



DAUPHIN COUNTY BOARD OF COMMISSIONERS

Commissioner's Legislative Meeting

Wednesday, April 6, 2005 (10:00AM)

MEMBERS PRESENT

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

STAFF PRESENT

Chad Saylor, Chief Clerk/Chief of Staff; Marie Rebeck, Controller; Bob Dick, Treasurer; Randy Baratucci, Purchasing Director; Kay Sinner, Personnel; Diane McNaughton, Press Secretary; Garry Esworthy, Risk Manager; Jena Wolgemuth, Commissioners' Office; Julia E. Nace, Asst. Chief Clerk, Dave Schreiber, Personnel Office; Elke Moyer, Human Services Directors Office; Carolyn Thompson, Esq., Court Administrator; Mike Yohe, Budget Director; M. Eileen Carson, AAA; David Daniels, AAA; Melanie McCaffrey, Solicitors Office; Gary Serhan, Deputy Controller; Edgar Cohen, Director of Facilities Maintenance; Bruce Foreman, Esquire, Solicitor's Office; Bill Tully, Esquire, Solicitor.

GUESTS PRESENT

Bill Tuttle, Bill Knerr, David Colestock

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: We have the March 2, 2005 Workshop Meeting, March 9, 2005 Legislative Meeting, March 16, 2005 Workshop Meeting, and the March 23, 2005 Legislative Meeting minutes. Is there a motion to approve these four minutes?

Mr. Hartwick made the motion to approve the March 2, 2005 Workshop Meeting, March 9, 2005 Legislative Meeting, March 16, 2005 Workshop Meeting, and the March 23, 2005 Legislative Meeting minutes. Mr. DiFrancesco seconded the motion. All were in favor. Motion carried.

Mr. Haste: We have the March 2, 2005 Salary Board Meeting, March 9, 2005 Salary Board Meeting and the March 23, 2005 Salary Board Meeting minutes. Salary Board consists of the three Commissioners and Controller. Is there a motion to approve these three minutes?

Mr. DiFrancesco made the motion to approve the March 2, 2005 Salary Board Meeting, March 9, 2005 Salary Board Meeting and the March 23, 2005 Salary Board Meeting minutes. Ms. Rebeck seconded the motion. All were in favor. Motion carried.

Mr. DiFrancesco: We have the March 9, 2005 Election Board Meeting minutes. Is there a motion to approve these minutes?

Mr. Haste made the motion to approve the March 9, 2005 Election Board Meeting minutes and Mr. Hartwick seconded the motion. All were in favor. Motion carried.

EXECUTIVE SESSIONS HELD BETWEEN MEETINGS

Mr. Saylor: There was one Executive Session held on March 30, 2005 to discuss numerous legal matters.

PUBLIC PARTICIPATION

Mr. Haste: We are at the point in time in the meeting for public participation. Is there anyone in the audience that would like to address the Board? (There was none.)

DEPARTMENT DIRECTORS/GUESTS

Mr. Haste: It is our honor to recognize the Lions Club of Dauphin County and all the commitments that you make to the community.

1. Proclamation in recognition of Lions Club Appreciation Day.
Representatives: Bill Knerr; Dave Colestock; and Bill Tuttle

Office of County Commissioner
Dauphin County, Pennsylvania

Proclamation

We, the Dauphin County Board of Commissioners, are delighted to join the many friends, family members and the Lion's community in showing our appreciation for the International Association of Lions Clubs for their many accomplishments and their desire to support the community here and abroad since 1917;

Whereas, in 1925, Helen Keller spoke at a convention and challenged the Lions to become "Knights of the Blind." They responded enthusiastically and began concentrating on helping the blind, and eventually expanded their efforts to include diabetes and hearing research, food banks, disaster relief, and many other activities to help those in need on the local, state and international level;

Whereas, the Lions work closely with and provide support to a variety of community, civic and human services activities and programs to live up to their motto "WE SERVE;" The Lions Club help to raise funds by conducting many activities with in the community, and are grateful and appreciative for all the generous support from businesses and the general public;

