



DAUPHIN COUNTY BOARD OF COMMISSIONERS

LEGISLATIVE MEETING

THURSDAY, NOVEMBER 13, 2003

10:00 A.M.

MEMBERS PRESENT

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

STAFF PRESENT

Robert Burns, Chief Clerk; Marie Rebeck, Controller; Carolyn Thompson, Court Administrator; Bill Tully, Esq., Solicitor; Guy Beneventano, Esq., Solicitor's Office; Julia E. Nace, Assistant Chief Clerk; Richie Martz; Commissioners' Office; Jane Gordon, Commissioners' Office; Kacey Truax, Commissioners' Office; Jena Woglemuth, Commissioners' Office; Mike Yohe, Budget Director; Steve Chiavetta, Director of Registration & Elections; Faye Fisher, Personnel Director; Kay Sinner, Personnel; Sharon Ludwig, Personnel; David Schreiber, Personnel; Jenn Kocher, Communications; Diane McNaughton, Communications; Randy Baratucci, Purchasing Director; Garry Esworthy, Risk Manager; Edgar Cohen, Facility Maintenance Director; Gary Serhan, Deputy Controller; Melanie McCaffrey, Solicitor's Office; Rick Wynn, Human Services Director; Mike Pries, Security Director; Kelly Wolf, Recycling Coordinator; Shari Eagle, Information Technology; Mike Wertz, EMA Director; Dan Robinson, Economic Development

GUESTS PRESENT

Andrew Dowling, Esq.; D'Juna Garther; Thomas Smida, Esq.; George Hartwick

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 October 21, 2003 Workshop Meeting Minutes and the October 28, 2003 Legislative Meeting Minutes. Is there a motion to approve?

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: We'll now move into Salary Board. The Salary Board consists of the three Commissioners and the Controller.

SALARY BOARD

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

Mr. Haste: I'll now turn the Meeting over to Mr. Henry for Election Board.

Mr. Henry: Why don't we just do that in our Election Board Meeting which we have after the next two items.

Mr. Haste: Okay.

EXECUTIVE SESSIONS HELD BETWEEN MEETINGS

Mr. Burns: Mr. Chairman, there have been no Executive Sessions since our last Meeting.

PUBLIC PARTICIPATION

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

ELECTION BOARD

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

DEPARTMENT DIRECTORS/GUESTS

Mr. Haste: Are there any Directors that has anything to come before the Board at this time? (There were none.)

PERSONNEL

Mrs. Sinner: I have one change to the Workshop agenda new hires listing. That is to pull new hire #8. There are no other changes to the personnel packet. It stands as presented at the Workshop Meeting of November 6.

Mr. Haste: So you are pulling #8?

Mrs. Sinner: Yes, we are pulling #8.

I added an addendum to the Spring Creek Handbook on the Information Technology policies that is already in circulation within the County. The Handbook had not addressed that before.

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

Mr. Henry: I'll make a motion that we approve the personnel packet minus item #8 on the new hire listing.

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 you should have received a new purchase order packet from last week. We had some additions. I think you received an email on it. It is pages 9-16. It is all for the various district justices. There was a court request from Mr. Intrieri to add these items. It is secretarial chairs and others for seven different district justice offices. There was an extra discount if we made this purchase prior to the 15th of the month. Mr. Intrieri wanted us to add this to the packet. Like I said it is on pages 9-16 divided out for each of the different D.J. budgets that would be receiving the chairs. He did send an email and I didn't hear any qualms with it so I did add it to the packet. Otherwise the packet is as presented last week. All the budgetary issues have been resolved by Mike Yohe.

Anthony, to answer your question on the additional sample ballot, I did double check with Steve. He said there were actually two reasons. He said one was that the D. J. Court case where they had to reprint some. But the other one was he said that his office received an usually amount of requests for ballots. More than normal. I guess it was the hot Commissioners' race with you not being in it this time.

Mr. Petrucci: I see.

Mr. Baratucci: In any case, that is why they had to print some extras. I just wanted to let you know that.

