



DAUPHIN COUNTY BOARD OF COMMISSIONERS

COMMISSIONERS LEGISLATIVE MEETING

TUESDAY, SEPTEMBER 23, 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; Richie Martz, Executive Assistant; Marie Rebeck, Controller; Robert Dick, Treasurer; President Judge Joseph Kleinfelter; Phil Spaseff, Recorder of Deeds; Bill Tully, Esq., Solicitor; Bruce Foreman, Esq., Solicitor's Office; Guy Beneventano, Esq., Solicitor's Office; Robert Knupp, Esq., Solicitor's Office; Faye Fisher, Personnel Director; Donna Price, Controller's Office; Jane Gordon, Executive Assistant; Kacey Truax, Executive Assistant; Gary Serhan, Deputy Controller; Kelly Wolfe, Solid Waste Management; Randy Baratucci, Purchasing Director; Mike Yohe, Budget & Finance Director; Rich Wynn, Human Services Director; Jennifer Kocher, Communications; Diane McNaughton, Communications; Melanie McCaffrey, Solicitor's Office; Mike Pries, Security Director

GUESTS PRESENT

Jack Shertzer, Patriot News; Dan Lispi; Andrew Giorgione, Esq.; Smittie Brown; Mary Anne Botte; Bill Cluck; Robert Dreibelbis; Adelaide Helen Steely; Janice Klein; Brenda Kelliehan; Deborah Filanowski; Judy Deer; Fred Jackson; Ed Saadi; Wilnia Gonzalez; Charlotte Danzer; Jodi Skiles

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 a number of Minutes for approval before us. First, I'll take the September 9, 2003 Salary Board Minutes. The members of the Salary Board are the three Commissioners and the Controller. Is there a motion to approve the minutes?

Mr. Henry: So moved.

Mr. Haste: Is there a second?

Mrs. Rebuck: Second.

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

All: Aye.

Mr. Haste: The Minutes are approved.

Mr. Haste: Next we'll take the Minutes of the September 4, 2003 TEFRA Hearing; September 4, 2003 Workshop; and September 9, 2003 Legislative Meeting. Is there a motion to approve them?

Mr. Henry: So moved.

Mr. Haste: Is there a second?

Mr. Petrucci: Second.

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

All: Aye.

Mr. Haste: Motion carries.

(The Board recessed to go into an Election Board Meeting)

EXECUTIVE SESSIONS HELD BETWEEN MEETINGS

Mr. Burns: There was an Executive Session on September 9, 2003 to discuss a legal matter.

PUBLIC PARTICIPATION

Mr. Haste: We are now at the point in time in the Commissioners' Meeting for anybody from the audience that would like to address the Board for an item that's on the agenda. Is there anyone from the audience that would like to address the Board? Seeing none we'll move onto the next item.

DEPARTMENT DIRECTORS/GUESTS

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

Mr. Spaseff: I'm Phil Spaseff, Recorder of Deeds. I need some clarification on the Liberal Leave. Do we have to follow it once Bob Burns calls for it? I think some people feel that it's a day off with a sick day instead of a vacation day. I think it is abused, personally. I'm curious if we have to follow it or do we, as an elected official, go by our rules?

Mr. Burns: I can address that for you, Phil. First of all that is going to be the topic of Monday's Directors' and Elected Officials' Meeting. That seems to be a misunderstood policy. I don't have the employee handbook in front of me; but Liberal Leave simply states that an employee can take off if Liberal Leave is invoked with the consent of their supervisor. They need to take vacation or personal time to do it. It's always dependent upon the consent of the supervisor. That's been in effect for a long time at the County. I'm not sure why it's still misunderstood. But you're right it needs to be clarified.

Mr. Spaseff: I was under the impression when you say Liberal Leave they can use their sick time.

Mr. Burns: I believe so.

Mr. Spaseff: You say we are going to discuss this Monday?

Mr. Burns: We are.

