



**DAUPHIN COUNTY BOARD OF COMMISSIONERS**

**LEGISLATIVE MEETING**

**TUESDAY, FEBRUARY 11, 2003 (10:00 A.M.)**

**MEMBERS PRESENT**

Jeff Haste, Chairman  
Lowman Henry, Vice Chairman  
Anthony Petrucci, Secretary

**STAFF PRESENT**

Robert Burns, Chief Clerk; Julia Nace, Assistant Chief Clerk; Bill Tully, Esq., Solicitor; Marie Rebeck, Controller; Bob Dick, Treasurer; Phil Spaseff, Recorder of Deeds; Judge Lewis; Randy Baratucci, Director of Purchasing; Mike Yohe, Director of Budget & Finance; Jim Frandano, Information Technology; Sharon Manton, Director of Personnel; Rick Wynn, Director of Human Services; Mike Pries, Director of Safety and Security; Edgar Cohen, Director of Facility Maintenance; Jennifer Kocher, Director of Communications; Anthony White, Director of Fiscal Affairs; Jeff Foreman, Esq.; Bob Knupp, Esq.; Jane Gordon, Commissioners' Office; Kacey Truax, Commissioners' Office; Lena Martinez, Commissioners' Office; Dan Mosel, Human Services; Gary Serhan, Controller's Office; Sharon Ludwig, Personnel; Garry Esworthy, Risk Manager; Diane McNaughton, Communications; Melanie McCaffrey, Solicitor's Office; Benn Smith, Economic Development; Kelly Wolf, Recycling Coordinator; Steve Howe, Tax Claims; Shari Eagle, Information Technology; Amanda Chmiola, Commissioners' Office.

**GUESTS PRESENT**

Sondra Mosten, Tom Helsel; Loretta Barbee-Dare; Alberta Hamm, HACC; Patrick von Keyserling, American Heart Association; Emma Gaither, Linda Thompson, Harrisburg City Council; Harriet Lapez, Alfredo Lapez.

## **MINUTES**

### **CALL TO ORDER**

Mr. Haste, Chairman of the Board, called the meeting to order at 10:00 a.m.

### **MOMENT OF SILENCE**

Everyone observed a moment of silence

### **PLEDGE OF ALLEGIANCE**

Everyone stood for the Pledge of Allegiance

### **APPROVAL OF MINUTES**

Mr. Haste: The first item on the Agenda is the approval of the Minutes for the December 18<sup>th</sup> and December 19<sup>th</sup> Special Meetings. I would ask that I would be recused from those. I was not in attendance for either one. Then we will vote on January 7<sup>th</sup>, January 14<sup>th</sup> and January 14<sup>th</sup> Salary Board separately.

Mr. Henry: I make a motion that we approve the minutes of December 18<sup>th</sup> and 19<sup>th</sup>, 2002.

Mr. Petrucci: Second.

Mr. Haste: All those in favor signify by saying aye.

Mr. Petrucci: Aye.

Mr. Henry: Aye.

Mr. Haste: I need a motion for January 7<sup>th</sup> and 14<sup>th</sup>.

Mr. Henry: So moved.

Mr. Petrucci: Second.

Mr. Haste: All those in favor signify by saying aye.

All: Aye.

Mr. Haste: The Minutes are approved.

## **APPOINTMENT OF DAUPHIN COUNTY SOLICITOR**

Mr. Haste: Appointment of the Dauphin County Solicitor. It's my pleasure at this point in time to, it is in our Personnel packet, but to put forward the name of Bill Tully for Dauphin County Solicitor. I call upon the Honorable Judge Lewis and Bill Tully to come up for the administering of the oath.

Mr. Henry: Should we not take the vote prior to the administration of the oath?

Mr. Haste: Yes.

Mr. Henry: I will make a motion that we appoint Bill Tully as the Solicitor of Dauphin County.

Mr. Haste: Do I have a second?

Mr. Petrucci: Second.

Mr. Haste: All those in favor signify by saying aye.

All: Aye.

*Judge Lewis administered the oath.*

## **EXECUTIVE SESSIONS HELD BETWEEN MEETINGS**

Mr. Haste: Executive Sessions held between meetings, Bob.

Mr. Burns: Mr. Chairman, there was one Executive Session. It was on February 3, 2003 and we discussed cases that are currently in litigation.

## **PUBLIC PARTICIPATION**

Mr. Haste: Public participation. This is the time in the meeting when if there is anyone in the audience who would like to speak to an item on the Agenda, please do so.

Mr. Petrucci: Mr. Chairman, I'm not a member of the public but there is a member of the public that I would like to introduce to the Board. It is a person who is student body President at HACC, Alberta Hamm. She is sitting in the back and joining us today.

Mr. Haste: Thank you for coming.

## **DEPARTMENT DIRECTORS/GUESTS**

Mr. Haste: Department directors. At this time the Dauphin County Board of Commissioners is going to proclaim February as American Heart Month. I believe we

have several members from the Heart Association here. If you would like to come forward. I'll ask Commissioner Henry if he will read the proclamation since he is the oversight of our Human Services department.

A. American Heart Association

1. Presentation of a Proclamation declaring February "American Heart Month".

Mr. Henry: We have a proclamation for you today.

We, the Dauphin County Board of Commissioners, recognize that coronary artery disease is the number one killer of Americans;

Whereas, a person dies every 33 seconds of cardiovascular disease;

Whereas, compliance with prescription instructions, medical instructions and doctor directives is vital to the attainment and maintenance of cardiovascular health;

Whereas, the American Heart Association is committed to public education about heart disease and stroke and to ongoing medical research, and strongly urges all men and women to take action to reduce, control and prevent as many risk factors as possible;

Whereas, the American Heart Association is the largest voluntary, nonprofit organization whose mission is to reduce disability and death from cardiovascular diseases and stroke;

Whereas, heart disease takes an incalculable toll on its victims and the loved ones left behind, and we are dedicated to preventing this pain, both physical and emotional;

Therefore, on behalf of the 251,300 residents of Dauphin County, we formally declare February 2003 as "American Heart Month in Dauphin County" and heartily urge all citizens to take charge of their cardiovascular health and support the life-saving work of the 200,000 volunteers dedicated to the Pennsylvania American Heart Association.