Mr. Petrucci: It was kind of an election that was unusual for me after thirty-two years of appearing on the ballot and not being on there was strange. It was unusual. I'm very glad to turn it over to some new young folks. I see today in attendance is one of the winners of the Commissioners' race, Mr. George Hartwick, Mayor of Steelton. I'm pleased to be handing over this particular seat to that young gentleman.

Mr. Baratucci: Do you have any other questions about the packet? Otherwise, it is there for your approval.

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

Mr. Henry: So moved.

Mr. Haste: Second?

Mr. Petrucci: Second.

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

All: Aye.

Mr. Haste: Motion carries.

REPORT FROM BUDGET & FINANCE – MIKE YOHE, BUDGET DIRECTOR

Mr. Yohe gave the following report:

**Report from the Office of Budget & Finance
November 13, 2003**

- **October 31, 2003** transferred **\$6,734,133.67** to the **Payables** account and **\$1,776,838.53** to the **Payroll** account **from the County's Concentration account** for checks issued that week.
- **November 7, 2003** transferred **\$263,108.30** to the **Payables** account **from the County's Concentration account** for checks issued that week.
- **Total Term Investments – N/A**
- **Balance today in INVEST account \$121,039.38 rate 0.99%**
- **Balance today in Northwest Savings Bank Money Market account \$31,627,140.08 rate 1.50%**

Mr. Yohe: With your actions further today, we will have the account established at Community Banks and tomorrow we plan on transferring much of the \$31 million out. We will get 2% at Community Banks starting tomorrow.

Mr. Haste: Are there any questions for Mike?

Mr. Petrucci: Could you give a time sequence on our budget arrangements? The County budget is on the table for a preview?

Mr. Yohe: Starting the 18th, this coming Tuesday.

Mr. Haste: This Tuesday we put it on the table.

Mr. Petrucci: Okay. We are going to have a presentation from you in regard to that on Tuesday of next week?

Mr. Yohe: That is correct. It is scheduled to be approved on December 9th.

Mr. Petrucci: Good, I got a memo from you with some further details building up to next week then.

Mr. Yohe: That is correct.

Mr. Petrucci: Okay.

Mr. Haste: Is there anything else for Mike? (There was none.)

REPORT FROM CHIEF CLERK/CHIEF OF STAFF – ROBERT BURNS

Mr. Burns: I have no report today, Commissioners.

SOLICITOR'S REPORT

Mr. Tully: Nothing has changed from the Workshop report that was reported last week.

Mr. Haste: Are there any questions for Bill? (There were none.)

MATTERS REQUIRING BOARD ACTION

Mr. Haste: Mr. Burns, the training packet.

Mr. Burns: Commissioners, you will notice that the Workshop training packet has ballooned. There were eighteen items at Workshop. They are on the agenda today for consideration. Items 19-40 have come in since the last workshop for your consideration.

Mr. Haste: It looks like everyone waits until the end of the year to go to training.

Mr. Burns: It does look that way. I think we confirmed that all those additions are for training this year in either November or December.

Mr. Haste: Are there any questions for Bob on the training packet? We have items A-T for matters requiring Board action. Is there anything that anybody would like to pull out separately? Are there any questions on these?

I have one question. Is Mr. Smida still here? It really doesn't pertain to the resolution but since you are here. Has a settlement date been established yet?

Mr. Smida: Not as yet. We anticipate it to be sometime before December 22 but that is not final.

Mr. Haste: Before December 22.

Mr. Smida: Yes.

Mr. Haste: So we'll anticipate that it will take action sometime after the 22nd?

Mr. Smida: No, prior to December 22. We're working toward the settlement date prior to the end of the year. The best date that I can give you at this point is December 22.

Mr. Haste: Can you keep us posted? At least keep Bob posted so we make sure that we don't miss that.

Mr. Smida: Yes, there will be other action. There will be subsequent action.

Mr. Haste: All that will be done before the 22nd?

Mr. Smida: Yes, all prior to settlement.

Mr. Petrucci: I'm trying to recall from the paperwork, that's the reason that I'm retiring because I can't remember, the \$1.75 million. At what point and at what time does that come to the County?

Mr. Smida: That will be paid to the County upon closing. The fee as well as the City's guarantee, they will be paid at closing.

