

Commissioners' Board Meeting
Thursday, December 23, 2004

The Berks County Board of Commissioners met in regular session on Thursday, December 23, 2004 at 10:30 A.M. in the Board meeting room on the thirteenth floor of the Berks County Services Center, pursuant to due notice to Board members and the public.

Commissioner Chair Judith L. Schwank called the meeting to order with Commissioner Thomas Gajewski and Commissioner Mark Scott in attendance. Also present were the Chief Clerk Terry L. Styer, Solicitor Alan Miller, and County Administrator, William E. Dennis.

The Commissioners' Meeting Minutes for the December 14, 2004 Workshop Meeting and the December 16, 2004 Commissioners' meeting were approved as published with a motion made by Commissioner Scott seconded by Commissioner Gajewski and all voted yes to approve.

Consent Agenda

1. Commissioner Gajewski made a motion to approve the following consent agenda but stated that he would abstain from voting on the Parks Ordinance as he was unable to thoroughly review prior to this meeting. His motion was seconded and noting Commissioner Gajewski's abstention from the Parks Ordinance and asking for a separate motion for the 2005 budget and Tax millage, the following were approved.
 - 494.04 A. Resolution authorizing a grant application a project under the PA DCED (Pennsylvania Community and Economic Development) Early Intervention Program for the development of a multi-year financial management strategy for Berks County and The City of Reading via an inter-municipal cooperation agreement
 - 495.04 B. Resolution authorizing the application of an Emergency Management Performance Grant (EMPG) application for a new position (Operations and Training Officer) and inclusion of an existing position (Deputy Coordinator for Administration and Planning).
 - 496.04 C. Resolution authorizing execution of Application for County Aid MS-339 (Liquid Fuels) to increase the allocated amount from \$100,000 to \$150,000 for the Township of Exeter's Exeter Road culvert replacement project
 - 497.04 D. Resolution to re-appoint David W. Patti, 101 Fairway Drive, Wernersville, PA 19565 to a Five (5) year term (12/31/09) on the Berks County Industrial Development Authority.
 - 498.04 E. Resolution to authorizing 2004 Budget Transfers in the amount of \$127,543 and Appropriations in the amount \$154,382 per listing dated December 17, 2004.

- 499.04 F. Resolution appointing Commissioner Mark C. Scott to fill the unexpired four (4) year term (12/31/06) vacated by Dr. Joe Jurgielewicz to the Berks County Planning Commission.
- 500.04 G. Resolution authorizing execution of a Lease Amendment between the County of Berks and the United States Department of Agriculture, Farm Service Agency for office space located at Berks County Agricultural Center, Bern Township
- 501.04 H. Resolution authorizing execution of a Lease Agreement between the County of Berks and the Berks County Industrial Development Authority for office space on the 14th Floor of the Berks County Services Center.
- 502.04 I. Resolution authorizing execution of a letter to the Children's Home of Reading (CHOR) consenting to CHOR's increased line of credit from Wachovia Bank and further ratifying the Subordination Agreement executed by the County on April 30, 2002.
- 503.04 J. Resolution authorizing the issuance of a Tax and Revenue Anticipation - Line of Credit Note, Series of 2005 in an aggregate principal amount of twenty-five million dollars (\$25,000,000)
2. Motion authorizing execution of Contract Agreements/ Amendments as furnished by the Contract Coordinator, per list dated December 20, 2004.
3. Motion to approve Human Resource Recommendations list dated December 21, 2004.
4. Enact Ordinance No. 5-04 summarized below:

ORDINANCE OF THE BOARD OF COUNTY OF BERKS PROVIDING FOR RULES AND REGULATIONS GOVERNING THE USE OF THE BERKS COUNTY PARK SYSTEM AND PROVIDING PENALTIES FOR VIOLATIONS OF THE SAME.

