

**Commissioners' Board Meeting  
Thursday, May 5, 2005**

The Berks County Board of Commissioners met in regular session on Thursday, May 5, 2005, 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.

- ❖ **Today, May 5<sup>th</sup>, marks the 83<sup>rd</sup> annual observance of Youth Day, a cooperative effort of the Berks County Intermediate Unit, the Berks County Chamber of Commerce and nearly 60 businesses and government agencies from across Berks County for the purpose of providing young people of our community an opportunity to acquaint themselves with their future responsibilities as productive members of a democratic society, while stimulating public interest in the potential of youth.**

Commissioner Chair Judith L. Schwank with her student shadow, Meredith Buzan from Governor Mifflin High School called the meeting to order with Commissioner Thomas Gajewski and his student shadow, Meghan McGuirk from Holy Name High School, and Commissioner Mark Scott all in attendance. Also present were the Chief Clerk Terry L. Styer and her student shadow, Bridget Hoover from Governor Mifflin High School, First Assistant Solicitor Christine Sadler and County Administrator William E. Dennis and his student shadow, Mina Sutryn from Holy Name High School.

A motion was made by Commissioner Gajewski seconded by Commissioner Scott and all voted yes to approve the minutes of the April 26, 2005 Workshop Meeting and April 28, 2005 Commissioner's Meeting.

**PRESENTATIONS/ PROCLAMATIONS/CERTIFICATES:**

Commissioner Gajewski will present, on behalf of the Board of Commissioners, a Proclamation for May 5, 2005 as the **National Day of Prayer** at the afternoon ceremony in front of the Government Services building.

**Consent Agenda Items**

1. Commissioner Scott made a motion that was seconded by Commissioner Gajewski and all voted yes to approve the following consent agenda.
  - 148.05 A. Resolution approving 2004 Transfers totaling to \$46,277,933.00 per list dated April 22, 2005, and 2005 Transfers for \$25,000.00 and 2005 Appropriations totaling to \$7,490.00. Commissioner Schwank noted that the \$25,000 transfer represented Growing Greener funds to assist with the Schuylkill Rivers Greenway project which will enable the organization to draw down additional state and federal dollars for this conservation project.
  - 149.05 B. Resolution authorizing the Human Resource recommendation as per list dated May 3, 2005.

- 150.05 C. Resolution awarding a contract as a result of Invitation to Bid #05-04-KL, a one year contract to provide annual inspections and as needed maintenance, repair and recharging of portable fire extinguishers and fixed wet and dry extinguish systems (kitchen hoods) to and for members of the Berks County Cooperative Purchasing Council (BCCPC) of which the County of Berks is a member. The contract award for the county's portion is estimated to be 78% or \$14,954.08 shall be made to the following vendor:
- SimplexGrinnell, LP  
Meadows Business Center  
6330 Hedgewood Drive, Suite 250  
Allentown, PA 18106
- 151.05 D. Resolution authorizing Liberty Environmental to review the application, when submitted to DEP by JP Mascaro, to construct a landfill gas to electric facility at the Pioneer Crossing Landfill in the amount not to exceed \$5,000.00.
- 152.05 E. Resolution endorsing the **Berks Municipal Partnership** as a Forum for the discussion of Regional Issues and Solutions among Units of Local Government within Berks County.
- 153.05 F. Resolution authorizing payment of invoices under the following Community Development Disbursement Vouchers:
1. No. 2136-Community Development Block Grant funds - \$1,647.35
  2. No. 2135-S Emergency Shelter Program - \$ 2,519.50
  3. No. 495-Home Grant Program - \$ 883.00
  4. No. 1244-Property Rehabilitation Program - \$4,001.00
2. Motion authorizing execution of Contract Agreements/ Amendments as furnished by the Contract Coordinator, per listing dated April 29, 2005.

**Reports**

1. Treasurer, Nelson Long, CPA and his student shadow, Eric Suarez presented his weekly Treasurer's report
2. Deputy Controller, Mark Hanson read the weekly Controller's report

**Agenda Items for Discussion**

Commissioner Gajewski updated the board on some current issues such as favorable votes regarding the re-establishment of the Community Development Block Grant Program funding.

**Citizen Comment:**

Cecilia Zuber, resident and former director of the School Board in the Conrad Weiser School District, expressed her disappointment regarding the dismissal of Kurt Bellman as Berks County Election Services Director. She commented on the recent newspaper article that cited some of the comments by various officials that led to this action. She indicated that she was a friend for many years and urged the board to reinstate him.

The Chair requested the County Administrator to respond. Mr. Dennis indicated that he was reluctant to go into detail regarding this personnel issue, however he did state that it was his recommendation to discharge Mr. Bellman because of serious performance issues. He then stated that he is confident in the Elections Department staff to be prepared for the Primary Election on May 17. He specifically responded to Ms. Zuber's question for the need to provide Mr. Bellman with a security escort - by stating that it is standard operating procedure to do so. As for the credit being given for the success of the last election following the huge turn out in November, Mr. Dennis stated that credit goes to the Commissioners, the many volunteers and the staff in both Election Services and other County Departments that came to volunteer and worked tirelessly to get the work done and meet the deadline. Mr. Dennis stated that those in charge of that specific effort were outside of the purview Election Services Director. His final comment regarded a shortage of staffing. He advised that staffing is a continual issue within the county and that it is not so much about the amount of resources but how you manage your resources that is important.

Christine Sadler, Solicitor for Election Services was asked by the Chair to respond to Ms. Zuber's questions regarding the alleged voter registration fraud. Christine stated that she, along with Mr. Bellman and Mr. Winters reviewed the documents and unanimously agreed to wait until after the election to pursue any action and agreed to focus their attention on assurances that the elections process would not be impeded. She said that approximately 25 registration applications were turned over to the District Attorney's office for further investigation.

Commissioner Schwank stated that nobody likes to fire anyone and while she would not provide specific details, the fact that this action was taken so close to an election, "speaks volumes."

Commissioner Gajewski stated that some of the incidents that led to this decision predated this board. He added that one additional staff person was hired upon Mr. Bellman's recommendation. The individual was specifically charged with the responsibility of complying with the HAVA (Help America to Vote Act) requirements.

Commissioner Scott added that it is regrettable that the board is engaging on this detailed discussion about an individual's personnel records. He suggested that it come to an end and allow Mr. Bellman the opportunity to move on without this publicity following him. He stated that the specifics should not be fodder for a public discussion. He indicated that his resignation from the Election Board (required as he announced his candidacy for Common Pleas Judge) kept him from participating in the discussions surrounding Mr. Bellman's dismissal. He defended Mr. Bellman's statements regarding the registrations by saying that he only suggested widespread fraud.

Commissioner Schwank reminded Commissioner Scott that the Election Board does not make decision nor hold discussions regarding personnel matters.

There being no further business, the meeting adjourned at 11:20 A.M.

Respectfully Submitted,

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Terry L. Styer, Chief Clerk