



**DAUPHIN COUNTY BOARD OF COMMISSIONERS**

**LEGISLATIVE MEETING**

**DECEMBER 22, 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; Bill Tully, Solicitor's Office; Brooke Miller, Personnel; Gary Serhan, Deputy Controller; Melissa Bradley, Personnel; Dave Schreiber, Personnel; J. Scott Burford, Deputy Chief Clerk; Mike Yohe, Director of Budget & Finance; Randy Baratucci, Director of Purchasing; Leila Brown, Solicitor's Office; Tom Guenther, Director of IT; Fred Lightly, Human Service Director's Office; Peter Vriens, Director of Human Services; Danielle Vayda, Solicitor's Office; Joe Cardinale, Solicitor's Office; Stacey Patrick, Controller's Office; Brenda Hoffer, Commissioners' Office, and Jena Wolgemuth, Commissioners' Office.

**GUESTS PRESENT**

Matt Miller and Jim Roxbury

**MINUTES**

**CALL TO ORDER**

Mr. Haste, Chairman of the Board, called the meeting to order at 10:15 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 December 8, 2010 Legislative Meeting Minutes.**

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

**It was moved by Ms. Rebeck and seconded by Mr. Pries that the Board approve the December 8, 2010 Salary Board Meeting Minutes.**

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

## **EXECUTIVE SESSIONS HELD BETWEEN MEETINGS**

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

## **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 were none.)

## **DEPARTMENT DIRECTORS/GUESTS**

### **A. Garry Esworthy**

#### **1. Excess Coverage Worker's Comp Presentation**

Mr. Esworthy: In front of you is the insurance proposal for the 1/1/11 renewal for our excess worker's comp insurance. Mid-West has quoted a rate flat from the expiring rate on the \$750,000 SIR, which means that we are responsible for the first \$750,000 of a worker's comp claim. They were offering a 2-year option on the \$750,000 SIR as well, but that rate option is about 2% higher than the 1-year rate. That is because there has been loss development over the past 2 years. That is the reason for the higher rate for 2-year option. I'm asking you to approve a 1-year option at \$60,738. I think the insurance market will be a little bit softer between now and next year and I don't feel like taking a 2-year option out right now.

Mr. Haste: Our deductible now is \$750,000, right?

Mr. Esworthy: That is correct.

Mr. Haste: Did you get quotes from other companies?

Mr. Esworthy: I did get quotes from other companies. Mid-West was the best quote we had. I would like to have approval on that today for me to bind the coverage.

Mr. Haste: Bill, are you okay?

Mr. Tully: Yes.

Mr. Haste: Any other questions? (There were none.) Is there a motion to approve the 1-year contract with Mid-West for our excess worker's comp insurance for \$60,738 in annual premium?

**It was moved by Mr. Pries and seconded by Mr. Hartwick to approve a 1-year contract with Mid-West for our excess worker's comp insurance for \$60,738 in annual premium.**

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

## **PERSONNEL**

Ms. Miller: Good morning. Are there any questions on the packet or the addendum? (There were none.)

Mr. Haste: Is there a motion to approve the Personnel Packet as amended?

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

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

## **PURCHASE ORDERS**

Mr. Baratucci: First think I have, if you want to call it that, is a Purchase Order packet that consists of 1 item. It is to repair a couple of x-ray machines and Commissioner Pries asked that we get this approved. That is the only item on the Purchase Order packet and I ask for your approval, are there any questions? (There were none.)

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

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

### Bid Award – Office Supplies

Mr. Baratucci: The second thing I have is our yearly contract for office supplies. The bid has been separated into two parts. Part A which consists of your basic office supplies, pens, pencils, folders, etc. Then there is Part B which consists of computer supplies, cartridges for various computer printers throughout the county. There are some companies that just like to bid, as you can see in here, on the computer/printer supplies. We did receive a total of five bids on each part and the same company was low on both. It is the one in red on your page there, Office Basics. This would be the fourth year in a row that they have been our supplier. They have done a very good job delivering items in a timely fashion and as you can see they outbid everyone else. I would recommend that we do award both Part A and B to Office Basics.

Mr. Haste: Where it says “no bids” does that mean they picked up a packet or they were at the meeting and just didn’t submit something?

Mr. Baratucci: Exactly. We require them to send something back to keep them on the bid list because otherwise the list grows out of control. I asked them if they were not going to bid, for whatever reason, they submit a “no bid”.

Mr. Hartwick: This is just another procedural question, is this offer to all suppliers in the county? It’s always better to see us give business to locals, although I know our local procurement requirements and we obviously want to get the best value.

