

**Commissioners' Workshop Meeting**  
**Tuesday, June 28, 2005**

**I. CALL TO ORDER:**

The Berks County Board of Commissioners met in regular session on Tuesday, June 28, 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, Assistant Solicitor Al Crump, Esq. and Chief Clerk Terry Styer. The Commissioner opened the meeting with a moment of silence and Pledge of Allegiance to the Flag.

**II. DEPARTMENTAL REPORTS / REQUESTS:**

**Human Resources Director:**

- A. Adopt Resolution authorizing the Human Resource recommendation as per list dated June 28, 2005. Beth Schiepan Director of Human Resources discussed the list of recommendations.

**Purchasing Department**

**Contract Coordinator:**

- A. Motion authorizing execution of Contract Agreements/ Amendments as furnished by the Contract Coordinator, per listing dated June 27, 2005. Candace Noll Contract Coordinator presented the list of contracts to be approved by the board.

**III. REPORTS OF COMMISSIONERS:**

- A. Adopt Resolution authorizing the Nursing Home Intergovernmental Transfer Program pursuant to the Commonwealth Agreement and Cooperation Agreement; and further granting authorization for any and all lawful actions necessary to effectuate Berks County's participation in said Program. Commissioner Schwank described this funding mechanism provided by CCAP (County Commissioners' Association of Pennsylvania) for Counties across Pennsylvania to enable them to leverage funds for the operation of County Nursing Homes from the Federal Government. Bob Patrizio, Budget Director noted that the pool of funds has dropped dramatically from \$30 million last year to just \$18 million for this year and this program is scheduled to end in the next few budget cycles. He indicated that this is yet one more deficit will have to be made up with general funds in future years.

**Commissioner Schwank**

**Commissioner Gajewski**

- A. Adopt Resolution authorizing execution of Application for County Aid MS-339 (Liquid Fuels) in the allocated amount not to exceed \$165,000 to Richmond Township for improvements to the bridge on Beektree Road. Commissioner Schwank noted that this amount is less than requested by the Township and asked if \$165,000 would enable the township to complete this in a timely fashion. Commissioner Gajewski indicated that the township will be able to provide the other costs and will be able to complete this project.
- B. Adopt Resolution authorizing the execution of a contract amendment between the Council on Chemical Abuse and the County of Berks regarding fiscal year 2005/2006 allocation for the Berks County Prison Drug and Alcohol Treatment/Therapeutic Community.
- C. Adopt Resolution approving On-the-job Training Contracts as per list dated 6/24/2005.

**Commissioner Scott**

- A. Resolution to re-appoint Frank Kulp to a six-year term ending on 6/30/2011 to the Reading Area Community College Board of Trustees.

**MISCELLANEOUS BUSINESS**

Commissioner Schwank described a recent Domestic Violence group meeting where she encouraged new working relationships for the group to develop with County Department and Agencies such as the Community Corrections Task Force to help one another to join together in forming new initiatives to deal with this growing problem.

The Commissioner also discussed the Rt. #82 closure in Birdsboro and noted that the possibility exists for the development of a trail from Birdsboro to Chester County. She suggested that the County could help to coordinate this project with Penn Dot and the other involved Communities. Commissioner Gajewski suggested the adoption of a County Resolution to apply for State Funding towards this goal now. Commissioner Schwank said that she had asked for feedback from Alan Piper, Transportation Planner with the Berks County Planning Commission and suggested that we hold on any activity until the board reviews his comments regarding options available to the municipalities and the County.

Commissioner Scott commented on the Antietam Lake property and the options that continue to be available such as proceeding with the Eminent Domain Action against the City to acquire and permanently preserve this property. He indicated that he has been advocating this process for over three years and the cost of land and repairs to the dam continue to rise.

Commissioner Scott continued:

He stated his belief that limited case law exists that supports the use eminent domain proceedings between municipalities when one municipality's proposed use of the land is not in the best interest of the public. He also indicated that Mike Setley, Solicitor for the Reading Water Authority has reminded all involved in this land purchase negotiation that the Authority holds an 80 year water rights lease to this property and is required to be a part of the approval process for any future land use or transfer. Commissioner Scott said that eminent domain is a small risk that would fairly compensate the city and preserve the lake permanently. He then read the editorial from the Reading Eagle, which he characterized as an attempt to polarize the public on this issue. He said that there is no acrimony nor should there be between the County and the City even if the County decides to pursue an action of Condemnation to take the land for public use. His main point was that the long this pursuit of acquiring the land takes, the cost of the purchase and repairs to the dam will continue to rise.

Commissioner Gajewski indicated that he does not support the concept of governments suing other governments. Commissioner Scott responded in saying that if our goal is to represent the people and preserve the land, we may need to ruffle a few feathers to get the job done.

On another topic, Commissioner Scott referred to the hearing underway today in Judge Stallone's court where the Berks County Election Board is requesting approval to proceed with a special election that would only include those affected by the voting machine malfunction and only for those in that category where the re-votes could make a difference in the result of those races. That number came to 111 eligible voters. Commissioner Scott supported an argument being made in court by Judge Candidate, Anne Carrol that all 478 voters that were affected should be given an opportunity to cast their votes again regardless if their "re-votes" could make a difference in any other races.

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

There being no further business the meeting adjourned at 11:15 A.M.

Respectfully Submitted,

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Terry L Styer, Chief Clerk