

## BUCKS COUNTY COMMISSIONERS

February 1, 2012

The Regular Meeting of the Bucks County Board of Commissioners was held on Wednesday, February 1, 2012, at 10:00 a.m., at the Bucks County Courthouse in Doylestown, Pennsylvania. In attendance were Commissioner Robert G. Loughery, Chairman, Commissioner Charles H. Martin, Vice Chairman, and Commissioner Diane M. Ellis-Marseglia. Commissioner Loughery opened the meeting with a moment of silence followed by the Pledge of Allegiance.

### ANNOUNCEMENTS

Commissioner Loughery welcomed the Row Officers in attendance: Bill Snyder, Treasurer; Pat Bachtle, Prothonotary; Mary Smithson, Clerk of Courts; Don Petrille, Register of Wills; and Duke Donnelly, Sheriff.

### PROCLAMATIONS

The Commissioners proclaimed February, 2012, as Hunger and Nutrition Education Month, and in so doing commend the Hunger and Nutrition Coalition of Bucks County and its partner organizations as they have provided essential hunger and nutrition related information and resources to Bucks County for over a decade. Accepting the Proclamation was Michael Olenick, Food and Nutrition Network Manager for the Bucks County Opportunity Council/Chair of Hunger Nutrition Coalition of Bucks County, Roger Collins, Director, Bucks County Opportunity Council, and Joanne Connelly, Past Co-Chair of HNC of Bucks County. Mr. Olenick thanked the Commissioners, stating that 66 percent of people that use the food pantry are employed and the remainder lives on fixed incomes. He also noted that there would be a Hunger Forum at Delaware Valley College on Friday, February 3, highlighting the collaboration between the college, the Human Services Agencies and the agricultural community.

### PUBLIC COMMENT – Agenda Items

There was no public comment on agenda items.

### OLD BUSINESS

Upon motion of Commissioner Marseglia seconded by Commissioner Martin, with the vote being 3-0, the Minutes of the Regular Meeting of January 18, 2012, were approved.

Upon Motion of Commissioner Loughery, seconded by Commissioner Marseglia, with the vote being 3-0, the meeting schedule was amended to include 4 night meetings as well as a date change to the next meeting.

Commissioner Loughery noted that several people have talked about the meaning in the county code for the solicitors particularly for row officers, and said he will continue to look at the solicitors by starting with the Commissioners' solicitors first, how they do business as well as ways to improve things, and move on from there.

### DISCUSSION – Agenda Items

Bern McBride, Behavior Health Systems – item 2a. In response to Commissioners Loughery and Marseglia, Mr. McBride stated that the oversight services assist in auditing the Health Choices program, before the information goes to the state. To answer Commissioner Marseglia, Mr. McBride noted that the staff currently does 98-99 percent of the work, the oversight specialists just come in to make sure it is 100 percent accurate when complete. The external supports are experts that double check the work, and while it could be done in house, the county would lose the specialized expertise that the oversight contractors bring to the table. Answering Commissioner Loughery, Mr. McBride said this was state pass through money, and in response to Commissioner Martin noted that the contractors need to do the work to get paid; the contract is not a retainer, there are specific duties that the oversight contractors get done per month to get their money. Cindy Grezeszak, Director of Administrative Operations for Behavioral Health, added that there are specific reports, monthly and quarterly that need to be complete, so every month is basically the same, which is why the contracts are set up the way they are.

Vitor Vicente, Community and Business Development – item 4a. In response to Commissioner Loughery, Mr. Vicente said that in order for a project to be funded it must be in the annual action plan, but at any time the action plan can be amended, provided we are not under contract. In response to Commissioner Martin, Mr. Vicente stated that the program was down in funding, about 33 percent, roughly \$900,000 this year and about \$1.5 million for this year and last year total. Commissioner Loughery noted that the Commissioners control the projects, and the agencies that get the money for the projects, but not the money we get to do the projects. Commissioner Marseglia added that this money was federally funded and it appears that it may get reduced again, maybe even eliminated, and asked for the community's help to contact the federal legislatures to let them know how important the money is.

Gerald Anderson, General Services – item 9b. In response to an inquiry by Commissioner Marseglia, Mr. Anderson stated that Bock and Sons, Inc. (justice center contractors) owed us a changed order for \$355,000; however the contractors believe it to be only 181,000. In lieu of a potential work stoppage, the county has agreed to take the

181,000 under duress and keep fighting for the rest. The circumstances are Bock stating they had a verbal quote for \$355, 000 for a wall, but when the wall option was changed, rather than a change order for the whole amount, Bock is now saying it would have only been \$181,000, that the quote had changed, so that was the only money the county was entitled to in the change order. Commissioner Marseglia question why we just didn't withhold payment and Commissioner Loughery stated that contractually it was part of a formula, there are plus and minus change orders. Mr. Anderson also added that with the scope of the project, things will go in and out, and it was better to get the credit now, because if we wait for completion Bock may say they no longer owe us the money. After more debate, and with agreement from Mr. Anderson that tabling this item would not create too much of a delay, Commissioner Loughery stated that more discussion needed to take place at another time.