Mr. Baratucci: We will send it to anybody that we are aware of or anybody that requests a bid packet. We list it on our website and the newspaper per legal requirements, so we do our best to solicit from as many places as possible. We take the best offer we can get and this company, even though they are located in Boothwyn, I don’t know exactly where that is, they do a great job. They deliver the basics. They provide weekly deliveries and they are here on time. They have done a good job.

**It was moved by Mr. Hartwick and seconded by Mr. Pries that the Board award the bids Part A and Part B for Office Supplies contract to the low qualified bidder – Office Basics.**

**Question:** Mr. Haste – Aye; 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**  
**December 22, 2010**

- **December 10, 2010** transferred **\$2,082,889.63** to the **Payables** account from the County's Concentration account for checks issued that week.
- **December 17, 2010** transferred **\$3,214,828.14** to the **Payables** account and **\$2,638,863.14** to the **Payroll** account from the County's Concentration account for checks issued that week.
- **Total Term Investments**
  - 7/15/10 - **\$20,121,608.98** 6-mo. CD - Susquehanna Bank – **0.550%** - matures 1/13/11
  - 12/16/10 - **\$ 5,033,620.15** 3-mo. CD - Graystone Bank – **0.500%** - matures 3/17/11
- **Balance today in INVEST account #2100017144860: \$1,377.64 rate 0.130%**
- **Balance today in Susquehanna Bank investment account #119002023: \$11,812,755.36 rate 0.250%** (This rate is fixed for the month)
- **Balance today in First National Bank investment account #97014743: \$7,540,328.84 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 - \$15,496.67 rate 0.200%** (This rate is fixed for the month)
- **Balance today in Citizens Bank Municipal Money Market Checking account #6221269710 - \$11,546.51 rate 0.200%** (This rate is fixed for the month)
- **Balance today in Integrity Bank Money Market Checking account 1- #2206001209 - \$5,025,205.15 rate 0.850%** (This rate is fixed for the month)
- **Balance today in Integrity Bank Money Market Checking account 2- #2206001217 - \$5,029,664.41 rate 1.000%** (This rate is fixed for the month)
- **Balance today in PNC Bank investment account #5004319839: \$20,724,069.48 rate 0.350%** (This rate is fixed for the month)
- **Balance today in Graystone Bank investment account #1610000596: \$1,034.86 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: \$101.32 rate 0.120%**

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

Mr. Yohe: Payroll was extremely high, I think there were quite a few settlements that went out last Friday, Schaffner Center employees that kind of thing, plus the return of the health benefit was on that pay as well. Normally that is around \$1.9 million. That is an extremely high payout for payroll.

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

Mr. Saylor: Commissioner's you will note on the agenda we have a number of board appointments as it is the end of the year and at the end of the year we have a number of terms that are expiring. The other item I wanted to point out was Item YY, our lease agreement with the Audubon Society. They lease space from us out at Wildwood and we are extending the lease for another 3 years. It represents an ongoing relationship between our organization and theirs that has been very beneficial to both and the community as a whole. I just wanted to note that is part of the agenda as well. Other than that, unless there are any questions of me, that is all I have.

Mr. Hartwick: I'd like to make a point related to the Board Appointments. I think it is a good segue to say to Dauphin County residents that we have been trying to provide accessibility and a little bit more transparency and the ability to try and engage people who want to get involved on various boards and commissions throughout the county. It gives people the ability to understand what goes on in different areas of county government and categorical agencies like Parks and Recreation. This is a call out to Dauphin County residents who want to become engaged and involved. I am very pleased this year that we have added several new folks to boards and commissions that have expressed interest. If folks are interested and have a passion to serve that certainly is an area where we are looking for motivated and energized volunteers. There are some folks who have been on committees for 15 years or so and it's always good to get some new energy and additional new ideas to those committees so we are able to take a fresh look at how we are doing business. Any Dauphin County resident wanting to volunteer, they can do it simply through our website or by contacting our departments.

Mr. Pries: I agree with what George said. There are a lot of talented people out there and we appreciate their interest in getting more involved at this level and look forward to having more people put their names forth in the future.

Mr. Hartwick: There are a lot of people that want to stand there and point fingers and say what's wrong, this is one way that you can get engaged to make a difference.

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

Mr. Tully: We have nothing new to report, but I would be happy to answer any questions. (There were none.)

## **MATTERS REQUIRING BOARD ACTION**

Mr. Haste: Are there any matters that we need to pull out and vote on separately?