Whereas, District 14-T, which consists of Dauphin, Franklin, Juniata and Perry Counties has 1900 members in 50 Lions Clubs, 7 Lioness Clubs and 7 Leo Clubs; complimenting the state's 26,700 members in 18 districts

Whereas, the Lions of District 14-T will hold their 15th Annual Convention on Saturday, April 16, 2005 and in the evening will host a Rally Celebration and Banquet to honor District Governor Dalton E. Paul from the Greene Township Lions Club for his outstanding leadership and dedication;

Therefore, we join the 251,300 residents of Dauphin County in declaring April 16, 2005 as "Lions Appreciation Day" in Dauphin County; we thank them and support them in their continued efforts to make the world a better place.

2. Proclamation honoring the Allison Hill Meals on Wheels for its 30th Anniversary. Representatives: Eileen Carson, A.A.A

Mr. Hartwick: It gives us great pride today to recognize the Allison Hill Meals on Wheels and its 30th Anniversary. Eileen Carson and David Daniels from our Area Agency of Aging are here to accept the proclamation then we are all going today at noon to celebrate it officially. I have worked with Eileen and David and they are both very active in our senior centers. David worked extremely hard on the flu vaccinations. I don't think there is anyone coming in those senior centers that they do not know. We have a truly committed team and staff that understand how important issues are to our seniors. They have focused their efforts on delivering the most essential services to our seniors. I do not think there is a more valuable service to our seniors than to deliver meals on wheels. Without that solid group of volunteers whom deliver the meals on wheels, we obviously would not be successful in the meals on wheels program. Those individuals are responsible for the 30th anniversary we are celebrating today. I will read now the proclamation that the three of us and Mayor Reed will present later today.

Office of County Commissioner

Dauphin County, Pennsylvania

Proclamation

We, the Dauphin County Board of Commissioners, take great pride and pleasure in joining with the countless volunteers and the community at large in congratulating the Allison Hill Meals on Wheels Program on its landmark 30th anniversary;

Whereas, the program began on February 17, 1975, initiated by compassionate church leaders in the Allison Hill Ministries, delivering five hot meals weekly to persons over the age of sixty years;

Whereas, the boundaries of the area served were Cameron Street on the west side, and the city line on the east, north and south;

Whereas, in 1983 the Allison Hill Program joined the Meals on Wheels Program of the Dauphin County Area Agency on Aging with volunteers delivering more than 6,500 meals over five routes within the Allison Hill neighborhood;

Whereas, today the Allison Hill Meals on Wheels Programs has 45 volunteers organizing and delivering more than 35 hot meals five days a week;

Whereas, we would like to pay special recognition to the many volunteers who have given up countless hours of their time to run this program, for it is because of their selflessness and true compassion for others that frail, homebound seniors are given nourishment for the body and the soul;

Therefore, we join the 251,300 residents of Dauphin County in congratulating the Allison Hill Meals on Wheels Program for their service over the past 30 years; we applaud the many selfless volunteers who have given their time and efforts through rain, snow, sleet and hail to bring hot meals and, at times, much needed conversation; and we wish them a very happy anniversary and an even brighter future.

(Proclamations were presented and pictures were taken.)

SALARY BOARD

(A full report of Salary Board minutes is on file in the Chief Clerk's office.)

PERSONNEL

Ms. Sinner: I have one addendum and it includes two new hires. There is one for the Controllers Office and one part time position for Information Technology. I also have two personnel changes. There are no further changes to the personnel packet other than what I pointed out last week.

Mr. Hartwick made the motion to approve the Personnel Packet as amended. Mr. DiFrancesco seconded the motion. All were in favor. Motion carries.

PURCHASE ORDERS

Mr. Baratucci: There are three additions to last week's packet. The first one is on page six for the Solicitor's Office. The second one is on page eight for Security. The third one is on page 18 and page 19 for Adult Probation. On pages 18 and 19 it is showing an over budget but that has been resolved this morning. Other than those changes, it stands for your approval.

Mr. Hartwick: I have heard from several companies who are interested in being competitive in the copying industry. They have said that they have not had an opportunity and I do not know if there has been an RFP that has been issued for our copying work for quite some time. Can I please have an update?

