

Commissioners' Meeting Thursday, June 15, 2006

The Berks County Board of Commissioners met in regular session on Thursday, June 15, 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., County Administrator William E. Dennis, and Chief Clerk Terry Styer.

Commissioner Schwank 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 and all voted yes to approve the June 6, 2006 Commissioners' workshop meeting minutes and the June 8, 2006 Commissioners' meeting minutes with all voting yes to approve.

Consent Agenda Items

1. A motion was made by Commissioner Scott, and seconded by Commissioner Gajewski and all voted yes to approve the items listed below with the exception of Resolution 179. E. which will be held for additional information *see notes; and for Resolution 181.06 G. where Commissioner Schwank was recorded as a no vote *see notes:
 - 175.06 A. Resolution authorizing the amendment of the FFY2006 Community Development Block Grant (CDBG) Program, Emergency Shelter Grants (ESG) Program, and Home Investment Partnership (HOME) Program.
 1. The FFY2006 CDBG Program be amended to eliminate \$3,750.00 allocated to Colebrookdale Township for the ADA Improvements Project and the funds be re-allocated to contingencies.
 2. The FFY2006 CDBG Program be amended to eliminate \$500,000.00 allocated for the Section 108 loan payment related to the Bethel Industrial Park and the funds be re-allocated to contingencies.
 3. The FFY2006 CDBG Program be amended allocate \$80,000.00 from contingencies to economic development and brownfields planning activities of the Berks County Industrial Development Authority.

4. The FFY2006 CDBG Program be amended allocate \$120,000.00 from contingencies to general planning activities of the Berks County Planning Commission.
 5. The FFY2006 CDBG Program be amended allocate \$275,000.00 from contingencies for the Sanitary Sewer Pump Station Project of the Antietam Valley Municipal Authority.
- 176.06 B. Resolution authorizing the utilization of the National Incident Management System, Pursuant to the proclamation issued by the Governor of the Commonwealth of Pennsylvania.
- 177.06 C. Resolution approving the execution of a planning grant application to the PADEP to perform a Feasibility Study to evaluate existing recycling programs and the establishment of new programs, to achieve the statewide goal of 35% recycling for Berks County. The total cost for the Feasibility Study will be \$125,000 of which \$100,000 will come from PADEP and \$25,000 will be provided by Solid Waste Authority funds.
- 178.06 D. Resolution authorizing 2006 Appropriations in the amount \$9,221.00 per listing dated June 9, 2006.
- 179.06** E. Resolution authorizing execution of a letter agreement with Arora and Associates, P.C., 4813 Jonestown Road, Suite 211, Harrisburg, Pennsylvania, 17109, for property appraisal and acquisition of the rail corridor for the Hay Creek Trail Project. *Commissioner Gajewski requested that this agreement be held pending the Contractor obtaining additional proposals from Appraisal Firms prior to consideration of this agreement. **The Commissioners agreed to hold approval on this contract for several weeks.**
- 180.06 F. Resolution authorizing execution of a Settlement Agreement between the County of Berks and AFSCME.
- 181.06 G. Resolution requiring a 10% contribution from any municipality requesting funds from the County's Liquid Fuels Tax fund..*
- 182.06 H. Resolution authorizing the execution of Application for County Aid MS-339 (Liquid Fuels) for the following municipal bridge projects:
- Pine Swamp Road bridge replacement, Albany Township - \$275,000
 - Main Street culvert replacement, Perry Township - \$140,000
 - Hain Avenue bridge superstructure replacement, Muhlenberg Township - \$450,000
 - Myer Drive bridge emergency repairs, Bethel Township - \$66,125

* **from Resolution 181.06** - Commissioner Schwank requested consideration for a more defined policy and procedure to be established for the Counties Municipalities to apply for the County Liquid Fuels funds rather than on a first come-first served basis as currently exists. She suggested that the process could be similar to the Parks and Recreation grant applications and or the Intergovernmental Cooperation grants where every applicant is required to meet certain specifications and provide the same information prior to being considered. She explained that a defined process could assure the opportunity for equal distribution of the funds and the ability to provide funds to those projects in municipalities most in need of funding assistance. She then handed the board copies of Lancaster County's Municipal Transportation Grants program as an example of possible procedures for consideration. Commissioner Gajewski indicated that the request of the municipality was only for a 10% of total project cost contribution prospectively and not for existing projects where funding has been authorized. Commissioner Scott objected to additional scrutiny and what he described as unnecessary bureaucracy to this process. He indicated his support for the 10% contribution, as he didn't feel that amount would prove oppressive to municipalities. Commissioner Schwank indicated that she is not opposed to saving money but feels this resolution is unnecessary and many municipalities already contribute funds she stated that she wanted to see a more defined and fair process for municipalities and the Commissioners ask to make the decisions.

2. Motion authorizing execution of Contract Agreements/ Amendments as furnished by the Contract Coordinator, per listing dated June 12, 2006.

Reports

1. County Treasurer – Nelson Long CPA, presented the weekly Treasurer's report
2. County Controller – Sandy Graffius presented the Controller's report.

Commissioner's Comments:

Commissioner Scott suggested that additional scrutiny be added to the scope of work provided by County's special environmental counsel Rhoads & Sinon, Harrisburg, for the Pioneer Crossing landfill in Exeter Township. Commissioner Scott stated that the facility has been exceeding its permitted limit for sulfur dioxide emissions and is currently applying for a permit modification to allow for an increase in permitted emissions. Scott said the information might be useful in ongoing litigation the county has against the landfill.

There being no further business, the meeting adjourned at 11:10 A.M.

Respectfully Submitted,

Terry L. Styer, Chief Clerk