

Commissioners' Board Meeting Thursday, January 26, 2006

The Berks County Board of Commissioners met in regular session on Thursday, January 26, 2006 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 C. Scott in attendance. Also present were the County Solicitor Alan Miller, Esq., Terry L. Styer, Chief Clerk and County Administrator William E. Dennis.

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

Approval of Minutes

Commissioner Scott made a motion that was seconded by Commissioner Gajewski to approve the January 17, 2006 Commissioner workshop minutes and the January 19th Commissioners meeting minutes, all voted yes to approve.

Resolutions and Contracts:

1. A motion was made by Commissioner Scott, seconded by Commissioner Schwank and all voted yes to approve the items listed below with the exception of Resolution 18.06 which failed to be approved as Commissioner Gajewski was the only yes vote.
 - 18.06 A. Resolution to set aside \$2 million in total from the 1998 and/or 2002 Bond issues for the purpose of acquisition, expansion or rehabilitation of existing space to accommodate future needs for space by the county. Commissioner Scott and Schwank voted no. Commissioner Gajewski voted yes.

Commissioner Schwank thanked Commissioner Gajewski for his leadership on this issue but continues to believe that the county needs to “zero in” on specific projects rather than setting aside a block of funds which appears to only be an arbitrary figure at this time. Commissioner Gajewski then suggested that language be added to this resolution to state that earmarking the funds does not give spending authorization to any specific project. Commissioner Scott questioned the \$2 million figure when he believed that \$5 million was set-aside as bond funds for capital projects. Commissioners Gajewski then responded by saying that \$2 million was only a down payment of what will be needed for the County’s future space needs. Administrator Dennis agreed that having a dollar amount could be helpful towards future space planning. Commissioner Schwank indicated that she would vote no on this resolution, as did Commissioner Scott who stated no disrespect for Commissioner Gajewski’s intentions.

- 39.06 B. Resolution authorizing Budget Transfers in the amount of \$187,104.00 and Appropriations in the amount \$ 20,617.00 per listing dated January 20, 2006.

- 40.06 C. Resolution awarding a contract as a result of Invitation to Bid #05-13-KL, a contract to supply and install a closed circuit television system upgrade for the ICE Family Facility located in Berks County to the following vendor for **\$59,977.83**.
PSX
708 Terminal Way
Kennett Square, PA 19348
- 41.06 D. Resolution Human Resource Recommendations as list dated January 24, 2006.
- 42.06 E. Resolution authorizing the County Treasurer to make six (6) \$800,000.00 monthly retirement fund contributions to the Berks County Retirement Fund to the end of June 2006.
- 43.06 F. Resolution designating Berks Area Reading Transportation Authority as Coordinator of the Services under Section 130 and 1312 (b) of the Public Transportation Law.
- 44.06 G. Resolution authorizing Judith L. Schwank, Commissioner, Chair, and Sandy Graffius, County Controller, to execute certification of appropriation funding for 2006 in the amount of \$8,125,493.00 for the purchase of Agricultural Easements under Act 43 –the Agricultural Area Security Law, as amended. The total funding amount requested is comprised of \$1 million from the 1999 Bond balance and & 7 million from the \$36 million line of credit approved on December 20, 2005 by the Commissioners, as well as the interest collected from the Clean and Green Rollback Tax Penalties and donations to the Adopt-An-Acre Program in 2005.

Commissioner Gajewski stated that while he understands that state law provides authority for the Ag. Land Preserve Board to select and approve easements for farmland preservation, he believes that the authority should rest with the Board of Commissioners. Tami Hildebrand Executive Director of the Ag Land Preserve Board informed the Commissioners that her board is increasing the cap from \$2,000 per acre to \$2,500 per acre for easement purchases, thereby providing better opportunity to successfully select farms in some of the higher land value areas of the county.

- 45.06 H. Resolution authorizing the submission of a final report for the expenditure of federal monies under various waiver agreements through contracts between SAM, Inc. and providers of mental retardation services for the period 04/01/2005-06/30/2005, with allocation of funds and resulting contracts reviewed and approved by the MH/MR Administrator, ensuring appropriate oversight as recommended by legal counsel.
- 46.06 I. Resolution appointing Jared Isaacs, of Boyertown, PA 19512 to the to the 911-center Advisory Board as an at-large member.

