



**DAUPHIN COUNTY BOARD OF COMMISSIONERS**

**LEGISLATIVE MEETING**

**MARCH 28, 2012**  
**10:00 A.M.**

**MEMBERS PRESENT**

Jeff Haste, Chairman  
Mike Pries, Vice Chairman  
George P. Hartwick, III, Secretary (Left at Agenda Item XII)

**STAFF PRESENT**

Laura E. Evans, Esq., Chief Clerk; Marie E. Rebeck, Controller; Janis Creason, Treasurer; Joseph A. Curcillo, III, Esq., Solicitor; Randy Baratucci, Director of Purchasing; Mike Yohe, Director of Budget & Finance; August Memmi, Director of Community & Economic Development; Fred Lighty, Esq., Human Services Director's Office; Gary Serhan, Deputy Controller; Mike Madden, Prison; Jennifer Storm, Director of Victim/Witness; Catharine Kilgore, District Attorney's Office; Leila Brown, Solicitor's Office; Faye Fisher, Director of Human Resources; Kay Lengle, Human Resources; Steve Libhart, Director of EMA; Jeff Enders, EMA; Amy Richards, Press Secretary; Brenda Hoffer, Commissioners' Office; Abby Gabner, Commissioners' Office and Richie-Ann Martz, Assistant Chief Clerk

**GUESTS PRESENT**

Matt Miller

**MINUTES**

**CALL TO ORDER**

Mr. Haste, Chairman of the Board, called the meeting to order at 10:08 a.m.

## **MOMENT OF SILENCE**

Everyone observed a moment of silence.

## **PLEDGE OF ALLEGIANCE**

Everyone stood for the Pledge of Allegiance.

## **APPROVAL OF MINUTES**

**It was moved by Mr. Hartwick and seconded by Mr. Pries that the Board approve the March 7, 2012 Workshop Meeting Minutes and the March 14, 2012 Legislative Meeting Minutes; motion carried.**

## **EXECUTIVE SESSIONS HELD BETWEEN MEETINGS**

There were no Executive Sessions held between meetings.

## **PUBLIC PARTICIPATION**

There was none.

## **DEPARTMENT DIRECTORS/GUESTS**

### **A. Dauphin County Commissioners**

#### **1. Proclamation – PA Severe Weather Awareness Week (March 26-30, 2012)**

The Commissioners acknowledged the importance of preparing for disasters. The flood that occurred last fall is a prime example of why it is important to be prepared. There were people that didn't know what to do. Families should have emergency plans for when severe weather occurs.

Commissioner Pries read the following Proclamation:

Office of County Commissioner  
**Dauphin County, Pennsylvania**

### **Proclamation**

*We, the Dauphin County Board of Commissioners, understand that it is the duty and responsibility of government at every level to strive to protect the lives and property of its citizens, and as we enter the spring season, we urge all residents to remain vigilant and to prepare for severe weather;*

*Whereas, each year, we face the threat of severe weather, such as lightning, thunderstorms, flash floods, floods, tornadoes and hailstorms, all potentially dangerous to life, health and property in Dauphin County;*

*Whereas, a series of floods, tornadoes and severe storms caused millions of dollars in property damage throughout Dauphin County in 2011, which was the wettest year on record in Central Pennsylvania, according to the National Weather Service;*

*Whereas, in 2010, 27 Pennsylvanians lost their lives due to several weather;*

*Whereas, as the county's population continues to grow, so does the potential for death and destruction caused by severe weather;*

*Whereas, emergency preparedness depends on the leadership and dedicated efforts of elected officials, public servants and volunteers, but experience has demonstrated that a well-informed and prepared public can take protective measures to reduce loss of life and damage to property;*

*Therefore, we, the Dauphin County Board of Commissioners, join all 268,000 residents of the County of Dauphin in proclaiming the week of March 26<sup>th</sup> to the 30<sup>th</sup> as "Severe Weather Awareness Week" in Dauphin County; by raising awareness of the hazards severe weather poses to the public, we can better prepare for weather-related emergencies and stay safe.*

Mr. Libhart, Director of EMA, thanked the Commissioners for acknowledging the PA Severe Weather Awareness Week. There are steps that can be taken to ensure that they don't place themselves in danger. Families should know where they need to go to in that time of need. He commended his staff for being one of the most effective and efficient EMA staff in the State of PA.

## **SALARY BOARD**

A complete set of Salary Board Meeting Minutes are on file in the Commissioners' Office.

