



## **DAUPHIN COUNTY BOARD OF COMMISSIONERS**

### **Legislative Meeting**

**Wednesday, March 21, 2007 (10:00am)**

#### **MEMBERS PRESENT**

Jeff Haste, Chairman  
Dominic D. DiFrancesco, II, Vice Chairman  
George P. Hartwick, III, Secretary

#### **STAFF PRESENT**

Chad Saylor, Chief Clerk; William Tully, Esq., Solicitor; Marie E. Rebuck, Controller; Robert F. Dick, Treasurer; Fred Lighty, Esq., Human Services; Randy Baratucci, Director of Purchasing; Leila McAdoo, Solicitor's Office; Shirley Keith Knox, MH/MR; Kay Sinner, Personnel; Edgar Cohen, Director of Facilities Maintenance; Lena Martinez-Fure, Commissioners' Office; Tom Guenther, Director of IT; Graham Hetrick, Coroner; Diane McNaughton, Commissioners' Office; Scott Burford, Deputy Chief Clerk; Brandon Handwerk, Commissioners' Office; Steve Chiavetta, Director of Registration & Elections; Carl Dickson, Acting Director of Parks & Recreation; Sharon Chatman, Human Services Office; Mike Yohe, Director of Budget & Finance; Elke Moyer, Human Services Office; Dave Schreiber, Personnel; and Jena Wolgemuth, Commissioners' Office

#### **GUESTS PRESENT**

Garry Lenton, Patriot-News; Bob Disabella, Glenda Keller, Adam Wiener, Karen Walker, Ken Seeger, Tom Acri and Carla Briggs

## MINUTES

### CALL TO ORDER

Mr. Haste, Chairman of the Board, called the meeting to order at 10:00 a.m.

### MOMENT OF SILENCE

Everyone observed a moment of silence.

### PLEDGE OF ALLEGIANCE

Everyone stood for the Pledge of Allegiance.

### APPROVAL OF MINUTES

Mr. Haste: We have the February 28, 2007 Workshop Meeting Minutes for approval.

**It was moved by Mr. DiFrancesco and seconded by Mr. Hartwick that the Board approve the February 28, 2007 Workshop Meeting Minutes; motion carried.**

Mr. DiFrancesco: We have one set of Minutes from the Election Board Meeting held February 28, 2007.

**It was moved by Mr. Haste and seconded by Mr. Hartwick to approve the February 28, 2007 Election Board Minutes, which will be the last set that the Board can approve; motion carried. (The new Election Board is in place and will conduct all the necessary meetings, since the Commissioners are a candidate for public office.)**

### EXECUTIVE SESSIONS HELD BETWEEN MEETINGS

Mr. Saylor: There were no Executive Sessions held between meetings.

### PUBLIC PARTICIPATION

Mr. Haste: We are at the point in time in the meeting for public participation. Is there anyone in the audience that would like to address the Board?

Mr. Disabella: My name is Bob Disabella and I'm with the Local 11/80 here in Harrisburg and I reside in Hummelstown. Commissioners, I place before you a piece of paper, a dodge report, from Resource, Recovery Facilities and Improvements. I won't read it, we can discuss it later. Basically on the 23rd at 4:30 p.m. they are going to be receiving the Pittsburgh Facility. They are only

going to be given five days before they give out that bid. It is only a five day period there. Covanta is doing a heck of a job. I will admit that. That just gives them a heads-up on the bidding on it to any other contractor who wants to come in. It is not allowing any contractor who wants to bid on it to tour the facility before they submit their proposal on the 23rd. Everything is sort of short ranged. They don't have on here the seven items under Project Notice that they have in the Patriot-News, they had RFPs. When you put an RFP into a bidding process it usually takes 30 to 90 days for that process to work itself out. They want to do it in five days. I don't care what you are bidding on, you can't do that in five days to sort everything out. Everything is being rushed again. They are not taking things into account and then they will blame someone else down the line. There is a sentence in here, it states here "factors that the Authority will consider in evaluating proposals include but may not be limited to the following". May not be limited that means that they can add anything on to that they want to. It is an open ended deal. They can get their own way again. As I mentioned before a couple weeks ago, they can eliminate any kind of profit here. Mr. Dan Lispi was the organizer, he was the architect of this from day one. Any involvement that he has is going to be flawed. Thank you.