Approved this 11<sup>th</sup> day of February, 2003.

(Comment by one of the members of the Heart Association – not at microphone.)

I just want to thank you Commissioners for your continued support for the Heart Association and its mission to educate people about this disease and certainly all of our efforts to eliminate cardiovascular disease. Thank you.

Mr. Petrucci: Mr. Chairman, before you go on, just one comment about Heart Association. It was kind of poignant that yesterday Republicans in the room will remember, Ron Ziegler of the Nixon administration, passed away yesterday of a heart attack at the age of 63. It is still a problem that we need to work on and we appreciate your efforts. He's the guy that said Watergate was nothing more than a third rate burglary.

Mr. Haste: Rich Bowra.

B. Rich Bowra, Executive Director, Dauphin County Library System.

1. Updated presentation on the Dauphin County Library System.

Mr. Bowra: Good morning. Thank you for the opportunity. The packet of materials will reduce my talk by about an hour and a half. I just wanted to express my continued support to the Commissioners for their support of the Dauphin County Library System. I thought it would be useful to just give a very brief update of some of the things that we are doing at this point.

In terms of some quick statistical numbers and there is a stat sheet that I will be forwarding to the Commissioners as well. In the past year we circulated about close to 1 million items to the citizens of Dauphin County which is a 9% increase from the previous year. So those people who talk about books waning and the Internet taking over, it is really a symbiotic relationship that we share. We had 650,000 visitors to our branches during the past year. We answered about 105,000 reference questions and held 862 programs with about 22,400 people in attendance.

As the Commissioners know it is a very busy time for us. We have been working for the past several years and will be for years to come, on a very ambitious facilities improvement project. About two years ago we replaced our Kline branch library, moving from the Kline Village Shopping Center to our own quarters on 29<sup>th</sup> Street. That was after the landlord faced us with a 65% lease increase at the Kline Village Shopping Center. So we quickly turned that increase into investing in our own property.

We are under construction right now in our new facility in Northern Dauphin County, which is a merger of two branches of the Williamstown and Lykens facilities which we, in our strategic planning, believe will allow a better facility for all those communities in Upper Dauphin County and a more efficient operation as well. That is now under roof and we expect that to be open in June of this year.

In our Historic Downtown building we are getting ready to do the roof replacement there. That building is original from 1914. Some heating and cooling improvements are being made. There is a lot more to be done in that building but we are doing some of the more critical systems first.

In Hummelstown this fall we purchased 3 parcels of land for the new Hummelstown facility; the former National Hotel building, the Hummelstown Community Lanes and the parking lot in between. We hope that within the next four years to be constructing a new Hummelstown facility as well.

Our main facility in Colonial Park, we have land acquired for additional parking. We have some heating and cooling improvements there.

On Third Street we purchased a parcel next to the, what used to be the Eastern Star, which is now part of the Goodwin Memorial Baptist Church, for a replacement facility there. Instead of leasing facility in the uptown shopping center we will be owning our own property as well.

All of these projects, counting the Kline branch, are in excess of \$7 million of investment in the County. The latest phase, not counting the Kline branch and some property acquisition, is about \$5.65 million. A little over a year ago we embarked upon the public part of our campaign with a goal of \$2 million which is what we were told we could raise from the community. As you know it is a very difficult time to raise money. We are pleased to report that we are now above the \$1.9 million mark on that \$2 million campaign. We hope to close the gap on that by this spring. We have also secured about \$1 million in other grants and endowments separate from the campaign. That gives us \$3 million. That leaves us, what is a five year plan, about \$2.65 million short.

About two or three years ago we worked with Senator Piccola to put in the State Capital budget \$2.65 million for the Capital Improvements that we were doing. We were very close to having that money released in September of 2001, but as we all know world events changed. The Governor moved and we had to basically start again. We were close again in the waning months of the Schweiker administration but the monies were not released. We are starting again with the current Rendell administration. It is often many years before those funds are released and we are going to be working diligently again. Commissioner Petrucci, who is on the transition team, will be making some contacts as well. One the real parameters of that State Capital money is have you raised your local match. We have. We have exceeded the local match. Are we ready to go? We are. So we are really working hard towards that end. But what has happened even though technology has really encompassed libraries in our world, we are still the place where people can get the technology who can not afford that at home. More than half of the residents in this County, according to our studies, do not have Internet connectivity at home. So we are the place where they can come. We are doing more and more programs. We need a place to conduct those programs and we are adding more materials to the library as well. So we are still very much a very viable and thriving entity and we need the facilities to be able to do that.

We continue to work a lot with grants. We received grants from the Belinda and Bill Gates Foundation to put a computer lab in our East Shore Area library which we are working now with groups and other non-profits and partners to use that for their training. We have worked with Verizon, getting some grants there for some training technology for the public and the staff. Other partnerships are with Harrisburg School District, WITF, Kiwanis Club, OIC, and so forth. In fact I was just charged to me a member of a very ambitious but very needed task force with the Harrisburg School District to basically, totally examine and rebuild both in terms of physical and collections and staff the school libraries in the Harrisburg School District.

We just received a grant from Kiwanis to do our Born to Read Program, where we work with young mothers to do that in the children's check-up center.

Many of you know about the One Book, Two Counties program we did with the book, The Killer Angels, which circulated more than 3,000 copies of those items in the two counties during that period. We are planning to do that this coming year as well.

We continue to help the public with Reading Readiness, Literacy, Job Readiness, Medical Information, Homework Help, Business Plans, and the like. We do have a program in the State called Power Library that I will be sending some more information about as well which the public can access thousands of magazine articles full text, encyclopedias, photo archives, and so forth from their home and office, funded through the Commonwealth of Pennsylvania. It is a very tremendous tools that is getting a lot of use.

