



DAUPHIN COUNTY BOARD OF COMMISSIONERS

LEGISLATIVE MEETING

JULY 6, 2011
10:00 A.M.

MEMBERS PRESENT

Mike Pries, Vice Chairman
George P. Hartwick, III, Secretary

Jeff Haste (ABSENT)

STAFF PRESENT

Marie E. Rebeck, Controller; Janis Creason, Treasurer; William Tully, Esq., Solicitor; Randy Baratucci, Director of Purchasing; Mike Yohe, Director of Budget & Finance; Fred Lighty, Esq., Human Services Director's Office; Terry Kaufman, Solicitor's Office; Leila Brown, Solicitor's Office; Amy Richards, Commissioners' Office; Kay Lingle, Human Resources; Dave Schreiber, Human Resources; Brenda Hoffer, Commissioners' Office; Abby Gabner, Commissioners' Office and Richie-Ann Martz, Assistant Chief Clerk

GUESTS PRESENT

Aguedo Delgado, Andy Stokes and Matt Miller

MINUTES

CALL TO ORDER

Mr. Pries, Vice Chairman of the Board, called the meeting to order at 10:13 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 June 22, 2011 Legislative Meeting Minutes and the June 22, 2011 Salary Board Meeting Minutes; motion carried.

EXECUTIVE SESSIONS HELD BETWEEN MEETINGS

Ms. Martz: There were none.

PUBLIC PARTICIPATION

Mr. Pries: We're now at the time for anybody from the public that would like to step up to the podium and make any comments.

Mr. Delgado: My name is Aguedo Delgado. I live at 2025 White Hall Street, Harrisburg, PA 760-9871. Just for the record, I'm unaffiliated and unassociated with any organization whether it be for profit or non-profit at the current time here in Harrisburg. However, I do quite a bit of volunteering up on Allison Hill; which I am partial to. I'm not one to follow protocol. My immediate concern and I'm not fully informed with what's going on, but I'm just taking this opportunity, as an individual and resident of Harrisburg, to ask the Commissioners to withdraw the lawsuit that is pending with the City just to kind of ease things off, because I'm sure you all have other alternatives on how to handle this matter. I fully respect and I've know Mr. Hartwick before, your position and the power behind your desks/positions. Not to put down the City Hall or City Council, but I think that it would be a wise thing for everybody collectively to try to just kind of back off a little bit. To me, this is a slightly little undertone of the bully tactic that's in place. Forgive me for my opinion, but that is my opinion. Basically, I'm just here to ask you all to consider the other alternatives on how to approach and put pressure on the City to get their act together. That's basically it and why I wanted to come. I was hoping I could perhaps just talk to Mr. Hartwick, but he is very busy. I just felt that time was closing in. I just figured that I would come in and address you all.

Mr. Hartwick: I got some information that you stopped by the office. All you need to do is call ahead and I would be glad to sit down with you. I always try to make time for any constituent that has any concerns. I remember you from awhile back during the Hispanic Center and some of the issues that went on there. If we could maybe afterwards we could set up some time to sit down and express your concerns. I would be glad to listen and hear you out.

Mr. Delgado: One more question, based on my ignorance. The gaming aspect, where the City of Harrisburg has the potential to apply as one of the recipients of the Act says

to certain money that's 50% discretionary. Have they approached you by chance at all to apply for that?

Mr. Hartwick: First of all it is not 50% discretionary. There are certain requirements that are placed on the money by Statute that must go to both the host municipalities and contiguous municipalities. There is a competitive process by which there needs to be other dollars that are associated to it; also, the support of the local municipalities. There is a lot more to it than just being discretionary dollars. That would be another question that I would be glad to answer so you have clarification.

Mr. Pries: I'm not aware that they have applied in the past for any of those gaming funds. I think that is out there as well. They are more than welcome to apply in the future, but they have not applied to date for some reason. You can tell some of your friends and neighbors that I don't believe that they've reached out to us since that Act 47 Plan has been unveiled publicly. So, we are still looking to open up additional lines of communication with them on that.