Mr. DiFrancesco: Thank you for your comments.

## **DEPARTMENT DIRECTORS/GUESTS**

### **Commissioners**

***Presentation of Proclamation for Mental Retardation Awareness Month. Shirley Keith Knox - MH/MR Program, Karen Walker - CMU, Adam Wiener - CMU and Ken Seeger - ARC of Dauphin & Lebanon Counties***

Mr. Hartwick: It gives me great honor today to be able to honor some very important people in our community and to highlight a number of issues that are affecting individuals in the community that actually shouldn't be happening in America. We, in Dauphin County, know of the need that exists for individuals who are in need of mental retardation services in Dauphin County and throughout the Commonwealth of Pennsylvania. There are over 30,000 individuals who are in need of services. There is a slight increase in the budget for MR services, however, it won't go any where near what is needed. Families are who trying to deal with in the most proactive way, they often times don't have the resources in order to actively provide for their needs. In this country, we should not sit idling by and allow these services to go unreported or under funded. Individuals didn't ask to be born with mental retardation and for those individuals they need to be adequately taken care of. That waiting list should not exist. We need to be strong advocates to try to get them to change their rules or continue to advocate for more funding. In light of that funding shortage, we also know that we have individuals who are dedicated in this County and throughout the Commonwealth that assist these individuals.

(Mr. Hartwick read the Proclamation.)

Office of County Commissioner  
Dauphin County, Pennsylvania

### **Proclamation**

*We, the Dauphin County Board of Commissioners, take great pride and pleasure in proclaiming March 2007 as Mental Retardation Awareness Month in Dauphin County;*

*Whereas, mental retardation is a condition affecting more than 7,000 Dauphin County children, adults and families, and more than 7 million people nationwide;*

*Whereas, mental retardation is 10 times more common than cerebral palsy, affects 25 times as many people as blindness and directly affects one out of every ten Americans;*

*Whereas, public knowledge and understanding of the unique needs and skills of those affected with mental retardation have the power to foster acceptance and uphold the rights of each individual;*

*Whereas, citizens with mental retardation must be supported enthusiastically and continuously to empower them to function productively and independently and to achieve their maximum potential;*

*Whereas, the more than 350 members of The Arc of Dauphin County will join with Arc members throughout Pennsylvania in spotlighting this issue during the month of March, while continuing to devote themselves with competence and compassion to programs such as job training, continued employment, educational opportunities, advocacy, prevention awareness measures, and independent living;*

*Therefore, we join with counties throughout the Commonwealth in proclaiming March 2007 as "Mental Retardation Awareness Month" in Dauphin County, and we urge all citizens throughout the county to support efforts to enable people with mental retardation to enjoy productive, peaceful, healthy and happy lives.*

(Applause was given and pictures were taken.)

Mr. Seeger: I'm Ken Seeger and I'm with the ARC of Dauphin and Lebanon Counties. We are honored that you have chosen to do the Proclamation for Mental Retardation Awareness Month. This coming weekend there is one of the activities as part of the education of the community, as well as those that have mental retardation and the awareness of people with mental retardation, this coming weekend there will be an award ceremony at Strawberry Square, from 11:00 a.m. to 1:00 p.m. What that will be is throughout the month of March we have had individuals who have created art work that has been displayed in the atrium of Strawberry Square. The community has been able to vote on some of that art work, as well as we have our own judges who have judged the artwork. The actual combination of that is this coming weekend when we will have the award ceremony, handing out the awards. There will be a presentation. They will do skits that show we are all similar regardless of the disability. Any body

who is around and would like to be part of that or see that we welcome you to Strawberry Square.

Mr. Hartwick: We also would be glad to display the artwork here on the 4th Floor.

### **PERSONNEL**

Ms. Sinner: In the Personnel Packet, I have a couple changes. I would like to pull #4, since that was handled through the Salary Board action. I would also like to pull New Hires #6 and #11. I have no other changes.

