



DAUPHIN COUNTY BOARD OF COMMISSIONERS

COMMISSIONERS LEGISLATIVE MEETING

TUESDAY, SEPTEMBER 9, 2003

10:00 A.M.

MEMBERS PRESENT

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

STAFF PRESENT

Robert Burns, Chief Clerk/Chief of Staff; Julia E. Nace, Assistant Chief Clerk; Marie Rebuck, Controller; Robert Dick, Treasurer; Phil Spaseff, Recorder of Deeds; Bruce Foreman, Esq., Solicitor's Office; Bob Knupp, Esq., Solicitor's Office; Carolyn Thompson, Court Administrator; Richie Martz, Commissioners' Office; Jane Gordon, Commissioners' Office; Kacey Truax, Commissioners' Office; Diane McNaughton, Communications; Jennifer Kocher, Communications; Mike Yohe, Budget & Finance Director; Randy Baratucci, Purchasing Director; Edgar Cohen, Maintenance Director; Melanie McCaffrey, Solicitor's Office; Mike Pries, Security Director; Steve Chiavetta, Registration & Elections Director; Garry Esworthy, Risk Manager; Sharon Ludwig, Personnel; David Schreiber, Personnel; Rick Wynn, Human Services Director

GUESTS PRESENT

Andrew Dowling, Esq.; Pat Kauffman; Adelaide Helen Steely; Stanley R. Lawson; Bill Cluck; Jim Szymborski; Loretta Barbee-Dare; Diane Bowman; William Smith

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 before us the August 19, 2003 Workshop Meeting Minutes; the August 26, 2003 Legislative Meeting Minutes; and the August 26, 2003 Salary Board Meeting Minutes for approval. Is there a motion to approve those Minutes?

Mr. Henry: So moved.

Mr. Petrucci: Second.

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

All: Aye.

ELECTION BOARD MEETING

(The Minutes of the Election Board Meeting are on file in the Commissioners' Office)

EXECUTIVE SESSIONS HELD BETWEEN MEETINGS

Mr. Burns: Mr. Chairman, there was an Executive Session held on August 26, 2003 and at that time real estate matters were discussed.

PUBLIC PARTICIPATION

Mr. Haste: We are at the point in time on the agenda for public participation. Is there anybody in the audience that would like to address the Board of Commissioners?

Mr. Lawson: I am an elected official of Susquehanna Township. I'm not here as a township supervisor. I'm here as a resident. I was appointed as chairman of a task force group to look at this incinerator dealing with the city and the county. We wrote a letter and you received that. I'm here in response to that letter and something that concerns me. To me it's a red flag. In fact, I would even fly it red, white and blue for this one. I find no problem with the \$50 a ton. They reassured me that they were going to assure the bonds at \$125 million. The present bond of \$100,000,000, we're not involved in that. The \$50 a ton seems to be a very fair price.

The problem I have is it doesn't speak to the bulk issue. These are the ones that a lot of the seniors have like an old refrigerator, an old stove, an old sofa, etc. This does not deal with that at all. It is in a vacuum. I don't mind the city having a monopoly on the disposal if it works out for everybody; but, I don't want to be put in limbo with this bulk item. In that letter, it says it may or may not take those. Right now we have a service in our township that I'm satisfied with that takes bulk items. I want you to think about that. To do this you have to understand that bulk items are important. If you have a pickup truck like some people do and they say they will take it down to the city incinerator, fine. But if you are like a lot of people in my district who are seniors who don't have pickup trucks or people who just don't have them you're in trouble. So I think it's something you need to look at. It is a serious problem. The township's our road crew used to do it. The last time we bid it we had Waste Management do it. The way they do it, you call up and say we have an old stove and you can pick it up in two weeks. They'll say, fine and you'll do it. This way you are hanging people out to dry. I'll tell you what, \$50 a ton is a good price, you don't know what you're going to pay for those bulk items. I think you need some attention to that before you go forward. I appreciate your time.

Mr. Haste: Us soon to be seniors also have the same bulk problem pickup, Stan, it's not just seniors.

Mr. Petrucci: I would also like to point out that not only do the seniors have problems if we under supply the service of handling. There will become illegally dumping along our roadsides that will blight our entire community. We have to respond to this in a positive way so the people know that this will be handled.