Mr. Petrucci: And closing is scheduled at what particular time?

Mr. Smida: The best estimate that I can give you is sometime prior to or on December 22. That's what we are shooting for.

Mr. Petrucci: Thank you.

Mr. Haste: Are there any other questions? Is there a motion to approve items A-T?

- A. Training Packet
- B. Approval of FY03/04 Per Diem Rates between the Children & Youth Agency and:
 - 1. Seven Mountains
 - Group Home for Females \$225.00/day
 - 2. Wordsworth Academy Residential Treatment Center
 - Res. Ft. Washington-JCAHO \$168.00/day
 - Res. Ft. Washington-C&Y \$148.31/day
 - Res. New Britain-JCAHO \$252.00/day
 - Res. New Britain-C&Y \$235.01/day
 - Res. Shawnee-JCAHO \$217.42/day
 - Res. Shawnee-C&Y \$188.80/day
 - Personal expenses & allowance \$ 2.00/day
 - 3. Lourdsfont Good Shepherd Yth & Fam. Serv.
 - Residential treatment \$135.42/day
 - Dually diagnosed residential \$186.13/day
 - 4. Perseus House, Inc.
 - Intensive Treatment Program \$185.00/day
 - RTF-JCAHO (male) \$217.31/day
 - Non-MA funded client \$185.00/day
 - Andromeda House Intensive Treatment (female) \$187.47/day
 - Andromeda House RTF-JCAHO (female) \$217.70/day
 - Non-MA funded client \$176.73/day
 - Shelter \$176.73/day
 - 5. Adelphoi Village, Inc. Northern Tier \$219.48/day

6.	Shawnee Academy, LTD	
	Residential Treatment-Shawnee-JCAHO	\$217.42/day
	Residential Treatment-Shawnee-C&Y rate	\$188.80/day
	Personal expenses & allowances	\$ 2.00/day

C. Real Estate Tax Refunds/Exonerations:

1. Partial refund of 2002 & 2003 real estate taxes to Robert & Margaret Jones, 7810 Allentown Blvd., West Hanover Twp., parcel #68-025-098, in the amt. of \$930.75.
2. Refund of 1999-2003 real estate taxes to Southpoint Commons Homeowners Association, Southpoint Commons, Derry Township, parcel #24-089-001; #24-089-035; #24-089-072; #24-089-073; & #24-089-074, in the amt. of \$4,166.90.
3. Partial refund of 2003 real estate taxes to Jody Fetters, 1907 New Dawn Dr., Susquehanna Twp., parcel #62-075-122, in the amt. of \$74.00.
4. Partial refund of 2003 real estate taxes to Pennsylvania Medical Society, 777 East Park Drive, Lower Paxton Township, parcel #35-074-054, in the amt. of \$1,937.49.
5. Partial refund of 2002 & 2003 real estate taxes to Consolidated Scrap Resources, 1900 Julia St., City of Harrisburg, parcel #07-051-002, in the amt. of 499.64.

D. Recommendations for reappointments/appointments to the Workforce Investment Board: (terms expire 9/30/06)

1. Linda Thompson
2. Gary Hoover
3. Nate Douty
4. Joe Delellis
5. John Michael Fitzpatrick

E. Health Care Renewal Agreement with Highmark Blue Shield PPO Plan for the County's Group insurance for 1/01/04 through 12/31/04.

F. Renewal Agreement with Concordia for the County's Dental insurance for 1/01/04 through 12/31/04.

G. Adoption of Resolution No. 26-2003 authorizing a banking relationship with Community Banks.

H. Change Order No. 10 with Alexander Constructor, Inc., construction manager, in the amt. of \$25,106.00 for the Spring Creek (Dauphin Manor) Project. (Cost Events #180, 182, 183, 184, & 185) This cost will be added to the GMP and paid by the owner.

