



**DAUPHIN COUNTY BOARD OF COMMISSIONERS**  
**LEGISLATIVE MEETING**  
**WEDNESDAY, July 14, 2004**  
**10:00 A.M.**

**MEMBERS PRESENT**

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

**STAFF PRESENT**

Diane McNaughton, Communications, Marie Rebeck, Controller, Bob Dick, Treasurer, Gary Serhan, Controller's Office, Garry Esworthy, Risk Management, Dave Schreiber, Personnel, Sharon Way, Personnel, Randy Baratucci, Purchasing, Edgar Cohen, Facilities Maintenance, Jena Wolgemuth, Commissioners, Richie Martz, Commissioners, Kacey Truax, Commissioners, Chad Saylor, Chief Clerk, Julia Nace, Assistant Chief Clerk, Bill Tully, Solicitor, Melanie McCaffrey, Solicitors Office, Mike Yohe, Budget, Faye Fisher, Personnel, Kay Sinner, Personnel, Carolyn Thompson, Court Administrator, Bob Knupp, Solicitor, Ed Chubb, Parks and Recreation, Jeff Patton, Juvenile Probation, Steve Sukniac, Juvenile Probation, Elke Moyer, Human Services, President Judge Kleinfelter, Helen Spence, Juvenile Probation, Sandy Moore, Human Services, Debby Clayton, Human Services, Mike Pries, Safety and Security

**GUESTS PRESENT**

Tim Whelan, CACH, Dave Twaddell, Richard Michael, Dr. Swartz, Carrie Whisler Thomas, Wendell Dillinger, Bethlem Cray, Andy Sheeth, George Hicks, Beth Gerber, Rose Bell, Betsy Hower, Connie Malias, Jeff Pacovic, Jim Rosen

**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 minutes from the June 16, 2004, Legislative Meeting and the June 23, 2004 Workshop Meeting. Is there a motion to approve?

Mr. Hartwick: So moved.

Mr. DiFrancesco: Second.

Mr. Haste: All those in favor say aye.

All: Aye.

Mr. Haste: Motion Carries. We now have the June 23, 2004 Salary Board Meeting. The Salary Board consists of the three Commissioners and the Controller. Is there a motion?

Ms. Rebuck: So moved.

Mr. DiFrancesco: Second.

Mr. Haste: All those in favor say aye.

All: Aye.

Mr. Haste: Motion carries.

Mr. DiFrancesco: We have minutes to approve for the June 23, 2004, Election Board Meeting. Do I have a motion?

Mr. Hartwick: So moved.

Mr. Haste: Second.

Mr. DiFrancesco: All those in favor say aye.

All: Aye.

## **EXECUTIVE SESSIONS HELD BETWEEN MEETINGS**

Mr. Saylor: There were none.

## **PUBLIC PARTICIPATION**

Mr. Haste: Is there anyone in the audience that would like to address the Board?  
(There was none.)

## **DEPARTMENT DIRECTORS/GUESTS**

Commissioner Hartwick: I am pleased to address the Attractions of South Central Pennsylvania for tourism map. There has been a lot of talk in recent weeks about the way that we spend and utilize our tourism dollars in Dauphin County and how we allocate these resources. This Board of Commissioners has given serious thought and commitment to make sure that we are investing in trying to promote growth and trying to market this region and not just being parochial in marketing the region, not just in Dauphin County but to bring people into this region. John Kennedy said "A rising tide let's all ships..." This organization helps the groups and businesses and other tourist attractions to come together to develop a map to help promote regional tourism. By statute, this is how this law was defined to help collect hotel tax dollars and I feel it is an appropriate use of these resources. We have the organization, which is designed to promote 21 attractions and seven counties including Dauphin County. We are presenting you with a \$2000.00 check, which doesn't go too far but helps in putting together the map, which will defray the printing and distribution costs of 150,000 maps. This map will highlight such attractions as Indian Echo Caverns, Harrisburg Art Association, Middletown/Hummelstown Railroad, the National Civil War Museum, the Pride of the Susquehanna, and our very own Ft. Hunter. Today we have many distinguished guests to present the check to and they are Dr. Swartz of Indian Echo Caverns, Carrie Whisler Thomas of Harrisburg Art Association, Wendell Dillinger of Middletown & Hummelstown Railroad, Bethlem Cray of Whitaker Center, Andy Sheeth who is an intern, George Hicks, Beth Gerber and Rose Bell of the National Civil War Museum and Betsy Hower of the River Boat Society (the Pride of the Susquehanna), Connie Malias of the Allenberry Resort, Jeff Pacovic of Watergolf City Island, and Jim Rosen from Old Sled Works.

