



DAUPHIN COUNTY BOARD OF COMMISSIONERS

LEGISLATIVE MEETING

SEPTEMBER 30, 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; William Tully, Esq., Solicitor; Troy Petery, Deputy Court Administrator (MDJ); Mike Yohe, Director of Budget & Finance; Randy Baratucci, Director of Purchasing; Dave Schreiber, Personnel; David Feidt, Solicitor's Office; Fred Lighty, Esq., Human Services Director's Office; Gary Serhan, Deputy Controller; Diane McNaughton, Commissioners' Office; Amy Richards, Commissioners' Office; J. Scott Burford, Deputy Chief Clerk; Kay Lengle, Personnel; Tom Guenther, Director of IT; Jena Wolgemuth, Commissioners' Office; Brenda Hoffer, Commissioners' Office and Richie-Ann Martz, Assistant Chief Clerk

GUESTS PRESENT

Donna Kreiser, Jay Wenger, Emily Opilio and Matt Kirk

MINUTES

CALL TO ORDER

Mr. Haste, Chairman of the Board, called the meeting to order at 10:11 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. DiFrancesco that the Board approve the September 9, 2009 Workshop Meeting Minutes and the September 16, 2009 Legislative Meeting Minutes; motion carried.

It was moved by Mr. Hartwick and seconded by Mr. Haste that the Board approve the September 16, 2009 Election Board Meeting Minutes; motion carried.

EXECUTIVE SESSIONS HELD BETWEEN MEETINGS

Mr. Saylor: As you know we met twice in Executive Session on September 23, 2009 to discuss legal issues and later that day to discuss personnel matters. We also met this morning in Executive Session to discuss real estate and personnel matters.

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 at this time? (There was none.)

DEPARTMENT DIRECTORS/GUESTS

(There were none.)

SALARY BOARD

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

PERSONNEL

Ms. Lengle: There is an Addendum and are there any questions on the Addendum? (There were none.) I have no changes to what I presented last week.

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

PURCHASE ORDERS

Mr. Baratucci: There are no changes from last week's Workshop Packet. There were no over budgets last week so the Packet is there for your approval unless you have any questions. (There were none.)

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

REPORT FROM BUDGET & FINANCE – MIKE YOHE, BUDGET DIRECTOR

Mr. Yohe presented the following Report:

Report from the Office of Budget & Finance September 30, 2009

- **September 18, 2009** transferred **\$177,173.96** to the **Payables** account from the County's Concentration account for checks issued that week.
- **September 25, 2009** transferred **\$7,280,835.51** to the **Payables** account and **\$1,916,421.49** to the **Payroll** account from the County's Concentration account for checks issued that week.
- **Total Term Investments**
 - 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 \$1,374.46 rate 0.348%**
- **Balance today in Susquehanna Bank investment account \$361,356.49 rate 0.500%** (This rate is fixed for the month)
- **Balance today in Sovereign Bank investment account \$100.89 rate 0.05%** (This rate is fixed for the month)
- **Balance today in Citizens Bank investment account \$62,851,939.74 rate 0.950%** (This rate is fixed for the month)

Mr. Yohe: I have been looking for CD rates. I called around yesterday and to get better than .95 I have to go out a year. The one bank offered .95 for a year. Susquehanna had 1.25 for a year. I don't really want to lock anything up for a year at this state. I'm not seeing anything better than the .95 right now.

- **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 0.130% 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 were none.)

SOLICITOR'S REPORT – WILLIAM TULLY, ESQ., SOLICITOR

Mr. Tully: All the matters on the Report have been reviewed and are ready for a vote. I would be happy to answer any questions. (There were none.)

MATTERS REQUIRING BOARD ACTION

- A. Training Packet.
- B. Subordination Agreements for:
 - 1. Tracey L. Ervin on the property located at 2504 Penbrook Avenue, Harrisburg, PA 17103
 - 2. Talishia Brandao on the property located at 155 Market Street, Highspire, PA 17034
- C. Partial Refund of 2007-2009 Real Estate Taxes – Michael Horst – Parcel #42-036-029 - \$616.59.
- D. Refund of 2004-2009 Real Estate Taxes – Elmer Bottiglier – Parcel #68-011-006 - \$194.69.
- E. Refund of 2008 Interim Real Estate Taxes – Hershey Entertainment & Resorts Company – Parcel #24-009-009 – \$7,007.45.
- F. Request for Exoneration of Real Estate Taxes – Pine Manor Mobile Home Community (Rickey Gomm) – Parcel #34-020-001-106-0132 - \$300.46.
- G. Memorandum of Agreement between Dauphin County Emergency Management Agency, Dauphin County Department of Solid Waste Management and Recycling and Middletown Borough.
- H. Clark Resources Proposal for Non-Discrimination Coordinator for Woodside Expansion/Women's Correctional Facility.
- I. Agreement between Dauphin County and nCourt for credit and debit card payments at the Magisterial District Justice Offices.
- J. Adoption Assistance Agreements #2009-60, #2009-62, #2009-63 and #2009-64.