- 47.06 J. Resolution authorizing Commissioner Tom Gajewski to sign any and all papers necessary for the use of facilities within the Muhlenberg High School on April 6th, 2006 in order for the county, in conjunction with the Center for Local Government to hold an anti-crime forum on community policing. There shall be no cost to the county for this use.

Non- Consent Agenda Items:

2. Authorizing:

- 48.06 K. Resolution appointing James Gilmartin, Ed. D. of Hamburg, PA 19526 to the Berks County Office of Aging Advisory Council term ending 12-31-2007.
- 49.06 L. Resolution appointing James Adamowicz of Wyomissing, PA 19610 to the Berks County Office of Aging Advisory Council term ending 12-31-2007.

Reports

1. County Treasurer – Nelson Long, CPA, presented his report.
2. County Controller – Sandy Graffius, Controller presented her report.

Citizen Comment/Business From The Floor

Stephan Kosikowski from the City of Reading stated his concerns about human services moving to Leesport, PA and encourages that the expansion take place here in Reading because Public Transportation is limited. He also feels that we should not consider the privatization of government services.

Dorothy Reilly from Exeter Township expressed her concerns about moving County Election Services County Facilities in Bern Township. She also expressed general objections towards any consideration of privatization of County Services.

Mary Jane Minehart from Cumru Township compared the board's decision not to hang a mural on the County Building to a restriction of free speech and expressed strong objections to Commissioner Scott's comments regarding Keith Haring's artwork in particular.

Rosy Skomitz from Mt. Penn asked if the county completed a map depicting farm locations that apply sewage sludge to their fields. Commissioner Scott stated that he did not have the support of the board and that the map has not been created.

Commissioner Schwank stated that the BEAC (Berks Environmental Advisory Committee) has formed a task force to discuss this concern and she encouraged to all interested citizens to participate in those meetings and further suggested that the committee provide an update at a future Commissioners' meeting. Commissioner Gajewski stated that he did send a follow up letter to DEP regarding Sludge Ordinance, and as of yet has not received a response.

Public Comment Continued:

Brett Habecker, resident of Berks County asked the Commissioners to look into the current assessment policy of the County for new subdivisions. He explained that he purchased a 19-acre farm that he subdivided into 8 building lots with existing road frontage and no required improvements (roads, sewer, lighting etc.) His intention was to keep the farm in active agriculture until he was ready to create the deeds and sell the individual lots in future years. Following the sale of his first lot, the County Assessment office revalued his entire remaining tract as individual building lots despite the fact he did not have deeds created nor did he intend to sell immediately. He stated that by this action and the real estate tax bill that resulted from this new assessment would force him sell now which he said is contrary to the plan he presented to the Township. He asked the Commissioners to consider why other Counties such as Schuylkill County interpret the law differently and allow for a slower, more manageable approach to population growth and re-assessment of developments in the case such as his where no infrastructure improvements were involved. Commissioner Schwank, stated that this will be looked into, and that she has made an appointment to discuss the issue of subdivision with Duane Rashlich, Director of Assessment.

John Morgan, county resident wanted to thank Commissioner Scott for bring attention to the art exhibit and encourages everyone to come out and support the event.

Michelle Kircher, Administrative Assistant to Commissioner Mark Scott stated her concern about young children viewing Keith Haring's artwork.

Commissioner Scott then responded to the numerous critical remarks made at this meeting and referred to a number of e-mails he received included those that support his position regarding the use of public buildings. He said that he respects diversity and is not suggesting that the Reading Museum be censored for the display of this artist's work. He did state that he believes that publicly owned buildings should not be used to promote partisan political positions or the agenda of any one particular group. He said he would continue his efforts to maintain a neutral decorum at the Services Center.

Commissioner Gajewski stated that his comment was not a political comment but a practical comment due to the fact that the Facilities Department does not have the funds or manpower to take on these kinds of requests.

There being no further business, the meeting adjourned at 11:36 A.M.

Respectfully Submitted,

Terry L. Styer, Chief Clerk