

**Commissioners' Board Meeting**  
**Thursday, November 17, 2005 recessed to Friday November 18 and further recessed**  
**to Monday November 21, 2005**

The Berks County Board of Commissioners met in regular session on Thursday, November 17, 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.

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

**County Administrator and Budget Director:**

**Presentation of the proposed 2006 Berks County budget**

Bill Dennis, County Administrator presented the proposed 2006 budget to the Commissioners for their consideration prior to the proposed adoption date of December 20, 2005. He stated that the 2006 budget proposed to utilize the existing tax rate, it is balanced, and expenditures (proposed at 2005 spending levels) will match revenues with no use of fund balance to balance the budget. However he did cautioned that years 2007 and 2008 are of concern in that absent continued expenditure cuts or a tax increase, the county could return to deficit spending.

He thanked the County Commissioners for their leadership and involvement in weekly budget meetings, which resulted in a number of successful initiatives that have been implemented to control costs while establishing priorities for what is responsible, sustainable and affordable. Several of those initiatives include the VSP (Voluntary Severance Plan); establishing a self-insured health insurance program; restructuring the sick leave policy and creating a short term and long-term disability insurance program for management confidential employees. Mr. Dennis then thanked the many department heads and Row office officials that worked tirelessly to accomplish the county's goals while meeting the increasing demands with no tax increase.

At this time Bob Patrizio Budget Director, presented the detailed proposed budget including a three-year projection of future expenses and revenue shortfalls. Together with Administrator Dennis, they answered questions of the board. It was announced that the budget document together with the power point presentation and the Administrator's budget message to the Commissioners will be posted on the county web site.

**Approval of Minutes**

A motion approving minutes of the November 10, 2005 Workshop Meeting/Commissioner's Meeting was made by Commissioner Scott, seconded by Commissioner Schwank, and all voted yes.

Consent Agenda Items

A motion was made by Commissioner Scott, seconded by Commissioner Schwank and all voted yes to approve the consent agenda except for item 3 in which Commissioner Gajewski made a motion to vote on it separately. Commissioner Scott made motion to approve item 3 on the consent agenda, Commissioner Schwank seconded the motion. Commissioner Gajewski voted no, the motion to approve carried.

- 387.05 A. Resolution authorizing 2005 Budget Transfers in the total amount of \$79,596.00 and appropriations in the total amount of \$55,267.00 per list dated November 10, 2005.
- 388.05 B. Resolution authorizing the Human Resource recommendation as per list dated November 15, 2005.
- 389.05 C. Resolution designating Conference Room 14-02 in the Berks County Services Center for use as a Temporary Press Room for the Reading Eagle.
- 390.05 D. Resolution designating the current Jury Assembly Room 6-19 in the Berks County Courthouse a Temporary Court Room 6 to be used primarily by Judge Scott Lash.
- 391.05 E. Resolution authorizing the appropriation of \$125,000 in Liquid Fuels funds for replacement of the Trolley Road Bridge in Centre Township. The amount of \$125,000 is an estimate since the project has yet to be finally bid. This amount is to supplement \$250,000 in liquid fuels money previously approved by the Commissioners. The previous \$250k liquid fuels appropriation was designated as PENNDOT Project Number # 01-06-208-01CA).
- 392.05 F. Resolution authorizing an inspection to the Pennsylvania Railroad Bridge over the Schuylkill River is in need of underwater investigation of the bridge foundation. The cost to perform an underwater inspection was estimated to be \$9,800.00 and RACC is requesting to split the cost of this inspection with the County.
- 393.05 G. Resolution authorizing an amendment to Resolution 369.05 to the extent of modifying the Settlement Agreement between the County and New Morgan Landfill Inc, authorized by Resolution 369-05 by deleting the second sentence of the paragraph 9 of said Agreement concerning the Property Value Guarantee Agreement.-Commissioner Scott mentioned that he did not support Resolution 369.05, but he is in support of this Resolution because it takes out the language in the agreement that indicates that states the residents should not file complaints they might have against the landfill so that they don't lose their property value protection.