Mr. Haste: Is there anybody else? Please come forward.

Ms. Steely: My name is Helen Steely. I'm from Swatara Township, seventh ward. I have some websites because I spoke to Mr. Haste's secretary sometime ago and she said if I got some information to please bring it in. I have some information to explain the plasma process. There is a new process that is going into effect March, 2004. It's done by Coby Steel. They are incorporating it into a state-of-the-art incinerator that's being used in Japan. The reason I bring this up is, I would like to protest the fact that you are going to enter into a twenty-five year contract. At the Harrisburg Council Meeting there was a young man from the Clean Air Council who said that in five years there is going to be possibly new technology. Why are we going into such a long contract? Coby Steel is starting the plasma process and it is already a well known thing. It was disparaged by the Barlow Group as being experimental. Well, we just installed or will install something made by Coby Steel over at TMI. The head for the nuclear power facility. So I don't think Coby Steel is a experimental company. I can give this to you. I also have a request and I have asked this before. Please check into getting a compactor for the townships and the county so that we do not come under *NAFTA* and have to sell space volume, whatever to other places. We are going to come under the commercial clause and will have to sell whether we like it or not if we don't use all the volume.

Ms. Kauffman: I'm Pat Kauffman from Halifax Township. The reason I'm here today is to bring to you a simple message. Often to create a solution to a problem, we create a worse problem for ourselves. I'm concerned that the support financially of the county for the incinerator will do just that. We have seen so often where we get embroiled in ideas brought forth by visionaries. Mayor Reed has been touted greatly for being a visionary but another definition for that is a dreamer. The idea of having this incinerator located where it is and enter into a long term contract with it and that we would be able to maintain financial control of that without it getting out of hand, I think is a dream. I wanted to bring that simple message because we need as elected officials to remember that the simple people out here who are silent and not coming to us on a daily basis, or emailing us on a daily basis are the ones who are funding these dreams and who are voting us in and asking us to uphold their confidence in us to maintain integrity. Thank you.

Mr. Haste: Thanks, Pat.

Mr. Cluck: I'm from Shipoke. There are a couple of items on the agenda today that I have a couple of questions about. The copy that I picked up at the entrance way, Item H is a proposal from Public Finance Management; Item I is an engineering firm; and then when I turn to page 6, Item AA & BB, appear to be duplicate or are they separate contracts.

Mr. Burns: I can answer that. Item BB is a duplicate item and we can strike that. That is the same as Item H.

Mr. Cluck: So we won't pay them twice?

Mr. Burns: Correct.

Mr. Cluck: My question is whether the work performed by Public Financial Management as financial advisor, I assume this is some type of analysis of the economics of guaranteeing the retrofit. Will that be a public document? Will it be something that members of the public will have the opportunity to review and look at as well as the Commissioners? Thirdly, I appreciate the Commissioners postponing the vote last month on the secondary guarantee to enable municipalities to comment. It was my understanding the public was also provided the opportunity to comment and I would assume that was on the proposed contract for flow control. I know we were aware of that and we could comment but I never saw anything on the County's website. It wasn't clear to me that the newspaper accurately portrayed what it is the public can be commenting on and to whom. I assume the public is commenting on the contract and it should go to Mr. Burns. Any comments that I had, I brought here to Mr. Burns. But if you're postponing voting on that you may want to make it clear to the public there is still an opportunity to communicate with you about those issues.

Lastly, I would strongly encourage, last month you appointed me to the County's Solid Waste Advisory Committee but we haven't met. It is my understanding we're not going to meet. There's never been any participation by the County's Solid Waste Advisory Committee on the decision to go to flow control. The SWAC involvement has been totally on landfills and competitive menu. The plan approved by you folks in 2002 calls for the garbage to go to landfills. There's never been any discussion with SWAC about flow control. But we appear to be moving forward and I think the type of questions you heard today are the types of things your experts should discuss and make available to the public and raise the issue such as bulk waste and pickup, hauling charges, improved recycling and improved composing. I would encourage the County's Solid Waste Office to use their resources at their availability. We're here and willing to serve and we look forward to serving. Thank you.

Mr. Haste: Thank you, Bill.

Mr. Henry: I would assume that all documents that are generated as part of this endeavor would follow under the Right-to-Know Act and would therefore be available for public inspection. Should we retain a financial advisor and should that person issue a document, it would become a public document.

