

**Commissioners' Workshop Meeting**  
**Tuesday, March 1, 2005**

***I. CALL TO ORDER:***

The Berks County Board of Commissioners met in regular session on Tuesday, March 1, 2005 at 10:30 A.M. in the thirteenth floor Board Room 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 L. Scott in attendance. Also present were County Administrator William E. Dennis, Solicitor Alan Miller, Esq. and Chief Clerk Terry Styer.

Commissioner Schwank opened the meeting with a moment of silence and Pledge of Allegiance to the Flag.

***II. PROCLAMATIONS/CERTIFICATES/PRESENTATIONS:***

- A. Leigh Tallas, Chairman of the **Berks County Municipal Authority** presented a \$250,000 check representing on half of the Authority's fund balance of investment returns earned on bond fees.
- B. Dr. Vince LaSorsa, President/CEO **Children's Home of Reading**, presented the home's CDBG (Community Development Block Grant) funding request of \$400,000 proposed for the purchase of the former M&T Bank building located at 154 Spring Street, Reading, PA. He described the use for the building as an alternative education center which would house classrooms and a computer lab able to provide education services to 150 children with behavior problems currently enrolled in the local area schools. He was asked to meet with county department heads from Children and Youth Services, the Mental Health/Mental Retardation Program, the Budget Office and Community Development to develop a recommendation for the commissioners on this proposed funding request.
- C. Commissioner Schwank presented a proclamation called **A Good Thyme for Life** to Barbara Waller, Deputy Director of Berks AIDS Network for their annual fund raising activity on March 8, 2005 when 18 area Restaurants will donate 15 – 20% of the evening's food receipts to the Berks AIDS Network.
- D. Commissioner Gajewski will present a Certificate of Recognition for the **Reiffton Fire Company** for their 4th Annual Volunteer Firefighter's Recognition and Scholarship Banquet.

**III. REPORTS OF COMMISSIONERS:**

- A. Adopt Day Care Plan agreement authorizing execution of a grant agreement between the County of Berks (Berks County Intermediate Unit) and the Pennsylvania Department of Welfare, regarding childcare services in the amount of \$8,537,086.00 for fiscal year July 1, 2005 through June 30, 2006. Joanne Reinheimer, CCIS (Child Care Information System) Day Care Program Director explained the State and Federal Department of Public Welfare Program dollars that fund this program, which she said, serves approximately 3,000 children each year by helping working families to stay in the workforce.
- B. Adopt Resolution authorizing the application for a Adult Drug Court Implementation Grant from the BJA (Federal Bureau of Justice Assistance) Competitive Funding of up to \$450,000 over a 3 year period is being made available with a 25% match requirement which is proposed to be "in kind" services. Judge Peter Schmehl and Tracy Barlet, Deputy Court Administrator presented this program and the grant application proposal which is proposed to aid drug-addicted offenders who also have mental health problems. He said drug courts nationally are able to help rehabilitate people because they work with the participants for a longer period of time and there tends to be very little relapse. He said that he has seen many of them re-establishing contact with their children, going back to college and working.
- C. Adopt Resolution authorizing an RFP for consulting services to perform an operational and fiscal review of the Berks Heim. County Administrator Bill Dennis described the proposed RFP to the Board. Commissioner Scott suggested that a study should include the values of the home's assets and additionally he suggested that the fiscal view of their operation could change substantially when the home is moved into the newer and hopefully more efficient facility. Commissioner Schwank announced that Mike Wilt of CCAP (County Commissioners Association of PA) will provide a brief presentation on Nursing Home Options for Counties at the next workshop meeting (March 8, 2005).

**Commissioner Schwank**

- A. Adopt a Resolution authorizing the Solicitor's Office to file an Amicus Curiae Brief with the Berks County Court of Common Pleas in the matter of Burkholder vs. the Zoning Hearing Board of Richmond Township (Civil Action 03-15551). Commissioner Schwank indicated that this type of court filing will allow the County Solicitor's office to handle the paperwork, and county staff could be available to testify as experts on Burkholders' behalf, if needed. She emphasized what she felt was a vested interest in this property because the Burkholders sold the development rights to their farm to the county years ago. She said that when the County purchases those rights, it's forever and we need to assure that agriculture remains viable in Berks County. She then said, "we preserve farms, but we need to preserve farmers."

