DAUPHIN COUNTY BOARD OF COMMISSIONERS

Legislative Meeting

Wednesday, October 25, 2006 (10:00am)

MEMBERS PRESENT

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

STAFF PRESENT

Bill Tully, Esq., Solicitor; Marie Rebuck, Controller; Bob Dick, Treasurer; Elke Moyer, Human Services; Sharon Chatman, Human Services; Kay Sinner, Personnel Edgar Cohen, Facilities Maintenance Director; Guy Beneventano, Solicitor's Office; Kay Sinner, Personnel; Leila McAdoo, Solicitor's Office; Randy Baratucci, Purchasing Director; Mike Yohe, Budget Director; Diane McNaughton, Press Secretary; Tom Guenther, IT Director; Steve Chiavetta, Director of Registrations and Elections and Julia Nace, Assistant Chief Clerk.

GUESTS PRESENT

Garry Lenton, Patriot-News.

MINUTES

CALL TO ORDER

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

MOMENT OF SILENCE

Everyone observed a moment of silence.

PLEDGE OF ALLEGIANCE

Everyone stood for the Pledge of Allegiance.

APPROVAL OF MINUTES

Mr. Haste: We have the September 27, 2006 Legislative Meeting minutes and the October 4, 2006 Workshop Meeting minutes. Is there a motion to approve?

It was moved by Mr. DiFrancesco and seconded by Mr. Hartwick to approve the September 27, 2006 Legislative Meeting minutes and the October 4, 2006 Workshop Meeting minutes; motion carries.

Mr. Haste: We have the September 27, 2006 Salary Board Meeting minutes. The Salary Board consists of the three Commissioners and the Controller. Is there a motion to approve?

It was moved by Ms. Rebuck and seconded by Mr. DiFrancesco to approve the September 27, 2006 Salary Board Meeting minutes; motion carries.

Mr. DiFrancesco: We also have the September 27, 2006 Election Board Meeting minutes to be approved. Is there a motion to approve those minutes?

It was moved by Mr. Hartwick and seconded by Mr. Haste to approve the September 27, 2006 Election Board Meeting minutes; motion carries.

ELECTION BOARD

A complete set of Election Board Meeting minutes are on file in the Chief Clerk's office.

EXECUTIVE SESSIONS HELD BETWEEN MEETINGS

Mr. Haste: Executive sessions held between meetings, there were none.

PUBLIC PARTICIPATION

(There was none.)

DEPARTMENT DIRECTORS/GUESTS

(There were none.)

SALARY BOARD

A complete set of Salary Board Meeting minutes is on file in the Chief Clerk's office.

PERSONNEL

Ms. Sinner: I have no changes to the Personnel Packet.

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

It was moved by Mr. DiFrancesco and seconded by Mr. Hartwick to approve the Personnel Packet as presented; motion carries.

PURCHASE ORDERS

Mr. Baratucci: I will review a couple items that were added since last week. They are on page 16, actually this one you knew about. This is the one I gave you last week for Juvenile Probation that needed to be in to meet a grant deadline. We added that to the packet. On the very last page, page 25, there are a couple items from EMA that they wanted to add relative to the radio project. It is the last two items on the page for tower sites. They were approved by Commissioner DiFrancesco yesterday.

All the budget issues were resolved so if you have any questions I will answer them, otherwise it is there for your approval.

Mr. Hartwick: Could we keep a couple extra of page 12 on the 4th floor just in case we need them?

It was moved by Mr. Hartwick and seconded by Mr. DiFrancesco to approve the Purchase Order packet; motion carries.

Mr. Baratucci: One other thing, last week I presented the BlackBerry request for Diane Morgan. It was a personal request, so she is only asking to be hooked up for the $50 fee. If you could take action on that as well?

It was moved by Mr. DiFrancesco and seconded by Mr. Hartwick to approve Diane Morgan's request to be connected, via BlackBerry, to the Dauphin County server for a fee of $50; motion carries.

REPORT FROM BUDGET & FINANCE – MIKE YOHE, BUDGET DIRECTOR

Report from the Office of Budget & Finance
October 25, 2006

- **October 13, 2006** transferred **$5,290,076.25** to the **Payables** account and **$1,821,063.39** to the **Payroll** account from the County's Concentration account for checks issued that week.