Mr. Hartwick: We'll talk. From the position when I was the Mayor of Steelton or in the County, we had to make extremely difficult decisions internally. Right now there is \$4.3 million in low hanging fruit that would only take the movement of the Mayor and City Council to make adjustments. There are certain things within the functions of City government that we can't force them to act on. Whether we force them or we don't do it, as I've sat here for years it has not happened so far. Part of the dialogue I would be glad to have with you and we will follow up after the meeting.

Mr. Delgado: Thank you and have a good day.

DEPARTMENT DIRECTORS/GUESTS

(There was none.)

HUMAN RESOURCES

Ms. Lengle: In the Personnel Packet there are a few items that I'm pulling today, Items #7, #8, #11 and #20. I have no other changes. Do you have any questions on anything in the Packet?

Mr. Hartwick: We won't be considering any Salary Board matters am I correct?

Ms. Lengle: Yes, that is correct.

It was moved by Mr. Hartwick and seconded by Mr. Pries that the Board approve the Personnel Packet, noting that Items #7, #8, #11 and #20 are being pulled.

Discussion:

Mr. Pries: Just for clarification, Item #11 is that an internal thing?

Ms. Lengle: There are some questions on that.

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

PURCHASE ORDERS

Mr. Baratucci: The Packet you received yesterday did have an item pulled from last week. It was the signage for the Juvenile Court project. We're not ready to do a purchase order yet. There have been some more changes and our Facilities Director is working on that and will have it ready for next time. I did pull that off the report. It is not on the new one that you received. Everything else is the same as last week. Budget issues have been resolved and it is there for your approval, unless you have any questions.

Mr. Hartwick: Page 16, is this a yearly expense? I sent an email yesterday trying to get some clarification of this overage amount that we estimated and budgeted for, before it actually occurs. I was wondering if we could try to figure out a way to either address that through a different negotiation or it seems like it is almost as much as the contract.

Mr. Baratucci: It is an estimate. To answer your first question, yes it is a yearly thing that Children & Youth uses obviously for emergencies for the Child Abuse section. When you pay the fee, the \$100 a month, as it says there it includes 100 messages. They only pay if they go over 100 messages. That is part of the contract with the medical bureau. You would have to ask them whether they've used the whole amount in the past, because we budget this for the whole year. I doubt that they use it all, but they pay those bills so if you have an email into them they could tell you for sure how much of that overage comes into play. It is just an estimate as is noted there based on previous history.

Mr. Hartwick: Based upon that could I pull just the answering service and the membership fee and I can find out if there is any way we can negotiate their usage?

Mr. Baratucci: It would be easier just to hold the whole thing until next week, because next week we are going to have an approval meeting as well. It is a combo meeting. It would be better to just hold it or pull it.

Mr. Hartwick: Let's until I get an answer from Children & Youth.

Mr. Pries: Page 8, the placement of the sound system in Court Room #5, what is that?

Mr. Baratucci: Every year the Court has been upgrading one Court Room as part of their regular budget. This has nothing to do with the Juvenile Center. They have been doing one a year. I think sometimes they may do a second one at the end of the year if

they have money left over, but it has been an ongoing project of the Courts to upgrade. This is the one that they are doing this year.

It was moved by Mr. Hartwick and seconded by Mr. Pries that the Board approve the Purchase Order Packet, noting that Page #16 is being pulled.

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

REPORT FROM BUDGET & FINANCE – MIKE YOHE, BUDGET DIRECTOR

Mr. Yohe presented the following Report:

