

Commissioners' Workshop Meeting Tuesday, April 24, 2007

I. CALL TO ORDER:

The Berks County Board of Commissioners met in regular session on Tuesday, April 24, 2007 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 W. Gajewski, Sr., and Commissioner Mark C. Scott in attendance. Also present were County Administrator, William E. Dennis, Christine Sadler, Esq. 1st Asst. Solicitor, and Chief Clerk Terry Styer.

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

II. PRESENTATION:

Commissioner Schwank presented a proclamation recognizing Berks Heim volunteers to Doris Evans, Director of Volunteers and Clerical Services for the Berks Heim with Barbara Simpson and Denice Fulmer, Berks Heim Volunteers.

John Keiser, resident of Maxatawny Township (representing a group of citizens opposed to the proposed expansion of the Lehigh Cement Quarry in Richmond Township), presented a comprehensive review of the Quarry owner's proposal that is currently before the Richmond Township Zoning Hearing Board. Following the details on the history and the scope of this operating quarry, Mr. Keiser presented detailed concerns of the neighboring property owners some of which included; water quality impacts due to the projected flow of 22 million gallons of discharge water per month from the operating quarry; the traffic impacts that will result as they increase their operation that will involve an estimated 30,000 truck trips per year on residential roads that are used by many horse and buggy farmers; and the potential harm to the foundations of the homes that may result from the blasting at this quarry which has been projected to be two to three times per week. He pointed to the fact that this expansion is also within two miles of approximately 2,300 acres of preserved farm land and that the quarry property is located right in the middle of the municipality's Agriculture Security Area. He mentioned that while the Richmond Township Zoning Officer and the Township Planning Commission stated their concerns and specific opposition to sections of the application, the Township Supervisors have taken a neutral position. He ended by requesting the County's participation and or financial support in this zoning challenge. Commissioner Scott said that he was informed that the Bureau of Mines may be intending to conduct a hydrogeologic study for this site which could potentially be accessed if a consultant was hired by the county. He encouraged the board to consider getting legal opinion first to determine if this information could then be entered into the record at the Zoning Hearing Board proceedings. Commissioner Gajewski proposed that additional geologic services should be added to a hydrogeologic study to examine the potential blasting impact on area homes.

II. DEPARTMENTAL REPORTS/REQUESTS:**County Administrator**

- A. A weekly report was presented and attached to these minutes.

Budget Department:

- A. Adopt a resolution authorizing 2007 Budget Transfers in the amount of \$14,300 per listing dated April 20, 2007. Kim Grinage, Assistant Director, Budget Department presented the budget report.
- B. Motion authorizing Judith L. Schwank, as Chairman of the Board, to execute Contract Agreements/ Amendments as furnished by the Contract Coordinator, per attached listing dated April 23, 2007. Candace Noll, Contract Coordinator presented the list of contracts for approval.

Adult Probation

- A. Adopt a resolution authorizing the execution and the submission of an Intermediate Punishment plan in accordance with Act 200-41 to the Pennsylvania Commission on Crime and Delinquency pursuant to the 2007-2008 grant funding cycle.

Community Development

- A. Amend Resolution 44-07 to approve a grant application with the PA Department of Community and Economic Development for \$300,000 to rehabilitate the RACC Bridge and the Trexler Mansion. Ken Pick, Community Development Director discussed the DCED contract and new information that the \$300,000 grant when approved may be distributed to the two projects listed in any manner the Commissioners wish to distribute.

Planning

- A. Adopt a resolution to authorize Judith L. Schwank, Chairman, to execute Annual Supplemental Agreement No. 520651-H between the Commonwealth of Pennsylvania, acting through the Pennsylvania Department of Transportation, and the County of Berks for reimbursement up to \$357,128.00 for transportation planning activities to be performed by the Berks County Planning Commission staff in accordance with the FY 2007-2008 Unified Planning Work Program. Alan Piper, Transportation Planner for the Berks County Planning Commissioner presented this agreement for approval.

