



**DAUPHIN COUNTY BOARD OF COMMISSIONERS**

**LEGISLATIVE MEETING**

**JULY 22, 2009**

**10:00 A.M.**

**MEMBERS PRESENT**

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

**STAFF PRESENT**

Chad Saylor, Chief Clerk; Marie E. Rebuck, Controller; Janis Creason, Treasurer; Randy Baratucci, Director of Purchasing; Bruce Foreman, Esq., Solicitor's Office; Troy Petery, Court Administrator's Office; Kay Lengle, Personnel; Dave Schreiber, Personnel; Diane McNaughton, Commissioners' Office; Amy Richards, Commissioners' Office; Greg Schneider, Budget & Finance Department; Fred Lighty, Esq., Human Services Director's Office; August Memmi, Community & Economic Development; George Connor, Community & Economic Development; Tom Guenther, Director of IT; Lindsey Bierzonski, Solicitor's Office; Danielle Vayda, Solicitor's Office; Michelle Haack, Commissioners' Office; Jordan Barkus, Commissioners' Office; Brenda Hoffer, Commissioners' Office; Jena Wolgemuth, Commissioners' Office and Richie-Ann Martz, Assistant Chief Clerk

**GUESTS PRESENT**

Charles B. Zwally, Esq., Jay Wenger, Joe Trojak, Deon Estus, Brad Jones and Dan 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. Haste that the Board approve the July 1, 2009 Workshop Meeting Minutes and the July 8, 2009 Legislative Meeting Minutes; motion carried.**

**It was moved by Ms. Rebuck and seconded by Mr. Hartwick that the Board approve the July 8, 2009 Salary Board Meeting Minutes; motion carried.**

## **EXECUTIVE SESSIONS HELD BETWEEN MEETINGS**

Mr. Saylor: As you know we met twice in Executive Session. We met on July 8, 2009 to discuss personnel matters and again on July 15, 2009 to discuss litigation.

## **PUBLIC PARTICIPATION**

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

Mr. Trojak: I'm Joe Trojak from Progressive Enterprises Sound Studios. We're making a quick stop in town today. There has been so much economic turmoil at the State level and Federal level, I'm happy to say that we've got a good small business situation still happening in the area and we are getting ready for our 25<sup>th</sup> Anniversary next year. We are going around encouraging other people to consider small business. With me today is Deon Estus. It is one of our newest clients. Deon got his start as the bass player/band director for the band Wham. He also worked with Elton John and a host of a lot of other musicians. He's now at a point in his life where he is willing and more into being a producer. He likes the talent that he sees in the area and not only are we doing some music things together, but we are also here to find out for opportunities for us together to be mentoring kids and to really encourage kids to take a better path with their life.

Mr. Estus: I've been here for off and on for about a year. My home is in Hawaii and Los Angeles. I came here to produce some acts. In doing so I found that I'm really enjoying and really realizing that there is a lot of talent in Harrisburg and the Harrisburg area, which I'm very excited about. I'm really having a good time working with the kids, adults as well. I'm having a great time working with the youth. I would love to do more things here. I came to just let people know that I'm here and I'm willing to help to see what we

can do about mentoring kids and helping people have a more positive outlook in life through the field of music and what we bring to the table.

Mr. Haste: Are you using your studio?

Mr. Trojak: When Deon is in town he likes to set up shop at the studio. He really likes the environment that we have out there. We've already had a couple projects go through.

Mr. Hartwick: Could I make a quick suggestion? We currently have 400 kids in a summer camp program throughout four or five school districts in Dauphin County. All of them are kids at risk for some sort of reason. They are in difficult socio and economic environments. They have had some sort of small involvement with either our child truancy or delinquency system and we provide a productive outlet for them and trying to provide new experiences. We just recently had a tour of the Penn Ridge Horse Farm. They asked if we could send them some kids to expose them to their field of business as they determine what they would like to do for the rest of their life. We certainly have the kids that we could expose to whatever experiences you have and if you can open up their minds and put them on a path that is better than the one that they may be headed, we are open for any ideas that you have. If you want to follow-up with me I will make sure that you get connected to those departments.

Mr. Haste: Congratulations on what you are doing!

## **DEPARTMENT DIRECTORS/GUESTS**

(There was none.)