- **October 20, 2006** transferred **$2,193,080.50** to the **Payables** account from the County's Concentration account for checks issued that week.
  (Delinquent Taxes - $1.9 million)

- **Total Term Investments – N/A**

- **Balance today in INVEST account $131,217.61** rate **5.220%**

- **Balance today in Community Banks investment account $51,700,045.36** rate **5.350%** (This rate equals today's Community Banks 91-day TBill rate of 4.950% plus 40 basis points)

- **Balance today in Graystone Bank investment account $10,578,203.82** rate **5.620%** (This rate equals last month's average 1-month LIBOR rate of 5.320% plus 30 basis points)

- **Balance today in Commerce Bank investment account $22,200,978.85** rate **5.390%** (This rate equals today's 91-day T-Bill rate of 4.940% plus 45 basis points)

Mr. Yohe: I did notice that has jumped ahead of Community Banks this week so we are going to change and do some shuffling tomorrow when we fund the bills. We will probably switch that money mostly towards Commerce Bank for the end of the month. I think the TBill rate is actually going to jump a little higher tomorrow.

- **Balance today in Sovereign Bank investment account $115,696.08** rate **5.320%** (This rate equals today's 1-month LIBOR rate of 5.320% plus 0 basis points)

No T.R.A.N. Line of Credit required for 2006.

Mr. Yohe: Any questions? (There were none.)

REPORT FROM CHIEF CLERK/CHIEF OF STAFF – CHAD SAYLOR

Mr. Haste: Mr. Saylor is still at the SARAA Board Meeting so he will be unable to join us right now.

SOLICITOR'S REPORT—BILL TULLY, ESQ.

Mr. Tully: I have nothing to add to the updated report, but would be happy to answer any questions you might have.

Mr. Haste: Any questions of Bill? (There were none.)

MATTERS REQUIRING BOARD ACTION

Mr. Haste: We have Matters Requiring Board Action. I know Item LL needs to be pulled out separately. Is there any other item that needs to be pulled out separately? (There were none.)

Is there a motion to approve Items A through KK?

It was moved by Mr. Hartwick and seconded by Mr. DiFrancesco to approve Matters Requiring Board Action Items A through KK; motion carries.

Mr. Haste: Item LL, is there a motion?

It was moved by Mr. Hartwick and seconded by Mr. DiFrancesco to deny the appointment of Sarah Weedon to the Dauphin County Executive Commission on Drugs & Alcohol Inc. Board of Directors; motion carries.

A. Training Packet

B. Approval of FY06/07 Per Diem Rates between Children & Youth Agency and: (per distributed list)

1. Boy's Club and Girl's Club of Lancaster, Inc.
2. Children's Home of York
3. Community Specialists Corporation
4. The Summit School, Inc.

C. Approval to sell the following parcels from the Repository list:

1. Parcel #8-22-77, 137 N. 13th St., to KDR Investments LLP, in the amt. of $300.00.
2. Parcel #9-15-1, 1435 Walnut St., to KDR Investments LLP, in the amt. of $1,400.00.
3. Parcel #10-31-51, 2313 N. 5th St., to KDR Investments LLP, in the amt. of $1,200.00.
4. Parcel #2-18-52, 342 Nectarine St., to Terry B. Lawson, in the amt. of $300.00.
5. Parcel #2-28-18, 438 South 13th St., to Terry B. Lawson, in the amt. of $300.00.
6. Parcel #6-16-5, 333 Reily St., to Dobson Family Partnership, in the amt. of $5,260.00.
7. Parcel #7-16-11, 621 Kelker St., to KDR Investments LLP, in the amt. of $300.00.
8. Parcel #9-15-1, 1435 Walnut St., to Fred Wofford, in the amt. of $20,000.00.

D. Real Estate Tax Refunds/exonerations:

1. Refund of 2006 real estate taxes on parcel #30-010-009, 221 Penn St., Highspire Borough, Steelton-Highspire School District, to Highspire Finance Division, P. O. Box 8029, Harrisburg, PA 17105, in the amt. of $6,531.95.
2. Refund of 2002, 2003, 2004, 2005 & 2006 real estate taxes on parcel #56-012-119, South Hanover Township, Lower Dauphin School District to Richard & Margaret Cleckner, 1119 Country Club Rd., Camp Hill, PA 17011, in the amt. of $421.39.

E. Satisfaction Piece(s) with the following individuals:

1. Shawn W. Watkins for property located at 2510 Greenwood Street, Harrisburg ($2,291.00)
2. Michele Kershner for property located at 3735 Rutherford Street, Harrisburg ($1,128.00)
3. Christopher A. Connolly for property located at 605 S. 23rd Street, Harrisburg (2,327.80)

F. Subordination Agreement(s) with the following individuals:

1. Jerrod and Holly McClosky on the property located at 3282 Peters Mountain Road, Halifax
2. Andrea L. Daniels on the property located at 29 S. 24th Street, Harrisburg
3. Gissell Fasnacht on the property located at 391 Oak Street, Millersburg

G. Commissioners Approval to contribute the County's *pro rata* share ($1,711.00) for appraisal services and trial costs needed to ascertain the true value of property of Pennsylvania-American Water Company for property located at East Canal Street, South Hanover Township – Tax Parcel No. 56-007-030.