**Commissioner Schwank continued:**

Commissioner Scott said he is not convinced that the survival of farms relies on concentrated feedlot operations nor is he sure that the only way agriculture survives is if it creates public nuisances for people who live nearby. He was also concerned over setting a precedent for drawing the County into similar high intensity farming operations. He said he would review the Richmond Township Zoning Hearing Board decision before making a final decision.

Commissioner Gajewski indicated that he is willing to consider this action, as the investment of county dollars would be limited.

Commissioner Scott then reviewed a 2002 letter from Union Township regarding a request from the township to assist them with defending the township's zoning regulations against a proposed "racetrack" development on 700 acres of agriculturally zoned property, which continues to this day. Commissioner Scott proposed that the County contribute \$25,000 from the Environmental Defense Fund to assist the Township with the legal costs of this ongoing Zoning Hearing Board application.

**Commissioner Gajewski**

- A. Adopt Resolution authorizing payment of invoices under the following Community Development Disbursement Vouchers:
  - 1. No. 2124 -Community Development Block Grant funds - \$63,907.46
  - 2. No. 486 – HOME grant program \$8,932.00
  - 3. No. 2123-PS – State Emergency Shelter Program - \$318.60
  - 4. No. 1237 – Property Rehabilitation Program - \$8799.00
- B. Resolution authorizing On-The-Job Training contracts and subsidized employment agreements as per list dated 2/11/05.
- C. Adopt Resolution authorizing a Contract Administration, G701 Change Order Number 07-GC, by and between the County of Berks, the Engineer (Elliot Leboeuf & Associates), and the General Contractor (R. S. Mowery and Sons, Inc.), for the removal and replacement of unsuitable soils for site work construction at the loading dock area of the new Live Fire Training Prop, in the amount of \$13,956.49. They have been discussing options since Commissioner Mark C. Scott suggested in December that the county look into ways to operate the home independently and cover a \$1 million deficit and \$2.5 million in annual interest payments on money borrowed to build a \$42 million facility.
- D. Adopt Resolution appointing Anthony Carabello to the Berks County Board of Assessment Appeals filling the unexpired term of 12/31/07 previously held by John C. Cleek.

**Commissioner Scott**

Commissioner Scott offered some statistics regarding the number of illegal alien families that the Berks County Children and Youth Services are serving. While he asserted that the County does not want any child to be abused, it appears that the immigration service is not interested in doing anything to prevent this use of tax payer services which will continue to have a budgetary impact on the County's current and future budget if this practice continues unchecked. Commissioner Thomas W. Gajewski Sr. said he is disappointed at the federal government's lack of enforcement of immigration laws. Commissioner Judith L. Schwank said the county needs to do a better job of tracking the people it serves and how effective its programs are.

**IV. OTHER REQUESTS:****Budget Director:**

- A. Adopt Resolution authorizing 2004 Budget Transfers in the total amount of \$553,895.00 and 2004 Budget Appropriations in the total amount of \$22,621.00 per list dated February 25, 2005.

**Human Resources Director:**

- A. Adopt Resolution authorizing Human Resource recommendations dated March 1, 2005.

**Purchasing Department:****Contract Coordinator**

- A. Motion authorizing execution of Contract Agreements/ Amendments as furnished by the Contract Coordinator, per listing dated February 25, 2005.

**V. CITIZEN COMMENT/BUSINESS FROM THE FLOOR**

Commissioner Gajewski Sr., reported on an evaluation he requested from the Pennsylvania Department of Revenue regarding the potential savings that could result from the change in the tax structure if the State Legislature would pass meaningful tax reform legislation. He indicated that with the following options, the county would be able to realize consistent revenue yet reduce the dependency on Real Estate Taxes:

**With a 1% Sales Tax** – Berks County could reduce its Real Estate Tax millage by 2.5 mills

**With a 1% Earned Income Tax** – Berks County could reduce its Real Estate Tax millage by 4.5 mills

**With a 1% Personal Income Tax** – Berks County could reduce its Real Estate Tax millage by 4.7 mills

He encouraged everyone to contact their legislators urging this tax reform option package for all Pennsylvania Counties.

There being no further business the meeting adjourned at 12:30 P.M.

Respectfully Submitted,

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Terry L Styer, Chief Clerk