A lot is going on and the packets will attest to that with our calendars and newsletters. We are in our strategic planning cycle once again. I always call it a process not an event because it is something that we are always doing. We are working with the Drucker Foundation self assessment tool, really looking at ourselves and what we are doing, changing to meet the needs of the County and its residents. This summer we will be releasing that strategic planning document as we work with our staff and the Board and the financial plan that goes with that to the County Commissioners for their consideration. We will also be working with the County, I have worked with Benn Smith a bit in the past on some things with block grants. We might be looking in the future in some of our construction projects to look at some creative ways to fund some of those depending on the release of the State funds. We are always appreciative of the help that Benn and other folks from the County have given us. More than anything else we want to thank the citizens of Dauphin County for their support and the Commissioners for their support as well who provide about half of our annual operating budget each year. It is a very exciting time. We felt it would be appropriate to give you a quick update and supply you with some materials for your reading pleasure. Thank you.

Mr. Petrucci: I would point out that there were a couple of action items brought up in Richard's presentation. One in that I will be writing a letter to Governor Rendell to request the release of \$2.65 million that had been ear marked for Dauphin County's library system but got held up by Governor Ridge and Governor Schweiker and turned over to Rendell's handling. After about three weeks, after I write my letter, perhaps I will come back to the Board and ask for a Board's letter to follow up and keep the moth onto the Governor's office. I would like to point out that the book that Richard mentions which was a phenomenal two county effort is now in a national movie on television, I believe called Gods and Generals. It might be an appropriate time for any advertisement of visiting of Pennsylvania Civil War sites in light of the heightened interest to the country about our region from this particular historical perspective. Thank you.

Mr. Haste: Thank you, Rich.

## **PERSONNEL**

Mr. Haste: The next item on the Agenda is the Personnel packet.

Ms. Manton: Good morning. You should have an addendum that was distributed to your office yesterday afternoon behind the green cover sheet. I have one additional piece of information to add to the packet that is behind the yellow sheet that you received last week. On your Changes Listing from last week, item #10 which is a transfer to the Veterans' Affairs office, we now have identified the effective date which will be February 17, 2003. Again that is item #10 on the Changes Listing in last week's packet. The rest of the Personnel packet stands as presented.

Mr. Haste: Any questions for Sharon?

Mr. Petrucci: Yes. I understand everything on there except the addition of the detective, CID. I don't recall receiving any information. Oh here it is.

Mr. Burns: I think, Commissioner, that is a promotion to fill a spot.

Ms. Manton: That is correct. That has been a vacancy for the last several months.

Mr. Petrucci: Ok. Thank you.

Mr. Haste: Any other questions for Sharon? Do I have a motion to approve the packet?

Mr. Henry: So moved.

Mr. Haste: Do I have a second?

Mr. Petrucci: Second.

Mr. Haste: All those in favor signify by saying aye.

All: Aye.

Mr. Haste: Motion carries.

## **OVERTIME**

Mr. Haste: Overtime.

Ms. Manton: The overtime packet stands as presented last week.

Mr. Haste: Any questions? Do I have a motion to approve the overtime packet?

Mr. Henry: So moved.

Mr. Petrucci: Second.

Mr. Haste: All those in favor signify by saying aye.

All: Aye.

Mr. Haste: Motion carries.

## **PURCHASE ORDERS**

Mr. Haste: Mr. Baratucci.

- A. Purchase Orders
- B. Bid Award Veterans Affairs Flags
- C. Bid Award Fort Hunter Park improvement Project.

Mr. Baratucci: There have been several additions to the purchase order packet since last week. I'll identify them for you. The first ones are on page 7, our Clerk of Courts office. You probably heard, maybe in the talk here, but with the move there were some items that were damaged and we have to purchase some office furnishings, replacements, for Lowell. Also there was a work station that was missed in the original batch. So these items are being funded out of his automation fund and will not cost the General Fund any money but we did check to see if we could recover any insurance money and I was told that the amount is below our threshold. So basically we are going to just going to have to pick up the extra cost here and Lowell has said that he could take that out of his automation fund. We wanted to add those to the packet so that we can stay on the schedule for the move.

On page 24, for Dauphin Manor, there was an item here that we had held a couple of weeks ago, the dietician services because there was a budget problem. That has been resolved so that item has been added back onto the packet. It is the first item on page 24.

Also for the Manor on page 28, we needed to purchase some bed control boxes for out at the Manor. We have some very old beds out there and these boxes are very hard to come by. The company wanted us to buy 100 of them but we didn't need that many. We were able to negotiate it down to an amount that will stay within the cost that we are allocated for them. It took a while to get that negotiated but again that is why that's been added to the packet.

The last item is on page 30. What this is, is a redo of a PO. Our Solid Waste department hires a company called The Illusion Maker to do educational performances in the schools regarding recycling. We had done a purchase order for this a couple weeks ago. They made some changes to their cost. Actually it's a little bit less money. It's about \$200-300 less and we just needed to redo the paperwork on that. So that is just a replacement for a purchase order that was done a couple of weeks ago.

So those are the items that were added. All the items are still within budget. There are no problems there. If you have any questions about any of those or any of the items from last week, but it would stand for your approval.

Mr. Petrucci: Mr. Chairman, I would like to separate out page 2 for a separate vote.

Mr. Baratucci: I didn't hear anything on that. I know Commissioner Petrucci had some questions on that last week but I haven't heard that we didn't want to use that service so it was left in there.

Mr. Petrucci: Since last week I have considered the item and feel that I want to express a no vote on that. I sense that our block is probably the most protected block in the County of Dauphin. We had more deputy sheriffs, more security guards, more TV cameras covering the entire block that I can not see paying \$5,000 for an armored car take our money across the street. I would like to vote no on item 2.

Mr. Haste: Are there any other ones that need to be separated out? Mr. Treasurer, do you have anything to say on that?

Mr. Dick: I have no comments on that either way.

Mr. Haste: Could I have a motion to approve the purchase order packet with the exception of page 2?

Mr. Henry: So moved.

Mr. Petrucci: Second.

Mr. Haste: All those in favor signify by saying aye.

All: Aye.

Mr. Haste: Opposed? Motion carries. Now the item before us is page 2 of the purchase order packet. Is there a motion to approve?