Mr. Haste: Any questions of Kay? (There were none.)

**It was moved by Mr. Hartwick and seconded by Mr. DiFrancesco that the Board approve the Personnel Packet, as amended; motion carried.**

Mr. DiFrancesco: I would like to commend the departments, the number of interns that are being brought on in the various departments. I am a firm supporter in that. I would like all of our department heads to be looking for ways to bring interns in for a number of reasons. It is a great idea. It helps us by giving us some extra hands that can handle certain things. It also allows these students to get some experience and possibly be future employees of the County.

### **PURCHASE ORDERS**

Mr. Baratucci: The Packet from last week has two additions. The one I mentioned last week, that was the security upgrades for the Courts that we have the grant for. The other is on Page 20. There is another item coming from Spring Creek relative to fire codes that needed to be done. That was part of our responsibility. The rest of the items are the same, with all the adjustments made.

Mr. Haste: Are there any questions on the Packet? (There were none.)

**It was moved by Mr. Hartwick and seconded by Mr. Haste that the Board approve the Purchase Order Packet with amendments; motion carried.**

Mr. Baratucci: In addition, I would like to make a comment on Item G on the Agenda. Last year we did an RFP for our copiers. This is the final phase getting all new machines on the leasing program. We got very attractive RFP results last year, which saved a bunch of money. Actually these leases we will be

paying less money overall than we are currently paying when you factor in the cost of the leases and the maintenance.

Mr. Hartwick: I didn't recognize the actual partners in finance here. I didn't know who the actual contract is with. From my understanding it is with Harrisburg Copiers for these last few.

Mr. Baratucci: It used to be Block Business Systems and they are now called Capital Business Systems. There are two financing arms. One is Credential Leasing and this is De Lage Landen Financial Services, which was used in the past. I did have the Solicitor's Office review the Lease for completeness and accuracy. This is where he got his best deal which he passed on to us.

Mr. Haste: Coming from?

Mr. Baratucci: Coming from Capital Business Systems, which use to be Block Business Systems. They just changed their name. This is just the financing company, which is doing the leasing documents.

Mr. Hartwick: All as a part of?

Mr. Baratucci: There are three phases to that. All of the items were on that original RFP, but the leases came off in three five year leases. Last year we actually did Phase 1 and part of Phase 2. Now this is the rest of Phase 2 and part of Phase 3, which was from the original 2001, 02 and 03 leases that are now all coming up for renewal.

Mr. Haste: Will this be the end of them?

Mr. Baratucci: This will be the end of them. It stretches three years from last year. So, it is 06, 07 and 08 and come to 2009 we will be looking at another RFP.

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

Mr. Yohe: Presented the Investment Report.

### **Report from the Office of Budget & Finance March 21, 2007**

- **March 9, 2007** transferred **\$552,872.49** to the **Payables** account from the County's Concentration account for checks issued that week.
- **March 16, 2007** transferred **\$5,890,003.58** to the **Payables** account and **\$1,656,728.93** to the **Payroll** account from the County's Concentration account for checks issued that week.

- **Total Term Investments – N/A**
- **Balance today in INVEST account \$134,069.50 rate 5.210%**
- **Balance today in Community Banks investment account \$37,000,647.45 rate 5.470%** (This rate equals today's Community Banks 90-day TBill rate of 5.150% plus 32 basis points)
- **Balance today in Sovereign Bank investment account \$12,670,285.73 rate 5.140%** (This rate equals today's 1-month LIBOR rate of 5.320% minus 18 basis points)
- **Balance today in PNC Bank investment account \$100,000.00 rate 5.100%** (This rate equals today's Fed Funds rate of 5.250% minus 15 basis points)
- **Balance today in Graystone Bank investment account \$148,749.99 rate 4.920%** (This rate equals last month's average 1-month LIBOR rate of 5.320% minus 40 basis points)
- **Balance today in Commerce Bank investment account \$174,533.21 rate 4.680%** (This rate equals today's 90-day T-Bill rate of 4.930% minus 25 basis points)

**No T.R.A.N. Line of Credit required for 2007.**

Mr. Hartwick: On the requirements of the RFP, again we invest with Sovereign Bank, do you want to describe what the actual guarantees were within our RFP structure for each one of the banks to get a certain portion of the money despite what their final proposal is going to be. If there is any way that we can send the Sovereign money over into the Invest account I would be supportive of that.

