assistant District Attorney IV – District Attorney's Office,

effective 1/1/2018. Rate of \$59,000/annually. Salary range Minimum \$54,395; Midpoint \$72,527; Maximum \$90,659. Salary adjustment is due to a new salary structure. This salary includes Mr. Troy's 2018 annual increase. This request meets the criteria of the Hiring Policy. Budget 10000 – 11580.

23. Authorize the utilization of a temporary agency for the Oracle Application Developer position – Information Systems, effective 12/22/2017. Rate not to exceed \$105.00/hr. Utilization of the temporary agency will cease when a candidate is hired to fill the Oracle Application Developer position. This request meets the criteria of the Hiring Policy. Budget 10000 – 11170.
  24. Authorize approval of the 2018 Management/Confidential annual salary increase of 2.5% per the attached memorandum.
  25. Authorize approval of the 2018 Part-time rate increase of 2% per the attached memorandum.
- 392.17 Adopt a resolution approving the following Policies in the County of Berks, Human Resources Policy and Procedure Manual:
1. Article 15.5 Conduct & Ethics – Revised
  2. Article 11.9 Vehicle Use Policy – New
- 393.17 Adopt a resolution authorizing Christian Y. Leinbach, Commissioner Chair, to execute the Stop Loss Insurance Proposal provided by Nationwide Life Insurance (“RMTS”) for covered expenses from January 1, 2018 through December 31, 2018, and the Standard Stop Loss Disclosure Statement.
- 394.17 Adopt a resolution authorizing the award and the Director of Contracts and Procurement to execute a contract for a two (2) year term with the option of extending the term of the Agreement for an additional program year upon the mutual agreement of the parties as a result of Request for Proposal #17-39-CN for Summer Youth Employment Program for the General Population for the Berks County CareerLink Office as follows:
- Arbor E&T, LLC, d/b/a ResCare Workforce Services**  
9901 Linn Station Road  
Louisville, Kentucky 40223  
**Not to Exceed: \$480,000.00**

395.17 Adopt a resolution authorizing the award and the Director of Contracts and Procurement to execute a contract, for a two-year term with the option of extending the term of the Agreement for an additional program year upon the mutual agreement of the parties as a result of Request for Proposal #17-38-CN for Summer Youth Employment Program for Youth with Disabilities for the Berks County CareerLink Office as follows:

**Goodwill Keystone Area**

1150 Goodwill Drive

Harrisburg, PA 17101

**Not to Exceed: \$112,482.00**

396.17 Adopt a resolution authorizing execution of Engineering Services Agreement No. #EA-200177-17 between the County of Berks and SSM Group, Inc., Reading, Pennsylvania to perform a field survey and complete the F.E.M.A. Elevation Certificate as required by F.E.M.A. for purposes of rating the County's flood insurance risk at the Berks Leisure Area, Wyomissing, Pennsylvania at a not to exceed amount of \$500.00.

397.17 Adopt a resolution authorizing the reappointment of James Adams, Reinholds, Pennsylvania, to the Berks County Industrial Development Authority for a five (5) year term expiring December 31, 2022.

2. Motion authorizing execution of Contract Agreements/Amendments as furnished by the Contract Coordinator per listing dated December 19, 2017. Commissioner Barnhardt reported there are 9 contracts and referenced the departments.
3. Motion to authorize payments set forth on Controller's Office vouchers payable listing dated December 19, 2017 for week ending December 20, 2017 and the payment of electronic transfers and employee payroll, and for the week ending December 27, 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 County Controller Sandy Graffius.

**REPORT OF CHIEF FINANCIAL OFFICER**

Robert J. Patrizio reported the Budget/Operations Meeting will begin at 2:00 pm and there will be an update regarding the Berks Heim and an update regarding the Assessment/Tax Claim Software project.

**REPORT OF CHIEF ADMINISTRATIVE OFFICER**

Ronald R. Seaman wished everyone the best this Christmas and Holiday Season.

**COMMISSIONERS' COMMENTS****Commissioner Scott**

Commissioner Scott spoke briefly on the implications of the Tax Reform Act just passed by the U.S. House and Senate and the concern expressed by the real estate industry about home ownership and the deductibility of state and local real estate taxes.

Commissioner Scott wished everyone a Merry Christmas and happy and prosperous New Year.

**Commissioner Barnhardt**

Commissioner Barnhardt reported the County was informed through PCCD ("Pennsylvania Commission on Crime & Delinquency") that the County is the recipient of an opioids grant in the amount of \$116,020 to help in the continued fight of opioid addiction, and will be used for prevention and community outreach.

Commissioner Barnhardt provided an update on the \$5.00 Registration Fee the County implemented in March reporting that with the State match, the County is able to proceed with the \$1.7 million replacement of Ebling Bridge in Muhlenberg Township and the \$2.1 million replacement of the Glendale Bridge in Douglass Township.

Commissioner Barnhardt wished everyone a Happy Holiday Season and a safe and prosperous New Year.

**Commissioner Leinbach**

Commissioner Leinbach wished everyone a Merry Christmas and blessed New Year.

**COMMENTS FROM THE FLOOR**

Tracy Beebe, an RN at the Berks Heim, was happy and relieved to hear the Commissioners have decided not to sell the Heim to a private corporation, but is still concerned about the fact of the Heim being run by a non-profit, urging the Commissioners to continue conversations with the community

There being no further business, the meeting adjourned at 10:20 A.M.

Respectfully Submitted,

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Maryjo Gibson, Chief Clerk