Mr. Henry: Question for the Treasurer. Do you think this would place our employees in jeopardy if we did not do this contract?

Mr. Dick: The reason for the contract was that we felt our employees were in jeopardy. As I explained at the last meeting we had a number of, I don't want this public, but we were taking money down in lunch bags. At times there were \$50-60,000 even \$100,000 in cash and checks. We had no armor service. We had no guards with us. As a matter of fact sometimes if you have a guard with you that call attention to what you are doing. So it was felt at that time that the best thing to do would be an armored car service. Be reminded that the \$5,000 is spread out amongst 6 offices. Roughly it comes out to \$800-900 per office per year which I think is pretty cheap insurance for transporting that

kind of money. That was just my office that was \$50-60,000. The other offices, including Phil's and Prothonotary, they also deposit their money in my office.

Mr. Haste: I thought of this last week and it is my fault for not looking at the contract, are there any guarantees or insurances if an incident were to occur while they are taking the money over.

Mr. Dick: They being the armored car service?

Mr. Haste: Yes.

Mr. Dick: Yes, they are bonded. They have to make good for it. Once they pick it up from our office, it is in their hands.

Mr. Haste: So if an incident were to occur our loses would be covered?

Mr. Dick: Yes. Perhaps Gary Serhan may be able to answer that. It is my understanding that the loses are covered.

Mr. Henry: To me that would be the reason why you would have said company to insure that your valuable items are transported and covered if there is a loss. It would seem to me that we would be placing employees at risk regardless of how many cameras there are in this block if an armed robbery takes place the cameras are not going to be a whole lot of help in terms of stopping it. They might be of help in terms of identifying the thief and doing the prosecution down the road but that is going to do the employee who is being assaulted little good at the time. It just seems to me to be a prudent step particularly under the conditions that we are in today to protect ourselves. So I will make a motion that we approve item 2.

Mr. Haste: Is there a second? I'll second the motion. All those in favor signify by saying aye.

Mr. Henry: Aye.

Mr. Haste: Aye. Opposed?

Mr. Petrucci: No.

Mr. Haste: Ok.

Mr. Baratucci: Additionally there are two more items there. We conducted a couple of bid openings since the last meeting and you should have a summary of the bids there. I gave them to your assistants with the purchase orders. The first one was our annual bid for flags for the Veterans' Affairs office. These are the ones that are distributed to the various organizations and then placed on the Veterans' graves around Memorial Day. As has been the case for the last couple of years even though we have made

attempts to get other people interested, we only received one bid and that bid was from Metro Flag. The cost there is \$132.48 a gross. We are purchasing 170 gross of these flags for a total of \$22,521.60. They have been our supplier for the past four years. They have done a good job. Since they are the only bid I would recommend that we accept that bid.

Mr. Haste: Do we have a motion to accept the bid?

Mr. Henry: So moved.

Mr. Haste: Second?

Mr. Petrucci: Second.

Mr. Haste: All those in favor signify by saying aye.

All: Aye.

Mr. Haste: Opposed? Motion carries.

Mr. Baratucci: Secondly, just the opposite, here we received 11 bids. This was for some improvements up at Fort Hunter Park. There is a memo attached there with a summary of the bids explaining the project. Carl Dixon is here in case you had any other questions but we did work with local architectural firm, Dirk & Edson. We identified the lowest bidder here as Horst Excavating at \$136,700. As Carl explains here there is an \$80,000 grant and I believe some matching money from the County. So our recommendation here would be to award this bid to the low bidder, Horst, at the amount of \$136,700. There will be a contract forth coming that will go to the Solicitor's office for their review so the action should probably be pending completion of the contract but Carl would like to get the project started. They were hoping to have it ready for the season and if we could get at least an intent to award out to this company today that would be great.

Mr. Haste: Any question?

Mr. Henry: The matching grant money, is that budgeted?

Mr. Baratucci: I understand that it is. I think Carl and Ed Chubb had a discussion with their oversight, Commissioner Haste, and covered that.

Mr. Haste: It is my understanding that it is the funds that they get each year, there is a certain amount that is put aside for these kinds of projects and it's in there.

Mr. Henry: OK.

Mr. Haste: Motion to accept the bid?

Mr. Henry: So moved.

Mr. Petrucci: Second.

Mr. Haste: All those in favor signify by saying aye.

All: Aye.

Mr. Haste: Motion carries.

Mr. Baratucci: Thanks.

Mr. Petrucci: Mr. Chairman, before Randy leaves if I could ask a question. These bids were put out. Were bids put out for the armored car service?

Mr. Baratucci: No. We did obtain quotes for that. That is considered a professional service which we don't have to bid. First of all the bid amount is \$10,000. Anything between \$4,000-\$10,000 we are required to get three quotes. We have gotten quotes on this and this company is the low quote.

Mr. Petrucci: Thank you.

### **REPORT FROM BUDGET & FINANCE – MIKE YOHE, BUDGET DIRECTOR**

Mr. Haste: Mr. Yohe.

- A. Investment Report
- B. Dauphin County's Budget Amendment Report – Fourth quarter report are the final budget figures for the General Fund and second quarter figures for the Fiscal Budget.

Mr. Yohe: Good morning, Commissioners. I actually have two items on the Agenda this morning. The first being the investment report.

- **January 31, 2003** transferred **\$900,506.17** to the **Payables** account **from the County's Concentration account** for checks issued that week.
- **February 7, 2003** transferred **\$9,199,719.46** to the **Payables** account **and \$1,799,649.59** to the **Payroll** account **from the County's Concentration account** for checks issued that week.
- **Total Term Investments – N/A**
- **Balance today in INVEST account \$120,022.07 rate 1.26%**
- **Balance today in First Union Money Market account \$ 144,997.44 rate 1.20%**

- **Balance today in Northwest Savings Bank Money Market account \$18,200,971.92 rate 2.5%**

One other note, the First Union account, I'm in the process of closing that out. It is not feasible any more under the conditions. I've talked to the folks at First Union and until we get some more money that we can put in there the rates aren't going to be competitive. So by next week or so I'll be closing that out.