Mr. Haste: Right, we will make them available.

Mr. Henry: I agree it should be posted on the website.

Mr. Haste: It will be made available. Is there anybody else who would like to address the Board of Commissioners at this time? Seeing none, we will move forward.

DEPARTMENT DIRECTORS/GUESTS

Mr. Haste: Are there any Department Directors that would like to address the Board?

SALARY BOARD

(The Salary Board Minutes are on file in the Commissioners' Office.)

PERSONNEL

Ms. Ludwig: The personnel packet, there is an addendum to the packet that you should have received. It is an addendum to the Workshop Changes Listing. The rest of the packet stands as it was presented.

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

Mr. Henry: So moved.

Mr. Haste: Is there a second?

Mr. Petrucci: Second.

Mr. Haste: Is there any discussion? All those in favor say, aye.

All: Aye.

PURCHASE ORDERS

Mr. Baratucci: Commissioners, there were two items added to the purchase order packet since last week. The first item is on page 3. It is a software purchase for the Solicitor's Office. We had some questions that we had to get resolved through our Information Technology Department. That's why it wasn't in last week's packet. But they have been resolved. So we added it. On page 5, there was an item that Mr. Cohen had discussed with his oversight, Commissioner Haste. It is some replacement software controls for the Courthouse. The new person that is handling our maintenance contract over there is upgrading some of the HVAC items. That was discussed and asked to be added because it needs to be done. With those two additions, everything else stands as it was presented last week. All the overbudget items have been corrected. Does anybody have any questions on those two items or any of the other items? Otherwise, it is there for your approval.

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

Mr. Henry: So moved.

Mr. Haste: Is there a second?

Mr. Petrucci: Second.

Mr. Haste: Is there any discussion? All those in favor say, aye.

All: Aye.

REPORT FROM BUDGET & FINANCE – MIKE YOHE, BUDGET DIRECTOR

The following report was presented by Mr. Yohe, Budget & Finance Director:

Report from the Office of Budget & Finance September 9, 2003

- **August 29, 2003** transferred **\$720,405.62** to the **Payables** account **from the County's Concentration account** for checks issued that week.
- **September 5, 2003** transferred **\$7,937,987.36** to the **Payables** account **and \$1,750,640.54** 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 \$120,736.91 rate 0.99%**
- **Balance today in Northwest Savings Bank Money Market account \$38,782,021.62 rate 2.0% effective September 1, 2003.**

Mr. Haste: How long is the term on that one?

Mr. Yohe: That's good for a year at the minimum unless the rates start to rise. Are there any questions?

Mr. Haste: Are there any questions for Mike? Thank you.

REPORT FROM CHIEF CLERK/CHIEF OF STAFF – ROBERT BURNS

Mr. Burns: I want to update the timeline on which the Board will consider acting on the proposed contract with the City Incinerator. At the August 12th meeting, the Commissioners gave the direction that there would be a 30 day period for public and municipal comment. Today is day 28 of that period. At Mr. Cluck's suggestion we will post on the website today that that period is ongoing so the next date that could be considered by the Board would be September 16th which is next week. Since the notice went out that there would be a 30 day public comment period, we've met with commissioners from Susquehanna Township, including Commissioners Lawson and

Bowman, Johnson and Patton; as well as the boards from Hummelstown and Lower Swatara. We have received written comment from Williams, Wayne, Upper Paxton, Middle Paxton and Washington Townships. That is a good cross section from throughout the county. Those comments are being directed to the Board's attention for consideration. That is all I have to report today.

Mr. Haste: Are there any questions for Bob?

SOLICITOR'S REPORT

Mr. Tully: There are no changes to the report, but would be more than happy to answer any questions the Board may have.

Mr. Haste: Are there any questions from Bill's report from the Workshop? Thank you, Bill.

MATTERS REQUIRING BOARD ACTION

Mr. Haste: We have Items A thru AA. BB has been removed since it is a duplication. I would ask at this point in time that Item A if I could call upon Commissioner Henry to read a proclamation. As everybody knows on Thursday, we are coming up on the second anniversary of September 11th. President Bush has put out a notice and asked everybody to continue to remember this day. Commissioner Henry has a proclamation to read.