## **PERSONNEL**

Mr. Hartwick asked that Personnel Packet Items #13 and #37 were pulled for further review.

**It was moved by Mr. Pries and seconded by Mr. Hartwick that the Board approve the Personnel Packet as amended.**

**Question:** Mr. Haste – Aye; Mr. Pries – Aye and Mr. Hartwick – Aye; motion carried.

## **PURCHASE ORDERS**

All budget adjustments were corrected.

**It was moved by Mr. Hartwick and seconded by Mr. Pries that the Board approve the Purchase Order Packet.**

**Question:** Mr. Haste – Aye; Mr. Pries – Aye and Mr. Hartwick – Aye; motion carried.

## **REPORT FROM BUDGET & FINANCE – MIKE YOHE, BUDGET DIRECTOR**

Mr. Yohe reported on the following:

### **Report from the Office of Budget & Finance March 28, 2012**

- **March 16, 2012** transferred **\$1,759,773.91** to the **Payables** account from the County's Concentration account for checks issued that week.
- **March 23, 2012** transferred **\$3,898,757.38** to the **Payables** account and **\$1,983,154.61** to the **Payroll** account from the County's Concentration account for checks issued that week.
- **Wire Payments since last report: \$9,253,605.70**
- **Debt Service Payments since last report: \$388,232.17**
- **Total Term Investments**
  - 4/21/11 - **\$10,064,694.40** 12-mo. CD - Susquehanna Bank – **0.750%** - matures 4/19/12
  - 3/29/12 - **\$10,000,000.00** 6-mo. CD - Susquehanna Bank – **0.400%** - matures 9/29/12
- **Balance today in PA INVEST account #2100017144860: \$1,378.55 rate 0.050%**
- **Balance today in Susquehanna Bank investment account #119002023: \$9,880,129.52 rate 0.250%**
- **Balance today in First National Bank investment account #97014743: \$7,508,000.21 rate 0.450%**
- **Balance today in Integrity Bank Money Market Checking account - #2206001209 - \$26,678,334.42 rate 0.440%**
- **Balance today in PNC Bank investment account #5004319839: \$1,236.10 rate 0.100%**
- **Balance today in Susquehanna Bank investment account #1610000596: \$251,525.43 rate 0.650%**
- **Balance today in Metro Bank investment account #0536557523: \$101.47 rate 0.120%**

**No T.R.A.N. Line of Credit required for 2012.**

## **REPORT FROM CHIEF CLERK/CHIEF OF STAFF – LAURA E. EVANS, ESQ.**

Ms. Evans mentioned that over 65 seniors and their families are registered to attend Dauphin County's first "Older and Wiser" seminar this Friday, March 30<sup>th</sup> at 9:00 a.m. at the Mohler Senior Center in Hershey. The first seminar is on "Protection Through Power of Attorney and Living Wills." This seminar will also be offered two more times in April at two different locations within Dauphin County.

## **SOLICITOR'S REPORT – JOSEPH A. CURCILLO, III, SOLICITOR**

Mr. Curcillo reported that Items D through JJJ have been reviewed by the Solicitor's Office and are ready for Board action.

## **MATTERS REQUIRING BOARD ACTION**

- A. Training Packet.
- B. Purchase of Service Per Diem Rates between Children & Youth and:
  - 1. Alternative Rehabilitation Communities, Inc.
  - 2. Bethany Christian Services of Central PA
  - 3. CHOR Youth & Family Services, Inc.
  - 4. Diakon Lutheran Social Ministries
  - 5. Diversified Treatment Alternatives, Inc.
  - 6. Family Services of NW PA
  - 7. George Junior Republic of PA
  - 8. Reading Specialists Educational Association
- C. Ordinance #3-2012 providing for an unconventional gas well fee on each unconventional gas well spud in Dauphin County.
- D. Subordination Agreement for Tracy M. Wylie on the property located at 122 Heather Drive, Harrisburg, PA 17112.
- E. Request to contribute the County's pro rata share for appraisal services and trial costs needed to ascertain the true value for the following:
  - 1. Hershey Hospitality Associates, Ltd. (Best Western), Parcel #24-031-060, Dauphin County Docket No. 2011-CV-10123-TX - \$1,901.20.
  - 2. Manor Inn Associates, 3919 N. Front Street, Susquehanna Township, Parcel #62-015-288, Dauphin County Docket No. 2012-CV-345-TX - \$1,882.30.
  - 3. 365-369 Ocean Avenue, LLC – a/k/a Executive House, 101 S. 2<sup>nd</sup> Street, Harrisburg, PA, Parcel #03-002-016, Dauphin County Docket No. 2012-CV-351-TX - \$1,275.00.
- F. Partial Refund of 2011 Real Estate Taxes – Parcel #42-028-004-343-0411 (343 Caravan Court) – Russel & Teresa Pham-Gritman - \$36.64.
- G. Partial Refund of 2011 Real Estate Taxes – Parcel #36-022-112-004-0010 (18 Hummel Lane) – Howard & Jean Holt - \$17.47.
- H. Partial Refund of 2011 Real Estate Taxes – Parcel #63-071-091 (9130 Joyce Lane) – Joann Ridley - \$146.44.