2. Motion authorizing execution of Contract Agreements/ Amendments as furnished by the Contract Coordinator, per listing dated November 10, 2005. \*Revised as of November 16, 2005.
3. Motion authorizing execution of Contract Amendment #1 to Agreement #PC-2480-05, as a result of Request for Proposal 05-06-BD. This Amendment serves to amend the maximum allowable contract amount and the scope of work by further defining those projects required as part of the DCED Early Intervention Program Grant and LUPTAP grant.

**Reports**

1. County Treasurer Nelson Long, CPA presented the weekly Treasurer's report.
2. Chief Deputy Controller, Mark Hanson presented the weekly Controllers' report

**Public Comment:**

There being no further business, the meeting was recessed at 12:30 P.M. to continue on Friday, November 18, 2005 10:00 AM.

**November 18, 2005**

The meeting was reconvened at 10:25 A.M. in the Commissioners meeting room with all board members present including the Solicitor, Alan Miller, County Administrator William Dennis and Chief Clerk, Terry Styer.

Commissioner Schwank introduced a letter proposed to update the offer of purchase to the City of Reading for the Antietam Lake property. The letter as proposed increased the previous offer by \$2,000,000 to be awarded to the County from a PA Department of Conservation and Natural Resources Grant.

Commissioner Scott objected to the added level of bureaucracy created in item #6 of the offer that commits the county to establishing an advisory board for the use and maintenance of the lake property. He also expressed concern that this offer may be in excess of the fair market value for this property and once again urged consideration for filing an action of taking by eminent domain to acquire, preserve and protect this parcel for public use. He also expressed reservations for the use of an additional million dollars in this offer that could have been used in an offer for parkland in other parts of the County.

Commissioner Gajewski asked that the record reflect that he deeply resented making a decision on an offer he was just handed minutes ago.

Commissioner Scott suggested the establishment of an arbitration panel representing all parties to establish the value of the property before this proceeds.

Commissioner Schwank hoped to have an offer in the hands of the City before the next City Council meeting on Monday November 21, 2005. It was suggested that this meeting be recessed to Monday at 3 PM for a final discussion on the terms of this offer.

Commissioner Schwank indicated that she would be at the CCAP Conference and unable to be present. After some consideration it was decided to recess this meeting to 3:00 PM on Monday November 21, 2005 and Commissioner Schwank could phone in her vote.

Respectfully Submitted,

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Terry L. Styer, Chief Clerk

### **November 21, 2005**

Commissioner Vice Chair Thomas Gajewski reconvened the meeting with Commissioner Mark L. Scott in attendance. Commissioner Schwank was voting from the County Commissioners Association of Pennsylvania (CCAP) conference in Hershey via telephone. Also present were County Administrator William E. Dennis, County Solicitor Alan Miller, Esq. Chief Clerk Terry Styer was also attending the CCAP Conference.

To continue the discussion on the proposed offer of purchase of the Antietam Lake property, Solicitor Alan Miller stated that there was only one clarification on the agreement but other than that the agreement was the same as discussed on Friday, November 18, 2005 meeting. He said that the offer will be contingent upon the County's receipt of \$1,500,000 from Lower Alsace Township and \$2,000,000 from DCNR (Grant from the PA Department of Conservation and Natural Resources) to fund the obligation listed in the agreement. This being the only change to the agreement, a motion was made by Commissioner Gajewski, seconded by Commissioner Scott to discuss approve of this proposed offer. Commissioner Scott wanted to add one contingency to the letter, which required relinquishment of the leasehold or other interest by the Reading Area Water Authority. There was a discussion regarding the ramifications of the leasehold on the property and agreed to amend the letter to address this issue. With that changed noted, the board voted unanimously to approve this offer of purchase to the City of Reading by approving **Resolution 394.05**.

There being no further business, the meeting adjourned at 3:30 P.M.

Respectfully Submitted,

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Dalila Garcia, Asst. to Chief Clerk