Mr. Haste: Do they require a minimum?

Mr. Yohe: \$250,000 could get us up to around the State Invest rate and I'm not going to do that. Our Northwest, I will point out, our rate at Northwest is only good for one year. That will be up in June so we have a lot of decisions to make in the next couple of months. I'll take another look at all the institutions and see if we can get a favorable rate. We will probably go back into some CD's and some other areas.

Mr. Petrucci: Mike, you say that we have a balance of \$18 million in Northwest. Earlier this week I saw a memo that we dipped into our TRAN and borrowed money for our cash flow. What rate are we paying on the TRAN compared to what rate we are making on a savings?

Mr. Yohe: My understanding is 1.67%.

Mr. Henry: So it is less expensive for us to borrow the money from somebody else than use our own money.

Mr. Yohe: I speak to a lot of banks and they say "wow" every time I tell them that we are getting 2.5% at Northwest. Understand that was a promotion.

Mr. Petrucci: I suppose it's probably not kosher to borrow all \$10 million from the TRAN and put it here at Northwest.

Mr. Haste: Any other questions for Mike on the investment report? Next item.

Mr. Yohe: The second item is the quarterly budget amendment report. A refresher for Commissioner Haste, quarterly, this report reflects any changes to the bottom line of a fund. The Commissioners require an approval to change the bottom line. I can transfer money within a budget as long as the bottom line doesn't change. If it changes it is then a budget amendment. We bring these up quarterly just because it is easier that way. I provide the report on February 3<sup>rd</sup> to each of you. The changes within the quarter October to December 2002 are highlighted in gray. These would be for the calendar year funds. These would be the final numbers. For the fiscal year funds, it is the second quarter amendments.

Mr. Petrucci: Mike, could you refresh my memory or perhaps I never had it placed in my memory. Item of 11/6 on the very first page in the shaded area. It is an increase of

\$800,000 being transferred from the fund balance to Children & Youth and to the Manor. How much was to Children & Youth and how much was to the Manor. It says to cover projected cost over runs in these areas.

Mr. Yohe: By County code we need to stay within the General Fund budget. We are identifying earlier in our quarterly budget reviews that we were going to have a problem doing that this year. There were funds available in our balance. So in order, on paper, reflect that we would stay within our estimated General Fund budget we have to put this adjustment through. Essentially we had about \$13 million projected as a fund balance and we were only going to use \$4.8 million that we were going to use.

Mr. Petrucci: What were the engendering factors with Children & Youth and Dauphin Manor that precipitated the need to use our fund balance of \$800,000?

Mr. Yohe: The operations, the placements of Children & Youth were factoring in. Dauphin Manor, we looked through their quarterly budget reports and that was out projections at the time.

Mr. Petrucci: So is this sort of like what we would call an over match when we look at the budget of the Human Service department and the County has to foot up the bill for stuff that they did that the State didn't reimburse us enough for?

Mr. Yohe: I wouldn't use the term over match particularly in Children & Youth case. They are well within their allocation. Our budget estimates may have been a little low in 2002.

Mr. Petrucci: Do you recall that the bulk of this was to go to Dauphin Manor for projected cost over runs? Did we vote on this?

Mr. Yohe: That's what we are doing now. I think it was 50/50. It might have been \$500,000 for Dauphin Manor. I think it was \$450,000 for Dauphin Manor and \$350,000 for Children & Youth.

Mr. Petrucci: I think you should separate those out. Are we voting on the gray areas or all areas?

Mr. Yohe: The gray areas are the actions that took place in the last quarter.

Mr. Petrucci: If I could ask another question or just make a point. On 9/24, right above that, note that we are having the addition of \$416,000 in cash added to the General Fund for the sale of North Front Street. This is a one time revenue issue to help balance the budget for this particular General Fund year and will not be available in future years for us because we have sold an asset to help make it. That really is reflecting that we have under utilized, that we are going to have even more difficulty making up for the whole next year because we have used a one time revenue source to help balance our budget this year. So I point out that we have had even more of a

spending propensity than what the budget would appear because of this one time revenue source of \$416,000. Thank you, Mr. Chairman.

Mr. Haste: Do I have a motion to approve the fourth quarter budget amendments?

Mr. Henry: So moved.

Mr. Haste: Do I have a second?

Mr. Petrucci: Second.

Mr. Haste: All those in favor signify by saying aye.

All: Aye.

Mr. Haste: Motion carries.

Mr. Yohe: Thank you.

#### **REPORT FROM CHIEF CLERK/CHIEF OF STAFF – ROBERT BURNS**

Mr. Haste: Mr. Burns.

Mr. Burns: Mr. Chairman, I have two items to bring to your attention today. First, as you know, the County has been involved in litigation for the past couple of years with Dauphin Meadows Landfill which had applied for a permit to expand the landfill. DEP rejected their application and the landfill owners filed a motion for summary judgment to reverse that. Yesterday we did get an opinion from Judge Labuscus, the administrative law judge, who denied the motion of the landfill owners for summary judgment so it will continue to move forward to a full hearing. Again the application by the landfill owners was denied and they lost yesterday so the County will continue to intervene in that matter as will Senator Piccola and the Upper Dauphin Area citizens action committee.

Second, in terms of the Courthouse renovations, there is nothing new to report on that other than just to let you know that we will continue our bi-weekly meetings. I am trying to arrange dates with Commissioner Petrucci and President Judge Kleinfelter so that they can be a part of those meeting ongoing. We will continue to have Workshop items to update you on the status and I did provide the Commissioners with a list of potential areas to consider cutting in terms of keeping the costs within our budget. I will await further direction from you on that as we move forward.

Mr. Haste: When do you need or when would you like direction?

Mr. Burns: Mr. Chairman, I think a couple of the items, hopefully within the next week we could get direction regarding the professional fees. Some of the other things that relate more to the construction are probably not as time sensitive but hopefully within

the next month we could get a complete picture of where we are going with it. Perhaps we could have that as a Workshop issue, Commissioner, for next week.

