



DAUPHIN COUNTY BOARD OF COMMISSIONERS

LEGISLATIVE MEETING

OCTOBER 13, 2010

10:00 A.M.

MEMBERS PRESENT

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

STAFF PRESENT

Chad Saylor, Chief Clerk; Marie E. Rebuck, Controller; Janis Creason, Treasurer; William Tully, Esq., Solicitor; Mike Yohe, Director of Budget & Finance; Randy Baratucci, Director of Purchasing; Fred Lighty, Esq., Human Services Director's Office; Leila Brown, Solicitor's Office; Sue Cohick, Director of Children & Youth; Faye Fisher, Director of Personnel; Peter Vriens, Director of Human Services; J. Scott Burford, Deputy Chief Clerk; Edgar Cohen, Director of Facilities Maintenance; August Memmi, Director of Community & Economic Development; Gary Serhan, Deputy Controller; Dave Schreiber, Personnel; Greg Schneider, Budget & Finance; Amy Richards, Commissioners' Office; Lorrie Bushman, Personnel; Kay Lengle, Personnel; Brooke Miller, Personnel; Joe Cardinale, Solicitor's Office; Brenda Hoffer, Commissioners' Office and Jena Wolgemuth, Commissioners' Office

GUESTS PRESENT

WGAL, WHTM, FOX, Matt Miller, Mark Stewart, Mike Miller, Dave Triglan and Pat Navagato

MINUTES

CALL TO ORDER

Mr. Haste, Chairman of the Board, called the meeting to order at 10:07 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. Pries and seconded by Mr. Hartwick that the Board approve the September 22, 2010 Workshop Meeting Minutes and the September 29, 2010 Legislative Meeting Minutes; motion carried.

It was moved by Ms. Rebeck and seconded by Mr. Pries that the Board approve the September 29, 2010 Salary Board Meeting Minutes; motion carried.

EXECUTIVE SESSIONS HELD BETWEEN MEETINGS

Mr. Saylor: Commissioners, as you know we met this morning in Executive Session to discuss matters of litigation and personnel.

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? (There was none.)

DEPARTMENT DIRECTORS/GUESTS

A. Mark Stewart, Esq.

1. Update on Schaffner Youth Center

Mr. Stewart: Thank you for having me before you this morning. I'm here to provide an update on the developments and the review of the challenges facing the Schaffner Youth Detention Center. As we had reported in July, there are changes in the juvenile justice system that has made the continued operation of Schaffner particularly challenging from a fiscal impact and also not producing the best outcomes for our youth. As we reported then, only 18 of 67 Pennsylvania counties currently own and operate a youth detention center.

We were before you about a month ago, mid-September, and reported that the County working group had proposed a plan for the County to get out of the business of secured detention and to ultimately close the facility. We believed that plan would advance the State's policy goals of pursuing regional secured detention services. The County will

obviously continue to support the establishment of in-community service providers for the non-secure detention services, the shelter services and the plan will yield significant annual savings for taxpayers and improved outcomes for the youth and their families. The working group did explore alternative approaches to this plan. The group met on a number of occasions with the Teamsters bargaining unit at the facility. We explored different options and alternatives to the recommended plan of closing the facility. Those alternatives that were proposed included ones that would preserve 29 jobs at the facility and provide approximately \$2 million in benefits to employees who were laid off in the transition. Unfortunately, I can report today that the parties were unable to reach an agreement and now the working group is recommending that the County move forward with the plan that was recommended by them. In order to do so, the implementation steps were discussed previously. They have been adjusted somewhat by the passage of time, but we would notify the Department of Public Welfare, communicate with the families and we will conduct outreach to the various stakeholders, including community organizations, law enforcement, communities, schools and others. Initially the Sheriff's Office will provide transportation as we continue to evaluate using a private service provider for that function. We anticipate that if the action that is proposed is approved by the Board today that approximately one week from today, on October 20th, we would cease new intakes for secure detention at Schaffner. On October 21st, the initial secure detention residents at the facility would be moved to the alternate facilities and proportionate layoffs of Schaffner employees would be implemented. Finally on December 1 of this year, secure detention services at the facility would be closed and all related staff reductions would be completed.