- A. Proclamation Declaring September 11, 2003 as "Dauphin County Day of Prayer & Remembrance" and "Patriots Day".
- B. Training Packet
- C. Approval of FY03/04 Per Diem Rates between the Children & Youth Agency and:
 - 1. Boy's Club and Girl's Club of Lancaster, Inc.
 - Group Home \$119.00/day
 - Emergency Shelter \$128.50/day
 - SIL \$ 75.00/day
 - Group Home Girls \$148.00/day
 - 2. The Oaks Treatment Center
 - Education (180 days/yr.) \$90.00/day
 - 3. Susquehanna Intermediate Unit
 - Cross Systems Approach to Substance Abusing Fam. \$55,454.00/annual
 - 4. Impact Systems
 - Specialized Group Home for K.E. \$56.00/day
 - 5. Hempfield Counseling Associates, Inc.
 - Psychiatric Evaluations \$190.00/eval.
- D. Real Estate Tax Refunds/Exonerations:
 - 1. Partial refund 1999-2003 real estate taxes to Dauphin Deposit Bank & Trust Co., 3607 Derry St., Paxtang Borough, parcel #47-038-012, in the amt. of \$43,732.69.

2. Partial refund of 2003 real estate taxes to Barbush Family Real Estate, 171 Tioga Ave., Lower Swatara Township, parcel #36-022-104, in the amt. of \$158.93.
 3. Partial refund of 2003 real estate taxes to Daniel & Wanda Hockenberry, 295 Weaver Road, Mifflin Township, parcel #44-009-006, in the amt. of \$65.88.
 4. Partial refund of 2002 & 2003 real estate taxes to Gerald & Tricia Kreiser, 1321 Newberry Road, Londonderry Township, parcel #34-002-055, in the amt. of \$95.36.
 5. Partial refund of 2002 & 2003 real estate taxes to EMKA, Inc., 1961 Fulling Mill Road, Lower Swatara Township, parcel #36-009-315, in the amt. of \$2,210.15.
 6. Partial refund of 2002 real estate taxes (2001/2002 School), to Northwestern Human Services, 7191 Catherine St., West Hanover Twp., parcel #68-029-021, in the amt. of \$475.73.
 7. Refund of 2002 real estate taxes to Northwestern Human Services, 727 N. Highland Dr., Swatara Township, parcel #35-117-055, in the amt. of \$577.12.
 8. Partial refund of 2002 & 2003 real estate taxes to Jasen Beemer, 1715 Logan St., Harrisburg, parcel #12-004-056, in the amt. of \$808.21.
- E. Change Orders for Phase I Renovations to the Dauphin County Courthouse:
1. P-1 Allowance Reduction #1 with Jay R. Reynolds, Inc., in the amt. of \$28,015.00 for work previously completed by Jay R. Reynolds, Inc., in August through December of 2002, for Phase I Renovations to the Dauphin County Courthouse.
 2. P-1 Allowance Reduction #2 with Jay R. Reynolds, Inc., in the amt. of \$8,842.00 for work previously completed by Jay R. Reynolds, Inc., in February through April of 2003, for Phase I Renovations to the Dauphin County Courthouse.
 3. Change Order #2002-01-14 with L. R. Costanzo Co., Inc., general contract, in an add amt. of \$17,704.20 for Phase I Renovations to the Dauphin County Courthouse.
- F. Approval for the Steelton Borough to purchase the following six parcels from the Repository List:
1. parcel #57-33-52 – St. Mary's Drive
 2. parcel #58-6-3 – Harrisburg St.
 3. parcel #59-2-16 – Baldwin St.
 4. parcel #59-7-25 – 147 Adams St.
 5. parcel #59-7-34 – 150 Adams St.
 6. parcel #59-7-51 – 133 Adams St.
- G. Contract between Dauphin County Emergency Management and Capital Area Communications for the installation of Motorola/Harris Microwave Equipment.
- H. Approval of a Proposal from Public Financial Management to serve as financial advisor to the County for analysis of a potential County Guarantee of the Harrisburg Authority Bond Issue pertaining to the Harrisburg Incinerator Project.