Commissioner Loughery also questioned item 9e, and Mr. Anderson stated that he knew where the Commissioner stood, and where he stood, and there would be more discussions about that at another time.

In response to Commissioner Martin, William Mitchell, Director, Parks and Recreation, stated that the property to be bought was on the Neshaminy Creek, the old Valley Stream Inn. The county owns property adjacent to this new property, making it a good decision for flood mitigation.

NEW BUSINESS

Upon motion of Commissioner Loughery seconded by Commissioner Marseglia, with the vote being 3-0, the following Resolutions were approved, with the exception of item 9b, which was tabled with the vote being 2-1, Commissioner Martin dissenting the tabling, and items 3b, 8a, 8b, 9c and 9e which passed with the vote being 2-1, Commissioner Marseglia dissenting.

RESOLVED, that the Bucks County Board of Commissioners upon the recommendation of the BOARD OF COMMISSIONERS, approve the following:

<u>DEPARTMENT</u>	<u>WITH</u>	<u>PURPOSE</u>	<u>AMOUNT</u>
1. ADULT PROBATION	a. Parkway Clinical Laboratories Bensalem, PA	Approve contract for probation and parole drug & substance testing. 1/1/12 - 12/31/12	\$101,100.** (County 100%)
2. BEHAVIORAL HEALTH SYSTEMS	a. Allan Collaunt Associates, Inc. Broomall, PA	Approve contract to provide oversight services for HealthChoices program. 1/1/12 - 12/31/12	\$91,140.72** (County 0%)
3. CHILDREN & YOUTH	a. Family Service Assoc. of Bucks County Langhorne, PA	Approve contract to assume operations of Lower Bucks Homeless Shelter program. 1/1/12 - 6/30/12	\$126,680.** (County 10%)
	b. Pinebrook Family Services Allentown, PA	Approve contract renewal to provide foster care services. 7/1/11 - 6/30/12	\$235,000.** (County 8%)
	c. The Children's Choice, Inc. Philadelphia, PA	Approve contract to provide foster care services. 7/1/11 - 6/30/12	\$8,941.02** (County 9%)
4. COMMUNITY & BUSINESS	a. U.S. Department of Housing and Urban Development Philadelphia, PA	Approve submission of annual Action Plan to HUD for the FY 2012 CDBG, HOME Investment Partnership Program , Emergency Shelter Grant ("ESG") funding. 4/1/12 - 3/31/13	\$2,496,769. (Revenue)
5. CORONER	a. SWAB Wagon Co, Inc. Elizabethville, PA	Approve purchase of upgrades to Bucks County	\$34,771. (County 0%)

			Evidence Vehicle.	
6.	CORRECTIONS	a. Paul Kolakowski Churchville, PA	Approve contract to teach General Education Courses through computer assisted teaching methods to inmates. 1/1/12 - 12/31/12	\$52,275.** (County 0%)
7.	DISTRICT ATTORNEY	a. Theodore J. Siek, Ph.D. Southampton, PA	Approve contract to provide consulting services for blood and urine analysis and accomplish licensure and certification from PA Department of Health. 1/1/12 - 12/31/12	\$22,800.** (County 100%)
8.	FINANCE	a. Travelers Insurance Company Hartford, CT	Approve property insurance policy. 2/1/12 - 2/1/13	\$315,705. (County 100%)
		b. Travelers Insurance Company Hartford, CT	Approve contract for Excess General Liability and Excess Auto insurance. 2/1/12 - 2/1/13	\$205,324. (County 100%)
9.	GENERAL SERVICES	a. Bass II Enterprises, Inc. Minotola, NJ	Approve contract to provide room addition work for protection of utilities and living space according to Neshaminy Creek Watershed Plan and funded by NRCS, for a home in Bristol Township.	\$74,500.* (County 0%)
	TABLED	b. Ernest Bock & Sons, Inc. Philadelphia, PA	Approve decrease to contract, General Construction Change Order #2, for new Justice Center pertaining to Wall Screen.	(\$181,000.) (County 100%)
		c. Ernest Bock & Sons, Inc. Philadelphia, PA	Approve contract increase, General Construction Change Order #3, for additional demolition for new Justice Center.	\$37,318. (County 100%)
		d. George J. Donovan AIA & Associates Bedminster, PA	Approve contract amendment to include additional architectural services required by the extension of phase 1 for Churchville Nature Center. 6/23/11 – completion	\$61,397.50** (County 100%)
		e. Guy M. Cooper, Inc. Willow Grove, PA	Approve contract increase, Fire Protection Change Order #1, for fire protection for new Justice Center.	\$45,923.75 (County 100%)

