**ATTENDING:** Gary Hadden-Ontelaunee Commissioner, Heidi Fiedler-Maidencreek Township Commissioner, Granville Sandridge-Leesport Commissioner, Ron Strause-Leesport Alternate, David Franke - Maidencreek Township Alternate, Kim Berger-Ontelaunee Township Alternate, Ruth Manmiller-Secretary, Chief Horner and Christopher Gerber-Solicitor.

**GUESTS:** Donna Culp, Diana Rollins, Eric Bauman, Joan Campbell, Kenneth Stoudt, James Holmgren, Heather Schoener, Joann Chabrol, Scott Eaken, James Cecchini, Cory Deily, Diane Hollenbach, Katelyn Gruber, Thea Breece, Clay Breece.

**Call to Order:** Commissioner Hadden called the July 13, 2020 Northern Berks Regional Police Commission meeting to order at 6:00PM.

**Pledge to the Flag**

**Moment of Silence**

**FOR THE RECORD**

Executive Session - June 30, 2020 6:15 PM - Litigation

 July 13, 2020 5:00 PM - Litigation

**COMMISSION MEETING MINUTES – June 8, 2020**

Commissioner Hadden made a motion, seconded by Commission Sandridge to adopt the June 8, 2020 Northern Berks Regional Police Commission meeting minutes. All Commissioners voted, “Aye.” Motion carried.

**TREASURER’S REPORT**  Ruth Manmiller read the June 2020 report. The Commissioners received all reports via email prior to the meeting. Commissioner Fiedler made a motion, seconded by Commissioner Sandridge approving the June 2020 Treasurer’s report. All Commissioners voted, “Aye.” Motion carried.

 **MARCH**

Money Market $257,071.59

General Checking $ 59,099.86 Tompkins Vist $295,627.02

Payroll $ 74,963.64 NNO $10,338.55

Total Budget Bal. $391,135.09

In addition, Ruth provided the Commissioners with a summary of vehicle maintenance since the beginning of the year. The the current expendures are $15,387.18 and of the that amount, $12,296.47 was expended on the failing Chevrolet police vehicles.

**DEPARTMENT REPORT**

Chief Horner read the Department Report for June 2020. This report was provided to all Commissioners by email.

**June**

**CALLS CITATIONS WARNINGS CONTACTS ARRESTS HOURS OF SERVICE**

Maidencreek 277 49 88 125 11 26.21 per day

Ontelaunee 162 51 97 143 4 20.63 per day

Leesport 65 24 42 60 0 10.57 per day

Administrative 65

**TOTAL 608 124 227 328 15**

**Fuel 1134.795 MILEAGE 10,778.25**

 **Fines Collected**

**Maidencreek $2,426.74 Ontelaunee $3,182.78 Leesport $2,058.41**

 **TOTAL $7,667.93**

**CORRESPONDENCE**

None

**COMMENTS FROM THE FLOOR**

**Clay Breece, Boyertown** began with governmental terms of Bureaucracy and/or Bureaucrat, adding that these words are never used in the same sentence with effectively and efficiently. Only thing a Bureaucrat does effectively is spend money. .

He is appalled at the abhorrent behavior and personal attaches on Heidi Fielder as documented on YouTube video. He is shocked at the organized effort to intimidate an elected official. He expects this action from bureaucrats. He commends Heidi Fiedler for standing up to these bullies – some in this room. Heidi Fiedler follows the laws, regulations, is a conservative that stands up for the rights of the tax payer making sure their money is spent correctly and legally. She has concern for Northern Berks Regional Police Officers by making sure they are all being treated equally.

Especially in these times we need to support our Police, as we are dealing with a generation that has been brain washed in believing they are above the law.

He personally is shocked at the actions of Gary Hadden when he banned Heidi Fiedler from the June 8th Executive Session and then threatened to have her removed if she didn’t abide. Where was the Solicitor – absent without leave? This is a direct violation of the Sunshine Law which must be abided by. We are tax payers and deserve to know what is going on.

Also, at the June Commission meeting Commissioner Strause and Commissioner Hadden voted to approve Chief Horner’s attorney fees, which by the way is illegal. Chief Horner’s contract instructs that he must pay his own legal fees.