(A check was presented and pictures were taken.)

## **PERSONNEL**

Ms. Sinner: I have an addendum to the personnel packet. It includes two new hires. One for DJ Administration and one for Facilities Maintenance. In the packet I presented last week, I would like to pull one new hire. Please pull number 24. I had pulled 10 last week and now pulling 24 as well.

Mr. Haste: Is there a motion to approve the personnel packet with the two addendums and minus # 10 and #24 in the new hires?

Mr. DiFrancesco: So moved.

Mr. Hartwick: Second.

Mr. Haste: All those in favor say aye.

All: Aye.

Mr. Haste: Motion carried.

Mr. Hartwick: I would like to recognize someone in the audience today who is also in the packet. Her name is Helen Spence. She is helping us out in Dauphin County in a new position and has been extremely valuable not only in her ability to do her job and perform the functions of her job, but also to actually live what she preaches. She is going to be our new coordinator for family group conferencing. As we all know, Helen has done great things in Dauphin County and it really represents the type of employee that we are proud of for many reasons. Someone that is utilized throughout Juvenile Probation. Juvenile Probation is losing a great asset but Dauphin County is gaining another great asset through the use of her talents in coordinating our family group conferencing. She is a foster parent, adoptive mom, works for Juvenile Probation and is a family group conference facilitator. She now is going to be our coordinator with the faith based community to proactively employ the family group conferencing practice long before troubled kids in the Human Service field arrive at the County's doorsteps. We welcome you and thank you for your service and what you have already done for Dauphin County.

## **PURCHASE ORDERS**

Mr. Haste: Purchase Orders. Mr. Baratucci.

Mr. Baratucci: No changes from last week other than we changed the two items that were over budget.

Mr. Haste: On page three, are they being stored somewhere?

Mr. Baratucci: They are being ordered now so we have them when the shop opens.

Mr. Haste: Is there a motion to approve the Purchasing Packet?

Mr. DiFrancesco: So moved.

Mr. Hartwick: Second.

Mr. Haste: All those in favor say aye.

All: Aye.

Mr. Haste: Motion carries.

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

Mr. Yohe:

- **July 2, 2004** transferred **\$222,647.46** to the **Payables** account **from the County's Concentration account** for checks issued that week.
- **July 9, 2004** transferred **\$6,149,238.54** to the **Payables** account **and \$1,884,938.49** 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 \$121,730.60** rate **1.17%**
- **Balance today in Community Banks investment account \$34,007,864.80** rate **2.25%**  
(This rate is good through 12/31/04)
- **Balance today in Commerce Bank investment account \$10,004,919.11** rate **2.25%** (This rate is good indefinitely)
- **Balance today in Waypoint Bank investment account \$10,000,000.00** rate **2.25%** (This rate is good through 11/1/04)

**\$15M TRAN Line-of-Credit Status at PNC:**

- Draw #1 on 2/5/04 - \$2,850,000.00
- Draw #2 on 2/19/04 - \$1,800,000.00
  - o Total \$4,650,000.00
- April 1, 2004 – TRAN was paid back with \$11,232.21 for interest expense.

Mr. DiFrancesco: Commerce posted interest and Waypoint did not.

Mr. Yohe: We sent the money to Waypoint on June 30 in the afternoon and I am assuming we will get credit for that on the next statement. Commerce was transferred on June 22.

Mr. Saylor: We have a document that is going to be coming up next week. Since Mr. Twaddell can not be here next week, but is here today, it may be worth noting this today.

Mr. Yohe: The resolution approved at workshop regarding the first escrow restructuring. David if could please summarize the proposed resolution.

Mr. Twaddell: Good morning. At your suggestion, we prepared a resolution and forwarded it to Mr. Knupp. With my schedule I must apologize, I only got that to them yesterday. It is a little premature to act on that this morning but it is there for your consideration at your meeting next week. It is a resolution that would generally authorize supplements to the bond retirement agreements for the four bond issues for which escrows were created and essentially functioning. We are attaching a letter agreement between IMAGE and the County that defines the escrow restructuring program and the parameters of what is expected to be achieved. What we have generally done is authorized the Chair, Vice Chair and Chief Clerk to execute appropriate supplements to the bond retirement agreements provided that they are implementing escrow restructuring that are consistent with the agreement with IMAGE. To the extent time permits we would contemplate that the Budget Director try to get to a meeting and report on a planned escrow restructuring. If time does not permit that because of market restriction you would then anticipate a report at the immediate subsequent meeting. If for any reasons the Commissioners had a problem with an escrow restructuring to the extent the County could reverse the transaction without loss that would be undertaken. That would be a function of market swings which may or may not be possible with slums trading. If it is, there would be some option to undue a transaction. Frankly, I think the only reason the Commissioners would be dissatisfied with something that has transpired between meetings would be because it was not implementing the restructuring agreement. Having said that, we did, at the direction of the Solicitor's Office find an alternative to reversing the transaction, if that was not financially feasible, would be to essentially rescind the ongoing, open authorization and bring this back to a case-by-case approval of each supplement. But obviously the goal here is, since we may be fortunate to do several trades to get the escrow up to their full permitted capacity, to not have to come to you again and again for what are really routine amendments.