Mr. Spaseff: I'll wait until then. Thank you

President Judge Kleinfelter: I know this is not a hot button topic for you all but I would like to revisit it from time to time. I'm speaking of parking around the Dauphin County Courthouse. I recently had one of my very reliable al-Qaida contacts speak to Osama bin Laden about his designs on the Dauphin County Courthouse after taking another bite of his rice cake his response was, "huh". In the meantime, because of these fears

we continue to pay the City of Harrisburg \$24,000 a year in lieu of the parking revenue that they would otherwise have enjoyed. When I walked over here this morning on Market Street there was one parking space, or there was one car parked there, a Sheriff's van. On Front Street there were two vehicles. I believe that the people that have business with the Courthouse should have access to those parking spaces. Many days our county parking garage is full. I get constant complaints about the inability to park downtown. Here along Market Street for this building we do allow parking. I would like you to reconsider perhaps just opening Market Street if possible, both streets. It seems to me that it is an unnecessary amount of money that we are spending for a threat that is not real. I would like you to consider it.

Mr. Petrucci: In regard to that Mr. Chairman, I wonder if we could ask the Solicitor to take a look at the contractual arrangement with the City and see what provisions there are for potentially getting out of that contract.

Mr. Henry: I think we ought to seriously think about that before....some of us take public safety very seriously. I don't think it is a joking matter. I don't think it has anything to do with al-Qaida. What we found in the days after September 11th were a series of threats or potential threats that had much more to do with homegrown nut cases than foreign terrorists. I think if you look to the experience that occurred in Okalahoma City that bombing was not undertaken by foreign terrorists. It was undertaken by Americans against Americans. You don't have to go to Afghanistan, Iran, Saudi Arabia to import nut cases to have problems. We look at what the federal government is doing. They are planning to build an entire new federal courthouse in order to improve their security. If we are going to take steps backward, I don't think that should be taken without serious consideration. Parking restrictions were put in place for a reason. It does provide parking spaces for our Sheriff's Office and other emergency vehicles that we needed anyhow. It also provides a security presence around the building. I think it was a wise thing to do at the time and I still think it is a wise thing to do. Just because we haven't had a terrorist attack in this country in two years is no reason to let our guard down. Before we do anything contractually or not, I think we ought to really seriously look at the security implications.

Mr. Haste: Is there anything else pertaining to that? At this time, I would like to call upon Commissioner Henry for a proclamation.

Mr. Henry: We have a number of folks who are here to be recognized today. September of 2003 has been proclaimed Alcohol and Drug Addiction Recovery Month in Dauphin County. I assume this is a national effort, Smittie?

Mr. Brown: It is.

Mr. Henry: To that end, let us recognize Smittie Brown who is Executive Director of the Drug & Alcohol Commission of Dauphin County. Smittie you have a number of folks with you today. How about if I let you introduce them and then we will be happy to present you with our proclamation.

Mr. Brown: With us today from our own staff, John Sponeygarger; Charlotte Danzer from White Deer; Judy Deer from Common Ground; Jodi Skiles from White Deer; Frank Jackson and Ed Saadi from Gaudenzia Siena House; Deborah Filanowski from Gaudenzia. Those are the folks from our treatment system.

It's not so much about this day or this month. It's about celebrating the people who are in recovery and those seeking recovery. Our providers do an outstanding job as you know. Not to many of them are on the high end of the pay scale. They do a tireless effort in working with people in recovery. This day and this month is really about those who are seeking recovery and those helping with the recovery process. A week from today in the Courthouse Lobby we are going to have with us eight or ten providers in Dauphin County, sort of like an open house from 12:00 p.m. to 3:00 p.m. where people from the County and the general public can come through and talk to any number of folks from our programs. That's a week from today in the Courthouse Lobby.

Mr. Henry: Hope we can present you with our proclamation which, as I mentioned, duly proclaims September, 2003 as to be "Alcohol and Drug Addiction Recovery Month in Dauphin County". We hope that this helps to put a spotlight on the good work that you and all your providers are doing on behalf of our citizens.