	f.	J. L. Ramos & Associates Inc. Huntingdon Valley, PA	Approve contract to provide room addition work for protection of utilities and living space according to Neshaminy Creek Watershed Plan and funded by NRCS, for a home in Bristol Township.	\$111,000.* (County 0%)
	g.	Kolb Heating & Cooling Willow Grove, PA	Approve contract to provide room addition work for protection of utilities and living space according to Neshaminy Creek Watershed Plan and funded by NRCS, for a home in Bristol Township.	\$103,600.* (County 0%)
	h.	Premier Builders Yardley, PA	Approve contract to provide room addition work for protection of utilities and living space according to Neshaminy Creek Watershed Plan and funded by NRCS, for a home in Bristol Township and one in Hulmeville Borough.	\$202,085.* (County 0%)
	i.	Sakoutis Builders Jackson, NJ	Approve contract for home elevation according to Neshaminy Creek Watershed Plan and funded by NRCS, for a home in Bristol Township.	\$177,500.* (County 0%)
	j.	Tilmar Design Wynnewood, PA	Approve contract to provide room addition work for protection of utilities according to Neshaminy Creek Watershed Plan and funded by NRCS, for 2 homes in Bristol Township.	\$293,100.* (County 0%)
10.		HEALTH		
	a.	National Association of County and City Health Officials. Washington, D.C.	Approve grant for building, training and recruitment in Medical Reserve Corps programs. 12/22/11 – open	\$5,000. (Revenue)
11.		INFORMATION TECHNOLOGY		
	a.	Donald Brennan Associates, Inc. Blue Bell, PA	Approve contract to provide application programming and migration support. 1/1/12 - 12/31/12	\$77,700.** (County 100%)
12.		NESHAMINY MANOR		
	a.	Manheim Medical Manheim, PA	Approve contract increase to purchase fall detection and notification systems for residents. 2/1/10 - 1/31/12	\$5,500.** (County 4%)

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| 13. | PARKS & RECREATION  | a. | Robert Cwenar<br>Feasterville, PA.                   | Approve contract for purchase of 153,460 sq. ft. of property in Northampton Township using funds from the NRCS Flood Mitigation program, in lieu of condemnation. (TMP's 31-033-001 through -009 and 31-033-019) | \$230,000.<br>(+settlement charges and adjustments)<br>(County 0%) |
| 14. | PLANNING COMMISSION | a. | GeographIT<br>Lancaster, PA                          | Approve contract amendment to implement virtual Geographic Information Systems (GIS) servers and upgrade software and applications. 2/18/08 - 5/25/12  | \$42,640.<br>(County 100%)   |
| 15. | SOLICITOR           | a. | Lutheran Community<br>at Telford<br>Telford, PA      | Approve Settlement and Payment in Lieu of Taxes Agreement.<br>(TMP 43-001-104)   |  |
|     |                     | b. | Timothy F. & Joan M.<br>Baratelle<br>New Britain, PA | Approve Easement Agreement for property on New Galena Road in New Britain Township.<br>(TMP 26-001-50)   |  |

\*Unit Cost/Estimated for operational purposes only.

\*\* Unit Cost/Not to Exceed

AND the proper officers are authorized to execute all documents necessary to carry this Resolution into effect.

**BUDGET ADJUSTMENTS**

Upon motion of Commissioner Marseglia, seconded by Commissioner Martin, with the vote being 3-0, the following Budget Adjustments were adopted.

**BUDGET ADJUSTMENTS - Adjust 2011 Operating Budget to cover additional expenditures**

<u>Adjustment</u>	<u>Department</u>	<u>Amount</u>
Adjustment #56	Tax Collectors	\$15,000.
Adjustment #57	Tax Claim Bureau	\$43,000.
	Tax Claim Bureau (Revenue)	(\$43,000.)
Adjustment #58	Constables	\$20,000.
	Constables (Revenue)	(\$20,000.)
Adjustment #59	Health Department	\$260,000.
Adjustment #60	Military Affairs	\$1,000.
	Military Affairs (Revenue)	(\$1,000.)
Adjustment #61	Parks	\$100,000.
<b>TOTAL ADJUSTMENT TO GENERAL FUND BALANCE</b>		<b>\$ 375,000.</b>

David Boscola, Finance Director, provided additional clarification.

AND the proper officers are authorized to execute all documents necessary to carry this Resolution into effect.

**PERSONNEL**

Upon motion of Commissioner Marseglia, seconded by Commissioner Martin, with the vote being 3-0, the following Personnel Actions numbered 1-6 were approved.

