

**Commissioners' Board Meeting**  
**Thursday, April 29, 2004**

The Berks County Board of Commissioners met in regular session on Thursday, April 29, 2004 at 10:30 AM 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 Tom Gajewski, Commissioner Mark Scott, Solicitor Alan S. Miller and Acting Chief Clerk William E. Dennis present.

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

On motion by Commissioner Scott, seconded by Commissioner Gajewski, the minutes of the April 20, 2004 Commissioners' Workshop meeting and April 22, 2004 Commissioners' meeting were approved as presented.

On motion by Commissioner Scott, seconded by Commissioner Gajewski, the following proclamations were approved.

1. Adopt Proclamation regarding *Berks Heim Volunteers Give Warmth*, recognizing the hard work and dedication the volunteers of Berks Heim give to the residents and staff.
2. Adopt Proclamation regarding *Celebrate Children Day*, May 1, 2004, an advocacy event for young children and their families.

On motion by Commissioner Gajewski, seconded by Commissioner Scott, the "Consent Agenda" was moved for approval: Commissioner Scott advised that he would not vote in favor of Item "B" or Item "I" but would vote in favor of all other consent items. Motion carried.

1. Adopt Resolutions:

- 220-04 A. Authorizing the Board of Commissioners to agree to guarantee a bond issue by the Reading Regional Airport Authority in the amount of \$8,000,000.00. Mr. Jerry Johnson explained that a proposed payment schedule had been revised to not begin until 2007. He also advised that the overall bond issue was \$8,400,000. \$1.4 million would also be held in reserve regarding the Mesa hangar. Commissioner Gajewski thanked Mr. Johnson, Mike Setley, and Tom Rinehart for amending the financing arrangements to better benefit the County and the airport.

- 221-04 B. Ratifying and confirming sending of a letter dated April 22, 2004 to the Housing Development Corporation of Lancaster expressing the County's intent to provide a \$400,000 loan and further to hereby agree to the guarantee of such loan. Commissioner Scott stated his opposition to this request, which had virtually tripled in amount. He believed the amendment precludes consideration of other projects that may have been more effective.
- 222-04 C. Authorizing the appointment of Melvin C. Fishburn, 20 Morgan Drive, Reading, Pennsylvania, 19608, to the Berks County Redevelopment Authority, appointment to expire 12/31/2008.
- 223-04 D. Authorizing the reappointment of Barry Rohrbach, 14 Muirfield Drive, Reading, Pennsylvania, 19607, to the Berks County Redevelopment Authority, appointment to expire 12/31/2005.
- 224-04 E. Authorizing an increase in Maintenance subsidy from \$10.00 per day to \$11.00 per day for a female child born 12/26/99 on request of BCCYS and in accordance with applicable federal regulations (Case Number 18302).
- 225-04 F. Authorizing subsidized adoption of a female child born 11/21/87 on request of BCCYS and in accordance with applicable federal regulations, at the rate of \$16.00 per day Maintenance, including physical and mental health care, and \$500.00 legal cost plus filing fees (Case Number 5799).
- 226-04 G. Authorizing 2004 Budget Appropriations in the total aggregate amount of \$188,777.00 per listing dated April 23, 2004.
- 227-04 H. Authorizing execution of Contract Agreements/ Amendments as furnished by the Contract Coordinator, per attached listing dated April 23, 2004.
- 228-04 I. Authorizing the appointment of Stevens & Lee as Special Counsel to the County and directing the County Solicitor to file a petition with the Court of Common Pleas to approve of such appointment. Commissioner Scott stated that he would not vote in favor of this item, calling for a financial disclosure to demonstrate no undue influence regarding the Conestoga Landfill or any similar matters. Solicitor Miller advised that he had received a letter of Stevens & Lee and that the information contained was satisfactory. Commissioner Scott had not seen the information and reiterated his intended vote.

- 229-04 J. Authorizing the appointment of Reed Smith as Special Counsel and directing the County Solicitor to file a petition with the Court of Common Pleas to approve of such appointment.
  - 230-04 K. Authorizing the appointment of Rhoads & Sinon as Special Counsel and directing the County Solicitor to file a petition with the Court of Common Pleas to approve of such appointment.
  - 231-04 L. Authorizing the appointment of Holsten & Associates as Special Counsel and directing the County Solicitor to file a petition with the Court of Common Pleas to approve of such appointment.
  - 232-04 M. Ratifying and confirming the execution of the Settlement Agreement between the Trustees of the Reading Public Library, the Berks County Public Libraries and the County of Berks.
  - 233-04 N. Ratifying and confirming execution of a letter agreement between the County of Berks and the Berks County Solid Waste Authority concerning the 2004 Household Hazardous Waste Program.
2. Authorize refund of 2003 County Property Taxes at the request of the Board of Assessment Appeals (attached list).
  3. Authorize payment of invoices under the following Community Development Disbursement Vouchers:
    - A. No. 2075 – Community Development Block Grant Program
    - B. No. 2077 – Community Development Block Grant Program
    - C. No. 2074-S – Emergency Shelter Program
    - D. No. 2076-S – Emergency Shelter Program
    - E. No. 461 – HOME Grant Program
    - F. No. 1214 – Property Rehabilitation Program
    - G. No. 1215 – Property Rehabilitation Program

The County Controller and County Treasurer presented their weekly reports.

**Agenda Items for Discussion**

Commissioner Schwank called for discussion and a vote regarding two requested Keystone Opportunity Zones. Mr. Tom McKeon advised that the county had received these requests the previous day. The requests were from Muhlenburg Township and Birdsboro. He further advised that all taxing entities involved were in agreement. On motion by Commissioner Scott, seconded by Commissioner Gajewski, motion carried.

Commissioner Schwank called for discussion regarding the establishment of an Environmental Advisory Council, with the intent to vote on this proposal next week. Commissioner Gajewski contended that the county must be aggressive on certain types of environmental issues. Conestoga Landfill was used as an example, where 90% of trash to the landfill comes from outside the county. Commissioner Scott offered his mixed feelings regarding the proposal. Some of his concerns were subject matter, the potential loss of control of the agenda of the council, membership of all three Commissioners, and reducing the quorum from five to four. Commissioner Schwank stated her hope and determination that the council could make good recommendations and serve the Commissioners. It is hoped that the Commissioners would get the kind of feedback that isn't normally received. Commissioner Gajewski added that the selection of membership will be watched very closely, the Commissioners will control expenditures and that there would be time to make changes to the bylaws. Mr. Craig Hafer, the Berks County Conservancy and the Pennsylvania Environmental Council Network spoke in favor of the proposal. Commissioner Schwank asked that the Commissioners receive a copy of Butler County's environmental council's bylaws. Mr. Hafer read a letter addressed to Commissioner Gajewski from Representative Rohrer in support of the proposal. Commissioner Gajewski also advised that he received a phone call of support from Senator O'Pake.

Meeting was adjourned at 11:45 a.m.

Respectfully Submitted,

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William E. Dennis, Acting Chief Clerk