Mr. Hartwick: I would like to pull Item X from the agenda. I would also like to note an abstention from Item EE #1.

Mr. Haste: Okay. We have Matters Requiring Board Action, Items A through GGG on the Agenda, noting that Item X has been pulled and Commissioner Hartwick will be abstaining on EE #1, is there a motion to approve?

- A. Training Packet.
- B. Appointment of the following to the Children & Youth Advisory Board, terms expire December 31, 2013.
  - 1. Gayla Molinelli Bush
  - 2. Virginia Teter
  - 3. Robert Shavor
  - 4. Teresa Smith
  - 5. Alan Bastdorf
  - 6. Bethany Sidella
  - 7. Donna Cronin
- C. Appointment of the following to the Affordable Housing Board, term expires December 31, 2012.
  - 1. Terry Haines
  - 2. Kathy Possinger
- D. Appointment of the following to the Ag Land Preservation Board, term expires December 31, 2013.
  - 1. Randy Greider
  - 2. Rennie Phillips
  - 3. Keith Oellig
- E. Appointment of Marilyn Levin to the Area Agency on Aging Board, term expires December 31, 2013.
- F. Appointment of Eric Bugaile to the Capital Area Transit Board, term expires December 31, 2015.
- G. Appointment of Mary Moyer to the Fort Hunter Board of Trustees, term expires December 31, 2013.
- H. Appointment of Doug Gelder to the Dauphin County General Authority, term expires the first Monday in January 2016.
- I. Appointment of Andrew Johnson to the Dauphin County Industrial Development Authority, term expires the first Monday in January 2016.
- J. Appointment of the following to the Dauphin County Planning Commission.

1. William A. Specht, III (term expires December 31, 2011)
  2. Daniel Tunnel (term expires December 31, 2014)
  3. Tom Clark (term expires December 31, 2014)
- K. Appointment of Paul Navarro to the Dauphin County Redevelopment Authority, term expires December 31, 2015.
- L. Appointment of the following to the Schaffner Youth Center Advisory Board, terms expire December 31, 2013.
1. Sanford Krevsky
  2. Laurie Reiley
  3. Ernest Davis
  4. Gary Crissman
  5. Vladimir Beaufils
  6. Martin Odom
- M. Appointment of Chad Saylor to the Susquehanna Area Regional Airport Authority Board, term expires the first Monday in January 2016.
- N. Appointment of Frank Quigley to the Tourism Board, term expires December 31, 2013.
- O. Appointment to the MH/MR Advisory Board, term expires December 31, 2013.
1. Matt Stinner
  2. Sherri Smith
- P. Appointment of the following to the Drugs & Alcohol Advisory Board, term expires December 31, 2013.
1. James A. Lenker
  2. Brian J. Paul
  3. Rosemary R. Harvey
- Q. Mileage Rate for 2011 - \$.51 per IRS guidelines.
- R. Proposed Stipulations of Settlement for Tax Assessment Appeals:
1. Rexall L. Gellatly, 2771 E. Harrisburg Pike, Parcel No. 34-011-073, Dauphin County Docket No. 2009-CV-14533-TX.
  2. Hummelstown Housing, 300 Poplar Avenue, Parcel No. 31-042-015, Dauphin County Docket No. 2008-CV-16565-TX.
- S. Request to contribute the County's *pro rata* share (\$12,487.97) for appraisal services and trial costs needed to ascertain the true value of the following:
1. Robin-Ellen Realty Associate, 2535 N. 7<sup>th</sup> Street, Parcel No. 10-002-001, 002, 003 & 005; 10-003-001 & 002, Dauphin County Docket No. 2010-CV-14150-TX (\$750.00).
  2. MI Windows & Doors, Inc., 610 & 702 W. Market St., Gratz, Parcel Nos. 27-007-036 & 27-007-058, Dauphin County Docket No. 2010-CV-14297-TX (\$2,158.80).
  3. The Suite at Hershey Condominium Association, Inc., 176 E. Hershey Park Drive, No. 2010-CV-13974-TX, Parcel No. 24-004-035 (\$688.75).
  4. Exeter 3400 Industrial LLC, 3400 Industrial Road, Parcel No. 14-041-027, Dauphin County Docket No. 2009-CV-15538-TX (\$852.80).