## **SALARY BOARD**

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

## **PERSONNEL**

Ms. Lengle: Are there any questions on any of the Personnel Listings that have been added to the Packet? (There was none.)

**It was moved by Mr. Hartwick and seconded by Mr. Haste that the Board approve the Personnel Packet; motion carried.**

## **PURCHASE ORDERS**

Mr. Baratucci: You should have received your Packet. I just want to draw your attention to Page 5. It still shows a \$50 over budget. It was a typo. My understanding

was it was a budget adjustment last week. It was supposed to be put in as \$661 and it got put in as \$611. We will correct that. It shouldn't be showing \$50 over.

Mr. Haste: What page did you say?

Mr. Baratucci: Page 5. You will see the little stars there. If you look at the difference it is \$50, which was an adjustment from the PO that we are doing yearly payments on the Pictometry. It needed a large budget adjustment of \$20,000 plus and it was supposed to be \$661 and it got put in as \$611. It is \$50 short. It will be fixed. Everything is as it was last week. It is there for your approval unless you have any questions.

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

### **REPORT FROM BUDGET & FINANCE – GREG SCHNEIDER**

Mr. Schneider gave the following Report:

#### **Report from the Office of Budget & Finance July 22, 2009**

- **July 10, 2009** transferred **\$606,021.94** to the **Payables** account from the County's Concentration account for checks issued that week.
- **July 17, 2009** transferred **\$3,819,098.89** to the **Payables** account and **\$1,931,616.75** to the **Payroll** account from the County's Concentration account for checks issued that week.
- **Total Term Investments**
  - 3/27/09 - **\$20,000,000** 6-Month CD at Citizens Bank – **1.510%** - matures 9/23/09
  - 4/13/09 - **\$20,000,000** 7-Month CD at Citizens Bank – **1.555%** - matures 11/10/09
  - 4/27/09 - **\$20,000,000** 8-Month CD at Citizens Bank – **1.500%** - matures 12/23/09
- **Balance today in INVEST account \$ 1,373.60 rate 0.376 %**
- **Balance today in Susquehanna Bank investment account \$ 459,119.09 rate 0.500% (This rate is fixed for the month)**
- **Balance today in Sovereign Bank investment account \$ 2,596.82 rate 0.310% (This rate equals today's 3-month LIBOR rate of 0.510% minus 20 basis points)**
- **Balance today in Citizens Bank investment account \$ 10,603,311.95 rate 0.800% (This rate is fixed for the month)**

- **Balance today in Citizens Bank Flex CD Program \$32,920,420.04 rate 2.400%** (This is a 9-month CD maturing on 9/8/09 and the rate is fixed for the term)
- **Balance today in Citizens Bank Flex CD Program \$30,114,325.42 rate 1.510%** (This is a 6-month CD maturing on 9/6/09 and the rate is fixed for the term)
- **Balance today in PNC Bank investment account \$1,000.00 rate 0.200%** (This equals today's Fed Funds rate of 0.250% minus 5 basis points)
- **Balance today in Graystone Bank investment account \$1,000.00 rate 0.050%** (This equals today's Fed Funds rate of 0.250% minus 20 basis points)
- **Balance today in Metro Bank investment account \$100.00 rate 0.000%** (This equals today's 90-day T-Bill rate of 0.190% minus 25 basis points)

**No T.R.A.N. Line of Credit required for 2009.**

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

Mr. Saylor: I have nothing unless there are questions of me. (There was none.)

**SOLICITOR'S REPORT – BRUCE FOREMAN, ESQ.**

Mr. Foreman: Mr. Tully has indicated to me that the report is as circulated unless the Commissioners have any questions. That is all I have to report. (There was none.)

**MATTERS REQUIRING BOARD ACTION**

- A. Training Packet.
- B. Purchase of Service Per Diem Rates between Children & Youth and:
  - 1. Community Action Commission (2009/2010)
  - 2. International Service Center (2009/2010)
  - 3. Pennsylvania Clinical Schools (2009/2010)
  - 4. Pressley Ridge (2009/2010)
  - 5. Lancaster County Youth Intervention Center (2008/2009)
  - 6. Pennsylvania Clinical Schools (2008/2009)
- C. Municipal Separate Storm Sewer System (MS4) Annual Permit Requirements: Education component – "What falls on the Ground" newspaper ad, posters to targeted audiences and the handout to County employees of the "Dauphin County Facilities Regulated by NPDES".
- D. Satisfaction Pieces for:
  - 1. Chandra I. Roth on the property located at 2532 Canby Street, Harrisburg, PA 17109 (\$2,167.00).
  - 2. Yolanda Angela Garfield on the property located at 412 Jessamine Ave., Steelton, PA 17113 (\$1,839.00).