Mr. Hartwick: By not having that resolution prepared today, will it put us in a bad position over the next week or so in giving you that flexibility to make the trades?

Mr. Twaddell: No, it should not. Image had indicated to us before last week that they expected the first slug SWAP that they expected to be in a position to occur in early to mid August. The trade that was done last week was to actually transfer the one escrow that was not in slugs into slugs. They just saw a chance to do that. Now that both of the escrows are in slugs, they need about 15-20 days to roll those when they think the time is right. So we have no expectation that trades will occur in the month of July. This resolution could be considered at the next meeting or the one after that and still be timely.

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

Mr. Haste: Report from the Chief Clerk.

Mr. Saylor: Tomorrow we have the third leg of the countywide tour scheduled to be in the Hershey/Hummelstown area. We will meet with local officials and community leaders, touring the Giant Center and Reese's factory. The Sheriff is holding a chicken BBQ this Saturday at Sam's Club to benefit his K9 program. These dogs are trained to find drugs, explosives or missing children. No tax dollars are used for this program. This is all privately funded through events like this one. The Prison is holding a blood drive on July 21. We wanted to bring that to everyone's attention. Tonight the County is playing host to Paul Spera who is an official with the United States Veterans Administration. He is going to talk to the Board about homelessness with Veterans.

## **SOLICITOR'S REPORT**

Mr. Knupp: Nothing to add other than what is on the report at this time.

## **MATTERS REQUIRING BOARD ACTION**

Mr. Haste: Matters requiring Board action. Items A-X. Is there anything that needs to be pulled or acted on separately? (There was none.)

Mr. Haste: Is there a motion to approve items A-X?

- A. Training Packet
- B. Approval of FY04/05 Per Diem rates between Children & Youth and:
  - 1. Hempfield Behavioral Health, Inc.
    - Psychological Testing & Evaluations \$52.50/hr
    - Behavioral Consultations \$63.00/hr
    - Training & Consultation \$63.00/hr
    - TENS \$63,664.50/mo
    - Healthy Families Dauphin County Grant \$19,353.48/mo
    - Nurse Family Partnership-PCCD Grant Match \$2,343.75/July-Sept.
    - Nurse Family Partnership-PCCD Grant Match \$4,687.50/Oct.-June
    - New Possibilities-Delinquency Prevention Program \$11,084.16/annual
    - MST-year 3 PCCD Grant Match \$5,033.08/mo
    - MST-expansion-delinquency prev. prog. \$12,861.33/mo
  - 2. Hoffman Homes, Inc.
    - Residential Treatment Facility (JCAHO) \$211.75/day
  - 3. Life Management Associates
    - Therapeutic Counseling \$80.00/hr
    - Reimbursement for fee \$50.00/yr
  - 4. Children's Choice, Inc.
    - Foster Care-Level I \$36.15/day
    - Foster Care-Level I, II, III, IV \$36.87/day
    - Foster Care-Level II \$47.33/day
    - Foster Care-Level III (MH) \$71.18/day
  - 5. ChildFirst Services, Inc.