Typical actions of a bureaucrat spending tax payer money without concern for tax payers. Where was the Solicitor during this motion? Why didn’t he stop it? When you have weak Solicitor things like this will happen. Amazing…

Elected officials should follow all the laws.

**James Cecchini, Maidencreek Township** asked the Chief if he had a contingency plan established to deal with riots, black lives matter demonstrations and/or other large group gatherings.

**Chief Horner** responded; NBRPD will deal with the situation on an as need basis. Recently Berks County Police Departments all worked together when municipalities experienced these issues. We all work together and have a network and resources should the need arise in Berks County. Northern Berks Police treat everyone with respect and concern for their welfare. I actually had African Americans stop by the station and/or call to complement how fairly they were treated when dealing with Northern Berks.

**Commission Hadden** mentioned for the record; the executive session referred to earlier was conducted for complaints received pertaining to Ms. Fiedler. On the opinion of two different Solicitors we were within our right to exclude her from the session.

**Commissioner Fiedler** questioned which complaints had been filed because the one from Ronald Mohl was handled last month. Either way it was a violation, per our Solicitor.

**OLD BUSINESS**

**2020 Budget**

Commissioner Hadden made a motion, seconded by Commissioner Sandridge to adopt the Northern Berks Regional Police 2020 “Plan C” budget. Commissioner Hadden and Commissioner Sandridge, voted “Aye.” Commissioner Fiedler voted, “No.”

Commission Fiedler added; she will not support the budget amount for Plan C as presented because Maidencreek Township adopted a budget of $2,783,317.57 during their June Supervisors meeting. If you change your motion to reflect that number I will vote for it. She had Maidencreek Township manager review the NBRPD budget which identified several areas where savings could be realized.

**Scott Eaken, Maidencreek** Township asked for the correct amount for Plan C budget.

**Diane Hollenbach, Maidencreek Township Manager** attempted to explain the budget amount confusion. David Franke did make a motion for Plan C and it was seconded by Claude Beaver however; the incorrect amount was provided when completing the motion. The amount provided was Plan B, not Plan C.

**Plan B $2,783,317.57** **Plan C $2,728,105.34**

Maidencreek Monthly Payment $110,172.99 $107,987.50

Ontelaunee Monthly Payment $ 76,541.23 $ 75,022.90

Leesport Monthly Payment $ 45,228.91 $ 44,331.71

In closing Diane Hollenbach added that she does have a concern for Maidencreek Township’s tax base as their residents and businesses struggle through the COVID-19 pandemic. Maidencreek Township did budget $1,290,379.00 for police in 2020. She urged passing the NBRPD 2020 budget so we can all move forward.

A lengthy discussion continued as how to move forward with the 2020 Budget.

Commissioner Hadden questioned Commission Fiedler if Maidencreek Township ever contacted Ontelaunee and/or Leesport for their input to the 2020 budget and possible adjustments. Maidencreek arbitrarily moved forward with a budget they wanted and if the Commission does not go along with Maidncreek’s recommendation – there will be no 2020 budget approval from Maidencreek.

Here we are 9 months later and still no budget.

Commissioner Fiedler commented several budget workshops were conducted when Maidencreek and/or Leesport could have made comment on the budget. Maidencreek Township pays 47.5% of the NBRPD budget and we should have a say as to how the tax payer’s money is spent.

Commissioner Hadden attempted to clarify who really pays the most for police coverage; combined Ontelaunee and Leesport pay 52.5% of the budget – we are subsidizing Maidencreek!

Chief Horner asked Commissioner Fiedler if Maidencreek Township adopted Plan C budget at the Maidencreek Township meeting, so you could vote at the NBRPD Commission meeting.

Commissioner Fiedler confirmed Maidencreek Township approved Plan C with the amount of $2,783,317.57 and that is what I’m prepared to vote on tonight.

Alternate Commissioner Franke attempted clarify the his motion made during Maidencreek’s July 9, 2020 Supervisors meeting to pass Plan C which Commissioner Fiedler was expected to approve tonight.

Commissioner Hadden commented that by delaying a unanimous vote for the 2020 Plan C budget this evening it is hurting the police department, we can’t move forward with agreed upon measures. In fact it’s like you are attempting to defund the police department.

**Scott Eaken, Maidencreek Township** asked Commissioner Fiedler if the amount ($2,783,317.57)

she insists Maidencreek adopted includes any remaining funds from the previous year; Plan C budget is a result of 2019 remaining funds to applied to lower the overall coast. Commissioner Fiedler could only repeat the amount she insists Maidencreek adopted.