We have a proposed Resolution that has been added to the Agenda. The Resolution lays out the plan and the basis for the plan that we have been reporting on for the past four months. If the Board would approve the immediate cessation and abandonment of secure detention services for delinquent youth, it would approve the ultimate closing of the Schaffner Youth Center and it would authorize County staff to take various actions to implement those resolutions. If you have any questions, I'm happy to answer them.

Mr. Saylor: I'll only note for the record that this will be Resolution #38.

Mr. Haste: This was presented to the union and they rejected it. What date was that?

Mr. Stewart: I believe the date was October 7. There were multiple meetings.

Mr. Haste: That was when the vote was taken.

Mr. Stewart: Correct. There were meetings with them that dated back to July.

Mr. Haste: Could you highlight again some of the benefits that those facilities have that we don't have? I know we talked about computer opportunities, schooling opportunities, a number of the pluses that were really driving the move to these two facilities.

Mr. Stewart: In many ways the whole structure of the program, the culture of the facilities to some degree, the physical plants of the facilities were enhanced in both the South Mountain facility and the Lancaster facility. There were additional services provided because of the additional space that was available. Certain types of services that require additional private rooms and the like were able to be conducted. The South Mountain facility is an accredited high school. They give SAT prep courses. You can earn your diploma there. Both facilities had significantly invested in technology-based education. There were literally Smartboards in the classrooms that you could not just use as a chalkboard, but you could show historical movies on and engage in other educational endeavors and teaching with that technology. The facilities had a good mix of diverse staff and supervisors that would certainly be reflective of the community of Dauphin County. Really, in many of the different ways, the working group was very convinced that they put first and foremost the best interests of the kids.

Mr. Hartwick: We've already discussed the intentions and would prefer to be here in an agreement. Obviously for the best interest of our kids and the taxpayers, we are ready to move forward.

It was moved by Mr. Hartwick and seconded by Mr. Pries that the Board adopt Resolution #38-2010, captioned as follows:

A RESOLUTION AUTHORIZING THE CLOSING OF THE HERBERT A. SCHAFFNER YOUTH CENTER AND TAKING OF RELATED ACTIONS TO IMPLEMENT THE CLOSING.

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

(A copy of Resolution #38-2010 is on file in the Commissioners' Office.)

Mr. Haste: As I said before, I really want to thank the working group for moving this forward. It has been a situation we've had to look at and you guys have done a yeomen's job in gathering information and getting it to us. Thank you very much!

Mr. Hartwick: Thanks!

Mr. Pries: Thanks!

SALARY BOARD

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

PERSONNEL

Ms. Lingle: With the Personnel Packet, there are no changes to what I submitted last week. We do have two Addendums. Are there any questions on any of the items? (There was none.)

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

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

PURCHASE ORDERS

Mr. Baratucci: Commissioners, we do have one add-on to the Purchase Order Packet. It is on Page 8. It is for the Sheriff's Office for some work to make the area in the basement ADA compliant. It is something that Edgar's office and the Sheriff have been working on. We finally have the three items that are going to be done. We wanted to get them added and approved for this week so the work can proceed. The rest of the packet is the same as last week with the few budgetary items taken care of.

Mr. Haste: Our staff is doing the work?

Mr. Baratucci: No, there is a company doing the work. This United Prison Equipment is doing some of the work in conjunction with our Maintenance department.

Mr. Pries: Will we be fully compliant then?

Mr. Baratucci: That is my understanding.

Mr. Haste: What is the timeframe?

Mr. Baratucci: I would have to check with Edgar.

Mr. Cohen: It will take about four weeks for them to do the work.

Mr. Haste: Once United Prison Equipment is engaged it would take about four weeks. Okay. Are there any other questions on the Purchase Order Packet? There was none.)