Mr. Baratucci: In 2001 we embarked on an upgrade to all of our copy machines. The previous Board decided to go with 60 month leases. In 2001 we did 1/3 of the Departments and 2002 the next 1/3 and completed in 2003. All of them again were 60 month leases so the 2001 copiers will be up in 2006 and at that point, my intention is to do exactly what you are saying and come to the Board and see if you wish to continue the lease program or do something different. At that time, we will do an RFP and give everybody an opportunity. There have been a number of people that contacted me directly and I told them exactly what I am telling you. That first batch is committed until 2006, then the second batch in 2007 and the last batch in 2008. My intent is to do some kind of program but I am not sure if the Board wishes to continue the same program leases. The previous Board wanted to get all of the Departments technology upgraded. They opted to go with the leases and spread it out over time.

Mr. Hartwick: Now replacing the equipment and obviously using multiple vendors is not the way you think we should go?

Mr. Baratucci: Usually if you use one vendor, you get a better deal. We give everyone the opportunity to quote. Most of these people have state or federal contracts. They actually have given us an additional discount on top of the state or federal contract price based on getting all of our business. That seems to me to be the way to go. We have had great success with the person we are using, Block Business Systems. They have done an excellent job and service. They would be the leading candidate of course. We will give everyone the opportunity to submit their proposal next year.

Mr. Hartwick: Rumor or fact, what I have been hearing from the other companies is that they see what our current company is doing and the other companies say they can save us money. I guarantee that if we put it out for an RFP, we will save more money. Just one Commissioner speaking, we need to make sure, that once these contracts run out that we get the best deal possible and the lowest cost for the taxpayers.

Mr. Baratucci: In 2001 we did do that and others had the opportunity but that is who we selected. Quite frankly, I would be retired by now and living in Florida if I had money for every vendor that came in my office and said that they can give us a better deal. In fact we just had an issue out at Spring Creek.

Mr. DiFrancesco: Yes, through Randy and Bob's diligence, what the vendor said was not in fact true. It shocked us all that a vendor did not save us money.

Mr. Hartwick: A consultant who didn't come through. I just wanted to get an update and I want us to place this for bid when the time is appropriate.

Mr. Baratucci: Our current company has been great to the County but it is only fair that when the time comes, it will be your decision to make. I will talk to you at the end of this year or beginning of next year to see if you want to continue with the leasing program or not and we will put it out there the way the Board decides.

Mr. Hartwick: Is there any opportunity in other areas that business can be given in the copying side that is not a matter of this particular leasing contract? Or is everyone in the County under this particular contract?

Mr. Baratucci: 95% of them are under this lease agreement. There have been a couple occasions that some copiers have had to be purchased where a Department such as Human Services or AAA had a grant and the money had to be spent that particular year. We did go back to the current vendor to keep continuity and the deal that we have with this company is better than the state contract because of the quantities we have. In during the time that we have had the lease program in place we have had a few of these instances that I am talking about and we have gone back to Block Business Systems to keep the continuity.

Mr. Hartwick: Please keep me posted when the contract comes up for renewal.

Mr. Baratucci: You guys will know what is going on and I will work with the direction that the Board desires.

Mr. Hartwick: Thanks.

Mr. DiFrancesco: I just get nervous when any contract comes up for a sixty month term. That is a long term. I have a problem with it binding future Boards, which this contract was done before we were here. Things in the economy change so much and in sixty months items get out dated; especially technology. I realize that was not your decision but the Board's decision. I would voice concern of caution. They should not be that long unless there is a very good reason for it.

Mr. Baratucci: I agree. I think at the time they did it, the longer you extend a contract, the better deal you receive.

Mr. Hartwick made the motion to approve the Purchase Order packet. Mr. DiFrancesco seconded the motion. All were in favor. Motion carries.