|     |  |                   |
|-----|--|-------------------|
|     | Treatment Foster                               | \$56.00/day       |
|     | Intensive Services/Grp                         | \$190.00/day      |
|     | Specialized/Grp                                | \$200.00/day      |
|     | Special Rate II                                | \$330.00/day      |
|     | Diagnostic Services                            | \$140.00/day      |
|     | SIL/Individual or shared apartment             | \$140.00/day      |
|     | Baby with mother                               | \$ 45.00/day      |
| 6.  | Pressley Ridge School                          |                   |
|     | Wilderness School-Ohioypyle                    | \$161.60/day      |
| 7.  | Northwestern Youth Services                    |                   |
|     | SOAR program                                   | \$152.00/day      |
| 8.  | Bethany Christian Services                     |                   |
|     | Level V Foster Care                            | \$95.00/day       |
| 9.  | Jewish Family Service of Greater Hbg. Inc.     |                   |
|     | Home evaluation-if withdrawn before completion | \$70.00/hr        |
|     | Home evaluation                                | \$1,000.00/case   |
|     | Adoption Home Studies                          | \$1,500.00/case   |
| 10. | United Methodist Home for Children Emergency   |                   |
|     | Shelter for Youth, Inc.                        |                   |
|     | Emergency Shelter                              | \$161.55/day      |
| 11. | United Methodist Home for Children             |                   |
|     | Residential Care, Inc.                         |                   |
|     | Intensive Treatment                            | \$173.30/day      |
| 12. | Family Service Partners                        |                   |
|     | Intensive Family Service Program               | \$ 51.28/hr       |
|     | Psychiatric evaluation-adult                   | \$170.00/eval.    |
|     | Psychiatric evaluation-child                   | \$190.00/eval.    |
|     | Counseling copay for M.S. family               | \$ 15.00/session  |
| 13. | ParentWorks                                    |                   |
|     | Parent Education In-Home                       | \$ 33.99/hr       |
|     | Parent Education Center based                  | \$ 75.55/(2 ½ hr) |

- C. Adopt Resolution No. 18-2004 authorizing the restructuring of the 1994 financing by the Harrisburg Redevelopment Authority for the Jewish Federation of Greater Harrisburg to finance improvements to the Jewish Community Center and Approval Certificate. (Entire resolution is on file in the Commissioners Office.)
- D. Agreement authorizing Brown, Schultz, Sheridan & Fritz to provide verification agent services for escrow restructuring.
- E. Authorizing Rhoads & Sinon to provide legal counsel services for escrow restructuring.
- F. Agreement authorizing Public Financial Management to provide Swap valuation services.
- G. Resolution No. 19-2004 establishing the boundaries of and creating a tax increment financing district; providing a district name; containing findings regarding the tax increment financing district and the public purposes of the purposes of the project; approving project plan for implementation of the project activity within the tax increment district; authorizing and directing officers of the County to undertake all steps necessary to implement the project plan; providing for procedures for collection of tax increment revenues; providing for amendment, severability, repealer and effective date of the terms of the ordinance. (Entire resolution is on file in the Commissioners Office.)



- H. Approval of the Weatherization Work Plan format and proposed allocations for the 2004-2005 Program Year submitted to the PA Dept. of Community and Economic Development.
- I. Satisfaction Piece for Amy Horst, formerly Amy Hoffer, on property located at 1309 N. 22<sup>nd</sup>. St, Harrisburg.
- J. Subordination Agreement with Mary E. Davis for property located at 2131 Green St., Harrisburg.
- K. Electronic Services Agreement between Dauphin County and United Concordia to access their system to add, change or delete County employees from coverage.
- L. Purchase of Service Agreements for FY04/05 between Area Agency on Aging and:
  - 1. Extended Family Care
  - 2. Jewish Family Service of Greater Harrisburg (2)
  - 3. Yoffe & Yoffe
  - 4. EAA Enterprises, Inc.
  - 5. Caring Companions, Inc.
  - 6. SUN Home Health Services, Inc.
  - 7. Grayson View Adult Day Center, Inc.
  - 8. Neighborhood Services of Lancaster
  - 9. United Cerebral Palsy of Central PA
  - 10. Michael S. Greevy, Ph.D.
  - 11. Jean Gebsewics, R.D.
- M. Purchase of Service Agreement for FY04/05 between MH/MR and:
  - 1. Dauphin County MH/MR Case Management Unit
  - 2. National Mentor Health Care, Inc.
  - 3. The ARC of Dauphin and Lebanon Counties
  - 4. TherAbilities, Inc.
  - 5. Emily Player, M.S., CCC-SLP
- N. Homeless Assistance Program Agreements for FY04/05 between MH/MR and:
  - 1. Catholic Charities
  - 2. Christian Churches United
  - 3. YWCA of Greater Harrisburg
  - 4. The DELTA Community
  - 5. Brethren Housing Association
- O. Amendment #1 to the Human Services Development Fund (HSDF) Agreement between the Human Services Director's Office and The PROGRAM for Female Offenders, Inc.
- P. Continuum of Care Homeless Assistance Program Grant Application for the Human Services Director's Office and the City of Harrisburg with the U.S. Dept. of Housing & Urban Development (HUD).
- Q. Purchase of Service Agreements for FY04/05 between Children & Youth Agency and:
  - 1. Bradley Center
  - 2. Youth Services Agency, Inc.
  - 3. T W Ponessa and Associates, Inc.