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

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

REPORT FROM BUDGET & FINANCE – MIKE YOHE, BUDGET DIRECTOR

Mr. Yohe provided the following Report:

**Report from the Office of Budget & Finance
October 13, 2010**

- **October 1, 2010** transferred **\$897,633.31** to the **Payables** account from the County's Concentration account for checks issued that week.
- **October 8, 2010** transferred **\$6,135,053.53** to the **Payables** account and **\$1,886,271.66** to the **Payroll** account from the County's Concentration account for checks issued that week.
- **Total Term Investments**
 - 3/18/10 - **\$ 5,000,000.00** 9-mo. CD - Graystone Bank – **0.900%** - matures 12/16/10
 - 4/29/10 - **\$20,046,640.69** 6-mo. CD - Susquehanna Bank – **0.550%** - matures 10/28/10
 - 7/15/10 - **\$20,103,172.18** 6-mo. CD - Susquehanna Bank – **0.550%** - matures 1/13/11
 - 7/20/10 - **\$10,000,000.00** 5-mo. CD – Fulton Bank – **0.400%** - matures 12/20/10
- **Balance today in INVEST account #2100017144860: \$1,377.30 rate 0.149%**
- **Balance today in Susquehanna Bank investment account #119002023: \$654,307.54 rate 0.250%** (This rate is fixed for the month)
- **Balance today in First National Bank investment account #97014743: \$7,532,845.74 rate 0.590%**
(This rate equals today's PLGIT-Class interest rate of 0.040% plus 55 basis points)
- **Balance today in Citizens Bank Municipal Money Market account #6223510156 - \$15,495.97 rate 0.200%** (This rate is fixed for the month)
- **Balance today in Citizens Bank Municipal Money Market Checking account #6221269710 - \$11,545.99 rate 0.200%** (This rate is fixed for the month)
- **Balance today in Integrity Bank Money Market Checking account 1- #2206001209 - \$5,018,074.20 rate 0.850%** (This rate is fixed for the month)
- **Balance today in Integrity Bank Money Market Checking account 2- #2206001217 - \$5,021,269.19 rate 1.000%** (This rate is fixed for the month)
- **Balance today in PNC Bank investment account #5004319839: \$25,010,157.78 rate 0.350%** (This rate is fixed for the month)
- **Balance today in Graystone Bank investment account #1610000596: \$1,034.00 rate 0.050%** (This equals today's Fed Funds rate of 0.250% minus 20 basis points)
- **Balance today in Metro Bank investment account #0536557523: \$101.30 rate 0.120%**

No T.R.A.N. Line of Credit required for 2010.

REPORT FROM CHIEF CLERK/CHIEF OF STAFF – CHAD SAYLOR

Mr. Saylor: Commissioners, I do need to draw your attention to Item DD on the Agenda. It is a last minute addition. I don't have the details, but what I do know of this is that the company owes us some money as a result of not fully implementing their original agreement with us. This agreement allows them to make payments. I think it was around \$35,000. It was something that we wanted to get moving along and that is why it is a last minute addition.

Other than that unless there are any questions of me that is all I have. (There was none.)

SOLICITOR'S REPORT – WILLIAM TULLY, ESQ.

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

MATTERS REQUIRING BOARD ACTION

- A. Training Packet.
- B. Early Retiree Reinsurance Program Application.
- C. Lease (Refresh) Agreement between Dauphin County and Hewlett Packard Financial Services, Schedule No. 103108000038 for 92 PCs to be distributed to various County departments.
- D. Lease Purchase Agreement between Dauphin County and Hewlett Packard Financial Services, Single Schedule No. 103120000015 for HP server equipment for Dauphin County Prison.
- E. Assignment and Assumption Agreement as of August 11, 2010 by and among Dauphin County, L. Robert Kimball & Associates, Architects and Engineers, Inc., CDI Architects Group, LLC – dba L.R. Kimball-Architecture.
- F. Maintenance Agreement with Controls Service & Engineering Co., Inc. to furnish and install replacement Ultraviolet lights for the two Trane units that serves the EMA Administration Building.
- G. Maintenance Agreement with Controls Service & Engineering Co., Inc. to furnish and install replacement Ultraviolet lights for one Liebert unit that serves the ECC.
- H. Maintenance Agreement with G. R. Sponaugle for supply and installation of 30 Dynasty UPS batteries.
- I. Amendment to a Purchase of Service Agreement with Canteen (formerly Covenco) for a price increase beginning 10/11/2010.