(The proclamation was presented to all the providers and greeted by Commissioners)

Office of County Commissioner
Dauphin County, Pennsylvania

Proclamation

We, the Dauphin County Board of Commissioners, join communities across the nation in recognizing September 2003 as "Alcohol and Drug Addiction Recovery Month";

Whereas, the county acknowledges the tragic, long-term impact of this disease on public health and the lives of our citizens, families and communities;

Whereas, more than 71,000 individuals were admitted to various treatment levels within the Commonwealth's public system last year, including more than 21,000 women and 4,500 adolescents;

Whereas, Dauphin County and this Commonwealth urge persons struggling with addictive disorders to take those first critical steps to turn their lives around, with the help of trained professionals, the love and support of family members and friends, and significant advances in treatment;

Whereas, as a direct result of their unselfish work and day-to-day efforts, many family members, friends and counselors have given those with addictions unconditional love and a second chance at life, demonstrating an admirable level of compassion, loyalty, nurturing and patience that deserve our commendation and enduring gratitude;

Whereas, this special month, which we observe for the fourteenth year in a row, underscores the need to keep our young people, and indeed all people from all walks of life, drug-free;

Therefore, we join the 251,300 residents of Dauphin County in commending and thanking all those good people dedicated to substance abuse recovery; we urge all citizens suffering under the burden of addiction to seek treatment for themselves or their loved ones at the first signs of trouble; and we do hereby formally proclaim September 2003 to be "Alcohol and Drug Addiction Recovery Month" in Dauphin County.

In witness thereof, we have hereunto set our hand and caused the seal of the Commissioners of Dauphin County to be affixed this 23rd day of September, 2003.

Mr. Petrucci: Before these folks leave, I would like to say that as an economist I've looked at many studies in regard to America's war on drugs. The war on the demand side which these folks are pursuing is far more successful than the war on the supply side. Society has really benefited by an emphasis on this kind of service rather than on the arrest of the suppliers. Treating the demanders would eliminate some of the supply right off the bat. Anything that we can do to assist these folks and the work they are doing is going to bring back more bang for the buck. Thank you all.

Mr. Haste: Hopefully, the legislature will pay attention and addresses the issue.

Are there any other department directors?

SALARY BOARD

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

PERSONNEL

Ms. Fisher: I have an addendum to the personnel packet. I would like to add to the Workshop Agenda Vacancy Listing an assistant public defender position for the Public Defender's Office, also, a transfer for Spring Creek.

Going back into the personnel packet presented at last week's workshop, I have three items that I would like to pull. On the Workshop Agenda Vacancy Listing, the very last position for Adult Probation, I would like to pull that for now. There are two new hires on the New Hires Listing, new hire #5 and new hire #6, I would like to pull those two. The rest of the personnel packet stands as presented.

Mr. Haste: Are there any questions for Faye? Is there a motion to approve the personnel packet?

Mr. Henry: I'll make a motion to approve the personnel packet as amended.

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.

PURCHASE ORDERS

Mr. Baratucci: Commissioners from the packet last week there were a few adjustments made to take care of the budget items. In addition, there are three items that are new to the packet. I'll highlight them. The first one is on page 5. This item, we approved a purchase order a couple of weeks ago to Costco for CID to get a camera and it turned out that one of their detectives paid for the item himself instead of using a purchase order. So we had to cancel that purchase order for Costco and redo one to him so he can get reimbursed. It's a mess up in the policy and they have been informed that you have a purchase order, use it. We did cancel that one and we are redoing it to the gentleman. That will take care of getting him reimbursed. That was a replacement for one that we did a couple of weeks ago.

On page 10, there is a purchase order for the service pins. I want to add that to this week's packet because there is not another purchase order approval meeting for three weeks. We need to get those ordered so we can get them ready for the ceremony.

On page 14, I believe you got an email on this from Mr. Guenther. This is for the Jnet Grant and in last week's packet there was a server ordered and now we need to add a printer. This is for a printer and supplies that go with the printer. That's been added to the packet from last week.

All the budget items have been resolved between Mike and myself. So the packet would stand as presented now with those additions. Does anybody have any questions? If not, it's there for your approval.

Mr. Haste: Are there any questions for Randy? Is there a motion to approve?

Mr. Henry: So moved.

Mr. Haste: Is there a second?