4. Bowling Brook Preparatory School, Inc.
  5. National Mentor Health Care, Inc.
  6. The PROGRAM for Female Offenders, Inc. of the Greater Harrisburg Area
- R. Amendment #1 to Adoption Assistance Agreement #2003-3.
- S. Adoption Assistance Agreement #2004-14.
- T. Approval of Settlement Stipulations with the following:
1. Cumberland Court Associates, tax parcel #05-008-001
  2. 4180-4299 Chambers Hill Road, tax parcel #63-27-27.
- U. Co-Permittee Agreement between Dauphin County and Conewago Enterprises, Inc., assumption of responsibility under a General or Individual NPDES Permit for stormwater discharges associated with construction activities at the Dauphin County Materials Recycling Facility.
- V. Appoint August "Skip" Memmi as the alternate to Commissioner Jeff Haste on the Capital Resource Conservation and Development (RC&D) Area Council.
- W. Real Estate Tax Refunds/Exonerations:
1. Partial refund of 2004 real estate taxes to Land Holdings, Inc., 2327 N. 7<sup>th</sup> St., Harrisburg, parcel #10-004-001, City of Harrisburg, in the amt. of \$990.89.
  2. Partial refund of 2004 real estate taxes to Land Holdings, Inc., 2151 Linglestown Road, Harrisburg, parcel #62-013-131, Susquehanna Township, in the amt. of \$1,080.98.
- X. Appoint the Dauphin County Risk Manager and Safety & Security Director as Staff Safety Coordinators for the County of Dauphin.

Mr. DiFrancesco: So moved.

Mr. Hartwick: Second.

Mr. Haste: All those in favor say aye.

All: Aye.

Mr. Haste: Motion carries.

### **COMMISSIONERS' DISCUSSION & ACTIONS**

Mr. DiFrancesco: Just a simple thank you. Mike Yohe had sent out an email to Directors at the guidance of the Board reminding people that basically the vacancies that are being held open are in fact a line item in balancing the budget. These vacancies should not be looked at as if I don't spend that money here, I can spend it someplace else. The bottom line is all those vacancies throughout the County are being used to balance a very difficult budget this year.

The Corridor One project, I think we need to be very clear as a Board that this is a project that to me is incredibly important to Central Pennsylvania. It is a project that I was the most skeptical person having sat on the CAT Board when all of the original studies were done to determine if we move forward with any kind of engineering. When the reports came back I looked at it from a perspective of you see the buses running empty and you wonder if anyone will use mass transit. Look at the population and wonder if there is enough people there to make the rail project a success. I have to tell you that early on I was highly skeptical. I highly doubted that we could make a run of it. Having sat in this chair now for six months and through that service being able to see a bigger picture, I realize that the congestion we face on the highways is only going to get worse in a very short period of time. I also realize in all reality that there is no way it is not even possible to pull out the congestion in our highways. It cannot be done. The problems are going to consistently get worse and expand out. A lot of very good people have carried this Corridor One project a great distance and a very well done job to get us where we are today. Where we are at today is state and federal officials are stepping up with money because they see the need. Very little, if any, local dollars are going to be needed to move this project forward. So, we have an opportunity to get a regional rail project established in Central Pennsylvania. A project that runs in the area of \$70 million dollars, of which the federal government is going to step up and give us the biggest chunk, because we have people like Arlen Specter and our State Representatives working for us. All of these people are committed to the project. It is a bad time for us not to move forward on this. The team that has brought this forward has done a better job than I could have ever imagined in making sure that local real estate tax dollars are not a component of its success. It is not a matter of how many people we get to ride that train today. It is a matter that we get the train established, and get it up and running. When organizations such as Bass Pro move in and all of the sudden the Eisenhower Interchange is in gridlock every day. People from Lancaster and the southern end of the county have a choice whether or not they want to ride the train into the city or sit in traffic. The West Shore with 83 being backed up from the York area and 15 being backed up to Camp Hill and 581 being jammed up from Carlisle, those people need it the most. I am speaking from one Commissioner's opinion, but I want to be on record very strongly that I am in full support of this project from Lancaster to Carlisle, the entire distance.