Mr. Haste: Anything else, Bob?

Mr. Burns: That's all.

### **MATTERS REQUIRING BOARD ACTION**

Mr. Haste: Training packet.

A. Training Packet

Mr. Burns: Stands as presented last week with no additions.

Mr. Haste: Do I have a motion to approve the Training Packet?

Mr. Henry: So moved.

Mr. Haste: Second.

Mr. Petrucci: Second.

Mr. Haste: All those in favor signify by saying aye.

All: Aye.

Mr. Haste: Motion carries. Is there anything that needs to be pulled out from B through R?

- B. Approval of FY02/03 Per Diem Rates between Children & Youth Agency and:
  - 1. Bradley Center, Inc.  
C.V.F. Specialized rate: \$10.00/hr.
- C. Change Order #2000-08-15 (Final) with Eichelberger Construction Inc., General contractor, in an add amt. of \$138,392.12 for the Dauphin County Administration Building.
- D. Appoint Paul O'Donnell, Jr., to the Dauphin County Local Emergency Planning Committee.
- E. Reappoint Margaret Chapman to the Mental Health/Mental Retardation Advisory Bd. Term expires December 31, 2005.
- F. Appoint Commissioner Jeff Haste to the HATS Advisory Board.
- G. Approval to waive all back taxes and penalties dating from 1992-2002 for properties owned by James and Linda Portlock and transferred to the Harrisburg Redevelopment Authority:

1. 1417 Market Street, Harrisburg, parcel #9-50-18
2. 1418 Market Street, Harrisburg, parcel #9-21-30
3. 1420 Market Street, Harrisburg, parcel #9-21-31
4. 1423 Market Street, Harrisburg, parcel #9-50-15
5. 1426 Market Street, Harrisburg, parcel #9-21-34
6. 1430 Market Street, Harrisburg, parcel #9-22-10
7. 1432 Market Street, Harrisburg, parcel #9-22-11
8. 1434 Market Street, Harrisburg, parcel #9-22-12
9. 1438 Market Street, Harrisburg, parcel #9-22-14
10. 1446 Market Street, Harrisburg, parcel #9-22-18
11. 1450 Market Street, Harrisburg, parcel #9-22-19
12. 1465 Market Street, Harrisburg, parcel #9-50-3
13. 1467 Market Street, Harrisburg, parcel #9-50-2
14. 1435 Crabapple Street, Harrisburg, parcel #9-22-1
15. 7 South 14<sup>th</sup> Street, Harrisburg, parcel #9-49-23
16. 1433 Regina Street, Harrisburg, parcel #9-19-32
17. 232 South 13<sup>th</sup> Street, Harrisburg, parcel #2-12-25

H. Subordination Agreements with:

1. Melody A. Oliveri for property located at 1404 Fulton Street, Harrisburg.
2. Shawn K. Watkins for property located at 2510 Greenwood St., Harrisburg.
3. Phang Kim Luong & Huy M. Luong for property located at 1406 Fulton Street, Harrisburg.

I. Satisfaction Piece with Pauline C. Martinez for property located at 336 South 14<sup>th</sup> St., Harrisburg, payoff amount is \$3,500.00.

J. Agreement between Dauphin County and Central Penn Multi-List, Inc., to provide access to assessment data via the CPMLS web site.

K. Contract between Dauphin County and Local Economic Development Assistance Program (LEDA) in the amount of \$84,078.00.

L. Maintenance Agreement between Dauphin County and Comarco Wireless Technologies for the call boxes at Wildwood Lake Sanctuary.

M. Agreement between Dauphin County and Electronic Systems Integration, Inc., for review of security systems and overall security plan for the County.

N. Purchase of Service Agreement for FY02/03 between Dauphin County Children & Youth and Christ's Home, Inc.

O. Amendment #2 to Purchase of Service Agreement for FY02/03 between Dauphin County Children & Youth and NHS Youth Services, Inc. (formerly Northwestern Youth Services).

P. Accept insurance company's recommendation to settle lawsuit, Claim #ECD80157031.

Q. Approval of a Dauphin County Request for Proposal Policy submitted by Commissioner Anthony M. Petrucci.

R. Change Order No. 06-107 with Liberty Excavators, Inc., for B.P. 6A, Bulk Demolition site work at Dauphin Manor in a credit amount of \$10,000.00.

Mr. Petrucci: Mr. Chairman, I know it's not Roberts Rules but if we could just have a discussion and then maybe we won't have to. Mr. Chairman, if I could ask a couple of comments. I'm not recognizing item R on the Agenda as having been brought up at the Workshop and I would like some explanation about that change order.

Mr. Burns: You are right, Commissioner, it was not on the Workshop and it was placed on today because I think it was felt that since it was a credit the Board would probably be willing to consider it.

Mr. Petrucci: Oh, it's a credit. Thanks. If I could ask another question in regard to item C. In this particular batch of changes orders they are already completed even though the Commissioners had not voted on them. Are we assured that this is the end of all of the change orders that people are working on that have not yet been approved by the Board of Commissioners?

Mr. Burns: Would you mind repeating the question, Commissioner?

Mr. Petrucci: The question is, these were a batch of change orders that had the work completed before the Board of Commissioners ever voted on them. So we are just paying money for stuff that is already done so it is not a change order in which we get a chance to say yes or no. We are just paying bills here. I want to know, because we asked the Chief Clerk if he would send a memorandum to all of our contractors that would stipulate that no change orders were to be done until they had been approved by the Board of Commissioners. I have not seen a memo to that effect and I am also now asking is that memo going to be sent and also are there any more change orders out there that work is being done or has been done that has not yet been approved by the Board of Commissioners?

Mr. Burns: To answer your questions Commissioner, first the memo was sent to Patrick Judd of Whiting/Turner who is the general contractor and we have discussed that at every weekly meeting that we have had with them that there should be no change orders acted upon until the Board votes on it. In fact there has not been any since the first of this year. These change orders all date back to a date of August 26, 2002. There will be no changes unless they are voted on.