Mr. Petrucci: 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:

September 23, 2003

- **September 12, 2003** transferred **\$214,099.58** to the **Payables** account **from the County's Concentration account** for checks issued that week.
- **September 19, 2003** transferred **\$5,914,920.29** to the **Payables** account **and \$1,851,088.35** 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 \$120,839.71 rate 0.98%**
- **Balance today in Northwest Savings Bank Money Market account \$36,038,093.96 rate 2.0%**

I need to correct a statement that I made at our last meeting. The Northwest rate is not good for the year. It's a month to month rate based on market conditions. I've been informed that next month it is going to be 1.75% which is still greater than the going rate. However, it could open the door for some of the other institutions. I have been notified of some accounts that are in the mid one ranges. If they get close, I will spread the money around. Right now, I'm looking at almost a percent over the going market rate that we have invested. I'll keep you informed of what the Northwest rate is. I'll be notified at the middle of each month what the next month would be.

Mr. Haste: Are there any questions for Mike?

REPORT FROM CHIEF CLERK/CHIEF OF STAFF – ROBERT BURNS

Mr. Burns: Just a brief comment on Item E on today's agenda under Matters Requiring Board Action. Today is really the culmination of debate on an issue that started almost a year ago. By way of history, on November 5 of last year, the County publicly advertised a proposed resolution indicating that the County intended to amend our solid waste plan. A copy of that proposed draft was sent to each municipality in the County on November 1, 2002 and they were each asked for public comment. On December 17, 2002, the proposed draft was debated at a public workshop before the Board of Commissioners. On March 4, 2003, DEP approved the proposed Plan Resolution. In July of this year, as you recall, the County mailed RFP's to incinerators throughout Pennsylvania, New York, New Jersey, Delaware, Maryland and Virginia. Prior to awarding the contract on August 12 of this year, the Board asked for an additional thirty days for public comment and municipal comment and during that time we have met with municipal officials and received public comment on the issue. Additionally, City Council in Harrisburg has held three public hearings. They will hold a fourth tomorrow and will probably hold a fifth before voting on whether or not to guarantee the bonds of the Harrisburg Authority. DEP has held two public meetings on the solid waste permit renewal and they have also held a public hearing on the air permit request. So by our count, there had been at least ten public meetings or hearings where the issue on the future of the incinerator either the bonds or the County's proposed contract with the Authority has been debated. Going forward it will come before our Solid Waste Advisory Committee for consideration and ultimately our Commissioners will have to consider an ordinance at both a Workshop and Legislative Meeting. This has been an ongoing process dating back to November of last year and will continue after today. That's all I have today, Commissioners.

Mr. Haste: Are there any questions for Mr. Burns?

SOLICITOR'S REPORT

Mr. Tully: There are no changes since the last Solicitor's Report. I would be happy to answer any questions.

Mr. Haste: Are there any questions for Mr. Tully?

MATTERS REQUIRING BOARD ACTION

Mr. Haste: Mr. Burns would you review the Training Packet?

Mr. Burns: Commissioners there was a lengthy addendum to the Training Packet. At Workshop there were ten items and there are now twenty-seven items. Items eleven thru twenty-seven represent an addendum since workshop.

Mr. Haste: Are there any questions for Bob on the Training Packet? Before us we have Items A thru M. Are there any items the Board would like to pull out separately? If not, is there a motion to approve Items A thru M?

- A. Training Packet
- B. Approval of FY03/04 Per Diem Rates between the Children & Youth Agency and:

1.	Pressley Ridge School Wilderness School-Ohiopyle	\$160.00/day
2.	Families United Network, Inc. Intensive Assessment	\$166.89/day
	Basic Community Residential	\$147.21/day
	Therapeutic I	\$163.13/day
	Therapeutic II	\$175.98/day
	Supervised Independent Living	\$157.99/day
	Emergency Shelter Care	\$157.51/day
	Family Foster Care-Child	\$ 52.12/day
	Family Foster Care-Mother/Infant	\$ 92.00/day
	Family Foster Care-Mother/Infants	\$130.00/day
	Family Foster Care-Emergency	\$ 65.00/day
	Family Foster Care-Intensive Assessment	\$ 90.00/day
	Family Foster Care-Respite	\$ 40.00/day
	Medical Foster Care-Level I	\$ 42.01/day
	Medical Foster Care-Level II	\$ 41.41/day
	Medical Foster Care-Level III	\$ 31.02/day
	Medical Foster Care-Level IV	\$ 23.55/day
3.	Families United Network, Inc. Diagnostic	\$185.65/day
	Group Foster Care	\$ 90.00/day