Mr. Hartwick: As one Commissioner, I would certainly take the position, I was offended last week by another Board of Commissioners defining our position, when I clearly expressed support for the entire Corridor One project. That is why we had Diane help us with an "As I See It" piece to clearly define our opinion. Dauphin County is a critical player in this project because Lancaster feels that as long as we have an opportunity to come from Lancaster to Harrisburg, from the New Convention Center to the Airport, we don't care if it goes into Cumberland County or not, we want to support the Corridor One project. York and Lebanon County said are we ever going to see a part of the Corridor One project? Cumberland County seems to be the only one resistant to allow the residents the opportunity to have convenience. There are 72,000 cars that go across the bridge a day. This is a component of the Southern Gateway project.

## **FORMER BUSINESS**

President Judge Kleinfelter: The courtroom number 8 was essentially completed in the past couple days. There are a few touch-up items that are required. As you probably know, most of the renovations have been completed at this point. I want to make sure as Chairman of the renovations committee that there is some kind of exit strategy in place to review this work before we start to pay all of the vendors. I just heard that you have been provided with some notice of essential compliance notices to review. My concern was raised in a memo to the Board several times, that I really feel that the County needs some independent review. Maybe Edgar is it. Independent from the contractors themselves and Bucharth Horn to review this work and make sure it meets the plans and specifications and that we are totally satisfied before we pay these bills. In the memo to the Board I mentioned that in my personal opinion I am not satisfied with some of the things that I have seen. There are some areas that definitely don't meet specifications. Our representative on the job, which is Bucharth Horn, who is sort of, as I understand it, being paid to look out for the best interest of the County, has not raised some of these issues and yet they are obvious. In the memo to you I expressed, and I will express it again publicly, that I do not have a comfort level with Bucharth Horn and carrying out this mandate to make sure the County is getting its money's worth. Bucharth Horne are also architects for the program. They were active in the bid preparations process and of course if there are design defects it is almost a conflict of interest to have the person who would be raising that act in both the company's interest and the County's interest. I do not know if the Board individually or collectively has tried to develop some kind of an exit plan, but I am urging publicly that we do this. There is a lot of money out there. I cannot speak for Edgar, but I know from some of our conversations he shares some of the same concerns that I have. One thing that I have to say is that as Chairman of this committee, I have not really been presented with plans or specifications that represent what was actually bid that if I want to go to a particular door or light fixture I can go and really see what was bid and what was done. There is an awful lot of stuff behind the walls and in the mechanical part of it that we can not see that really are beyond my expertise, but I can certainly see partitions that are where they aren't supposed to be and a lot of other little things. These normally would be punch list items. I hope someone is looking out for the County before we pay any final bills.

Mr. Cohen: I do agree with the Judge, but there are areas on the county's behalf, we had not signed off on and where I believe that someone else signed off. I am not sure if it was the President Judge or who, but for example, the entire fifth floor, Judge Clark and Judge Cherry moved in. Before I knew it, people were already in there. Normally, the County would sign off before any body moves into those areas so if there are things that need taken care of, they can be done right away. That way the County is aware of anything. I know for a fact that I did not sign off on anything.

President Judge Kleinfelter: I know that I did not.

Mr. Cohen: I agree with you, the specifications, I have been looking at them. That is why I did not sign off on anything yet. The thing is when you go back to the design, a lot of things changed by word of mouth. There were items on the second floor that were supposed to be installed, but then the elected officials said they don't want it. Basically we got partial credit for those items.

Mr. Saylor: This project was supposed to be completed by May 30. At that time Solicitor Knupp drafted a letter for me to sign which notified Bucharth Horne of the date for substantial completion of the project. If the project was not complete, we wanted to see daily logs of who was in the building and what they were doing. We have received daily reports from Bucharth Horn, which I keep and copy Edgar and Mr. Knupp so we can keep count of what is being done after supposed completion date. As I mentioned earlier, we have received substantial completion reports from vendors saying we are complete with the work that was supposed to be done. We are still waiting on Constanza and possibly two others. Edgar has been dutifully going over the information that we have to make sure the work has been done to satisfaction and Mr. Yohe has numerous invoices for payment to various vendors that need to be paid. Once they are satisfied that they have reviewed everything that has been submitted, we will then sit down and come up with a plan on how we are going to end this thing. It is important you know, I do not know how much you want to hash out here but it is important to know that we are on top of this project as best as we possibly can be. At some point after everything is reviewed, we will come up with a plan on how to deal with this. It is just going to take some time to review the work and there is still some work going on there and they are vacating the alley way there as well. We should be able to wrap this up shortly. I do not know how pretty it is going to be, but it will be wrapped up.