REPORT FROM BUDGET & FINANCE – Mike Yohe

- **March 25, 2005** transferred **\$169,960.88** to the **Payables** account **from the County's Concentration account** for checks issued that week.
- **April 1, 2005** transferred **\$6,012,973.36** to the **Payables** account **and \$1,890,770.61** 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 \$123,211.55 rate 2.63%**
- **Balance today in Community Banks investment account \$11,500,238.95 rate 2.97%**
(This rate is good through 4/30/05)
- **Balance today in Commerce Bank investment account \$23,000,518.16 rate 3.235%** (This rate equals today's 91-day T-Bill rate of 2.735% plus 50 basis points)
- **Balance today in Sovereign Bank investment account \$11,500,802.78 rate 2.752%** (This rate equals today's 1-month Libor of 2.891% less 10% reserve plus 15 basis points)

\$10M TRAN Line-of-Credit Status at PNC: No activity to date.

Mr. DiFrancesco: Are you keeping track of the Libor rate, because that is a floating rate that changes daily?

Mr. Yohe: Yes. I get an update every week and a spreadsheet at the end of every month. I have to call them to get the rate.

Mr. DiFrancesco: So we are tracking.

Mr. Yohe: Yes.

Mr. DiFrancesco: My point is when they come to the table do you make a decision to move money once a month? You do not float the money.

Mr. Yohe: There are some deposits that go three different places to keep it level.

Mr. DiFrancesco: On a daily basis when you have money to deposit, whoever has the highest rate at that particular time; gets the deposit?

Mr. Yohe: No. They might, but then the next day the other will get it. We try to keep it 150, 25, 25 through out the month.

Mr. DiFrancesco: I think that is a good idea. Obviously, Sovereign for the first couple presentations was the highest rate, but that was a snap shot of one particular day?

Mr. Yohe: I get an update everyday. It is hovering right around there.

Mr. DiFrancesco: This report gives us the percentages.

Mr. Yohe: Yes. I do check on a weekly basis, whether it is dropping dramatically. Right now interest rates are rising.

REPORT FROM CHIEF CLERK/CHIEF OF STAFF – CHAD SAYLOR

Mr. Saylor: Next week is County Government Week. Dauphin County will be marking that with our standard practice where various employees from numerous Departments will take literature on the services they provide at Strawberry Square on Tuesday, April 12, 2005 from 11:00 a.m. to 2:00 p.m. This is exceptional for us this year with our 220th Anniversary of the founding of our County.

SOLICITOR'S REPORT—BILL TULLY, ESQ., SOLICITOR

Mr. Tully: Nothing to report but would be happy to answer any questions.

MATTERS REQUIRING BOARD ACTION

Mr. Haste: Is there anything that needs to be pulled out separately or discussed?

Mr. DiFrancesco: Just one comment on the training packet. There is a conference on there that I signed up for, but there is no cost to the County. It is complimentary. That needs to be changed.

Mr. DiFrancesco made the motion to approve Items A through V. Mr. Hartwick seconded the motion. All were in favor. Motion carries.

- A. Training Packet
- B. Approval of a Sprint Centurion Service Agreement between United Telephone Company of Pennsylvania and the County of Dauphin for Spring Creek.
- C. Approval of Proposed Settlement Agreement for the Tax Assessment Appeal of Clean Properties, Inc. for (4) properties located in Lower Swatara Township, Tax Parcel Nos. 36-019-037, 039, 041 and 092.
- D. An Agreement for Testing Services between the County of Dauphin and Dr. Richard Small t/d/b/a Spring Psychological Associates for the Dauphin County Prison.
- E. Approval of Proposed Out-of-Court Resolution for the Tax Assessment Appeal of Project Developers, Inc. for 16 properties on Dauphin Street, City of Harrisburg Docket No. 2004 CV 4254 TX.
- F. Approval of a Stipulation Agreement for the Tax Assessment Appeal of Jeffrey D. & Suzanne M. Williams for property located at 107 Autumnwood Drive, Tax Parcel #34-002-181.
- G. Approval of the County's *pro rata* share (\$160) for appraisal services needed to ascertain the true value of the Tax Assessment Appeal of Charles Lanza, II for property located at 5943 Larue Street, Tax Parcel #35-017-129.
- H. Mutual Non-Disclosure Agreement with PRAM Insurance Services, Inc., to do an audit of the County's Rx Plan, at no cost to the County.