3. John Tarlini, Jr. & Suzanne Tarlini on the property located at 186 Simon Blvd., Elizabethville, PA 17023 (\$3,500.00).
- E. Emergency Management Performance Grant Program Grant Agreement.
  - F. Participating Department Recognition Program Application for the Dauphin County Hazardous Materials Response Team.
  - G. Purchase and Sale Agreements between EMA and:
    1. Purchase and Sale Agreement to transfer title of software/hardware systems from Verizon to County for County 911 equipment.
    2. Purchase of Service Agreement to transfer title of software/hardware systems from Verizon to County for City of Harrisburg 911 equipment.
    3. Verizon System Order Document for Manufacturer technical support for City of Harrisburg equipment.
    4. Verizon System Order Document for Manufacturer technical support for County equipment.
  - H. Purchase of Service Agreements between Area Agency on Aging and:
    1. Jewish Federation of Greater Harrisburg.
    2. AER Enterprises, LLC t/d/b/a Revolution Group
  - I. Purchase of Service Agreements between the Department of Drug and Alcohol and:
    1. Dataquest, Inc.
    2. Mike Filanowski
    3. Gene Boyle
    4. Ralph A. Moyer, Jr.
  - J. Purchase of Service Agreements between Children and Youth and:
    1. Common Sense Adoption Services, Inc.
    2. Christian Psychotherapy Services, Inc.
    3. Visiting Nurses Association of Central Pennsylvania, Inc.
    4. Glade Run Lutheran Services, Inc.
    5. Family Support of Central Pennsylvania, Inc.
    6. Pinnacle Health Hospital, Inc.
    7. Commonwealth Clinical Group, Inc.
    8. Lancaster County Youth Intervention Center
  - K. Adoption Assistance Agreements #2009-34, #2009-35 and #2009-37.
  - L. MH Purchase of Service Agreements between MH/MR and:
    1. 106 Walnut Law Office
    2. VisionQuest National, LTD
    3. Youth Advocate Program, Inc.
  - M. Medical Assistance Transportation Program Agreements between MH/MR and:
    1. Center for Community Building, Inc.
    2. Philhaven

- N. Resolution #17-2009 authorizing the filing of a Proposal for Funds with the Department of Community and Economic Development Commonwealth of Pennsylvania.
- O. Pennsylvania Homelessness Prevention and Rapid Re-housing Program Grant Application.
- P. Request for Hotel Tax distribution for Millersburg Borough's 3<sup>rd</sup> Annual Tour deMillersburg - \$2,000.
- Q. Request for Unrestricted Gaming Fund distribution for New Beginnings Youth Program - \$20,000.
- R. Approval of the following Repository Bids:
  - 1. Aissa Maiga – Parcel #01-035-001-000-0000 - \$350.00.
  - 2. Aissa Maiga – Parcel #09-101-007-000-0000 - \$350.00.
- S. Memorandum of Understanding between Dauphin County and Harrisburg Realty Improvements Corporation for loan repayment of \$75,000 regarding revitalization and improvement of South of Market Neighborhood.
- T. Refund of 2009 Real Estate Taxes:
  - 1. Kinney Shoe Corporation – Parcels #45-021-004, #65-033-129, #65-033-130 and #65-033-189 - \$6,394.30.
  - 2. Wendell S. Banks – Parcel #10-025-039 - \$171.37.
  - 3. Bruce Scruggs – Parcel #35-060-172 - \$514.83.
- U. Budget Amendments for the quarter ending June 30, 2009.
- V. Commitment of \$1,000 to the Interstate 81 Corridor Coalition to cover incidental expenses for two years.
- W. The Board of Commissioners authorizes and directs Special Counsel to file an appropriate action with the Court of Common Pleas of Dauphin County against The Harrisburg Authority and the City of Harrisburg to cure the existing defaults and to require that The Harrisburg Authority and City of Harrisburg take appropriate action to avoid any future defaults.
- X. Retention of Daniel Sullivan, Esq. as Co-Counsel to Special Counsel in the suit against the City of Harrisburg and The Harrisburg Authority.
- Y. Modification Agreement to Janitorial Services Agreement between the County of Dauphin and the Dauphin County General Authority for services at 100 Chestnut St., Harrisburg.