Mr. DiFrancesco: Our disappointment and frustration with this project has been noted numerous times. For the record that I want to say for the employees who have been working on it, that a tone has been set by the contractors. Flexibility is not an option. When it came time for them to deal with us there was no flexibility and no negotiation. It was hard and fast and black and white. It is my expectation that the same will be true when we go and finish this project up. As we review the work, work will be done to an acceptable standard with no exceptions. If there is a problem, we will push the issue. In terms of time that has gone over on this project that we will again apply the same standard that they used on us when they put the blame on us. Quite honestly, I have to say that back at that time there were not too many interested in finding out why anything happened, it was just here is your big bill, pay it. I really do not care what their reasoning is, the tables have turned and they really set the tone and I would expect that on our side we are going to be hard liners on this project. We paid a tremendous amount of money. They really had us between a rock in a hard place. The bottom line is we felt the pain and it was merciless.

Mr. Knupp: If I could say one thing that the President Judge does raise a valid question if there is a concern we do have a County Engineer. It seems to me that some consultation should be had. It is not an unusual thing to use value engineering in

contracting services. I suspect that is something that should be given some consideration.

Mr. DiFrancesco: Do we have the original plans that were bid?

Mr. Knupp: There is a complete set of plans, specifications, and updates in Costanza's Office in the basement of the courthouse by where the food used to be. That is where I have gone when I had questions.

Mr. DiFrancesco: Throughout the whole process, a desire to have a whole budget have been that without any answers. It has always been negotiations back and forth and we have yet to see an original budget for the project, to the best of my knowledge, a timetable of work, I have never seen one. I have asked for one repeatedly and have not seen one. I do believe whatever team we put together for this exit strategy, that this project needs engineering and legal expertise. Those people need to know how this Board is viewing this project. When they walk in and see something wrong, they follow up on that. They bring that back to the Board so we can make a decision on how we want to follow up on that project.

Mr. Hartwick: All of our comments have been well documented from the beginning. This has been a debacle from the start. I concur with Commissioner DiFrancesco. I was a big opponent of having to pay for something for services that were not being provided just because we had to prolong this project and trying to find out who the people were to blame for prolonging this project was as difficult to find as trying to find a complete budget. Being placed in that position was somewhere I did not want to be placed. I certainly will take a hard line approach with these contractors. We have the responsibility under our leadership for this project. Nothing else really needs to be said.

President Judge Kleinfelter: My only purpose for bringing this up is I don't want to see any more mistakes made. We need to get our resources together and carefully look at what was done before the bills are paid because that is a position we want to be in, before the bills are paid. We really need an exit strategy that has the best resources to look for the best interest of the County.

Mr. Hartwick: I do agree that we need our engineer and legal team to thoroughly review this so we are in a position to talk to our contractor's who have extended their time and what are means of representing the County's best interest.

Mr. DiFrancesco: For the public here, an example is tables in the law library, there was supposed to be certain wiring and it is claimed that it was not done properly, but for us to look at the sketches, I don't think would be of use. We do need the experts to assist us.

President Judge Kleinfelter: I do have sketches that say wired for electricity and also wired for an IT port. Those are not in the table and I have a sketch that shows that. I

got a long song and dance as to why it was not done that way. There are a lot of things just like that, that are not right.

Mr. DiFrancesco: We will address them.

Mr. Saylor: The County is in the process of doing just that.

Mr. Saylor: Last week, Gary Lenker was in to go over the comprehensive plan for Affordable Housing and made some recommendations. We need a consensus on how we want to move forward.

All: All were fine to proceed.

Mr. DiFrancesco: I believe we all need to be very aggressive in that area. We need to show a lot more energy in performing programs and using federal and state monies that are available to us more effectively than in the past.

Mr. Haste: Council did approve the recycling center last night. So that will be moving forward.

Mr. DiFrancesco: Mr. Spera is coming in town today. He works with the Secretary of the Department of Veteran's Affairs. The name sake of our Veteran's Building is working well on our behalf. It is a real benefit to sit down with someone of this stature. It was not this Dominic DiFrancesco that made this meeting a reality, it was "the real" Dominic DiFrancesco that made it happen. We will be having a discussion on homelessness, which I have been told accounts for 14% of the population that we provide service to in Dauphin County. I am sure we will touch on other topics as well while we have this gentleman with us. He is in town for the State American Legion Convention and we were lucky enough to have him with us today. Anyone interested in sitting in on these discussions are welcome.

## **CORRESPONDENCE**

Mr. Haste: You have seen on the agenda the correspondence received by the Board of Commissioners this week A-T, which will be handled appropriately by the staff.