- K. Subsidized Legal Custodianship Agreement #2009-01.
- L. Amendments to Purchase of Service Agreements between Drugs and Alcohol and:
 - 1. Advanced Treatment Systems, Inc. – Amendment #1
 - 2. Catholic Charities of the Diocese of Harrisburg, PA, Inc. – Amendment #1
 - 3. Firetree, LTD – Amendment #1
 - 4. Daystar Center for Spiritual Recovery – Amendment #1
 - 5. Gaudenzia, Inc. – Amendment #1
 - 6. Hamilton Health Center, Inc. – Amendment #1
 - 7. Naaman Center – Amendment #1
 - 8. Center for Behavioral Health H.A., Inc. – Amendment #1
- M. Student Assistance Program Memorandums of Understanding between Drug and Alcohol and:
 - 1. Central Dauphin School District
 - 2. Dauphin County Technical School
 - 3. Derry Township School District
 - 4. Halifax School District
 - 5. Harrisburg School District
 - 6. Lower Dauphin School District
 - 7. Middletown School District
 - 8. Millersburg School District
 - 9. Steelton-Highspire School District
 - 10. Susquehanna Township School District
 - 11. Upper Dauphin Area School District
 - 12. Williams Valley School District
- N. ITF Medicaid Waiver Service Agreements Amended and Restated between MH/MR and:
 - 1. Sovia Therapy
 - 2. Debra A. Ziegler, OTR/L
 - 3. Capital Area Intermediate Unit
 - 4. Karen K. Reale, OTR/L
 - 5. United Cerebral Palsy of Central Pennsylvania, Inc.
 - 6. Barbara Weber, M.S., CCC-SLP
 - 7. Alexcia Wheeler, M.A., CCC-SLP
 - 8. Rachel Bechtel, M.S.
 - 9. Julie E. Granito, M.A., CCC-SLP
 - 10. Keystone Services Systems, Inc.
- O. Amendments to Purchase of Service Agreements between MH/MR and:
 - 1. Pennsylvania Counseling Services, Inc. – Amendment #1
 - 2. Red Rose Transit Authority – Amendment #1
 - 3. Center for Independent Living of Central Pennsylvania – Amendment #1
 - 4. Wyoming Valley Professional Ambulance Services, Inc. – Amendment #1
 - 5. Patch-N-Match – Amendment #1
 - 6. Riverside Associates, P.C. – Amendment #1
- P. Homelessness Prevention and Rapid Re-Housing Program Agreements between MH/MR and:
 - 1. Brethren Housing Association
 - 2. Bridge of Hope Harrisburg Area

3. Christian Church United of the Tri-County Area
 4. Firm Foundation of Pennsylvania, Inc.
 5. Gaudenzia, Inc.
 6. Shalom House
 7. YWCA of Greater Harrisburg
- Q. 2008 Supportive Housing Program Renewal Grant Agreement.
- R. Purchase of Service Agreement between Children & Youth and Balinger R. Brown.
- S. Purchase of Service Agreement between Drug and Alcohol and Spanish American Civic Association for Equality, Inc.
- T. Act 71 Grant Agreement between Dauphin County and New Beginnings Youth and Adult Services, Inc.
- U. Ordinance #4-2009 extending the Tax Abatement Program in the City of Harrisburg.
- V. Resolution #22-2009 reconstituting the Dauphin County Gaming Advisory Board and appointing members. (This puts in Resolution form the action taken at the August 5, 2009 Workshop/Legislative Meeting.)
- W. Proposed Stipulation of Settlement for Target Tax Assessment Appeal, Tax Parcel No. 35-043-175; with the alternative to conduct an appraisal (pro rata share \$2,640) if proposed settlement is not accepted.
- X. Interim Directive for roof work at Dauphin County Prison for retrofit insert drains from Carlisle Roofing Systems.
- Y. Consultant Agreement between Dauphin County and Randy Paul, P.E. for the provision of services to Dauphin County Prison.
- Z. PEMA FY 2009 Hazardous Materials Response Fund Grant Agreement in the amount of \$27,750.00 from 7/1/2009 – 6/30/2010.
- AA. Addendum No. 1 to Attachment A of Equipment and Monitoring Services Schedule No. 1 between Dauphin County and G4S Justice Services, Inc.
- BB. Staffing Services Agreement between Dauphin County and Tek System Contract for employee staffing services for the GIS position in the Information Technology Department.
- CC. Authorization to designate J. Scott Burford as the County's Representative for the October 20, 2009 CPEC Electricity Bid.
- DD. Ordinance #5-2009 regarding Supplemental Leases for Human Services Building and 100 Chestnut Street concerning current revenues.
- EE. Financial Statement of Funds expended under Grant-in-Aid Program for Juvenile Probation Services for submittal to Juvenile Court Judges' Commission.