- I. Approval of a Proposal from Herbert, Rowland & Grubic, Inc., for engineering services in conjunction with the retrofit of the Harrisburg Incinerator Project.
- J. Subordination Agreements:
1. Ms. Y. Porter for property located at 1958 Bellevue Rd., Harrisburg.
 2. Lonnie C. Devan for property located at 704 Melrose St., Harrisburg.
 3. Dana M. Ross a/k/a Dana M. Royster for property located at 3005 Derry St., Harrisburg.
- K. Approval of a Stipulation of Settlement Agreement involving the Pennsylvania Medical Society Tax Assessment Appeal, tax parcel #35-074-054.
- L. Approval of the County's commitment to pay its pro-rata (\$992.00) for the appraisal of tax parcel #66-008-038 for Barmill Partnership.
- M. HOME Investment Partnership Program Agreements between Dauphin County and the Dauphin County Housing Authority & Dauphin County Redevelopment Authority administered by the Dauphin County Community & Economic Development Department.
- N. Agreement between Dauphin County and Smith & Company Design Group for the addition of an exterior covered walkway and interior connection corridor to the existing north building located at the Spring Creek Nursing Home.
- O. Subrecipient Agreements by and between the County of Dauphin and the recipients of the FY 2003 Dauphin County CDBG Funds as follows:
- | | | |
|-----|---|-----------|
| 1. | Washington Township | \$40,000 |
| 2. | Millersburg Area Senior Center | \$60,000 |
| 3. | Penbrook Borough | \$20,000 |
| 4. | Goodwill Ind. of Central PA | \$22,500 |
| 5. | Shalom House | \$31,080 |
| 6. | Lower Paxton Twp. | \$75,000 |
| 7. | Lykens Borough | \$124,355 |
| 8. | D.C. Adult & Family Svcs. | \$31,400 |
| 9. | Berrysburg Borough | \$44,272 |
| 10. | Rutherford House Senior Ctr. | \$50,000 |
| 11. | Dauphin Borough | \$120,606 |
| 12. | Hummelstown Borough | \$20,000 |
| 13. | Paxtang Borough | \$20,000 |
| 14. | Highspire Borough | \$80,220 |
| 15. | Lower Swatara Twp. | \$20,000 |
| 16. | D.C. Planning Commission | \$10,000 |
| 17. | Edgemont Community Improvement Assoc. | \$50,000 |
| 18. | YMCA, Northern D.C. Branch | \$50,000 |
| 19. | Halifax Borough | \$135,500 |
| 20. | Royalton Borough | \$166,493 |
| 21. | Derry Township | \$20,000 |
| 22. | Elizabethville Borough | \$100,100 |
| 23. | Gratz Borough | \$77,865 |
| 24. | Center for Independent Living of Central PA | \$47,313 |
| 25. | Steelton Borough | \$17,560 |
| 26. | Steelton Borough | \$40,000 |
| 27. | Steelton Borough | \$167,920 |

- P. Lease Extension between Dauphin County Weatherization and Stonesifer Properties for 24 (twenty-four) months for property located at 200 First St., Millersburg, PA.
- Q. Agreement between Dauphin County Emergency Management Agency and G. R. Sponaugle to load test the County's emergency generator.
- R. Purchase of Service Agreement for FY03/04 between Mental Health/Mental Retardation and Pennsylvania Counseling.
- S. Addendum to FY03/04 Purchase of Service Agreements between Mental Health/Mental Retardation and:
 - 1. Geisinger Community Health Services – Amendment #1
 - 2. Cherie Rodgers, SL-CCC, MA – Amendment #2
 - 3. Keystone Community Resources, Inc. – Amendment #2
 - 4. Masonic Homes, Inc. – Amendment #1
 - 5. Sun Home Health Services, Inc. – Amendment #1 & #2
 - 6. Capital Area Intermediate Unit – Amendment #1
- T. Adoption Assistance Agreement #2003-10.
- U. Purchase of Service Agreements for FY03/04 between Children & Youth Agency and:
 - 1. National Institute for the Study, Prevention and Treatment of Sexual Trauma
 - 2. Harborcreek Youth Services, Inc.
 - 3. CHOR Youth and Family Services, Inc.
 - 4. COBYS Family Services
 - 5. Lancaster County Council of Churches
 - 6. Pinnacle Health Hospital - Women's & Children's Services
 - 7. Philhaven
 - 8. Clear Brook, Inc.
 - 9. Mission Home Ministries
 - 10. The Summit School, Inc.
 - 11. Windsor Pointe, Inc.
 - 12. Hoffman Homes, Inc.
 - 13. Baptist Children's Services
 - 14. Laurel Youth Services
 - 15. Bethany Home, Inc.
 - 16. Cornell Abraxas Group, Inc.
 - 17. Visiting Nurse Association of Central PA
 - 18. Tressler Counseling and Education Services
 - 19. Children's Home of York
 - 20. Specialized Treatment Services, Inc.
 - 21. Lourdsmont Good Shepherd Youth and Family Services
 - 22. Tioga County Department of Human Services
 - 23. National Center on Institution and Alternatives (NCIA) (York Youth in Transition Program)
 - 24. Youth Advocate Programs, Inc.
- V. Addendum to Purchase of Service Agreements between Children & Youth Agency and:
 - 1. Keystone Children & Family Services, Inc. – Amendment #5 –FY02/03
 - 2. Tressler Lutheran Services d/b/a TresslerCare – Amendment #1 – FY02/03
 - 3. White Deer Run – Amendment #1 – FY03/04

