

**Commissioners' Workshop Meeting
Tuesday, May 8, 2007**

I. CALL TO ORDER:

The Berks County Board of Commissioners met in regular session on Tuesday, May 8, 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, Solicitor Alan Miller Esq., 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

2007 Community Development Contest - Ken Pick, Berks County Community Development Director, provided the names of contest entrants to the Berks County Commissioners, who drew the four winners of this year's contest entries. The contest was created as a public awareness campaign designed to highlight the Berks County projects funded with CDBG (Community Development Block Grant) funds. Winners were as follows:

2 Reading Royals Season Tickets for 2007-08 season—De DeHart, Reading
2 box seats to 30 Reading Phillies Games—Marilyn White, Reading
Reading Royals Jersey—Lila Debrosky, Reading
\$100 Gift Certificate to the Sovereign Center—Corrine Price, Schuylkill Haven

III. DEPARTMENTAL REPORTS / REQUESTS:

County Administrator

A. Bill Dennis presented his weekly report, attached.

Assessment:

A. Adopt a resolution authorizing the execution of a grant application to the DCED (Department of Community and Economic Development) as part of the Taxpayers Relief Act Transition Grant to Counties for a total of \$81,067. This grant application serves as a partial reimbursement to the County as a result of implementing Act 72 and Act 1 – Taxpayers Relief Act. Duane Rashlich, Director of Berks County Assessment Office was in attendance to present this grant application in an attempt to recoup what he estimated to be almost \$300,000 in County expenses to implement this new legislation.

Budget Department:

- A. Adopt a resolution authorizing 2007 Budget Transfers in the amount of \$359,020 per listing dated May 4, 2007. Bob Patrizio Budget Director presented this report.
- B. Motion authorizing Judith L. Schwank, as Chairman of the Board, to execute Contract Agreements/ Amendments as furnished and presented by Candy Noll, Contract Coordinator per attached listing dated May 7, 2007.
- C. Kelly Laubach, Purchasing Manager presented a recommendation to award and execute, as a result of Invitation to Bid #07-03-MB, a contract to provide all labor, materials and equipment for the installation of a Block Segmental Retaining Wall at the Berks County Fire Training Center. The award shall be made to the following vendor:

Pennaco Excavating, Inc.
63 South Hampton Drive
Wyomissing, PA 19610
\$21,200.00

Emergency Management:

- A. Adopt resolution authorizing the execution of the Pennsylvania Emergency Management Agency Radiation Emergency Response Fund Grant Application and Agreement in the amount of \$20,732.00, for the period of July 1, 2007 to June 30, 2008.

Human Resource Director:

- A. Human Resource Recommendations per list dated May 8, 2007. Beth Schiepan HR Director discussed this list of recommendations.

Mental Health / Mental Retardation

- A. Adopt a Resolution authorizing the execution of the Berks County Adult Mental Health Plan for fiscal year 2008/2009. Dr. Ed Michalik, MH/MR Administrator was present for questions.

Planning Commission:

- A. Matt McGough and Shannon Rossman, Berks County Planning Commissioners presented the first of the Municipal Land Protection program applications from Pike Township for Commissioners' approval.

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

Adopt a resolution supporting the Highlands Conservation Act. Todd Stell, Highlands Outreach Coordinator, and Scott Wails attended the meeting to discuss this regional initiative which they said includes more than 110 organizations across four states – Pennsylvania, New Jersey, New York and Connecticut dedicated to protecting the two million-acre Highlands region as an enduring source of clean drinking water, wildlife habitat, and recreational opportunities for all Americans. He said that the Pennsylvania Highlands Coalition is funded by a grant from the Pennsylvania Department of Conservation and Natural Resources (DCNR) and is seeking county and local support for the protection of the Pennsylvania Highlands region in the form of a **Resolution of Support** for the implementation of the spirit and intent for protection found in the Highlands Conservation Act passed by Congress in 2004. He explained that this resolution is intended to show political support for the efforts of the Pennsylvania Highlands Coalition and not a commitment of funds from the County. The Highlands Conservation Act authorizes \$100 million in federal matching funds over ten years to assist the states of Connecticut, New Jersey, New York and Pennsylvania to protect the natural resources found in this important region. The Act also approved \$10 million in funding for supportive US Forest Service activities in the region. The federal funds will be used to conserve priority lands in the Highlands, either through public acquisition or purchase of development rights.