Mr. Haste: We have Matters Requiring Board Action in front of us, Items A through EE. Are there any that need to be pulled out? The only thing that I would like to do is on Item DD, which is the Ordinance for 100 Chestnut Street through the General Authority, I would like to have that approved contingent upon the Solicitor's adding language to the

Agreement with the General Authority that basically says that when the County has paid off the building that it becomes a County building.

Mr. Tully: We will do so. My suggestion is that since it is an Ordinance, it should be voted separately.

It was moved by Mr. Hartwick and seconded by Mr. DiFrancesco that the Board approve Item U, listed above under Matters Requiring Board Action.

Question: Mr. Hartwick: That is only a one-year agreement.

Mr. Haste: It is to get us back in sync with the City.

Mr. Hartwick: We want to make sure that all of our issues are addressed prior to us adopting another Ordinance with this issue.

Mr. Haste: The last time, the County passed the Ordinance and the City didn't pass it as timely as we did. There was a delay in the time and this is just to fill that gap.

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

It was moved by Mr. DiFrancesco and seconded by Mr. Hartwick that the Board approve Item DD, listed above under Matters Requiring Board Action, contingent upon the appropriate language being inserted by the Solicitor's Office.

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

It was moved by Mr. DiFrancesco and seconded by Mr. Haste that the Board approve Item L2, listed above under Matters Requiring Board Action.

Question: Mr. Haste – Aye; Mr. DiFrancesco – Aye; and Mr. Hartwick – Abstained; motion carried.

It was moved by Mr. Hartwick and seconded by Mr. DiFrancesco that the Board approve Items A through EE, minus U, DD and L2, listed above under Matters Requiring Board Action; motion carried.

FORMER BUSINESS

Mr. Hartwick: Just for the record, I know Commissioner Haste was at the meeting this morning, but we conducted a real positive meeting with municipalities in Dauphin County addressing a very coordinated and well thought out comprehensive policy. It is

going to be something that you are going to hear a lot more about as we transition the Redevelopment Authority from the Housing Authority under Economic Development. It is going to be a priority of this Board to be able to address the housing stock and the ability to rehab and hopefully provide affordable new homes to families.

The second issue is the renewable energy issue, which we had some progressive comments about adopting some ordinances, which is going to send a clear message to the area of renewable energy. In some of the rural areas we talked about creating jobs. We want the municipalities to send a clear message to folks who want to invest in renewable energy and technologies. We are going to be getting aggressive in trying to pursue those renewable energy opportunities in Dauphin County.

Mr. Haste: I was impressed too. We had from our smallest boroughs and townships to some of the larger townships. It was a nice mix.

NEW BUSINESS

(There were none.)

CORRESPONDENCE

Mr. Haste: We have Correspondence that has been received by the Board, Items A through F, which will be handled by the staff appropriately.

- A. Receipt of a copy of a letter from DEP to Meadowbrook Coal Co., Inc. advising that the information submitted on 8/13/09 in support of the Annual Bond Review for Coal Mining Activity Permit No. 22851602 has been determined to adequately represent current/planned site operating conditions and is acceptable to the Department.
- A. Notification from CET Engineering Services advising that the Lower Paxton Township Authority is applying to DEP for a General NPDES Permit for stormwater discharges associated with construction activities, various General Permits, a Joint Application for PA Water Obstruction and Encroachment Permit and a U.S. Army Corps of Engineers Section 404 Permit for the replacement of all ACP and VCP sewers located in Paxton Creek mini-basins PC-1A and PC-1C.
- B. Notification from HRG advising that Derry Township is applying to DEP for a General NPDES Permit for stormwater discharges associated with construction activities at the Derry Township Stormwater Improvement Project Critical Area 1, Mill St. & Cherry Dr. in Derry Township.
- C. Notification from Dauphin Engineering Co. advising that Ronald & Patricia Burkholder are applying to DEP for a General Permit for the Colony of Old Reliance Project on Longview Drive in Lower Swatara Township.
- D. Notification from ArcelorMittal advising that they are applying to DEP for an application to construct and operate a new Walking Beam Reheat Furnace and Insulated Heated Roller Table at the ArcelorMittal Steelton facility.
- E. Receipt of a letter from Roberta Walsh advising that she is appointing James P. Harris of the firm J.P. Harris and Associates as her Deputy Tax Collector effective July 1, 2009

through December 31, 2009. Mr. Harris will be collecting County, Municipal and School District Real Estate taxes, as well as Personal taxes.

PUBLIC PARTICIPATION

Mr. Haste: We are again 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 were none.)

ADJOURNMENT

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

Respectfully submitted,

Chad Saylor, Chief Clerk

Transcribed by: Richie-Ann Martz