- I. Agreement for Appraisal Services with Leon D. Gerlach, Appraiser to provide a quote to determine the value of the Right-of-Way required from two adjoining properties regarding the Bridge #42 (over Wiconisco Creek) Replacement Project.
- J. Approval by the Board of Commissioners for Citizens Bank to change the signs at the Administration Building site.
- K. Medical Services Agreements with the following various physicians responsible for attending to the medical needs of Spring Creek patients:
 - 1. Dr. Richard G. Ulrich
 - 2. Dr. Earl S. Moyer
 - 3. Dr. Robert Little
 - 4. Dr. Paul Baughman
 - 5. Dr. Abdulai Bukari
- L. Grant Agreement with the PA Department of Environmental Protection for the Dauphin County Recycling Program.
- M. Purchase of Service Agreement for FY04/05 between MH/MR and Open Minds.
- N. Subsidized Legal Custodianship Agreement No. 2005-02.
- O. Purchase of Service Agreement for FY04/05 between Area Agency on Aging and Global Health Care Group, LLC.
- P. Amendment to FY04/05 Purchase of Service Agreements between Children and Youth and:
 - 1. Hoffman Homes for Youth – Amendment #1
 - 2. Mission Home Ministries – Amendment #1
 - 3. Lancaster County Council of Churches – Amendment #1
 - 4. Jewish Family Services of Greater Harrisburg, Inc. – Amendment #1
- Q. Amendment #4 to the Purchase of Service Agreement between Children and Youth and Cornell Abraxas Group, Inc.
- R. Authorize the County Solicitor to execute the Tax Settlement Agreement with Penn Center Harrisburg, LP (Portion of the former Polyclinic Hospital). (Approved by the Board of Commissioners, December 2004) Docket No. 2004 CV 5506 TX.
- S. Approval of FY04/05 Per Diem rates between Children & Youth Agency and:
 - 1. Cornell Abraxas Group, Inc.
C&Y/JPO Recognition Event Coordination \$11,300/annual
- T. Real Estate Tax Refunds/Exonerations:
 - 1. Refund of 2004 Interim real estate taxes to Gerald & Georgina Stauffer, P. O. Box 180, Berrysburg, PA 17005, parcel #21-005-038, in the amt. of \$89.16.
 - 2. Refund of 2005 real estate taxes to Pennsylvania DUI Association, & Inc., 2413 N. Front St., Harrisburg, parcel #10-067-018, in the amt. of \$917.33.

- U. Family Center Grant for FY05/06 between Dauphin County and the PA Dept. of Public Welfare, Office of Children, Youth and Families.
- V. Shipley Natural Gas Sales Agreement between Shipley Energy, Dauphin County and various other businesses for the supply and management of natural gas.

FORMER BUSINESS

(There was none.)

NEW BUSINESS

(There was none.)

COMMISSIONERS' DISCUSSION & ACTIONS

Mr. DiFrancesco: We did kick off the wellness screening this morning. That will continue through the month of April. Employees will begin to see more programs being announced. There is an effort to get Weight Watchers and some exercise classes established. Spring Creek has a walking program going where at lunch time they take employees out around the Greenbelt. There are some good things going on around the County.

Please note that under correspondence we did receive notice that SARAA is undergoing plans to start their own waste water treatment plant on site. I have done some follow up and research because there is a greater problem in that area in terms of the Middletown Waste Water treatment plant and what that has meant to economic development in that area. There are some pretty critical projects on the drawing board right now including some development of the airport property. I think it is our responsibility as a County to take a look. It is a multi-municipal jurisdiction and we need to see what is best for that region because you only get so many bites at the funding apple. We need to know what we are doing as we move forward with the waste water treatment in that area. It is all under one Act 537 plan which includes, the airport, Middletown Borough, Londonderry Township, Lower Swatara Township and Royalton. We need to look at it from a planning perspective to see if this is the right move.