- J. Partial Refund of 2009 Interim and 2010 Real Estate Taxes – Prologis/Keystone Operating Partners, c/o Thomson Tax & Accounting – Parcel #36-11-068 – \$29,981.61.
- K. Purchase of Service Per Diem Rates between Children & Youth and:
1. Gaudenzia Chambers Hill Adolescent Program
 2. Kidspeace National Center, Inc.
 3. Discovery Kids Child Care Center, Inc.
 4. Keystone Children & Family Services, Inc.
 5. Alternative Rehabilitation Communities, Inc.
 6. Family Care Services, Inc.
 7. Adelphoi Village, Inc.
 8. Hope for Kids, Inc.
 9. Presbyterian Children's Village
 10. Pyramid Healthcare, Inc.
 11. National Mentor Health Care, Inc.
 12. Catholic Charities of the Diocese of Harrisburg, PA
 13. Bradley Center, Inc.
 14. Children's Choice, Inc.
 15. COBYS Family Services
 16. Community Specialists Corporation (The Academy)
 17. Commonwealth Clinical Group, Inc.
 18. The Summit School, Inc.
 19. Children's Home of York
 20. Pinnacle Health Hospital – Women's & Children's Services
 21. Common Sense Adoption Services
- L. Purchase of Service Agreements between Children & Youth and:
1. Alternative Rehabilitation Communities, Inc.
 2. Balinger R. Brown
 3. Children's Choice, Inc.
 4. COBYS Family Services
 5. Community Action Commission
 6. Vision Quest National, Limited
- M. Amendments to Purchase of Service Agreements between Children & Youth and:
1. Adelphoi Village, Inc. – Amendment #1
 2. Adelphoi Village, Inc. – Amendment #2
- N. Child Welfare Education for Leadership (CWEL) Program Agreements between Dauphin County, the University of Pittsburgh and:
1. Nicole L. Smith
 2. Molly E. Sullivan
- O. MH Purchase of Service Agreements between MH/MR and:
1. Advantage Medical Transport, Inc.
 2. Barbera Behavior Consulting, LLC
 3. Melmark, Inc.
- P. ITF Medicaid Waiver Service Agreements between MH/MR and:

1. Barbera Behavior Consulting, LLC
2. Rachel Bechtel, M.S.
3. Capital Area Intermediate Unit
4. Merle Crawford, M.S., OTR/L
5. Beth Diehl, M.S., CCC-SLP
6. Gayle Z. Goepfert, M.S., CCC-SLP
7. Julie E. Granito, M.A., CCC-SLP
8. Living Unlimited, Inc.
9. Kelly L. Rice, OTR/L
10. Cherie M. Rodgers, SLP-CCC, M.A.
11. Speechcare, Inc.
12. TMB Developmental Therapy & Infant Massage, Inc.
13. United Cerebral Palsy of Central Pennsylvania, Inc.
14. Debra A. Ziegler, OTR/L

- Q. Amendments to Purchase of Service Agreements between MH/MR and:
1. Allegheny Valley School – Amendment #1
 2. Community Services Group, Inc. – Amendment #1
 3. Edgewater Psychiatric Center, Inc. – Amendment #1
 4. National Mentor Healthcare, LLC t/d/b/a Pennsylvania Mentor – Amendment #2
 5. Northwestern Human Services of Pennsylvania – Amendment #1
 6. Paxton Ministries – Amendment #1
 7. Pennsylvania Psychiatric Institute – Amendment #1
 8. Pennsylvania Psychiatric Institute – Amendment #2
 9. Dr. Luciano Picchio – Amendment #1
- R. Purchase of Service Agreement between Dauphin County and New Beginnings Youth and Adult Services, Inc.
- S. Resolution #37-2010 - appointing residents and business leaders of Dauphin County to the County's Act 101 Solid Waste Advisory Committee.
- T. Satisfaction Piece for Deanna M. Williams on the property located at 1940 Holly Street, Harrisburg, PA 17104 (\$3,120.00).
- U. Annual Grant-in-Aid Award Notification from the Pennsylvania Juvenile Court Judges Commission for \$618,826.00 to fund several JPO positions within the department.
- V. HCQU Agreement between MH/MR and Cumberland Perry Mental Health and Mental Retardation Program.
- W. Partial Refund of 2010 Real Estate Taxes – KTR Harrisburg, LLC, c/o Thomson Tax & Accounting – Parcel #14-041-031 - \$43,645.29.
- X. Strike-off of 2003 and 2004 County Real Estate and County Library Taxes, penalties and interest for Parcels #31-002-009 and #31-002-168 - \$737.58 (These two parcels were granted to the Borough of Hummelstown for open space purposes.)
- Y. Purchase of Service Agreement between Dauphin County and LexisNexis Risk Solutions FL Inc. for access to LexisNexis (Accurint) to assist in locating Domestic Relation clients.
- Z. Partial Refund of 2010 Real Estate Taxes – Pheasant Hill Estates, c/o The Beacon Companies– Parcel #62-013-112 – \$4,236.85.