- D. Real Estate Tax Refunds/Exonerations:

1. Partial refund of July-December, 2002 Interim Taxes to George A. Parner, 7300 Derry St., Swatara Township, parcel #63-018-127, in the amt. of \$71.40.
2. Partial refund of July-December, 2002 Interim Taxes to David & Helen Clearwater, 1550 Miller Rd., Middle Paxton Township, parcel #43-009-251, in the amt. of \$3.27.
3. Partial refund of July-December, 2002 Interim Taxes to Mary Sattler, 216 N. Water St., Williamstown Borough, parcel #71-002-053, in the amt. of \$50.99.
4. Partial refund of 2002 & 2003 real estate taxes to Bernard & Gloria Comiskey, 330 Roosevelt Ave., Middletown Borough, parcel #42-017-027,

- in the amt. of \$62.55.
5. Partial refund of 2002 & 2003 real estate taxes to Lee Campbell, 1080 Highspire Rd., Swatara Township, parcel #63-062-036, in the amt. of \$226.64.
 6. Partial refund of 2002 & 2003 real estate taxes to Carl & Kathleen Wong, 1482 Deerfield Dr., Derry Township, parcel #24-060-054, in the amt. of \$83.39.
 7. Partial refund of 2002 & 2003 real estate taxes to Jacqueline Dodson, Cedar St., Londonderry Township, parcel #34-020-045, in the amt. of \$789.70.
 8. Partial refund of 2002 real estate taxes to Paul & Thelma Kalenevitch, 34 E. 2nd. St. Hummelstown Borough, parcel #31-019-005, in the amt. of \$66.55.
 9. Partial refund of 1997-2003 real estate taxes to C. T. & Nancy Lick, 3900 Old Township Rd., Swatara Township, parcel #63-001-043, in the amt. of \$122.33.
 10. Partial refund of 1997-2003 real estate taxes to Edith M. Dickey, 4780 Rear Tipton Rd., Swatara Township, parcel #63-009-026, in the amt. of \$407.42.
 11. Refund of January-June, 2003 Interim taxes to Kenneth & Lesleye Huebsch, 110 Buckley Dr., West Hanover Township, parcel #68-048-048, in the amt. of \$299.00.
 12. Refund of January-June, 2003 Interim taxes to Richard Potts & Mary Gill, 7741 Graybill Dr., West Hanover Township, parcel #68-047-205, in the amt. of \$394.03.
 13. Partial refund of July-December, 2002 Interim real estate taxes to David L. & Helen Clearwater, 1550 Miller Rd., Middle Paxton Township, parcel #43-009-251, in the amt. of \$3.27.
 14. Partial refund of 2003 real estate taxes to J. Gary Neff, 1323 Vernon St., City of Harrisburg, parcel #09-066-006, in the amt. of \$80.96.
 15. Partial refund of July-December, 2002 Interim real estate taxes to Todd & Amy Miller, 106 Duck Creek Rd., Hummelstown Borough, Parcel #31-002-172, in the amt. of \$12.75.
- D. Correct September 9, 2003 agenda item – The County Treasurer shall be authorized to accept payment of 2003 taxes in the flat amount through December 31, 2003. The September 9, 2003 agenda inadvertently authorized acceptance in the discounted amount.
- E. Approval of a proposed Municipal Waste Combustion Processing/Disposal Agreement between The Harrisburg Authority and Dauphin County.
- F. Request to exonerate 2001 & 2002 real estate taxes for Derry Township, on parcels #24-094-049 & 24-094-050 in the amt. of \$1,836.80 and exoneration of 2001 real estate taxes on parcel #24-052-044 in an approximate amt. of \$265.00.
- G. Subordination Agreement with Ms. Y. Porter for property located at 786 Severna Place, Harrisburg, PA.
- H. Satisfaction Piece for Ms. Teresa A. Gillis on property located at 1157 Pond Rd., Harrisburg, PA.
- I. Preventative Maintenance Program Agreement between Spring Creek and Commercial-Industrial Laundry Service, Inc. for routine servicing of specific Laundry processing machines.