**RE-HIRES**

	<b>NAME</b>	<b>TITLE</b>	<b>DEPARTMENT</b>	<b>DATE*</b>	<b>REMARKS</b>
1.	Marco Semilia Sep. date 05/18/11	Corrections Officer Unit 01	Corrections 40.0 hrs/wk	05/19/11	24.58 PH****

**POSITION CHANGE**

	<b>NAME</b>	<b>TITLE</b>	<b>DEPARTMENT</b>	<b>DATE*</b>	<b>REMARKS</b>
2.	Deborah S. Bagg	MR Program Specialist I DWS Unit 84 To MR Program Specialist II Unit 84	MH/DP 37.5 hrs/wk To MH/DP 37.5 hrs/wk	04/01/11	34.68 PH  To 35.07 PH

**SEPARATIONS**

	<b>NAME</b>	<b>TITLE</b>	<b>DEPARTMENT</b>	<b>DATE*</b>	<b>REMARKS</b>
3.	Zadie I. Ayers	Nursing Assistant	NM Nursing	01/21/12	Separation
4.	Tyisha S. Brooks	Nursing Assistant	NM Nursing	01/20/12	Separation
5.	Jemima Destinas	Nursing Assistant	NM Nursing	01/23/12	Separation
6.	Linda M. Dunn	PHN IV Supervisor	Health	01/13/12	Separation

+eligible for 50 cents/hour bonus if completes season\*estimated date \*\*Never Started \*\*\*Agreement

AND the proper officers are authorized to execute all documents necessary to carry this Resolution into effect.

MISCELLANEOUS (I)**Brian Hessenthaler, Chief Operating Officer, reported on the following:**

Mr. Hessenthaler noted that the Drug and Alcohol Commission has requested that the Commissioners approve a request to have Bern McBride, Behavior Health Services Director, become the acting Director in the wake of the resignation/retirement by Marge Hanna. Upon motion of Commissioner Marseglia, seconded by Commissioner Loughery, with the vote being 3-0, Mr. McBride becomes acting Director of the Drug and Alcohol Commission, on an interim basis until a new director can be found and appointed.

**Lynn T. Bush, Chief Clerk, reported on the following:**

Ms. Bush reported that the Annual Report of Development Proposals will be reviewed at the 2:00 pm Planning Commission meeting; she noted that residential development was up very slightly, but nonresidential development was up significantly. In response to Commissioner Marseglia, Ms. Bush also noted that the DVRPC is looking for members of its Public Participation Task Force, and is asking each county to nominate one member and one alternate member. Ms. Bush believed that this new appointment can be made just as any appointment is made by the commissioners to Boards and Authorities, and that the DVRPC is requesting it be done by March 1<sup>st</sup>.

**Other Civics:**

Upon Motion of Commissioner Martin, seconded by Commissioner Marseglia, with a vote of 3-0, \$12,000 will be given to the VITA Education Services for their Criminal Justice Program.

BOARD APPOINTMENTS

During discussion, Commissioner Loughery stated that he wanted to go through all the Boards and Authorities, see what was still important, and what the most important positions to fill were. Commissioner Loughery noted that some names have been missed on the list of possible appointments, while some names have been on so long he is not sure that they would still be interested. The Commissioner added that he would like reports by the first March meeting, especially with feedback from board chairs, or executive directors.

Upon motion of Commissioner Loughery, seconded by Commissioner Martin, with the vote as follows, 3-0, a Resolution was adopted to approve the following appointments:

Bicycle Advisory Task Force:

Jonathan Gold, MD., re-appointment, term expires 12/31/12  
 Andrew Hamilton, re-appointment, term expires 12/31/12  
 Ed Hein, re-appointment, term expires 12/31/12  
 Michael Olszewski, re-appointment, term expires 12/31/12

AND the proper officers are authorized to execute all documents necessary to carry this Resolution into effect.

MISCELLANEOUS (II)**The Commissioners offered comments on the following matters:**

Commissioner Marseglia noted they are still looking for a member of the media to apply to the Local Emergency Planning Committee.

Commissioner Martin had no additional comments.

Commissioner Loughery noted the first Commissioners Economic Development Council was held, and was very productive. Commissioner Loughery also noted that participated in the Point in Time Homeless Count, and found that many of the individuals were aware of the services available to them, particularly Code Blue, and that the information was getting to people and informative.

PUBLIC COMMENT – All Items

There was no public comment.

ADJOURNMENT

Upon motion of Commissioner Marseglia, seconded by Commissioner Martin, with the vote being 3-0, the meeting was adjourned.

Approved:

BUCKS COUNTY COMMISSIONERS

BY:

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Robert G. Loughery  
Chairman

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Charles H. Martin  
Commissioner

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Diane M. Ellis-Marseglia  
Commissioner

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Lynn T. Bush, Chief Clerk