4. Cornell Abraxas Group, Inc. – Amendment #1 – FY03/04

- W. Child Welfare Education for Leadership Program Contracts between the Children & Youth Agency and:
 1. Jenna Schickley/Pittsburgh University
 2. Hope Rhode/Pittsburgh University

- X. Emergency Shelter Grant Agreements for FY03/04 between Dauphin County Adult & Family Services and:
 1. YWCA of Greater Harrisburg
 2. Catholic Charities

- Y. Homeless Assistance Program Fund Agreement for FY03/04 between Human Services Adult & Family Services and Catholic Charities.

- Z. Amendment to August 26, 2003 motion for policy procedures for paying of 2003 real estate taxes. Ending date of December 31, 2003. The Treasurer shall be authorized to accept payment in the discount amount through December 31, 2003.

- AA. Authorize Solicitor's Office to file a petition in the Court of Common Pleas seeking approval to retain Mette Evans & Woodside as Special Counsel by the County of Dauphin for the Harrisburg Incinerator Project.

- BB. Retain Public Financial Management as Financial Consultant by the County of Dauphin for the Harrisburg Incinerator Project.

Mr. Henry: The Board of Commissioners does have a proclamation in commemoration of the events of September 11, 2001. The proclamation reads as follows:

Office of County Commissioner
Dauphin County, Pennsylvania

Proclamation

We, the Dauphin County Board of Commissioners, solemnly acknowledge the second anniversary of September 11, 2001 as we remember the thousands of innocent lives lost, the heroes created and the strength gained from that devastating morning;

Whereas, the passage of time cannot erase the pain inflicted upon our nation, and especially upon the loved ones who were left behind to grieve the mothers and fathers, sons and daughters, husbands and wives, sisters and brothers who were brutally taken from our midst by acts of cold-blooded terror;

Whereas, we thank God for the unity and compassion Americans have demonstrated since September 11 and we vow to continue to help those who are hurting and in need;

Whereas, we pray that God will watch over our brave men and women in uniform and bring them home to us, safe and sound, in a world at peace;

Whereas, on a calm September morning two years ago, more than 3,000 innocents lost their lives in a billowing cloud of smoke and flames, at the cruel hands of terrorists driven by hatred and destruction;

Whereas, as the home and defender of liberty, America will not tire, will not falter, and will not fail in fighting for the safety and security of the American people and a world free from terrorism;

Therefore, as we remember this life-altering day in history, we urge the 251,300 residents of Dauphin County to take part in the duly proclaimed "Dauphin County Day of Prayer and Remembrance" and honor "Patriots Day" on September 11, 2003 through special public ceremonies, prayer services, candlelight vigils, the ringing of bells and similar activities in grateful tribute to the priceless service and sacrifice offered by so many brave Americans.

In witness thereof, we have hereunto set our hand and caused the seal of the Commissioners of Dauphin County to be affixed this 11th day of September 2003.

Mr. Henry: I'll make that a motion.

Mr. Haste: Is there a second?

Mr. Petrucci: Second.

Mr. Haste: Any discussion? All those in favor say, aye.

All: Aye.

Mr. Haste: Motion carries. Thank you, Commissioner Henry. Training Packet, Bob.