- J. Purchase of Service Agreements for FY03/04 between Area Agency on Aging and:
 - 1. South Central Emergency Medical Services, Inc.
 - 2. HealthSouth Rehab

- K. Purchase of Service Agreements for FY03/04 between Children & Youth Agency and:
 - 1. Boys and Girls Club of Central PA, Inc.
 - 2. Keystone Community Resources, Inc.

- L. Addenda to FY02/03 Purchase of Service Agreements between MH/MR and:
 - 1. Geisinger Community Health Services
 - 2. Impact Systems, Inc.
 - 3. Volunteers of America
 - 4. Capital Area Transit
 - 5. The Aurora Club, Inc.

- M. Addendum to Master Tax-Exempt Lease/Purchase Agreement between Information Technology and Unisys Leasing Corporation.

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 at the point in time for Former Business. Is there anything that a member of the Board would like to bring up at this point in time? Seeing none, we'll proceed.

NEW BUSINESS

Mr. Haste: Is there anything under New Business? Seeing none, we'll proceed.

COMMISSIONERS' DISCUSSION & ACTIONS

Mr. Haste: Is there anything one the members of the Board would like to bring up for discussion at this time?

Mr. Petrucci: I would like to report to the Board that there was a ribbon cutting opening at the Northern Dauphin County Branch Library on Sunday. This is as you may recall a culmination of a very long effort to combine the Williamstown Library and the Elizabethville Library into one library in between serving the northern end. It is located in Lykens. They had been granted a piece of property in the town by the town council for \$1.00. They have now a very nice building. Almost all of the funds were privately collected through donations. They had a very successful fundraising effort to fund most of the library. The ribbon cutting on Sunday was attended by close to 100 people. This has become already a communal link, a part of the soul of the upper end. It was very warmly received by all of the people that were there. They appreciate the efforts of the Library Board in coming up with such a nice facility and for the great services. I wanted to report that it was a very successful event.

Mr. Haste: I was not able to go up on Sunday because I had another commitment. I went up the week prior and took a tour. It actually is a very nice facility compared to what they had in the past. It's my understanding as the Library Board moves forward in an effort to save future costs, since the design of this facility was so successful, they are going to take the design of this one and basically use it in their other areas of need. I think Kline Village is the next one. To save on architectural costs, they are going to take that same blueprint and duplicate it.

Mr. Petrucci: Good idea. It was very nice.

Mr. Haste: Is there anything else the Commissioners would like to bring up at this time? Just a reminder that the Retirement Board will meet, following a five minute break.

CORRESPONDENCE

Mr. Haste: Before us, you will see the correspondence that has been received by the Board this week. It will be handled appropriately by the staff.

- A. Received from the PA Dept. of Environmental Protection a Notice of Permit Correction in reference to Application #22880301C5, Fiddler's Elbow Quarry Operation, Lower Swatara Township, Dauphin County.
- B. Received notification from Light-Heigel & Associates, Inc., on behalf of Mt. Calvary Christian School, indicating they intend to submit an application to DEP for a General NPDES Permit for discharges of stormwater associated with construction of an Athletic Complex.
- C. Notification from EcoSolutions indicating they intend to submit an Application to DEP for a permit to construct a driveway across jurisdictional Wetlands and an unnamed tributary to Beaver Creek, West Hanover Township, Dauphin County.
- D. Notification that Susquehanna Valley Organics is applying to DEP for an air plan approval and an NPDES water discharge permit.