- I. Partial Refund of 2011 Real Estate Taxes – Parcel #40-011-003-001-0002 (700 S. Wood St.) – Timothy Klunk - \$6.74.
- J. Partial Refund of 2011 Real Estate Taxes – Parcel #40-007-012 (466 S. Catherine St.) – Tibor Mihalovits - \$64.84.
- K. Partial Refund of 2011 Real Estate Taxes – Parcel #42-029-079 (516 Frey St.) – Sandra Hipple - \$211.82.
- L. Partial Refund of 2011 Real Estate Taxes – Parcel #42-028-004-100-0439 (100 Pathfinder Drive) – Harborton Place MHP, LLC - \$15.93.
- M. Partial Refund of 2011 Real Estate Taxes – Parcel #63-071-075 (9153 Joyce Lane) – David & Susan Urbany - \$167.90.
- N. Partial Refund of 2011 Real Estate Taxes – Parcel #63-071-071 (9143 Joyce Lane) – Carol Myers - \$243.41.
- O. Partial Refund of 2011 Real Estate Taxes – Parcel #63-071-068 (9135 Joyce Lane) – Christine Gentile - \$221.89.
- P. Partial Refund of 2011 Real Estate Taxes – Parcel #63-071-054 (9046 Joyce Lane) – Paula DiBacco - \$132.76.
- Q. Partial Refund of 2011 Real Estate Taxes – Parcel #42-030-018 (911 Hoffer St.) – John & Elizabeth Diffendall - \$160.36.
- R. Partial Refund of 2011 Real Estate Taxes – Parcel #42-030-014 (737 Hoffer St.) – Susan Hipple - \$242.34.
- S. Partial Refund of 2011 Real Estate Taxes – Parcel #42-030-009 (820 Adelia St.) – George & Sharon Fach - \$219.01.
- T. Partial Refund of 2011 Real Estate Taxes – Parcel #42-030-010 (900 Adelia St.) – Alan & Julie Gomboc-Turyan - \$131.95.
- U. Partial Refund of 2011 Real Estate Taxes – Parcel #36-030-002 (1399 Swatara Park Rd.) – Nicholas & Joyce Farr - \$235.11.
- V. Partial Refund of 2011 Real Estate Taxes – Parcel #42-030-019 (919 Hoffer St.) – Robert Manik - \$176.82.
- W. Partial Refund of 2011 Real Estate Taxes – Parcel #42-030-026 (729 Few Ave.) – Kevin & Jessica Welsh - \$179.06.
- X. Partial Refund of 2011 Real Estate Taxes – Parcel #42-033-050 (615 Few Ave.) – Mark Stanley - \$216.09.
- Y. Partial Refund of 2011 Real Estate Taxes – Parcel #54-005-026 (4 Edgewater Dr.) – Helen Staub - \$264.58.
- Z. Partial Refund of 2011 Real Estate Taxes – Parcel #54-005-027 (8 Edgewater Dr.) – Michael & Diane Matas - \$220.96.