Mr. Burns: There is an addendum to last week's packet. There were four new requests, three from the Conservation District and one from EMA. They were all approved by the oversight Commissioner.

Mr. Haste: Are those the highlighted ones?

Mr. Burns: Correct.

Mr. Haste: Are there any questions of Bob? We have Items B thru AA. Are there any items that the Board would like to pull out and discuss separately at this time or vote on separately?

Mr. Henry: I would like to pull out Item H.

Mr. Haste: Okay.

Mr. Petrucci: I would like to pull out Item I & AA.

Mr. Haste: Item H, approval of a Proposal from Public Financial Management to serve as financial advisor to the County for analysis of a potential County Guarantee of the Harrisburg Authority Bond Issue pertaining to the Harrisburg Incinerator Project.

Is there a motion to approve? I'll make a motion to approve. Is there a second?

Mr. Petrucci: Before we vote on these recommendations by someone, I presume our department director of the joint waste department between Dauphin County and the City that the advisory board and the task force that was created to look at the issue consider going over those recommendations and basically supporting the recommendations coming forward from the department. I would then feel more comfortable about supporting these. To just go ahead and pass three contracts in regard to our desire to support the City with the incinerator without having gone through the groups that we have established to look and make recommendations to us seems a little presumptive. I'm hesitant to want to vote on any three of these until those groups have had a chance to look at them.

Mr. Haste: I don't have a problem with that. Is there a timeline or anything that we are on?

Mr. Tully: There is a relatively tight timeline. If I could start with Item AA, there is a reason why we requested to go through a special counsel as opposed to bond counsel. If it went through as bond counsel, the only way a bond counsel would be paid is if the bond actually goes through, which essentially, and in the solicitor's office opinion, would interfere with an objective advice that we're going to request these experts to provide us. Essentially, one of the options has to be that we cut bait and don't go through it. I don't want counsel to be ineffective, they only get paid if they go forward. So the reason that we are doing this, I think is addressing your concerns. We want to make sure we

get unbiased objective advice all the way along the line. If this doesn't come in to the satisfaction of this Board, the Board doesn't go forward. That is essentially, the language that was in the preliminary intent that we already voted on, is that we have the option if it is not satisfactory to come out. It was that counsel that had requested both the advice of financial experts as well as engineering experts to make sure that we don't miss anything. We do not want to be relying solely upon the advice on those individuals that have already been retained by the City. We want to make sure that the numbers are satisfactory to us from our perspective by independent individuals. These people were selected because they are not connected in any way with the City's project so that we can get clear advice. I did want to put some clarification as to where that is coming from. These contracts in no way bind us to follow through. These contracts are designed to assist the County in getting the best information and advice before making a decision that has potentially dramatic consequences both ways. Does that make some sense?

Mr. Henry: I have a different problem with Item H. The reason that I didn't pull out Item I and BB, is Item I and BB, the contracts are based on an hourly fee for the time that those firms would put into this. Item H is a flat out \$50,000 payment to PFM to do this work. Number one, I think \$50,000 is an outrageously high amount of money to pay simply for them to look at a bond issue and advise us as to whether or not it's financially appropriate. Anybody who deals in this on a daily basis ought to in a couple of hours be able to look at this and render that sort of decision. I have a huge problem with the dollar amount which I think is excessive. Giving them a guaranteed amount instead of having work by the hour is a problem. Frankly, I have a problem with PFM. I have not been pleased with their advice either here or in my previous position as a Lower Paxton Township supervisor where we dismissed them from advising us on an issue. I would frankly prefer somebody else. I agree that we should have a financial advisor look at this and render an impartial decision to us prior to making a final decision. I do not think PFM is the appropriate firm to do that. It certainly shouldn't be an overall \$50,000 contract. I think the amount is too high. The other two, particularly the issue of hiring a special counsel to be able to advise us on what we need to do legally, I don't think we can get to a decision without that. I do feel comfortable in voting on that today. I don't have a problem with HRG, they are on an hourly basis. I don't have a problem voting for them either. But Item H, is problematic.

Mr. Tully: For timeline perspectives, I'm probably most concerned with special counsel and the engineering input. At some point, we definitely have to have the financial, but I'm not sure that we have to go with that contract today. I can see where the Board of Commissioners is coming from on that. As a matter, we have asked for some feedback from our proposed special counsel on alternatives there as well.