Commissioner Schwank indicated that the County's recent commitment of \$12 million for Open Space and Conservation efforts could serve as a match for organizations like the Highlands Coalition encouraging the draw down of other federal and state funding streams. Commissioner Scott asked Mr. Stell to describe the methodology for selecting properties that would be part of this process and questioned the conflicts that could potentially exist between this organization's plans for the region and the comprehensive plans of each County. Scott Wails explained that most of the environmentally sensitive areas of the region have been identified in County Comprehensive plans and any designated growth areas would not likely be considered for conservation, but he explained that those decisions are well in to the future. Commissioner Schwank summed up the discussion by saying the goals of the Highlands Coalition appear to be the desire to preserve one of the last vestiges of high quality watersheds in this region. Commissioner Gajewski asked about County contributions and liability for the easements. He was informed that any easements or sales would most likely be transferred to the State.

Commissioner Gajewski

Commissioner Gajewski read a letter from Scott Wolf, CEO of Reading Hospital and Regional Trauma Center, asking the County to consider designating PennStar as the "First due" air transport carrier in the event that a Berks County patient experiences traumatic injury. The letter also offered to meet with those municipalities most affected by a countywide decision and to meet with Countywide Communications Director Craig Breneiser to assure a smooth transition.

Commissioner Gajewski continued:

The Commissioner indicated that the County Solicitor reviewed a Supreme Court case to determine if case law would provide authorization for the County to make this decision and based on that review the Commissioner is recommending this change. Commissioner Scott expressed concern that there is more to consider than whether the county, by law, is able to make this decision. He said that the overriding concern is and must be the health and safety for the victim not the business plan for the hospital. He indicated that he would not support approval of this resolution unless and until evidence shows that Reading Hospital is the best choice over Lehigh Valley Hospital in all instances of trauma victims in Berks County. He said that Craig Breneiser explained that an organization known as Eastern PA MedCom has been involved in these deployment decisions regarding the handling mass casualty incidents in the 6 County Region including Berks County and is represented by Eastern Pennsylvania Emergency Medical Service Council. It was explained that during an incident, MedCom establishes communications with an Incident Command at each incident and develops a plan for resources needed as well as determining which Air Ambulance Service(s) will be placed on standby in the event their services are needed and that decision is based on more than distance, it may include current emergency patient service activities at each hospital at the time of the incident so that a decision of who can actually treat the victim sooner.

Commissioner Schwank also indicated that she met last winter with Scott Wolfe and believes that the county needs more information before changes of this nature can take place. She indicated that discussions need to involve all affected participants in the EMS community. While she stated her support for the Reading Hospital being a level 4 trauma center, she felt this decision was far too complex to make without all of the parties at the table. Alan Miller, County Solicitor said that the Supreme Court case does not address Counties specifically except perhaps as a reference to "municipalities" and he said the County Code is silent on the matter. Commissioner Scott argued that if the County Code is silent he would question any County authority in the decision. He also agreed that dialogue with all organizations involved in the County's emergency medical service responses should participate in this discussion before any decisions could be made.

Commissioner Gajewski indicated that he would have Scott Wolf attend a future meeting for more information.

Commissioner Scott

Commissioner Scott made a motion to adopt a resolution that would authorize the execution of a contract addendum with ENSR (formerly The Retec Group Inc.) in association with Keystone E. Sciences Group Inc. to review, critique and submit written comments respecting a pending RCRA (Resource Conservation and Recovery Act) permit application submitted by Exide Corporation concerning the storage and handling of hazardous wastes at its facility located in the Borough of Laureldale. The cost of the work to be performed pursuant to this addendum shall be completed and submitted on or before Friday May 11, 2007 and shall not

exceed \$2,000 and payment therefore shall be made from the County Environmental Defense Fund.

Commissioner Scott brought this resolution to the floor with a motion saying the Commissioners received a recommendation from the Berks Environmental Advisory Council Applications Review Committee; Commissioner Schwank seconded the motion and called for the vote. Commissioners Schwank and Scott voted yes with Commissioner Gajewski abstaining from the vote – the motion carried.

V. PROCLAMATIONS/CERTIFICATES

Commissioner Schwank presented a Proclamation for National Transportation Week to Chris Stull, Senior Account Executive of New Century Transportation and member of Reading Traffic Club.

There being no further business the meeting adjourned at 12:02 PM.

Respectfully Submitted,

Terry L Styer, Chief Clerk