- AA. Partial Refund of 2011 Real Estate Taxes – Parcel #56-011-067 (7239 Union Deposit Road) – Harold Seibert - \$86.54.
- BB. Partial Refund of 2011 Real Estate Taxes – Parcel #56-012-119 (22 W. Canal St.) – Paul Zemaitis - \$266.87.
- CC. Partial Refund of 2011 Real Estate Taxes – Parcel #56-016-039 (20 S. Hoernerstown Rd.) – Hummelstown Shooting Assn. - \$85.84.
- DD. Partial Refund of 2011 Real Estate Taxes – Parcel #56-018-026 (40 Hoernerstown Rd.) – Scott Minich - \$197.85.
- EE. Partial Refund of 2011 Real Estate Taxes – Parcel #56-012-122 (100 S. Hanover St.) – 100 South Hanover LLC - \$493.68.
- FF. Partial Refund of 2011 Real Estate Taxes – Parcel #56-018-015 (42 S. Hoernerstown Rd.) – David Romanoski & Laurie Peiffer - \$363.05.
- GG. Partial Refund of 2011 Real Estate Taxes – Parcel #63-071-093 (9126 Joyce Lane) – Corey & Jennifer Caugherty - \$146.44.
- HH. Strike-off of 2011 County and Library penalties and costs for DJH Associates on Properties #68-033-051, #68-033-004 and #68-033-003 - \$114.39.
- II. Strike-off of 2011 County and Library penalties and costs for Jeffery and Shawnee Smith on Property #43-010-042 - \$97.52.
- JJ. Resolution #7-2012 permitting consumption and/or possession of alcoholic beverages at the Dauphin County Parks & Recreation Fort Hunter Park events on April 4, 2012, June 9-10, 2012, July 21, 2012 and September 8-9, 2012.
- KK. Performing Artist Contracts (Dauphin County Music & Wine Festival – June 10, 2012):
  - 1. EDcletic Entertainment and Angela Johnson - \$1,000
  - 2. Jeff Cox, IMPACT Band - \$1,000
- LL. Performing Artist Contract (Dauphin County Sunset Series – July 29, 2012): EDcletic Entertainment and Gordon Chambers - \$1,500.
- MM. Performing Artist Contract (Dauphin County Brew Festival – July 21, 2012): JOD, John Oliver Productions - \$400.
- NN. Performing Artist Contract (Dauphin County Cultural Festival – August 3, 2012): Hector Rosado Orquesta - \$1,200.
- OO. Proposed Change Orders (PC) – Work Release Additions and Renovations – Quandel Project No. 09411B:
  - 1. Lobar – PC 40 – Provide Beams in Kitchen A169 per RFI GC-21 - \$4,872
  - 2. Lobar – PC 20 – Add Double Door B150C - \$4,605
- PP. Indemnification Agreement between Dauphin County and the Whitaker Center for Science and the Arts.
- QQ. Proposal from McKonly & Asbury, LLP to provide Property Tax Collection Performance Audit Services.

- RR. Maintenance Agreement for software between Dauphin County and Intergraph, Inc.
- SS. Purchase of Service Agreement between Dauphin County and Boyo Transportation Services, Inc.
- TT. Purchase of Service Agreements between Children & Youth and:
  - 1. Alternative Rehabilitation Communities, Inc.
  - 2. Boyo Transportation Services, Inc.
  - 3. Centre County Youth Service Bureau, Inc.
  - 4. Children's Service Center of Wyoming Valley, Inc.
  - 5. Diakon Lutheran Social Ministries, Inc.
  - 6. Diversified Treatment Alternatives, Inc.
  - 7. Reading Specialists Educational Association, Inc.
- UU. Addendum #1 to Purchase of Service Agreement between Children & Youth and Alternative Rehabilitation Communities, Inc.
- VV. Adoption Assistance Agreements #2012-06, #2012-07 and #2012-08.
- WW. Amendment #2 to Purchase of Service Agreement between Drug and Alcohol and The Center for Champions of PA, Inc.
- XX. Purchase of Service Agreement between Dauphin County and DevNet, Inc.
- YY. Revised Stipulation and Joint Motion for Agreed Upon Order for Crown Club, LP, 4901 Linglestown Rd., Harrisburg, PA, Parcel #35-014-010, Dauphin County Docket No. 2009-CV-13725-TX.
- ZZ. First Amendment to Weatherization Contract #C000046237 between Dauphin County and the Commonwealth of PA, Department of Community and Economic Development.
- AAA. Federal-Aid Supplemental Reimbursement Agreement #089633A as amended.
- BBB. Lease Agreement between Dauphin County and Early Bird/Night Owl Storage.
- CCC. Extension of Terry Haines Contract – expires April 30, 2012.
- DDD. PCCD Grant Application – Statewide Crisis Response Initiative for Victim Witness - \$200,000.
- EEE. Stipulation of Settlement for R. Roof VI, LLC, 950 Eisenhower Blvd. (Budget Motel), Parcel #63-027-164, Dauphin County Docket No. 2011-CV-9993-TX.
- FFF. Satisfaction Piece for Luis A. Guzman and Martina A. Figueroa on the property located on 2505 Greenwood St., Harrisburg, PA 17111 (\$4,537.00).
- GGG. Proposed Stipulation of Settlement for M & M at Oak Springs, LLC, Berne Court, Hummelstown, Parcels #24-086-185, #24-087-186, #24-086-187, #24-086-188, Dauphin County Docket No. 2011-CV-10824-10827.
- HHH. Memorandum of Agreement between Dauphin County and the City of Philadelphia as the Sponsoring Agency of the Pennsylvania Task Force One.