H. Commissioners Approval to contribute the County's *pro rata* share ($377.00) for appraisal services and trial costs needed to ascertain the true value of property of Robert and Susan Goduto located at 401 North Hanover Street, South Hanover Township – Tax Parcel No. 56-012-024.

I. Commissioners Approval to move forward with previously approved County's *pro rata* share ($377.00) for appraisal services and trial costs needed to ascertain the true value of property of Karen and Robert Klock (and **not** accept the proposed settlement) on property located at Two Smokehouse Lane, South Hanover Township – Tax Parcel No. 56-012-024.

J. Commissioners Approval of proposed Settlement Agreement of property located at 811 Grandview Drive, Derry Township - Tax Parcel No. 24-048-028.

K. Approval of an Engagement Letter between LW Consulting and Dauphin County for Spring Creek's post-sale costs reports.

L. Approval of an Illegal Dumping Task Force Volunteer Application form.

M. Purchase of Service Agreements for FY06/07 between Area Agency on Aging and:

1. Community Action Commission
2. Golden Halo, Inc.

N. Purchase of Service Agreements for FY06/07 between Children & Youth Agency and:

1. Tressler Lutheran Services, Inc.
2. Community Specialist Corporation, Inc.

O. Amendments to FY06/07 Purchase of Service Agreements between Children & Youth Agency and:

1. Pinnacle Health Hospital, Inc. – Amendment #1
2. YMCA – Northern Dauphin County Branch – Amendment #1
3. Halifax United Methodist Church – Amendment #1
4. Heritage for Kids – Amendment #1
5. Capital Area Intermediate Unit FY05/06 – Amendment #1

P. Adoption Assistance Agreements:

1. #2006-31
2. #2006-32

Q. Child Welfare Education for Leadership (CWEL) Program Agreement between Dauphin County Children & Youth Agency, the University of Pittsburgh and Angelica Lopez-Heagy.

R Mental Health Purchase of Service Agreements for FY06/07 between Mental Health/Mental Retardation and:

1. Stacy A. Foreman
2. Riverside Professional Development, LLC
3. Northwestern Human Services of Pennsylvania

S. Mental Retardation Purchase of Service Agreements for FY06/07 between Mental Health/Mental Retardation and Keystone Service Systems, Inc.

T. Amendments to FY05/06 Purchase of Service Agreement between Mental Health/Mental Retardation and:

1. Capital Area Transit – Amendment #1
2. Philhaven – Amendment #1
3. Wyoming Valley Professional Ambulance Service, Inc. – Amendment #1
4. 106 Walnut Law Office – Amendment #2
5. Lizabeth Kelly t/d/b/a Pediatric Physical Therapy – Amendment #1
6. Edgewater Psychiatric Center – Amendment #1
7. Franklin County LTSR Agreement – Amendment #1

U. Administrative Agreement between Dauphin County MH/MR and the Capital Area Behavioral Health Collaborative (CABHC).

V. GIS License Agreement between Information Technology and Swatara Township.

W. Proposal from William Flannery for Workplace Harassment Training. The cost for the program is $3,000.00 for ten 60 to 90 minute sessions and additional sessions billed at $300.00 per session.

X. Tower Lease between Dauphin County EMA and SUNOCO Pipeline L.P.

Y. Modification Agreement to Professional Services Agreement between Dauphin County EMA and Navarro & Wright Consulting Engineers, Inc.

Z. Lease Agreement between Dauphin County EMA and Scott D. Hahn and Leanne R. Hahn for 1,974 sq. ft. of land in Fairview Township, York County, parcel #27-000-RG-0075.00-0000.

AA. Easement Agreement between Dauphin County EMA and Scott D. Hahn and Leanne R. Hahn on 2,594.75 tract of land located in Fairview Township, York County.

BB. Memorandum of Lease between Dauphin County EMA and Scott D. Hahn and Leanne R. Hahn for 2,594.74 tract of land located in Fairview Township, York County.

CC. CTSI – Pennsylvania Service Agreement between Dauphin County Information Technology and CTSI LLC for phone services for the Warehouse and Magisterial District Justice complex.