Mr. Yohe: We can. I think my estimate for March is about \$11 million for the 25% share. So, we could move maybe \$1.5 million over to Invest. Sovereign will be bumping up effective April 1 to be competitive with Invest. I have gotten that word. That is why I didn't move it at this time. I can do that tomorrow. Community is much greater than all of them.

Mr. Hartwick: I would be happy to move it to Community as well.

Mr. DiFrancesco: If they can handle it.

Mr. Yohe: Community assured me that this is okay through March. Apparently Community's rate is at a level where they are making very little money. They may not be in a position and I'm going to hear next week whether they want all this extra money or if they just want the 50% share. The other banks are amazed at Community's rates. PNC said that they would be losing money at that rate. I did check and they said no problem through the end of March. These

numbers are going to double next month. If Community can handle it I'm all for putting as much in there as we can.

Mr. Haste: We want to get as much interest earning as we can get to meet the requirements of the RFP. However that works out.

Mr. Yohe: I'm hoping that Community can handle that.

Mr. DiFrancesco: Even if Community would invest, their commitment was for that 50%, if they take more than 50% they may want to give us a lower rate on that additional if it is still more than what the next competitor's. I think Mike should have some discretion on that.

Mr. Hartwick: That is what he said.

Mr. DiFrancesco: I know that gets a little weird, because now you are changing interest rate numbers.

Mr. Haste: I would do whatever it takes to get the highest rate of return and still abide by the RFP.

Mr. Hartwick: What is happening with Treasury rates and bank rates?

Mr. Yohe: The banks are all anticipating through this RFP that the Fed will not touch the interest rates. Their last meeting today and they are not anticipating to bump it up. I think this long stretch of being 5.25 has leveled things out. The banks are not taking the risk. For a couple years it was going to go up 25 points every quarter. This is definitely tied directly into the Fed rate. Now that it has been static for so long I guess the banks may think that they are going to lower it. Community didn't jump like normally they would to get more money. It was a little bit of a discussion this time. Something has definitely changed.

#### **REPORT FROM CHIEF CLERK/CHIEF OF STAFF – CHAD SAYLOR**

Mr. Saylor: I have one item that I would like to bring to your attention. Next week is the County Commissioners Association Meeting here in Harrisburg. Part of that Conference, the South Central Caucus of County Commissioners will be meeting. One of the items on the Agenda is a regional action plan for land use, transportation and economic development, which I believe the Caucus has discussed before. I met with Jim Szymborski. There has been a scope of work that has been developed for this regional action plan. They are bringing it now before the County Commissioners in this Caucus to approve it and you will probably discuss it at this meeting. Jim will be in next Wednesday to officially present this to you for your review and consideration. Apparently some of the

counties have already acted on it as well. I will email this document to you so you can review it prior to the CCAP Meeting next week.

### **SOLICITOR'S REPORT—BILL TULLY, ESQ., SOLICITOR**

Mr. Tully: If I might all the items requiring action are ready. I would draw your attention to Item CC, it is ready for a vote. The contract is not ready to be signed yet. I'm waiting for some contract changes. I would suggest that you vote for approval pending the language changes. That is all I have unless you have any additional questions.