Mr. Haste: Is there any further discussion? I had a discussion with Mr. Zwally. He has been here before us on a couple of different times on the issue of the fee. Mr. Zwally just talked about the volumes of documents that everybody is going through. Apparently, this bond issue is a lot more complicated than anybody was really aware of. Because of that complexity, if we are going to move forward, I think I made it clear all

along, if the numbers don't come back financially, as they have said they would, I will not be voting for it. I happen to agree with the concept in the direction that it's going in but if financially it does not make sense, I will not be voting for it. I think it is very very important that we take a hard look at those. Mr. Zwally feels that's very critical as well.

What are the wishes of the Board? I will just for the point of discussion, make a motion to move them forward and if there is a second, there is and if not there's not. I already moved that we approve Item H, is there a second?

Mr. Henry: Just H?

Mr. Haste: I was going to do them individually.

Mr. Haste: Is there a second? Okay, Item H dies at this point in time.

Is there a motion for Item I?

Mr. Henry: I'll move that we approve Item I.

Mr. Haste: Is there a second? I will second it. Is there any discussion?

Mr. Petrucci: I'm going to vote, no, on Item I because I do not feel that all of the hoops have been jumped through. I would have liked to have seen the people that we have appointed, the experts, the people who are attentive to this issue far more than us who are the generalists here. I would feel far more comfortable had they gone over and looked at these prior to our being asked to vote on them. So I'm going to vote, no, because of procedural matters.

Mr. Haste: There has been a motion and a second. All those in favor say, aye.

Mr. Haste & Mr. Henry: Aye.

Mr. Haste: Those opposed?

Mr. Petrucci: No.

Mr. Haste: Motion carries. Item AA, is there a motion? I will move that we approve Item AA. Is there a second?

Mr. Henry: I will second that motion.

Mr. Haste: Is there discussion? Having a motion and a second, all those in favor say, aye.

Mr. Haste & Mr. Henry: Aye.

Mr. Haste: Those opposed?

Mr. Petrucci: No.

Mr. Haste: Motion carries. Then we have Items B thru Z minus Item H & I. Is there a motion to approve those?

Mr. Henry: So moved.

Mr. Haste: Is there a second?

Mr. Petrucci: Second.

Mr. Haste: Is there any discussion? All those in favor say, aye.

All: Aye.

Mr. Haste: Motion carries.

FORMER BUSINESS

Mr. Haste: We are now at the point in time for former business. Is there any former business that needs to be brought before the Board at this time?

NEW BUSINESS

Mr. Haste: Is there any new business for the Board?

COMMISSIONERS' DISCUSSION & ACTIONS

Mr. Haste: Is there anything that the Board would like to speak on at this time?

CORRESPONDENCE

Mr. Haste: Before us is the correspondence that has been received by the Board this week and will be handled appropriately by the staff.

- A. Notification from Ames True Temper indicating that their five above ground storage tanks containing a water based paint are protected with secondary containment for spill prevention and are registered with DEP.
- B. Notification from Tri-Tech Resources, Inc., indicating The Development Group, Inc., is applying to DEP for a General NPDES Permit. The permit is required for the discharge of storm water associated with construction activities of Hoffman Heights - 82 Lot Residential development located in Swatara Township, Dauphin County.
- C. Notification from Melham Associates, PC, on behalf of Rustrum Reality Company,

indicating they plan to submit a permit application to construct a new sewer collection system, sewage pump station and appurtenances for a residential subdivision known as Chestnut Ridge located at the intersection of Linglestown Road – Route 39 and Manor Drive and to the north and south of the intersection in West Hanover Township, Dauphin County.

PUBLIC PARTICIPATION

Mr. Haste: We are now at the point in time again for public participation. Is there anyone in the audience that would like to address the Board at this point in time?

ADJOURNMENT

Mr. Haste: I would remind everybody of this Thursday and the importance to most of us and to those who have loved ones overseas still fighting the cause.

I will ask for a motion to adjourn.

Mr. Henry: So moved.

Mr. Petrucci: Second.

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

All: Aye.

Mr. Haste: The meeting is adjourned.

Transcribed by: September 9, 2003

Respectfully submitted,

Robert Burns, Chief Clerk/Chief of Staff
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