Report from the Office of Budget & Finance July 6, 2011

- **June 24, 2011** transferred **\$1,148,526.28** to the **Payables** account from the County's **Concentration** account for checks issued that week.
- **July 1, 2011** transferred **\$6,689,368.64** to the **Payables** account and **\$1,944,745.95** to the **Payroll** account from the County's **Concentration** account for checks issued that week.
- **Wire Payments since last report: \$10,398,195.75**
- **Debt Service Payments since last report: \$0.00**
- **Total Term Investments**
 - 1/13/11 - **\$10,020,910.44** 6-mo. CD - Susquehanna Bank – **0.550%** - matures 7/14/11
 - 3/31/11 - **\$10,009,321.56** 6-mo. CD - Susquehanna Bank – **0.550%** - matures 9/29/11
 - 4/21/11 - **\$20,012,326.89** 6-mo. CD - Susquehanna Bank – **0.550%** - matures 10/20/11
 - 4/21/11 - **\$10,008,397.07** 12-mo. CD - Susquehanna Bank – **0.750%** - matures 4/19/12
- **Balance today in PA INVEST account #2100017144860: \$1,378.09 rate 0.039%**
- **Balance today in Susquehanna Bank investment account #119002023: \$7,644,659.17 rate 0.250%**
- **Balance today in First National Bank investment account #97014743: \$7,564,310.76 rate 0.530%**
(This rate equals today's PLGIT-Class interest rate of 0.030% plus 50 basis points)

- **Balance today in Citizens Bank Municipal Money Market Checking account #6221269710 - \$100.00 rate 0.00%**
- **Balance today in Integrity Bank Money Market Checking account - #2206001209 - \$15,106,961.52 rate 0.650%**
- **Balance today in PNC Bank investment account #5004319839: \$24,755,408.49 rate 0.250%**
- **Balance today in Graystone Bank investment account #1610000596: \$250,358.33 rate 0.650%**
- **Balance today in Metro Bank investment account #0536557523: \$101.38 rate 0.120%**

No T.R.A.N. Line of Credit required for 2011.

Mr. Hartwick: I'm just assuming that all the banks with higher interest can't accept any more money.

Mr. Yohe: That's correct. I did meet with First National briefly last week and again I said that I would be happy to put some more money in there and there was no interest.

Mr. Hartwick: What about Graystone?

Mr. Yohe: Graystone, remember they don't want anymore, but that is the FDIC insurance amount. They will accept that.

Mr. Pries: And the reason again why we only have \$100 in Citizens Bank?

Mr. Yohe: It is more or less just to keep the account open. There is a lot of paperwork to open up an account. When the rates turn around and we get back into shopping the money around then we'll be able to put some money back into that account.

Mr. Hartwick: I'm glad to hear you are an optimist this morning.

Mr. Yohe: Citizens was a good partner for about two years when the rates were up.

Mr. Pries: And the wire payments over \$10.3 million were for?

Mr. Yohe: We paid the second half of our ARC was a big part of that and Child Care came in. That was another \$2.6. So, it was about \$8 million just for those two.

The 2012 Budget Packets should go out tomorrow.

REPORT FROM ASST. CHIEF CLERK/CHIEF OF STAFF – RICHIE-ANN MARTZ

Ms. Martz: I have nothing to report unless you have any questions. (There was none.)

SOLICITOR’S REPORT – WILLIAM TULLY, ESQ.

Mr. Tully: All the matters requiring Board action today have been reviewed and are ready for a vote. If you have any questions I would be happy to answer them. (There was none.)

MATTERS REQUIRING BOARD ACTION

- A. Training Packet.
- B. Satisfaction Piece for Bozo Goodrich on the property located at 1260 Peggy Drive, Hummelstown, PA 17036 - \$5,000.00.
- C. Addendum to Second Amendment to Intergovernmental Cooperation Agreement between Dauphin County, Derry Township, Derry Township School District, Lebanon County, North Londonderry Township and Palmyra Area School District.
- D. Approval to increase the mileage reimbursement rate from 51 cents per mile to 55.5 cents per mile, effective July 1, 2011, in accordance with IRS guidelines.
- E. Partial Refund of 2011 Real Estate Taxes – Sam’s Real Estate Business Trust – Parcel #63-018-112 (6535 Grayson Road) - \$1,900.67.
- F. Partial Refund of 2011 Real Estate Taxes – David & Ada Stoltzfus – Parcel #44-016-018 (214 Mill Rd.) - \$599.81.
- G. Addendum to the Maintenance Agreement between Dauphin County and J.C. Ehrlich Co., Inc. for services at 3005 Hoffman St., Hbg.
- H. Purchase of Service Agreement between South Central Task Force and Windstream D&E Systems, Inc. FKA D&E Networks, Inc. for equipment and services to support SCTF IT servers, applications and networks.
- I. Transition JNET User Agencies Agreement.
- J. JNET Agreement between Dauphin County (Adult Probation) and the Pennsylvania State Police for access to the Commonwealth Law Enforcement Network for criminal history records.
- K. Purchase of Service Agreements between AAA and:
 - 1. Visiting Nurse Association of Central Pennsylvania, Inc.
 - 2. Masonic Homes of the R.W. Grand Lodge of F& A.M.
 - 3. United Cerebral Palsy of Central PA, Inc.
 - 4. Phillips Lifeline Systems Company
 - 5. VNA Private Duty, Inc.
 - 6. Sierra Allied Health and Homecare Agency t/b/d/a Sierra Home Healthcare
 - 7. ADDIUS Health Care, Inc.
 - 8. Visiting Nurse Association of Central Pennsylvania, Inc
 - 9. Widener University