DD. Lease Agreement between Dauphin County EMA and Jim Bixler, President of Chambers Hill Fire Company, for a 55'x20' portion of land in Swatara Township, parcel #63-039-007 for the purpose of constructing and operating a telecommunications facility.

EE. Memorandum of Lease by and between Dauphin County EMA and the Chambers Hill Fire Company and Community Association on approximately 919.48 sq. ft. tract of land in Swatara Township. (Ten year term and up to four consecutive terms of five years each.)

FF. Easement Agreement between Dauphin County EMA and the Chambers Hill Fire Company and Community Association on approximately 0.8239 parcel of land in Swatara Township.

GG. Lease Agreement between Dauphin County Children & Youth Agency and Frederick Clark for lease of office space.

HH. Adopt Resolution No. 25-2006 authorizing the Dauphin County Board of Commissioners to execute all agreements with PA Dept. of Transportation pertaining to payment for the cost of inspection of locally-owned bridges.

II. Reappoint Christiana Kaisan to the Dauphin County Executive Commission on Drugs & Alcohol Inc. Board of Directors. Term will expire December 31, 2009.

JJ. Reappoint Carl Jeff Patton to the Dauphin County Executive Commission on Drugs & Alcohol Inc. Board of Directors. Term will expire December 31, 2009.

KK. Reappoint Garry Esworthy to the Dauphin County Executive Commission on Drugs & Alcohol Inc. Board of Directors. Term will expire December 31, 2009.

LL. Reappoint Sarah Weedon to the Dauphin County Executive Commission on Drugs & Alcohol Inc. Board of Directors. Term will expire December 31, 2009.

FORMER BUSINESS

(There was none.)

NEW BUSINESS

(There was none.)

COMMISSIONERS' DISCUSSION & ACTIONS

(There was none.)

CORRESPONDENCE

Mr. Haste: You see the correspondence that has been received by the Board this week, it will be handled by the staff appropriately, Items A through I.

A. Notification from Dauphin Engineering Co., on behalf of MLG Enterprises, Inc., indicating they intend to submit an application to DEP for a utility line stream crossing and minor road crossing for a new 93 room 3 story hotel (Candlewood Suites) on North Lockwillow Avenue, Lower Paxton Township, Dauphin County.

B. Received notification from DEP to Meadowbrook Coal Company in reference to a renewal permit for mining for Wiconisco Township, Dauphin County.

C. Notification from Dauphin Engineering Co., on behalf of Molinari & Greenberg, LLC indicating they intend to submit an application to DEP for a minor road crossing Colonial Road & Earl Drive, Lower Paxton Township, Dauphin County.

D. Notification from The Hershey Company indicating they intend to submit an application to DEP for a NPDES permit to continue to discharge non-contact cooling water and stormwater from the Hershey Plant's thirteen outfalls to Spring Creek.

E. Notification from Melham Associates, on behalf of Kusic Capital Group, indicating they intend to submit an application to DEP for a permit for stormwater discharges associated with construction activities for a proposed two story office building with associated parking areas, stormwater management facilities and other utilities at 4800 Linglestown Road, Lower Paxton Township.

F. Notification from Glace Associates, Inc., on behalf of the Williamstown Borough Authority, indicating they intend to submit an application to DEP for a renewal of its existing NPDES permit to discharge wastewater from the water filtration plant backwash water sedimentation basins to an unnamed tributary of the Wiconisco Creek.

G. Notification from Hoover Engineering Services, Inc., on behalf of Ajesh Patel, of Eastcoast Management LLC, intends to submit an application to DEP for a NPDES permit for stormwater discharges associated with the development of an existing 3.28 acre tract of land into a proposed four story hotel building and required parking area located on Friendship Road, Swatara Township.

H. Notification from Benatec Associates indicating that the Hershey Entertainment Group intends to submit an application to DEP for a water obstruction and encroachment permit for a proposed parking lot expansion located south of Hersheypark Drive on the east side of Hochersville Road, Derry Township.

I. Notification from Act One Consultants, Inc. indicating they intend to submit an application to DEP for a NPDES permit for the proposed mobile home park expansion of Alex Acres located Route 147 and Dawn Lane, Halifax Township.

PUBLIC PARTICIPATION

Mr. Haste: Reminder we will have Retirement Board at 10:35 am or as soon as Donna is ready.

ADJOURNMENT

It was moved by Mr. DiFrancesco and seconded by Mr. Hartwick to adjourn the meeting; motion carries.

Respectfully submitted,

Chad Saylor, Chief Clerk/Chief of Staff
Transcribed by: J. Wolgemuth

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