

Commissioners' Board Meeting Thursday, October 5, 2006

The Berks County Board of Commissioners met in regular session on Thursday, October 5, 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 and Commissioner Mark C. Scott in attendance. Commissioner Thomas Gajewski was not in attendance. Also present were the Chief Clerk Terry L. Styer, and County Solicitor Alan Miller, Esq. County Administrator William Dennis was not in attendance.

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 Schwank to approve the September 26, 2006 Commissioner workshop minutes and the September 28, 2006 Commissioners meeting minutes, the motion carried.

Consent Agenda Items/Non Consent Agenda Items

1. Following the convening of an advertised public hearing to receive comments on the Lutheran Home of Topton, and hearing no comments regarding this financing issue, a motion was made by Commissioner Scott, seconded by Commissioner Schwank with both voting unanimously to approve the items listed below:
 - 299.06 A. Resolution approving a financing project by the Cumberland County Municipal Authority of a project for the benefit of Diakon Lutheran Social Ministries, The Lutheran Home at Topton, Pennsylvania, Lutheran Services Northeast, The Lutheran Welfare Services of Northeast Pennsylvania, Inc. Tressler Lutheran Services and Hospice Saint John (Collectively the "Obligated Group") which project consists generally, of the funding of various capital improvements at the facilities of the obligated group.
 - 300.06 B. Adopt Resolution authorizing 2006 Budget Transfers in the amount of \$448,813 and 2006 Appropriations in the amount \$31,103 per listing dated September 29, 2006.
 - 301.06 C. Resolution approving execution of the Pennsylvania Department of Public Welfare, Office of Children, Youth and Families State Transition Grant (STG) Application FY 2006-07 in the amount of \$1,087,442.

- 302.06 D. Amendment of the collective bargaining agreement between Pennsylvania Social Services Union, Local 668, Service Employees International Union, AFL-CIO and County of Berks effective January 1, 2006 through December 31, 2007, pursuant to the Nisi order dated July 11, 2005.
- 303.06 E. Resolution authorizing the execution of a proposal with Liberty Environmental Consultants regarding continued consultation on the Cabot Supermetals Air Permit Application at a not-to-exceed amount of \$9,500.00. Commissioner Schwank asked Gavin Biebuyck of Liberty Environmental to discuss the recent events with the Cabot permit applications. Gavin reported that the Cabot Waste Water treatment facility will provide what he described as a state of the art wastewater treatment process, but the air emissions that are proposed to be emitted is what he believes the county should pay particular attention to, and provide comments to the DEP urging that the owners provide a state of the art solution for the emissions as well. He suggested that an oxidizer could be added to the air emissions process of this waste water treatment plant, which would greatly reduce the number of potentially harmful VOC emissions that will result from the treatment of this facility's waste water. He also added that the lagoons which are a planned part of this facility will also create additional releases of emissions through evaporation that are an additional cause for concern. Commissioner Scott discussed previous crop and animal impacts on surrounding properties caused by this facilities release of fluoride emissions. Commissioner Schwank said that Cabot is an important employer of the County but felt that the there is much value in this review process as this permit application originally appeared to be a simple waste water treatment plant. Under normal DEP review processes, the County would have been unaware of the potential impact to the air quality today, and the negative impact to new and or expanding industrial facilities in the county that might be caused by this facility's air emissions.

In addition to this discussion, the board evaluated a request from Stevens and Lee attorney Susan Legros regarding additional funds on a previously approved – not to exceed amount of \$3,000 for the Cabot Facility. Commissioner Scott said he would vote no on this request until such time as any potential conflicts of interest with Cabot Supermetals have been researched by the County Solicitor.

Commissioner Schwank then announced that the LAR (Local Area Redevelopment) committee will be meeting Friday October 20, 2006 at the Fire Training Center.

2. Motion authorizing execution of Contract Agreements/ Amendments as furnished by the Contract Coordinator, per listing dated 10/2/06.

REPORTS:

1. County Treasurer – Nelson Long, CPA, read report.
2. County Controller – Mark Hanson, Deputy Controller read report.

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

Respectfully Submitted,

Terry L. Styer, Chief Clerk