### **MATTERS REQUIRING BOARD ACTION**

Mr. Haste:

- A. Training Packet
- B. Approval of Satisfaction(s) Pieces for:
  - 1. Gabriela Valerio for property located at 122 Richardson Road, Middletown, PA 17057 (\$3,500)
  - 2. Eric M. Bostic for prooperty located at 6905 Clearfield Street, Harrisburg, PA 17111 (\$3,332.00)  
This 1996 mortgage carries a 10-year forgiveness clause.
  - 3. Jason Pechart for property located at 157 Lucknow Road, Harrisburg, PA 17110 (\$2,003.33)  
This 1996 mortgage carries a 10-year forgiveness clause.
- C. Letter of Engagement for Rutherford Insurance Services to provide services for Insurance Consulting.
- D. Adopt Resolution #9-2007 to extend the Dauphin County Rental Assistance Program for an additional three (3) years.
- E. Agreement for Janitorial Services between Dauphin County and Nancy M. Straub to provide cleaning services at 538 S. 19th Street, occupied by Magisterial District Judge George A. Zozos.
- F. Certification for Use of Wireless E9-1-1 Funds for the purpose of eligible non-recurring and recurring charges in accordance with the provisions of the PA Public Safety Emergency Telephone Act.
- G. Lease Agreement between Dauphin County and De Lage Landen Financial Services, Inc. for copier leases.
- H. Purchase of Service Agreements for FY 2006/07 between Children and Youth Agency and:
  - 1. Knight Security Systems, Inc.
  - 2. Lydia Security Monitoring, Inc.
- I. Purchase of Service Agreement for FY 2006/07 between Children and Youth Agency and Norris Child Care Consultants.

- J. Purchase of Service Agreement for FY 2006/07 between Children and Youth Agency and Children's Home of Easton.
- K. Child Welfare Education for Leadership Agreement between Dauphin County, the University of Pittsburgh and Erin M. Brown.
- L. Subsidized Legal Custodianship Agreement #2007-01.
- M. Amendment #1 to Lease Agreement ELML-2005-22 between Dauphin County and the Commonwealth of Pennsylvania.
- N. Approval of grant application to PCCD for 2007-2009 Victims of Crime Act Grant & 2007-2008 County Restrictive Intermediate Punishment Grant.
- O. Child Care Network Grant Agreement.
- P. Amendment #3 to the July 1, 2005 through June 30, 2010 Grant Agreement between Dauphin County and the Pennsylvania Department of Health.
- Q. Purchase of Service Agreement with DEVNET.
- R. Amendment to Zelenkofske & Axelrod's 2006 Audit Agreement. Additional fees incurred due to sale of Spring Creek and new EMS Swap Agreements.
- S. Purchase of Service Agreement (#PSA-2958-07) between Dauphin County and Berks County Youth Center (BCYC). BCYC to provide child welfare services to Children and Youth referred by Dauphin County.
- T. Cooperation Agreement between Dauphin County and Capital Region Economic Development Corporation to jointly administer funds for demolition of 10th & Walnut Streets property.
- U. Authorization to waive penalty and interest for the following Harrisburg Redevelopment properties:
  - 1. 06-015-001 (1429 N. 3rd St.)
  - 2. 06-015-002 (1427 N. 3rd St.)
  - 3. 06-015-003 (1425 N. 3rd St.) for the total amount of \$1,554.55.
- V. Approval to sell the following parcels from the Repository List to Debra Stevens:
  - 1. Parcel #9-11-40, 42 N. 13th Street, in the amount of \$500.00
  - 2. Parcel #9-16-41, 58 N. 16th Street, in the amount of \$310.00
  - 3. Parcel #9-48-19, 101 Summit Street, in the amount of \$500.00
- W. Approval to sell parcel #9-50-35, 18 S. 15th Street, from the Repository List to Janelle Evans in the amount of \$300.00.
- Y. Approval to sell parcel #9-92-14, 2033 Holly Street, from the Repository List to Trina Hardison in the amount of \$500.00.
- Z. Pennsylvania Council on the Arts Grant Agreement.
- AA. Agreement with aha! Process, Inc. regarding workshop/training program.
- BB. Approval of submission of projects to have funded under the Growing Greener County Environmental Initiative Projects.

- CC. 2007 Extended Warranty & Support Services Agreement for Electronic Monitoring Equipment.
- DD. Amendment to the Spring Creek Declaration of Restrictive Covenants, to make technical corrections to purchaser's contact information.
- EE. Approval to purchase land adjacent to Wildwood Park, tax parcel #62-009-158.

Mr. Haste: We now have Matters Requiring Board Action, Items A through EE. We will note that on CC the Solicitor has asked for approval pending their review and AA we are going to pull at this time. (It is noted that there is no Item X.)