Reports

1. County Treasurer, Nelson Long, CPA presented his weekly report to the Board.
2. Sandy Graffius, County Controller presented the weekly Controller's report to the board.

2005 Budget

Bob Patrizio, Budget Director was asked to discuss the proposed 2005 County Budget and any changes or re-allocations that have been made since the budget was first presented in November. He indicated that with the TANF (Temporary Assistance for Needy Families) funding realignment still in a state of flux at the state and federal level, the County will need to set up a reserve to cover those TANF funded program gaps for the continued operation of the Youth Detention Facility, the County Nursing Home and other programs. He also stated that the board has agreed to set aside a fund balance of \$930,000 to be used as an environmental protection fund for the County. He explained that the 3% increase in projected expenditures over 2004 is a result of the increased cost of County government and not due to spending decisions by this board. He cited examples of those things driving up the cost of government such as the rising cost of fuel for county facilities and vehicles; the increase in health care costs for employees and county "clients" (including those required to be cared for in the County Prison); and the required 9.5 million contribution to the employee pension fund is also driving up the cost of government. He emphasized the cost of human services programs mandated but not completely funded by State Government is creating a need for the County tax payers to absorb the cost as well.

Following this presentation each Commissioner expressed their comments on the proposed 2005 budget. Commissioner Scott spoke first by suggesting that the future County contributions to fund Berks Cable TV should be conditioned upon their broadcasting of both the workshop and commissioners meetings (Tuesday and Thursday.) He then commended his colleagues, Commissioners Schwank and Gajewski for their work on the budget as well as Bob Patrizio and Bill Dennis with a special note to Commissioner Gajewski for his meticulous attention to the details of this budget. He then presented what he described as his desire to see added as a preamble to this budget and asked that his fellow Commissioners approve at this meeting as part of the budget adoption process. He indicated that without a preamble to this budget there would not be any written commitment on the part of this board to change the direction this County is going. The draft pre-ambule was presented as follows and titled:

Strategic Requirements for a Proactive 2005 Berks County Budget**Assumptions:**

It is impossible to save or economize our way out of a tax increase because the growth of county government is a function of increasing dysfunctional and criminal behaviors to which the county must respond as provided by statute or legislative regulation mandates. Pension, health care and other employee related expenses cannot be reduced other than by legislative amendments to reduce benefits and by workforce reductions through privatization of functions or by reduction of the county services clientele (criminals, dysfunctional families and individuals, dependent children). A greater proportional or per capita cost of county government is derived of persons or families living in poverty and on public assistance due to the stressors and cultural / behavioral patterns associated with a lack of skills and resources. The County cannot afford nor does it have the ability to accomplish wholesale behavioral changes within the population it serves.

Goals:

- Alter and improve the demographic landscape that drives the crime rate, familial dysfunction ratio, and related mandated services/functions, which in turn determine the size of county government.
- Shrink the size of county government by divesting or privatizing selected functions to reduce head-count and associated employee costs including restrictive union work rules.

Means / Initiatives:

- Consider divestiture of assets such as selling the Berks Heim to a non-profit, locally controlled corporation thereby freeing up 42 million in cash or 2.5 million annually in debt service.
- Utilize savings from Berks Heim to tear down and not replace obsolete dilapidated, housing in Reading at a rate of 125 houses per year at the cost of \$20,000 each. Use maximum available CDBG funds and other grants.
- Set a target for reducing the population of Reading and the enrollment in the Reading School District; example: 125 homes @ 50% occupancy by 5 residents each = 315 annually.
- Do not fund any additional low-income housing but consider some increased funding for existing residents with disabilities in need of better home access.
- Conduct countywide random audits of publicly funded charities and the State Assistance Office for recipient income eligibility and residency requirements.
- Increase law enforcement assets with heavy reliance upon technology, i.e. mapping, communications, and identification equipment.
- Increase spending for libraries and open space to attract affluent new taxpayers and talented workforce for new employers to strengthen the tax base.
- Insist upon an INS investigation/study of undocumented students in the Reading School District as a condition precedent to continuation of the INS detainee program at the Berks Prison

Commissioner Scott stated that by adding this preamble to the 2005 budget it is committing the County to changing the demographic landscape of Berks County. He said with this addition, he would vote favorably for the 2005 budget as proposed.