Mr. Petrucci: Are we doing the same for the project at Dauphin Manor? Have we sent them a memo in regard to change orders emanating from that project?

Mr. Burns: I have not done that, Commissioner. The only difference between the two projects that might be significant is that I know at Dauphin Manor they have a contingency fund set aside to fund all change orders and there is also a maximum guaranteed price which was not the case in the downtown projects.

Mr. Henry: Plus all change orders at Dauphin Manor come before us before they are executed. We have been doing that the whole way through the project and we are two months from the end of the project for that matter.

Mr. Petrucci: So there is no work being done on change orders that we haven't really attended to as a Board?

Mr. Henry: Not yet. We have one that will be coming before us next week that is already part of the owners contingency but it doesn't change our guaranteed maximum price and frankly still leaves us with a significant contingency to get us through the last two months of construction.

Mr. Petrucci: Ok. Thank you.

Mr. Henry: Mr. Chairman, I would like to remove item Q, actually I would like to table item Q. I understand that the Solicitors have not yet completed a review of that. I think as is proposed it could place some restrictions upon us that would not allow us to move quickly if the situation required it in an emergency situation. I believe that needs some further discussion.

Mr. Tully: If I might add, I would like the opportunity to meet with Commissioner Petrucci to perhaps fine tune. I think the concept is excellent. It is just a question of making sure that we anticipate all the different kinds of requests that might come in so that we don't create something that is actually counterproductive. So if we could table that I would give assurances that I will meet with Commissioner Petrucci and any of the department heads that are involved that we could have that on for the next Legislative Meeting.

Mr. Petrucci: I have no trouble supporting the tabling of this as long as I'm assured that someone is working on coming up with the proper language and what is required. This is a procedure that is fraught with difficulty and puts an awful lot of people in unnecessary expense unless things are done in a proper way. I will allow the Solicitor's Office a little time to meet with me and come up with some language that will meet the intent of my proposal.

Mr. Henry: I would like to see that language because my concern is the proposal is intended to bog down rather than streamline our activities and could result in very costly delays for the County if it is not written with enough flexibility that our staff and the Commissioners can take action on the various things that come to us day by day that are not anticipated weeks in advance which is very frequently.

Mr. Petrucci: If I might give an example, I have and probably should bring it up under New Business, a request from the Warden, a new contract for our food services. It is been reported to our Solicitor's office for review. It is still not ending until October so it is brought to us in plenty of time. The Warden wanted to know if he had to put out for bid. The Solicitor's office is saying yes that it should go out for a bid for a look. Then it will come to the Board here for a vote and I was going to ask that we put it on the Agenda to have a vote on sending out a bid for the contract of meals at the Prison. This is the kind of procedure that should occur so that all of the Commissioners are attuned and on board as we send out bid requests to the public. They need to know that the Board is serious about it. If directors do it on their own and then we have to call them

back later, we have put them to an awful lot of work with no assurance that this was a serious effort approved by the Board of Commissioners. That is my only intent with this proposal. It is to facilitate and make things more efficient, not to bog down the process.

Mr. Henry: Let us be very cautious that we are not creating addition undo bureaucracy which I know has sometimes been the propensity of bureaucracies to want to do. We need to see precise language before we can decide whether it has merit.

Mr. Petrucci: Agreed.

Mr. Haste: We will have the Solicitor's office look at item Q. Do I have a motion to approve items B through R with the exception of item Q?

Mr. Henry: So moved.

Mr. Petrucci: Second.

Mr. Haste: All those in favor signify by saying aye.

All: Aye.

Mr. Haste: Opposed? Motion carries.

### **FORMER BUSINESS**

Mr. Haste: Former business. Is there anything under Former business?

### **NEW BUSINESS**

Mr. Haste: New Business.

### **COMMISSIONERS' DISCUSSIONS & ACTIONS**

Mr. Haste: Commissioners' discussions & actions.

Mr. Henry: None here.

### **CORRESPONDENCE**

Mr. Haste: Under correspondence you see items A through E that the Board has received this week. Any questions or concerns with those?

- A. Received a letter from the PA Department of Environmental Protection indicating they need additional time to complete its review of the Dauphin County Municipal Waste Plan Revision. The Department now has thirty (30) additional days, ending March 6, 2003 to complete its review of the Plan.

- B. Notification from Navarro & Wright Consulting Engineers, Inc., on behalf of Yingst Homes, Inc., indicating they are submitting a Notice of Intent for coverage under the PA General Permit for discharges of stormwater associated with construction activities for the Yingst Homes, Inc., subdivision.
- C. Notification from the City of Harrisburg indicating the Harrisburg Materials, Energy, Recycling and Recovery Facility has received approval from the PA DEP to submit applications to accept certain types of municipal-like residual waste for processing at the facility for a case-by-case approval.
- D. Notification from ARM Group, Inc., on behalf of Wren Dale Golf Club, indicating they intend to construct a surface water intake along the Swatara Creek to supply irrigation water to the Wren Dale Golf Club located in South Hanover Township, Dauphin County.
- E. Notification from Buchart Horn, Inc., on behalf of Derry Township Municipal Authority, indicating they will be submitting an application for Part II Water Quality Management Permit to DEP for upgrades to the existing Clearwater Road Wastewater Treatment Plant.

## **PUBLIC PARTICIPATION**

Mr. Haste: Public participation. Is there anything that anybody would like to mention at this time? Yes. Could you please come to the table?