- AA. Partial Refund of 2010 August Interim Real Estate Taxes – Stan Custer, Inc.—Parcel #62-066-038 -- \$744.97.
- BB. Subordination Agreements:
 - 1. Jennifer A. King and JoAnn King-Brown, 321 Seneca St., Harrisburg, PA 17110
 - 2. Marcelle Homan, 643 S. 29th St., Harrisburg, PA 17111
 - 3. Ada L. Rivera-Castillo, 2630 Rumson Dr., Harrisburg, PA 17104
- CC. Proposed Stipulations of Settlement:
 - 1. Waterford at Summit View, 8301 Presidents Dr., Parcel Nos. 63-083-022 and 63-083-018, Docket No. 2009-CV-15396-TX
 - 2. J.D. Oliver, LLC, 4303 Lewis Run Rd., Parcel No. 63-027-196, Docket No. 2009-CV-15751-TX
- DD. Agreement from Cordia Communications Corp. for acceptance of payment associated with their failure to remit Voice Over the Internet (VoIP) 9-1-1 payments.

Mr. Haste: We have Items A through DD that are listed on the Agenda. Are there any items that need to be pulled out and voted on or discussed separately?

Mr. Hartwick: Only K12, I need to note an abstention.

It was moved by Mr. Pries and seconded by Mr. Hartwick, noting an Abstention on Item K12, that the Board approve Items A through DD, listed above under Matters Requiring Board Action.

Question: Mr. Haste – Aye; 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. Haste: We have correspondence listed on the Agenda, Items A through H, which will be handled by the staff appropriately.

- A. Notification from K & W Engineers advising that the Pennsylvania State Employees

Credit Union is applying to DEP for a General NPDES Permit for stormwater discharges for their new headquarters building in Susquehanna Township.

- B. Notification from Grant A. Marshall advising that he is submitting an application to DEP for the installation of a small flow treatment facility for the James W. Henry Estate to serve an existing single family residence in South Hanover Township and applying to DEP for a General Permit 4 for the installation of a 4 inch diameter outfall pipe.
- C. Notification from Third Mountain Surveying advising that they are applying to DEP for a General Permit #7 for the installation of a new 48" culvert over an existing run to carry a new private road for the Donald E. & Maretta I. Schmidt property in Middle Paxton Township.
- D. Receipt of a letter from PPL Electric Utilities advising that the Pennsylvania Public Utility Commission has approved their fixed-price plan for 2011.
- E. Notification from HARSCO Metals advising that they have submitted a State-Only Operating Permit Renewal Application to DEP for the following existing sources: slag quenching and transfer station, magnetic separator, slag processing plant, slag screening/crushing/quenching plant, portable screening plant w/engine, scrap cutting, 3 control, wet suppression systems, fugitive – hot slag quenching and fugitive – slag processing.
- F. Receipt of a copy of a letter from DEP to Rausch Creek Land, LP enclosing a revised Permit and an approved copy of the application (Coal Mining Activity Permit No. 22851601C, Underkoffler Breaker Operation, Wiconisco Township). This revises the post-mining land use from forestland to unmanaged natural habitat.
- G. Notification from Orth-Rodgers Associates, Inc. advising that they intend to submit a permit application to DEP on behalf of the Pennsylvania Turnpike Commission for the Swatara Creek Bridge and Roadway Reconstruction Project (MP 250 to MP 252) Act 14, 67, 68 and 127.
- H. Notification from dH Enterprises advising that Herman Development has filed Notice of Intent for Coverage under the Pennsylvania NPDES Permit for Discharges of Storm Water associated with Family Care and Radiology/Lab Suite, DHE Project No. 10004.

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? (There was none.)

ADJOURNMENT

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

Respectfully submitted,

Chad Saylor, Chief Clerk

Transcribed by: Richie-Ann Martz