5. Red Roof Inns, Inc., 400 Corporate Circle, Susquehanna Twp., Parcel No. 62-023-060, Dauphin County Docket No. 2010-CV-13179-TX (\$2,903.36).
  6. Harrisburg Hotel Associates, 1 North Second Street, Harrisburg, (a/k/a Hbg. Hilton), Parcel No. 03-003-039, Dauphin County Docket No. 2010-CV-13722-TX (\$2,094.56).
  7. Jay Siaram, LP, a/k/a Crown Plaza, 23 S. 2<sup>nd</sup> Street, Harrisburg, Parcel No. 03-004-018, Dauphin County Docket No. 2010-CV-13712-TX, (\$2,177.30).
  8. Susquehanna Masonic Home Assoc. of Millersburg, 269 Market Street, Millersburg, Parcel Nos. 45-002-012, Dauphin County Docket No. 2010-CV-12863-TX (\$862.40).
- T. Proposal for Engineering Services submitted by Herbert, Rowland & Grubic for Dauphin County Prison – Central Court Renovations - \$121,300.00.
- U. Letter and Agreement for the Whitaker Center for Science and the Arts Facility Rehabilitation Project.
- V. Radio Tower Site Co-Locate Agreement with the Commonwealth of PA, Office of Public Safety Radio Sites, to co-locate at an additional site – Mahantango – DAUP39.
- W. Recommendation for Appointment of Tim Reardon to the Local Emergency Planning Committee.
- X. Senior Center Grant Agreement between Dauphin County and The Steelton Community Development Foundation, Inc.
- Y. Purchase of Service Agreements
1. Bethanna
  2. Bethany Christian Services of Central Pennsylvania
  3. Concern – Professional Services for Children, Youth, and Families
  4. The Children’s Aid Society of Franklin County Pennsylvania
  5. Pride of the Neighborhood Academies, Inc.
- Z. Subsidized Legal Custodianship Agreement 2010-09, 2010-10 and 2010-11.
- AA. Adoption Assistance Agreements: 2010-69, 2010-70, 2010-71, 2010-72, 2010-75, 2010-76.
- BB. Purchase of Service Agreement between Dauphin County and Temple University of the Commonwealth of PA System of Higher Education.
- CC. Purchase of Service Agreement between Dauphin County and Express Scripts, Inc.
- DD. Amendment #2 to the Purchase of Service Agreement between Dauphin County and Dr. Luciano Picchio.
- EE. Emergency Shelter Grant Agreements:
1. Catholic Charities of the Diocese of Harrisburg, Pennsylvania, Inc.
  2. Shalom House
  3. YWCA of Greater Harrisburg
- FF. Resolution No. 48 -2010 Renaming the Office of Personnel and Payroll to the “ Department of Human Resources”.

- GG. Resolution No. 49 -2010 Supporting the creation of a Human Service Transportation Pilot Project.
- HH. Dauphin County– Management Representation Letter for 12-31-2009.
- II. Dauphin County 911 Audit – Management Representation Letter for 12-31-2009.
- JJ. Addendum to the CenturyLink Centurion Maintenance Service Annex.
- KK. Verizon Quote 1-5VN3UV – Plant CML Monitor and Response Service to cover the Harrisburg PSAP installation of six (6) Vesta workstations and one (1) Vesta server for \$2,464.07. Effective 1/1/2011 – 3/31/2011.
- LL. Weatherization Assistance for Low-Income Persons Program Grant Contract between Dauphin County and The Commonwealth of PA Department of Community and Economic Development, in the amount of \$353,547. Effective 7/1/2010 – 9/30/2011.
- MM. Renewal of Delta Dental Contract for 2011. The renewal rate is \$4.55 per member per month and the Administration Fee of \$4.30 per member per month: Dauphin County Prison Guards/IBT Local #776-Group No. 0384; Dauphin County Probation Officers/IBT Local #776-Group No. 3034; and Dauphin County Court Related Non-Professional Employees/IBT Local #776-Group No. 3051. Effective 1/1/2011 – 12/31/2011.
- NN. Indemnity Settlement re: Melinda Edwards -\$78,750.00.
- OO. Request to exonerate County and Library Real Estate Taxes on the Felton Elementary School, for \$4,355.83.
- PP. Partial Refund of 2010 Real Estate Taxes to Prologis/Keystone Central Storage, LP, Parcel #s 14-041-019, 3500 Industrial Rd., and 14-041-020, 3500 A Industrial Rd. for \$3,086.11.
- QQ. Partial Refund of 2010 Real Estate Taxes to Prologis/MIT-JPM Limited Partnership, Parcel #35-034-055, 6455 Allentown Blvd. for \$9,926.12.
- RR. Recommendation of acceptance for properties purchased at the Special Repository Sale on December 14, 2010
- SS. Resolution No. 50 - 2010. A resolution endorsing the Whitaker Center for Science and the Arts renovations project and directing appropriate county officers, employees and agents to assist in obtaining RACP funding.
- TT. Proposed Stipulations of Settlement:
1. Riveroaks Associates, 3401 N. Front Street, Parcel No. 62-017-207, Docket No. 2009-CV-15690-TX.
- UU. 2011 Bypass Waste Processing/Disposal Agreement between Dauphin County, Waste Management of PA, Inc. and Pine Grove Landfill, Inc., for minimum of 20 tons per week. The fee is not to exceed \$109.20 per ton.
- VV. Lease Agreement between Dauphin County and East Main Street Management Company for 3,200 square feet for Magisterial District Court 12-3-04.