Ms. Thompson: Good morning. I am City Councilwoman, Linda Thompson. Standing before me is one of my constituents that came to City Council at our last meeting. When constituents come to me I make it a point to try and find a resolution for their painful needs. Standing before me is Ms. Lopez who owns a property in Harrisburg. Ms. Lopez has been through the administration and I am asking the Commissioners to send to us a very qualified administrator in your system that could help us unravel this mystery of a property that was given to her at \$1 and had no assessment value and is badly dilapidated. It is not livable to the point where the City condemned it. The prior landlord had several citations the City kept beating him down about. Finally he was forced to turn over those properties and thereby they were sold for \$1. As a concerned citizen she bought that property with the intention to gut it out and renovate it. Because she was not able to pay what is called a transfer tax fee of \$1100 which I don't understand why she was paying \$1100 when this gentleman when he transferred only paid \$54. So she came to the Solicitor here and he wrote a very kind letter indicating that he represents the County and that he would advise her to get an attorney to try and bring some resolution to this. I don't want her to have to go and get an attorney because she can't afford an attorney. So I noticed that you do some gentlemen like things when things need to be un-bogged such as waiving the fees of someone else who has property in this City that causes us both pain in the County and in the City. So with a fee so small of \$1100 I'm asking the County Commissioners to get involved and maybe waive that fee even if she owes it. Maybe she doesn't owe it. We want to get about the business, the City, to prevent dilapidated properties like this who stay in the hands of individuals who can't transfer them and can't renovate them because they can't afford to. I think her intentions in the beginning were good because she lives in a

neighborhood that she values and that she wanted to get that site up to become a beautified site but she can't even begin to transfer because she can't afford the transfer. I asked her why she even took the property which is often the story in the City, people take properties with the good intention, only to find out that they have monumental restructuring problems that they can't afford it. Sometimes they qualify for some of the City's money that allows them to renovate. So I ask the County Commissioners, in their good will effort, to get involved and try and resolve this so she can either give it back or do what she needs to do because now you are assessing the property at \$48,000 and she has horrible pictures to show that this property is by no means worth \$48,000. I'm not a real estate assessor but I can tell you right now that is not valued at \$48,000. It is missing floorboards, it has no wiring, plumbing, it is missing everything. You could not possibly assess this property at \$48,000. If you did I want to come over and refute this. Thank you for listening and at the same time I hope that we can resolve this problem and put her in the hands of somebody in the administration that could waive these fees.

With regard to County Commissioner Petrucci's statement about the mayor. I guess that is why I listen intently to those bonds and didn't vote to give you permission to buy the Forum building.

Mr. Henry: Councilwoman, let me address Ms. Lopez. We talked a number of times and my solicitor, Mr. Knupp, has been working with her and attempting to cut through the bureaucracy that we have in the Tax Assessment bureau. I believe those efforts are ongoing, correct, Mr. Knupp? Maybe you could meet with Mrs. Lopez after the meeting and apprise her of where we stand with that and see if there might be some way the Board of Commissioners can take action. Some things by law we can do some things we can't. To the degree that we can do something we certainly will. I think we should be encouraging the purchase and upgrading of these properties in Harrisburg but unfortunately we frequently trip over laws and bureaucracies that complicate rather than streamline the process.

Mr. Haste: What is the address of this property?

Ms. Thompson: 110 Evergreen. It is a very poorly conditioned neighborhood full of abandoned properties. I commend you guys on how civilized you act with one another. Maybe I'm just at one of your first meetings.

I wanted to make mention that I did start a program for senior citizens, understanding their concern of their financial burdens. I took on a very monumental task to address those 3,000 owner/occupied senior citizen owned properties in the City, which I believe is an economical base that is so pivotal to our local economy and growth that sustains our schools and at the same time stabilizes our families and neighborhoods. As a result I am getting a lot of concerns because of the reassessment values of the properties that they can not afford that increase because their income did not increase. So I am asking the County Commissioners if I could entertain a meeting with all of you to see how you can actively get involved with this cause. I know Commissioner Petrucci has agreed to attend the luncheon on the 28<sup>th</sup> where I will be

unveiling this program to raise private dollars to provide some type of relief to assist them. I'd rather have them having their taxes paid and I commend you in making an effort to come up with your deferred tax plan that you have here in the County but when I look at that, if a senior citizen passed away and they have \$10,000 of owed taxes and a child got that property and didn't have \$10,000 to give you once they received that property then we are stuck with taking that property, keeping it on our rolls, and it being an abandoned property and a vacant property. We would not be generating any money. So my ultimate way of thinking was to try and raise money through private donations such as the individuals that may benefit from the senior citizens' business, such as hotels, restaurants, retail stores, and grocery stores where they are the customers of these businesses. Why not ask them to put into a property tax relief fund for us to pay their unpaid taxes. You benefit as well. I look forward to entertaining a meeting of all of you to see maybe how we can look at some of the Hotel Tax revenue to contribute to this fund. I'm just throwing out ideas.

Mr. Henry: There are different purposes for different funds. We just have to identify those funds that would be available for this purpose.

Ms. Thompson: Thank you kindly, gentlemen.

Mr. Petrucci: If I might follow up and comment back to Linda. I agree with her. The deferred plan that we were able to do which was highly constrained by State statute was not a sufficient device for protecting seniors or low income people who may be taxed out of their home. At least it was something. It was minimal and I agree with you. There needs to be more done.

Secondly, I too have property in Market Street, 1400 block, that I bought just to see the difficulties of ownership in the kill zone of Harrisburg. My property got reassessed and it went from \$100 a lot to \$2500 for a lot. And of course the lot is nothing more than a landfill for the local neighbors to dump all their garbage in .

Ms. Thompson: I share your victim story. I have a property that I transferred free and clear of taxes and any mortgages and I turned it into non-profit to help people find jobs. I am by a building for almost 13 years and as a City Councilwoman I can't get the City to get this guy to fix it up and/or for me to acquire it.

Mr. Petrucci: So I am now the owner of 5 \$2500 lots that I couldn't sell for a cent and I am paying close to \$600 in County tax and school tax and City tax on worthless lots.

Ms. Thompson: Perhaps we can include you in that discussion.

Mr. Haste: We will ask Mr. Knupp to get together with you and we will move forward. Anything else for Public participation at this time?

## **ADJOURNMENT**

Mr. Haste: Do I have a motion to adjourn?

Mr. Henry: So moved.

Mr. Haste: Second.

Mr. Petrucci: Second.

Mr. Haste: All those in favor signify by saying aye.

All: Aye.

Mr. Haste: Meeting is adjourned.

Transcribed by: Shari Eagle  
February 11, 2003

Respectfully submitted,

Robert Burns, Chief Clerk/Chief of Staff

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