- III. Extinguishment of Easement between Dauphin County and United Water Pennsylvania, Inc.
- JJJ. Easement Agreement between Dauphin County and United Water Pennsylvania, Inc.

**It was moved by Mr. Pries and seconded by Mr. Haste that the Board approve Matters Requiring Board Action, Items A through JJJ, listed above.**

**Question:** Mr. Haste – Aye and Mr. Pries – Aye; motion carried.

### **FORMER BUSINESS**

There was none.

### **NEW BUSINESS**

There was none.

### **COMMISSIONERS' DISCUSSION & ACTIONS**

Mr. Haste reminded the Board that there is a Retirement Board Meeting after the Commissioners' Meeting.

### **CORRESPONDENCE**

The following correspondence was received in the Commissioners' Office and will be handled appropriately.

- A. Notification from HRG advising that Sheetz, Inc. is submitting a Sewage Facilities Planning Module for the Sheetz Store in Reed Township.
- B. Notification from HRG advising that Lower Paxton Township is applying to DEP for a BWM-GP-4 Permit for a storm sewer project on Curvin Drive in Lower Paxton Township.
- C. Notification from The H&K Group advising that they are applying to DEP for a BAQ/GPA-GP-3 & GP 9 for the temporary installation of a portable crushing plant at the Handwerk Materials quarry in Hummelstown.
- D. Notification from Jens H. Damgaard advising that he is applying to DEP for a GP-2 for a private recreational dock project in Middle Paxton Township.
- E. Notification from Jens H. Damgaard advising that he is applying to DEP for a GP-2 for small boat ramp project in Middle Paxton Township.
- F. Notification from HRG advising that Londonderry Township is applying to DEP for BWM-GP-3, BWM-GP-8 and BWM-GP-11 General Permits for 2012 flood projects in Londonderry Township.

- G. Receipt of a letter from Chris Courogen of Middletown Borough enclosing information on the status of FEMA/PEMA related flood relief efforts on behalf of the Borough and its citizens.
- H. Notification from Mellott Engineering, Inc. advising that Harry C. Nye is applying to DEP for a permit for the construction of a single family dwelling in West Hanover Township.
- I. Notification from Mellott Engineering, Inc. advising that Dean L. Shields is applying to DEP for a permit for the construction of a single family dwelling in West Hanover Township.
- J. Notification from HRG advising that Sheetz, Inc. is applying to DEP for a NPDES Permit for the Sheetz Clarks Ferry Store 461 in Reed Township.
- K. Notification from Wilson Consulting Group, PC advising that the Dauphin County Parks & Recreation Department is applying to DEP for a permit for the Lykens Valley Trail – East Section project.
- L. Notification from HRG advising that the Harrisburg Authority is applying to DEP for a Water Obstruction & Encroachment Permit for an improvements project at the Harrisburg Advanced Wastewater Treatment Facility.
- M. Notification from HRG advising that Lower Paxton Township is applying to DEP for a General Permit #11 to repair the existing guiderail at LPT-7 Bridge.
- N. Notification from C.S. Davidson, Inc. advising that the Derry Township School District is applying to DEP for permits to construct a building addition to the Derry Township School District Middle School.
- O. Notification from LTL Consultants, Ltd. advising that East Hanover Township is applying to DEP for a permit to construct and operate a sanitary sewer extension on Pheasant Road.
- P. Notification from Martin and Martin, Inc. advising that PC Parts, Inc. is applying to DEP to renew their Residual Waste General Permit-Beneficial Permit WMGR081D106 for the recycling and beneficial use of consumer electronics in the City of Harrisburg.

## **PUBLIC PARTICIPATION**

There was none.

## **ADJOURNMENT**

**There being no further business, it was moved by Mr. Pries and seconded by Mr. Haste that the Board adjourn; motion carried.**

Transcribed by: Richie-Ann Martz