- E. Notification from Hartman & Associates, Inc., indicating King Drive Corporation will be applying for a joint permit from DEP for a 14 lot residential subdivision with Associated improvements and impacts adjacent to the Felicita Golf Course, Middle Paxton Township, Dauphin County.
- F. Notification from Gibson-Thomas Engineering Co., Inc., on behalf of the PA Dept. of Transportation, indicating they plan to submit an application to DEP for a water obstruction and encroachment permit, at S.R. 1004, Section 004 bridge replacement for Armstrong Creek, Jackson Township, Dauphin County.
- G. Notification from Gibson-Thomas Engineering Co., Inc., on behalf of the PA Dept. of Transportation, indicating they plan to submit an application to DEP for a water obstruction and encroachment permit, at S.R. 1021, Section 003 bridge replacement for Wiconisco Creek, Washington Township, Dauphin County.
- H. Notification from Haines & Kibblehouse, Inc. indicating they are making application to the DEP to temporarily relocate a portable crushing plant to their Handwerk Materials quarry.
- I. Notification from Grove Associates, on behalf of John P. & Carolyn G. Harris, indicating they will be applying to DEP for a GP-7 Permit to necessitate a project that will involve crossing a small intermittent stream with a residential driveway. The site is located just southwest of Fishing Creek Valley Road and Courtryside Lane.
- J. Notification from Light-Heigel & Associates, Inc., on behalf of UGI Utilities, intends to apply for a PADOT Highway Occupancy Permit for the installation and maintenance of a gas main along Nye's Road, S.R. 2019, Lower Paxton Township, Dauphin County.
- K. Notification from Swatara Township indicating they will file for a permit with DEP for a General Permit for residual waste storage and reuse for the Swatara Township Compost Facility. The purpose of this permit application is to secure authorization to store no more than 3,000 tons of road millings on the compost facility which is residual waste from the Township's 2003 paving program.

PUBLIC PARTICIPATION

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

Mr. Cluck: I'm Bill Cluck. I live in Shipoke. I would like some clarification about the action taken earlier at this meeting regarding Item E. It appears the Commissioners approved a proposed contract. Is that true?

Mr. Burns: The contract was proposed. It's now been approved.

Mr. Cluck: And now the Commissioners will execute the contract. Is that correct?

Mr. Burns & Mr. Haste: Correct.

Mr. Cluck: There was a presentation by Clerk Burns about a proposed ordinance at a later time. What is that?

Mr. Burns: That will be the ordinance that will be required to actually revise the County's Plan.

Mr. Cluck: What I would like to do is correct the record. The record is that the DEP approved a revision to the County's Plan. The Plan was approved by the Commissioners in December. DEP approved the Plan in March. That Plan is not flow control. That Plan is merely eighteen landfills or some number of landfills. The Plan has never been subject to public comment with respect to flow control to the Harrisburg Incinerator. What you have done recently is solicit public comment on the proposed contract. And I applaud you for that. Although, frankly the website still doesn't say the public can comment on the document on the website. As I said last week, that issue is moot. There was a mention that the Solid Waste Advisory Committee will meet going forward. Well, the regulations require the Solid Waste Advisory Committee to meet before a plan is revised. I think you are facing the probability of a legal challenge, not by me, but by someone else or some organization or some facility that's going to question the procedural aspects of this. I just wish the Commissioners had sought out the advice of the experts that you have appointed to the Solid Waste Advisory Committee. Frankly, that committee has never discussed flow control. There are no minutes of their meetings. There is no evidence that SWAC ever considered this. I think time will tell. I hope this works and I hope this doesn't cost us money. My gut feeling as an environmental attorney, it's going to cost you a lot of money in a couple of years.

Mr. Burns: If I may comment, before the Plan is revised the Solid Waste Advisory Committee will meet and there will be comment from the municipalities before this comes before the Board for a vote.

Mr. Haste: Thank you. Is there anything else to be brought before the Board at this time?

AJOURNMENT

Mr. Haste: Hearing none, is there a motion to adjourn?

Mr. Henry: So moved.

Mr. Haste: Is there a second?

Mr. Petrucci: Second.

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

All: Aye.

Mr. Haste: This meeting is adjourned.

Transcribed: Tuesday, September 23, 2003

Respectfully submitted,

Robert Burns, Chief Clerk/Chief of Staff
printed 11/19/03