Solicitor

- A. Adopt a resolution authorizing execution of a Right-Of-Way Agreement in favor of D&E Systems, Inc. for the installation of two 4" PVC telephone conduits and fiber optic cable in the Ag Center telephone equipment room per contract #PC-2658-06.
- B. Adopt a resolution authorizing execution of a Sublease Agreement between the County of Berks and North Berks Recreation Corporation for the leasing of a portion of the County's leased premises in Windsor Township consisting of approximately 22.54 acres for use as athletic fields and ancillary facilities to serve the youth of northern Berks County for a six (6) year term ending January 8, 2013.
- C. Adopt a resolution authorizing execution of an agreement between the County of Berks and the Kutztown University Foundation, Inc. concerning the payment of certain annual sums received from New Morgan Landfill, Inc. to the Kutztown University Foundation to be used for the Institute for the Advancement of Children's Environmental Health. Craig Hafer and Gavin Biebuyck from the Berks County Environmental Advisory Council presented this new funding plan and asked the Commissioners to redirect a \$100,000 annual settlement payment from the Conestoga Landfill to the the Kutztown Foundation and explained, in detail, the Institute's plans to among other things, partner with Twin Valley School District. They explained that Twin Valley School District officials have agreed to provide a location for future air monitoring equipment and to work with the Institute in the creation of environmental education modules that could be duplicated in other Berks County Schools. He noted that Twin Valley may be the first school in the nation implementing Children's Environmental Health in their curriculum. They explained that this will directly benefit those residents in the adjacent municipalities but could go much further to benefit the entire county. Commissioner Schwank explained that the commissioners previously had agreed that the landfill settlement money should be used for recreation or open space project grants to be awarded annually to municipalities that border or are directly impacted by the Conestoga Landfill, but a proposal such as this one that would use the money toward establishing an air pollution monitoring site in the Twin Valley School District and using district schools to design and test environmental health curricula would benefit everyone. She said that although this is a change from the previous discussions, this may be a far better way to impact the lives of people in southern Berks. Commissioner Mark C. Scott agreed that the money should be used where it would do the most good. Commissioner Gajewski said he could not support this change if the funds were not going to directly benefit those communities.

IV. REPORTS OF COMMISSIONERS:**Commissioner Schwank**

Commissioner Schwank thanked all the volunteer groups participating in the Clean it up PA on Saturday April 21, 2007. She also noted that the Berks County Agricultural Coordinator position has been advertised.

Commissioner Gajewski

Commissioner Gajewski announced that the Skyline Drive wall will be bid by the county on behalf of the three municipalities the wall is located in. He then announced that the Community Corrections Task Force meeting to discuss architectural plans for the Community Corrections Facility has been scheduled for noon on May 7, 2007 in the Commissioners' Board Room

Commissioner Scott

Commissioner Scott reported on a CCAP (County Commissioners Association of Pennsylvania) seminar on the Clean and Green Act 319 Law and wanted to alert property owners who enter into this preferred assessment program to be well informed of the penalties involved if they breach their contract when and if they chose to subdivide their property. He then read from a Reading Eagle article covering a recent action by the City Redevelopment Authority to approve the disposal of a radioactive material on the Cabot property site in the City of Reading and suggested that if the report was accurate, the Authority failed to conduct a proper meeting as only one member present does not constitute a quorum. The Commissioner then cited several examples where citizen groups raised considerable amounts of money to fight local zoning issues without financial support from the county.

V. PROCLAMATIONS/CERTIFICATES

Commissioner Gajewski presented a Proclamation for Victim's Rights Week. Brenda Cullen and Georgina Rorhbach accepted the proclamation on behalf of the Victim's Advocates groups in Berks County.

Commissioner Scott will present a Proclamation to Berks County Bar Association for Law Day, Tuesday May 1, 2007. A motion was moved and seconded and unanimously approved.

VI. CITIZEN COMMENT/BUSINESS FROM THE FLOOR

Patricia Ressia from Exeter Township Democrats requested support for a Resolution to petition the US Congress to begin impeachment proceedings for President Bush.

VII. ADJOURN

There being no further business the meeting adjourned at 12:23 P.M.

Respectfully Submitted,

Terry L. Styer, Chief Clerk