Mr. Haste: We have Matters Requiring Board Action Items A through Y. Are there any items that need to be pulled out separately? (There was none.)

**It was moved by Mr. Hartwick and seconded by Mr. Haste that the Board approve Matters Requiring Board Action Items A through Y, listed above; motion carried.**

## **FORMER BUSINESS**

(There was none.)

## **NEW BUSINESS**

(There was none.)

## **COMMISSIONERS' DISCUSSION & ACTIONS**

Mr. Hartwick: I just wanted to thank all County employees who have reached out during the passing of my grandmother. I certainly do deeply appreciate all of your kind words, thoughts and considerations that you have given me and our family. I would also like to report that as we lost a life in the Hartwick family we will soon be gaining one. My brother is in the hospital right now getting ready with his wife to have another baby boy. We will have another George and Andy Hartwick here very soon.

Mr. Haste: Just a reminder that we have Retirement Board. We will go into Retirement Board at 10:45.

## **CORRESPONDENCE**

Mr. Haste: We have correspondence that has been received by the Board this week, Items A through I, which will be handled by the staff accordingly.

- A. Receipt of a letter from the Steelton Borough Secretary/Treasurer advising that the Borough is applying for funding through the Commonwealth's H2O Program for the East End Sewer Separation Project.
- B. Notification from Raudenbush Engineering, Inc. advising that Oak Grove High Street, LLC is applying to DEP for a General NPDES Permit for stormwater discharges associated with construction activities at 227 High Street, Middletown. (Construction of five (5) apartment buildings with a total of 30 units and an associated parking lot.)
- C. Receipt of a letter from Glace Associates, Inc. advising that the Berrysburg Municipal Authority is applying for funding through the Commonwealth's H2O Program for the construction of a new SBR treatment facility.
- D. Notification from Rettew advising that E. G. Stoltzfus and Yingst Homes will be applying to DEP for a NPDES General Permit for the demolition of existing buildings and the development of a traditional neighborhood development mixed-use residential community at 6100 Cider Press Road.
- E. Notification from ANH Refractories Company advising that the A.P. Green Refractories, Inc. Middletown Plant has submitted a State Only Operating Permit renewal application to DEP for the following existing sources: PS-001 Recycle Ball Mill, PS-002 Spray Dryer, PS-003 Spray Dryer Bagger, CE-01 Spray Dryer Product Collector and CE-02 System Dust Collector.



- F. Notification from Vortex Environmental, Inc. advising that Thea Drive Associates, LLC is applying to DEP for a Joint Permit for the Maplewood Project located north of Thea Drive, west of its intersection with Elmwood Drive.
- G. Receipt of a copy of a letter from DEP to Meadowbrook Coal Co., Inc. advising that the information submitted on July 30, 2009 in support of the Annual Bond Review for Surface Mining Permit No. 22851602 has been determined by both the Compliance and Technical Services Sections of the Pottsville District Mining Office to adequately represent current/planned site operating conditions and is acceptable to the Department.
- H. Notification from Mellott Engineering, Inc. advising that Deodate Associates, L.P. is applying to DEP and the United States Army Corps of Engineers for Water Obstruction and Encroachment Permits and an NPDES Permit associated with the discharge of stormwater for the Creekside Meadows subdivision/land development plan in Conewago Township and Londonderry Township.
- I. Notification from Grant A. Marshall, P.E. advising that Randy Macko is applying to DEP for a Small Flow Treatment Facility and General Permit 4 which will serve his existing single family residence located at 3315A Back Road in Jefferson Township.

### **PUBLIC PARTICIPATION**

Mr. Haste: We again 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 at this time? (There was none.)

### **ADJOURNMENT**

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

Respectfully submitted,

Chad Saylor, Chief Clerk

Transcribed by: Richie-Ann Martz