Mr. Hartwick: We have a meeting next week with Estelle Richmond in regards to our concerns with the state budget. Two areas that were cut out of the budget have now been restored to Dauphin County and they are in Family Services System Reform in Children and Youth and the grant for the Collaborative Board. We now have commitments that they are going to restore those two items. On the docket are TANF and HSDf and also cuts in the Children and Youth funding. I have received a briefing on the State Hospital by Barry Wyrick and Dan Eisenhower of MH/MR two days ago and I have asked that they sit down with you and Nick to make the two of you aware of the commitments for this year and where we are at. I think they should provide an update at a Workshop meeting, preferably next week.

Nick made a request through CDBG for a joint municipal cooperative effort between Middletown and Lower Swatara to talk about storm water issues. I have looked at the regulations and it is going to be difficult for us to do this in a municipal cooperation CDBG request because the municipalities, particularly Lower Swatara, may not qualify for the guidelines. From the Board's perspective I think it is a very worthwhile project but it needs to be studied and resolved. The only way I think we can find resources is to change the guidelines of our municipal cooperation grants program that can allow for more flexibility for municipalities to join together for efforts. We do have resources from that grant but I don't think from the CDBG side that it would qualify. I will have that conversation with Nick and work that out.

Mr. Haste: I have asked the prison staff to meet with Barry Wyrick because the waiting list to move someone out is now six weeks for the state hospital. That is a growing concern that should be kept on the plate with the state hospital

Mr. Hartwick: They have tentatively approved mental health waivers for prisoners. They have already begun working on the RFP for the forensic beds. Sixteen will be utilized by Dauphin County, four for Franklin and Fulton County and four for Cumberland County which would ease that burden. The problem right now is the Senate is moving with a moratorium and delay on the state hospital closing and the longer that goes on the longer it takes for the resources to be placed back into the communities for this project to move forward. These concerns will be brought up during the update but we want to make sure that is a priority. Sandy, Barry and Dan talked about the forensic needs of the County and those forensic needs being first. They are number one on the priority list as it relates to an RFP to get those needs resolved before we get any other needs resolved. The longer that they delay the closing, the longer it is going to take for us to establish the infrastructure in the community.

Mr. Haste: Unless they delay the closing of the state hospital all together.

Mr. Hartwick: Yes, then we will stay in the current situation with the waiting list, etc.

Mr. Haste: I think the state is messing around on this one.

Mr. Hartwick: They may be but I know we will have the ability to control our own.

CORRESPONDENCE

Mr. Haste: You see the items of correspondence received by the Board lettered A through H that will be handled by the staff appropriately.

- A. Notification from CCAP of their endorsement of 2005-2010 Title IV-D Cooperative Agreement.
- B. Notification from Fairfax that Amerigas will be submitting a State Only Permit Application to DEP. This application is for the issuance of a synthetic minor operating permit at its 5400 Paxton St., Harrisburg, PA facility.
- C. Notification from Waste Management, Inc., indicating Dauphin Meadows, Inc. will

submit a plan approval application to DEP for an air quality permit for approval to increase landfill gas flow rates resulting from the proposed Western Expansion of the landfill located along State Route 209, Dauphin County.

- D. Received a copy of the state food purchase program for FY03/04.
- E. Notification from Glace Associates, Inc., on behalf of Susquehanna Area Regional Airport Authority, indicating they intend to construct a new waste water treatment plant and apply to DEP for a new NPDES permit.
- F. Notification from Akens Engineering Associates, Inc., indicating that Pennsy Supply, Inc., has filed an application for approval with the Susquehanna River Basin Commission for Fiddler's Elbow Quarry, located in Lower Swatara Township, Dauphin County.
- G. Notification from Black & Veatch indicating they have applied to DEP for a water supply permit for the Hummelstown Water Treatment Plant.
- H. Notification from Dauphin Engineering Co., on behalf of Agile Partnership, indicating they intend to apply to DEP for a general permit for the discharges of storm water related to construction activities, Steinruck Road, Londonderry and Conewago Townships.

PUBLIC PARTICIPATION

(There was none.)

ADJOURNMENT

Mr. Haste: Is there a motion to adjourn?

Mr. Hartwick made the motion to adjourn. Mr. DiFrancesco seconded the motion. All were in favor. Meeting adjourned.

Transcribed by: Kacey Truax

Respectfully submitted,

Chad Saylor, Chief Clerk/Chief of Staff
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