- 10. Avenues t/b/d/a Eldercare East and Eldercare West
 - 11. ProStat
 - 12. Keystone Guardianship Services, Inc.
 - 13. Yoffe & Yoffe, P.C.
 - 14. Integrated Wellness Consultants, Inc.
 - 15. United Cerebral Palsy of Central PA, Inc.
- L. Senior Center Grant Agreements between AAA and:
- 1. Heinz-Menaker Senior Center
 - 2. Capital Area Late Start a/k/a The Rutherford House
 - 3. Millersburg Senior Advisory Board
- M. Purchase of Service Agreement between Children & Youth and Baptist Children's Shelter.
- N. Adoption Assistance Agreements #2011-19 and #2011-20.
- O. Subsidized Legal Custodianship Agreements #2011-04, #2011-05, #2011-06 and #2011-07.
- P. Subsidized Legal Custodianship Agreement #2002-02 Amendment #2.
- Q. Purchase of Service Agreement between MH/ID and:
- 1. Capital Area Intermediate Unit
 - 2. Fauzia G. Sheikh, M.D.
- R. ITF Medicaid Waiver Service Agreement between MH/ID and Capital Area Intermediate Unit.
- S. Recommendation of Award for emergency debris removal for Bridge #31 and Bridge #32 – Jay Fulkroad & Sons, Inc. – \$22,034.00.

It was moved by Mr. Hartwick and seconded by Mr. Pries that the Board approve Matters Requiring Board Action, Items A through S.

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

FORMER BUSINESS

(There was none.)

NEW BUSINESS

(There was none.)

COMMISSIONERS' DISCUSSION & ACTIONS

(There was none.)

CORRESPONDENCE

Mr. Pries: The staff will be working on the correspondence from A through F.

- A. Notification from Act One Consultants, Inc. advising that they are applying to DEP for a NPDES Permit for stormwater discharges associated with construction activities at Woodland Avenue, Derry Township.
- B. Receipt of a report from the Spring Creek Rehabilitation and Health Care Center.
- C. Notification from Unilever advising that they are applying to DEP for a revision to its air emission permit #22-03002.
- D. Notification from CET Engineering Services advising that Lower Paxton Township Authority is applying to DEP for a NPDES Permit for stormwater discharges associated with construction activities near Oak Park and Trudy Roads in Colonial Park.
- E. Notification from CET Engineering Services advising that Lykens Borough Authority is applying to DEP for a Water Quality Management Permit and a Joint Permit for Water Obstruction and Encroachment with regard to the Wastewater Treatment Plant.
- F. Notification from K&W advising that the Diocese of Harrisburg is applying to DEP for a major modification to Joint Permit for a PA Water Obstruction and Encroachment Permit Application and a U.S. Army Corps of Engineers Section 404 Permit Application with regard to the proposed 900 student high school in Lower Paxton Township.

PUBLIC PARTICIPATION

Mr. Pries: We're again at the point for public participation. Would anybody like to address the Board? (There was none.)

ADJOURNMENT

There being no further business, it was moved by Mr. Hartwick and seconded by Mr. Pries that the Board adjourn.

Transcribed by: Richie-Ann Martz