- A. Notification from H. Edward Black & Associates, P.C., on behalf of U-Gro Learning Center, indicating they intend to submit an application to DEP for a general permit for the discharges of storm water from construction activities for the facility to be located at Tecport Drive, Swatara Township, Dauphin County.
- B. Notification from Act One Consultants indicating they intend to submit an application to DEP for an NPDES Phase 2 permit for the removal of existing low quality trees and underbrush and the moving of a topsoil pile at the Saratoga Meadows subdivision located in Susquehanna Township, Dauphin County.
- C. Notification from Erdman, Anthony & Associates, Inc., on behalf of the Halifax Plaza, indicating they intend to submit an application to DEP for a NPDES permit.

- D. Notification from Carl Poffenberger, on behalf of the Lenker Estate's Homeowner's Association, indicating they intend to apply to DEP for a Part II Sewage Permit for the developments of Lenker Estate-Ph I & Lenker Estates II, situated in Halifax Township, Dauphin County.
- E. Notification from Eli K. Smucker indicating he intends to apply to DEP for a permit for the installation of an agricultural stream crossing on his property located at 211 Phillips Road, Upper Paxton Township, Dauphin County.
- F. Notification from Light-Heigel & Associates, Inc. indicating UGI Utilities, Inc., will be applying to DEP for a General Permit, GP-5, Utility Line Stream Crossing for a proposed gas line extension along Sterling Road in West Hanover Township, Dauphin County.
- G. Notification from Johnson, Mirmiran & Thompson indicating that the PA Dept. of Transportation will be filing a NPDES permit application with DEP for a project that consists of the replacement of stockpile 0007 with a newly constructed maintenance stockpile yard located in Lower Paxton Township, Dauphin County.
- H. Notification from R. J. Fisher & Associates, Inc., on behalf of the McNaughton Company, indicating they intend to file an application to DEP for renewal of and existing NPDES permit for discharges of stormwater associated with construction activities for the Margaret's Grove Development located in Susquehanna Township, Dauphin County.
- I. Notification from J. Michael Brill & Associates, Inc., indicating that Members 1<sup>st</sup> Federal Credit Union will be applying to DEP for a general NPDES permit for the construction of a building, paved parking area, access drives and applicable underground utilities to be located in South Hanover Township, Dauphin County.
- J. Notification from Benatec Associates indicating that the Skyline Partners will be applying to DEP for a general NPDES permit for the Skyline Partners - Skyline Car Wash located in West Hanover Township, Dauphin County.
- K. Notification from Dauphin Engineering Co., on behalf of Agile Partnership, indicating they intend to apply to DEP for a general permit minor road crossing for a preliminary subdivision plan, Chapelshire, Steinruck Road, Londonderry Township, Dauphin County.
- L. Received a copy of a letter from Harrisburg Housing Authority addressed to the County Crisis Intervention Office expressing their gratitude for assistance in the past few months.
- M. Received a copy of a letter from The Central PA Chapter of Speaking for Ourselves addressed to the County expressing their gratitude for assistance in the start-up of their business.
- N. Received a copy of a letter from DEP to S & M Coal Company in reference to the underground coal mining permit for the Buck Mountain Slope Operation, Wiconisco Township, Dauphin County
- O. Notification from CET Engineering Services, on behalf of Susquehanna Township Authority, indicating they submitting notification to use general permits 5 & 8 for the construction of utility line stream crossings and temporary road crossings to be used as part of the Authority's drainage area 221 South Sanitary Sewer Replacement Project, Susquehanna Township, Dauphin County.



- P. Received from Benatec Associates a list of the Dauphin County 2004 Interim NBIS Inspections of municipally-owned bridges.
- Q. Notification from Navarro & Wright Consulting Engineers, Inc., on behalf of the Minerva Manor Irrevocable Trust, indicating they have submitted an application to DEP for a NPDES permit for stormwater discharges associated with construction activities for the Minerva Manor Apartments, Swatara Township, Dauphin County.
- R. Received correspondence from Goodwill in reference to a foster care issue.
- S. Received correspondence from American Humane expressing gratitude for organizing the 2004 Conference.
- T. Received correspondence from Harrisburg Weed and Seed organization expressing gratitude for assistance in making the CONTACT training possible.

### **PUBLIC PARTICIPATION**

There was none.

### **ADJOURNMENT**

Mr. Haste: Is there a motion to adjourn?

Mr. Hartwick: So moved.

Mr. DiFrancesco: Second.

Mr. Haste: All those in favor say, aye.

All: Aye.

Mr. Haste: Meeting adjourned. Thank you.

Respectfully submitted,

Chad Saylor, Chief Clerk/Chief of Staff

Transcribed by: Kacey Truax  
printed 10/11/04