Commissioner Gajewski read his prepared comments including 21 points for consideration that will be attached to these minutes.

Commissioner Schwank then commented on what she described as daunting problems facing county government including the increased demand on our judicial system, children and youth services and the law enforcement units within the county.

She reflected on the fact that problems facing county government have been growing for years as the demand for state mandated services faces an aging infrastructure and an outmoded method for paying those costs via the property tax. She said "it is a bitter pill for me to swallow to increase county taxes when state and federal legislators fail to do their jobs and enact effective tax reform." She referred to a letter drafted for the board to send to the row officers, the President Judge and the County department heads that would encourage them and acknowledge that the board will continue to scrutinize purchases, and closely examine how we deliver services. She then emphasized that there is more work to be done. She ended by encouraging citizens to write to their legislators supporting effective tax reform in Pennsylvania. She ended by saying that we must continue the work to build a better future with economic development projects, farm land preservation funding for RACC, work on the Riverfront, cleaning up our environment, improving community corrections, and doing things in a different way than we have in the past.

President Judge Arthur Grimm commended the board and all involved in this budget process for their professional demeanor and collaborative efforts. He commended Bill Dennis in particular for the creativeness in county staff. He continued by saying "that this group of County Officials is the best he has seen in 17 years." He pledged on behalf of the Berks County Courts to work smart, be creative and work collaboratively in the best interest of County Government.

James Troutman, Clerk of Courts felt it was important for the public to understand the County's pension contributions are required to be funded today because of the current low return on investments in comparison to the fund's investment income from the 90's when contributions were not needed.

Sandy Graffius, Controller pledged to provide accurate information to aid in the board disciplined approach to decisions affecting the county budget.

At this time Commissioner Schwank made a motion to approve Resolution 504.04, the motion was seconded with Commissioner Gajewski voting yes, Commissioner Schwank voting yes and Commissioner Scott voted no. The motion carried.

504.04 K. Resolution authorizing adoption of the 2005 County of Berks Budget and further setting the 2005 millage rate at 6.935.

Both Commissioner Schwank and Gajewski expressed their disappointment and surprise towards Commissioner Scott for this unexpected position on this budget following months of what they believed to be collaborative efforts by all involved in this process.

Commissioner Scott apologized his board members for this late submission of his draft budget pre-amble but reiterated that without a written commitment on the part of this board, he had no assurance that the 2005 budget, as presented, is really enough of an effort to make a difference for Berks County's future.

Commissioner Schwank expressed to Commissioner Scott that he had 9 years to make a difference, noting that she probably wouldn't disagree with most of his proposed pre-amble but having only been presented a copy at this meeting seems to project that he is taking the "political way out" of voting for this tax increase.

Commissioner Gajewski also stated his frustration to Commissioner Scott saying that if this pre-amble was important enough for the Commissioner to vote for the budget then it should have been presented at the workshop meeting in time for all board members to have had adequate time for its review.

Larry Medaglia, Register of Wills, asked about any staff cuts in an effort to cut the budget expenses. Both Bob Patrizio and Commissioner Gajewski answered his questions by reflecting on the 2004 hiring freeze and the number of cuts in this proposed budget. When Mr. Medaglia expressed criticism of this board's efforts to prevent a tax increase of this magnitude, he was asked by Commissioner Gajewski what efforts or suggestions other than in his own department, has he made to this board throughout this detailed budget process. A heated discussion began that was ended by a call for adjournment by the Chair at 12:30 P.M.

Respectfully Submitted,

Terry L. Styer, Chief Clerk