The Solicitor interjected the conversations recommending that everyone calm down to arrive at a solution to approve the 2020 Plan C budget. He questioned, Commissioner Fiedler if in fact Plan C was adopted at the Maidencreek Township meeting and would she have the authority tonight to change the dollar amount. Commissioner Fiedler agreed that Plan C was adopted with $2,783,317.57 included with the motion and she can’t make a decision like that tonight.

The Solicitor reminded everyone this not a budget meeting – it is a Commission meeting that needs to move forward to address necessary business, very important issues for the operation of the Commission. It’s time for the toxicity to end.

**NEW BUSINESS**

**Northern Berks Regional Police SOP Code of Conduct (1.8.2)**

Commissioner Hadden made a motion, seconded by Commissioner Sandridge to adopt the Northern Berks Regional Police SOP Code of Conduct (1.8.2). All Commissioners voted, “Aye”. Motion carried.

**Wage Issue**

Commissioner Hadden made a motion, seconded by Commissioner Sandridge authorizing a payment of $3,364.44 to Charles Hobart for wages 5/31/2017-6/12/2017. All Commissioners voted, “Aye”. Motion carried.

**Resolution 2020-2 Pension Plan – Service Clarification**

Commissioner Hadden made a motion, seconded by Commissioner Fiedler approving Resolution 2020-2 to amend Pension Plan Document Section 3.1(a)(2) clarification of time off for a non-work related disability when determining the participant’s vesting service and benefit service shall be excluded. All Commissioners voted, “Aye”. Motion carried. \*All other provisions within the amended and restated pension plan not expressly revised herein shall remain in full force.

**Internal Affairs Policy IA**

The Solicitor presented a draft copy to update the existing IA Policy for the Commissioners to review and make suggestions. This IA Policy will allow for a fair and proper resolution for complaints and discipline. The Solicitor and the Chief work together on updating this policy to meet current conditions, it also defines the roll of all involved when a complaint is received and /or discipline is necessary. The Solicitor asked that all Commissioners review this document and be prepared to comment at the next Commission meeting. The Commissions’ approval and adoption will keep the process moving forward for the IA policy to be reviewed by the Association and/or the FOP for ratification.

Commissioner Fiedler requested a “red line” copy to identify all changes to the original draft policy. She also asked if this policy included complaints and discipline for the Chief.

The Solicitor advised that this information was provided this evening for everyone to review and be prepared to comment and/ or advise by the next meeting. Her request will be considered and addressed.

**Maidencreek Township Letter – June 19, 2020**

Commissioner Fiedler asked if Ontelaunee Township was prepared to reimburse Maidencreek Township for the $ 2,845.00 legal fee payment to Chief Horner. The Commission needs to follow the rules of the Commonwealth.

Commissioner Hadden reminded Commissioner Fiedler that Ontelaunee Township is not the only municipality involved in the NBRPD Commission and/or made the motion to reimburse Chief Horner’s legal fees. As far as following the rules of the Commonwealth, Maidencreek Township should as well; due to their illegal executive session conducted June 11, 2020.

Leesport Alternate Strause, also reminded Commissioner Fiedler that he was the one that made the motion to reimburse Chief Horner’s legal fees. If you are looking for a reimbursement than Leesport will send you an invoice for 19.5% of the legal fees incurred as a result of your unsubstantiated complaint against Chief Horner.

**FOR THE GOOD OF THE ORDER**

**Thea Breece, Boyertown** found the NBRPD Commission meeting very educational. She had been considering moving to Maidencreek Township, however after seeing the actions of today – I would be surprised why I would want to come here.

**ADJOURN**

Commission Hadden made a motion, seconded by Commissioner Fiedler to adjourn the Commission meeting at 7:00 PM. All Commissioners voted, “Aye.” Motion carried.

Respectfully submitted,

Ruth M. Manmiller

NBRPD Secretary

CC:

 Diane Hollenbach, Maidencreek Township Secretary to distribute to Supervisors

 Kim Berger, Ontelaunee Township Secretary to distribute to Supervisors

 Sandra Weiser, Leesport Borough Secretary to distribute to Council

 Christopher Gerber, Siana Bellwoar Law Offices