- WW. Letter of Agreement between Dauphin County and Conrad Siegel Actuaries. Conrad Siegel to perform a Self-Insurance Loss Reserve Valuation for the Dauphin County Worker's Compensation Program as of December 31, 2010.
- XX. Schaffner License application to the PA Department of Public Welfare for the 24-bed shelter model.
- YY. Lease Agreement between Dauphin County and National Audubon Society d/b/a Audubon Pennsylvania Society – 10/1/2010 – 9/30/2013.
- ZZ. Amendment #1 to the Purchase of Service Agreement between Dauphin County and Berks County for Shelter Care
- AAA. Amendment #1 to the Schaffner Administrative Agreement between Dauphin County and Cornell Abraxas Group, Inc.
- BBB. Purchase of Service Agreement between Dauphin County and Cornell Abraxas Group, Inc. for the Abraxas Academy
- CCC. Appointment of the following to the Library Board, term expires December 31, 2011.
1. Tom Mehaffie
  2. Brad Miller
  3. Sara Jane Cate
  4. Christine Mummert
  5. Deborah Nifong
- DDD. Agreement between Dauphin County and the Whitaker Center for IMAX Project.
- EEE. Resolution #51-2010 – Application to Encumber Liquid Fuels Tax Funds – County Bridge No. 32 (Duke Street Bridge) Replacement - \$250,000.
- FFF. Resolution #52-2010 – Application to Encumber Liquid Fuels Tax Funds – 2011 Multi-Bridge Deck Rehabilitation.
- GGG. Resolution #53-2010 - Federal-Aid Reimbursement Agreement between Dauphin County and the Commonwealth of Pennsylvania for Preliminary Engineering for Bridge No. 31 – Duke Street Bridge over Swatara Creek.

**It was moved by Mr. Pries and seconded by Mr. Hartwick that the Board approve Matters Requiring Board Action, Items A through GGG, minus Item X, listed above.**

**Question:** Mr. Haste – Aye; Mr. Pries – Aye and Mr. Hartwick – Aye (Item EE#1 –Abstained); motion carried.

### **FORMER BUSINESS**

(There was none.)

### **NEW BUSINESS**

Mr. Haste: Wish everybody a Merry Christmas and a safe enjoyable time with family.

## **CORRESPONDENCE**

Mr. Haste: We have correspondence listed on the Agenda, Items A through D, which will be handled by the staff appropriately.

- A. Notification from DC Gohn Associates advising that the Vista School is applying for an NPEDS Permit renewal from DEP for the construction activity associated with the school's stormwater management plan for the project located off of Clearwater Drive in Derry Township.
- B. Notification from Swatara Township that the Preliminary/Final Land Development Plan that Dauphin County submitted was recommended for approval to the Township on September 7, 2010 by the Township Planning Commission. On December 1, 2010 the Swatara Township Board of Commissioners approved the plan with the following condition; a satisfactory financial security in the amount of \$61,270.00; said security to be evidenced by the Township Improvement Guaranty Agreement and appropriate security for said agreement.
- C. Notification from Light-Heigel & Associates, Inc. advising that Jackson Township, Dauphin County, will be applying to PA DEP and/or the Army Corps of Engineers for permitting associated with the replacement and/or rehabilitation of an existing culvert and bridge, stabilization activities of streambanks associated with Armstrong Creek, and storm pipe installations along Wolf Hole Road in Jackson Township.
- D. Notification from TeamAg Incorporated advising that Noah W. Kreider & Sons LLP intends to submit an application to DEP for an updated Individual NPDES permit for a Concentrated Animal Feeding Operation for the Middletown Facility in Lower Swatara Township, Dauphin County.

## **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.)

Just a note that we have Retirement Board and we will go into Retirement Board in 5 minutes after the conclusion of this meeting.

## **ADJOURNMENT**

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

Respectfully submitted,

Chad Saylor, Chief Clerk