

**Commissioners' Board Meeting**  
**Thursday, May 26, 2005**

The Berks County Board of Commissioners met in regular session on Thursday, May 26, 2005, at 10:40 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, Esq., and County Administrator William E. Dennis.

A motion was made by Commissioner Scott seconded by Commissioner Gajewski and all voted yes to approve the minutes of the May 19, 2005 Commissioner's Meeting. (Commissioner Gajewski asked to hold on the approval of the May 17, 2005 Workshop Meeting minutes to make corrections to one of his statements.)

**Consent Agenda Items**

1. A motion made by Commissioner Gajewski and seconded by Commissioner Scott to approve the consent agenda items unanimously with the exception of item I and J., which will be proposed separately as non-consent agenda items; All voted yes to approve Items A. through H.

- 173.05 A. Resolution approving 2005 Transfers totaling to \$5,000.00 per list dated May 20, 2005, and 2005 Appropriations totaling to \$7,495.00.
- 174.05 B. Resolution authorizing the Human Resource recommendation as per list dated May 24, 2005.
- 175.05 C. Resolution to authorize execution of Amendment to Lease by and between the County of Berks and Robert J. Marrella and John M. Reshetar to amend and extend the Lease Agreement for an additional two month period commencing July 1, 2005 to lease property located at 441 Morgantown Road, Reading, Pennsylvania, for District Court 23-2-01 (District Judge Kennedy).
- 176.05 D. Resolution to ratify and confirm the execution of a letter to the Mayor of Reading and City Council requesting a two-week delay from May 23, 2005 for any vote to be taken by City Council concerning the disposition of the Antietam Lake property.
- 177.05 E. Resolution authorizing executing and approving the submission of an Intermediate Punishment Plan, in accordance with Act 200-41, to the Pennsylvania Commission on Crime and Delinquency, pursuant to the 2005-2006 grant funding cycle.
- 178.05 F. Resolution to re-appoint Nytza I. Santiago to a three year term ending 12/31/06 on the Children and Youth Services Advisory Board.

- 179.05 G. Resolution authorizing payment of invoices under the following Community Development Disbursement Vouchers:
1. No. 2139-Community Development Block Grant funds - \$5,790.98
  2. No. 1247-Property Rehabilitation Program-\$6,900.00
  3. No. 497-Home Grant Program-\$4,476.58
- 180.05 H. Resolution approving On-the-job Training Contracts as per list dated 5/20/05.
- 181.05 I. Resolution authorizing execution of Application for County Aid MS-339 (Liquid Fuels) in the allocated amount not to exceed \$30,000 for Lower Alsace Township to rebuild and stabilize a masonry retaining wall on Skyline Drive to prevent additional deterioration and possible undermining of the roadway.

Commissioner Gajewski requested that the vote on this Resolution be held until next week, as he was not included in the previous meeting where this project was discussed. Commissioner Schwank explained that she was asked by the Mayor of Reading to convene a meeting with the City and Lower Alsace Township regarding the possible closure of Skyline Drive due to some hazardous road conditions. She indicated that the suggestion for the township applying for County Aid to make the necessary repairs came up at that meeting. Commissioner Scott indicated that he understood Commissioner Gajewski's position regarding lack of knowledge for the meeting, but believed that there was enough information provided to the board for this vote to move forward. Commissioner Schwank expressed willingness to hold the vote until Commissioner Gajewski was able to better evaluate the project. It was decided to hold the vote for the approval of County Aid until the June 2, 2005 meeting of the Commissioners.

- 182.05 J. Resolution authorizing a 30-day offer for the purchase of Antietam Lake property from the City of Reading.

This offer letter proposed as the May 26, 2005 offer (replacing the April 5, 2005 letter) to purchase the Antietam property was reviewed by the Board of Commissioners as well as the County Solicitor. Commissioner Schwank explained that this new 30-day offer is contingent upon receiving \$1.5 million from Lower Alsace Township. Commissioner Gajewski stated that with this purchase and preservation of open space, we have an opportunity to provide a legacy for our children and grandchildren. Commissioner Scott added some language that was read by the Solicitor as addendum to the draft letter referring to the acknowledgement that this current offer should not be considered a determination of fair market value thus preventing the establishment of the same in any subsequent court proceeding. He then argued that some of the comments in this letter appear to be inconsistent with the perpetual restrictive covenant language already in place. He also objected to the proposed regional park committee saying that it creates one more unnecessary level of government that our existing Parks staff is capable of managing.

Commissioner Schwank expressed that more people involved in regional committee is an idea the Commissioners should support. Commissioner Gajewski added that it is an advisory committee and suggested that other area townships and boroughs that have an interest might also wish to be included.

At this time, a call for the vote was made by the Chair adding that the addendum written by Commissioner Scott and read by the Solicitor would be added to the current draft, Commissioner Gajewski made the motion to approve the letter with the addendum, Commissioner Scott seconded the motion and all voted yes to approve. (a copy of the letter will be attached to these minutes.)

**Reports**

County Treasurer, Nelson Long, CPA presented his weekly Treasurer's report.

County Controller Sandy Graffius presented her weekly report.

**Citizen Comment/Business From The Floor**

Sandra K Lias, Judge of Elections in the 7<sup>th</sup> Ward – 1<sup>st</sup> Precinct expressed her appreciation for the nine years of training she felt was provided under the leadership of V. Kurt Bellman and the former Director Debbie Olivieri.

Pete Archey asked when the offer to purchase the Antietam property would reach the City. He was informed that it would probably be sent today or tomorrow.

Commissioner Scott announced that the Commissioners met in executive session for the purpose of discussion over real estate negotiations for the purchase of the Antietam Lake property from the City of Reading.

There being no further business, the meeting adjourned at 11:37 A.M.

Respectfully Submitted,

---

Terry L. Styer, Chief Clerk