**It was moved by Mr. Hartwick and seconded by Mr. DiFrancesco that the Board approve Items A through EE, excluding Item AA, which is pulled and noting that Item CC is approved pending Solicitor's review; motion carried.**

### **FORMER BUSINESS**

(There was none.)

### **NEW BUSINESS**

(There was none.)

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

Mr. Hartwick: First I would like to thank all of those who put in work at the first R U Tired Campaign. We had a public meeting and there will be some changes made for the next meeting, which will make it a whole lot smoother and more effective in being able to communicate to the citizens and a whole lot more balanced. We are going to invite all of you again to the next R U Tired Campaign on March 28th at St. Francis.

We have some special guests with us, when you see the TV cameras, this TV crew has been following and doing a documentary all year long about wrestling in central Pennsylvania. They have talked to wrestlers throughout the entire year with the remarkable ending to actually see that we had a State Championship. They have also followed a number of their local wrestlers and will be making a documentary. I'm actually a high school wrestling official that has done a lot of the officiating for a lot of these matches. I would like to welcome them and then ask them for their autograph.

Mr. DiFrancesco: I was out at Schaffner Center yesterday and the phone calls are coming in. We actually got some follow-up from the R U Tired Meeting that people are calling to see if they can help. I want to make sure that everyone that calls has something to do.

Mr. Hartwick: Twenty-seven people signed up to volunteer at some level, which is good.

Mr. Haste: We have a Prison Board Meeting today at 1:30 p.m.

Possibly at next week's meeting I will have Kelly Wolf make a presentation. We have identified 40 illegal dump sites in Dauphin County, sometime back with DEP. We went out and looked at those sites to develop a plan to clean them up. The editorial staff at the Patriot is aware that the first site will be done by inmates. It will be behind the Farm Show building. We are going to try to work on ways to keep those from reoccurring.

### **CORRESPONDENCE**

Mr. Haste: The correspondence listed will be handled by the staff appropriately.

- A. Notification from DaWood Associates on behalf of Middle Paxton Fire Company No. 1 to the Dauphin County Conservation District, indicating they intend to submit an application to DEP for an NPDES Permit.
- B. Notification from Exelon of a U.S. Nuclear Regulatory Commission request for Authorization for Use of Delta Protection Mururoa Model BLU Single-Use-Self-Fed Respiratory Protection Equipment.
- C. Notification from H.A.C.C. Midtown Campus indicating they are applying to the DEP for a General NPDES Permit for Stormwater Discharges Associated with Construction Activities.
- D. Notification from the Milton Hershey School indicating they are applying to the DEP for a General Permit, GP-5, for a Utility Line Stream Crossing Under Spring Creek Tributaries and Temporary Wetland Impacts along McCorkel Road.
- E. Notification from Light-Heigel & Associates, Inc. indicating that David Koppenhaver will be applying for a General NPDES Permit for Stormwater Discharges associated with construction activities in regards to the subdivision of an eleven acre tract into four residential lots.
- F. Notification from the City of Harrisburg of the submission of an application to perform work to the bridge carrying Maclay Street over the tracks of Norfolk Southern Railway Company (NS) of Harrisburg.
- G. Notification from Continental Placer Inc. that Pennsy Supply, Inc. has submitted an application for a General Permit WMGR079 for the processing and beneficial use of waste asphalt shingles as aggregate in the production of asphalt paving material and as a sub-base for road and driveway construction at Hummelstown Quarry.
- H. Notification from Dauphin Engineering Co. of submission of a preliminary/final subdivision and land development plan for new 2-story medical care facility on Gibson Boulevard, Swatara Township, Dauphin County, PA, Gaudenzia (developer).

## **PUBLIC PARTICIPATION**

Mr. Haste: We are again at the point in time for public participation. Is there anyone in the audience that would like to address the Board? (There was none.)

## **ADJOURNMENT**

**There be no further business, it was moved by Mr. DiFrancesco and seconded by Mr. Hartwick that the Board adjourn.**

Transcribed by: R. Martz