I. Subordination Agreement with Tamara M. Cheatham for property located at 608 S. 23rd St., Harrisburg, PA.

J. Satisfaction Piece with Gwendolyn L. Ezell for property located at 802 N. 18th Street, Harrisburg, PA.

K. Approval of proposed settlement for Tax Assessment Appeals for the following properties:

1. Hershey Foods Corporation
Hershey East Plant
Tax Parcel #24-009-017
 2. Shawn Gallagher
2701 North Front St.
Tax Parcel #10-064-018
- L. Lease Agreement between Information Technology and Hewlett-Packard Computer Corporation for 59 personal computers for multiple County offices.
- M. Amendment #1 to the May 1, 2002 Agreement between Dauphin County Solid Waste and PA Dept. of Environmental Protection that will allow a three (3) months extension for the County to complete all project tasks of the agreement.
- N. Agreement between Dauphin County Prison and PrimeCare Medical, Inc., to provide medical services at the Prison.
- O. Adoption Assistance Agreement #2003-15.
- P. Purchase of Service Agreements for FY03/04 between Children & Youth and:
1. Concern Professional Services for Children, Youth & Families
 2. Northwestern Human Services of Pennsylvania, Inc.
 3. NHS Youth Services, Inc.
 4. Children's Choice, Inc.
 5. Susquehanna Intermediate Unit
 6. Kidspace National Center, Inc.
 7. Vision Quest National, Ltd.
- Q. Purchase of Service Agreements for FY03/04 between MH/MR and:
1. Hempfield Counseling Associates, Inc.
 2. The Pennsylvania State University (contract #1)
 3. The Pennsylvania State University (contract #2)
- R. Addenda to FY 02/03 Purchase of Service Agreements between MH/MR and:
1. Keystone Service Systems, Inc. - #1
 2. Keystone Service Systems, Inc. - #1
 3. Keystone Service Systems, Inc. - #1
 4. Keystone Service Systems, Inc. - #1
 5. Bonnie J. Glass - #1
 6. Liberty Ambulance - #1
 7. Cumberland/Perry ARC - #1
 8. Capital Area Intermediate Unit - #2
 9. Edgewater Psychiatric Center -#2
 10. Lynch Homes-Montgomery County - #2
 11. Capital Area Intermediate Unit - #3
- S. Adopt Resolution No. 27-2003 ratifying and confirming the enactment of Ordinance 4-2003
- T. Intent to Award; Notice to Award; and Notice to proceed with bid Award and contract to Performance Construction Services, Inc, low bidder, in the amt. of \$156,000 for the Spring Creek rehabilitation and Health Care

Center, covered walkway addition, Bid Package #23.

Mr. Henry: So moved.

Mr. Petrucci: Second.

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

All: Aye.

Mr. Haste: Motion carries.

FORMER BUSINESS

Mr. Haste: Is there anything under former business that anybody needs to discuss? (There was none.)

NEW BUSINESS

Mr. Haste: Is there any new business? (There was none.)

COMMISSIONERS' DISCUSSION & ACTIONS

Mr. Haste: Do we have anything under Commissioners' discussion and actions?

Mr. Petrucci: I have an issue that I would like to raise. Since Harrisburg is now internationally known for two events, one TMI, and the other kicking out an 89 year old from her house. I think it would be incumbent upon the Commissioners to take a look at the procedures upon which we have our taxes collected and which we enforce the state's statutes in regard to the collection of taxes. I think that we need to review all of that. I think we need to do it with the new board members that are coming down and going to be responsible for the policies that will be pursued hereafter. I suggest that we have our Tax Assessment Department and Tax Claim Bureau personnel prepare a briefing for the new and old board in regard to the entire procedure from which the bills are sent to the tax collectors and all the way up unto the Sheriff Sales and all of that so that we can have a complete look at all the details of that arrangement. I'm not sure what time that should occur but I'm thinking the sooner the better.

Mr. Haste: I have talked to Steve Howe to get a copy of their procedures and I have also requested a copy of the state tax law that I will read to see what leway we have or how we can change policies to do that. Even though this situation is unfortunate, it is not the first time. I don't know Commissioner if you recall but we had a similar situation on Market Street that was very unpleasant.

Mr. Petrucci: I do indeed.

Mr. Haste: It was probably 12-15 years ago. If nothing else, we need to look at our procedures and we will do that to see if we can't minimize these types of occurrences. It also highlights the fact that the Legislature at some point in time needs to get off their duff and do tax reform.

Mr. Petrucci: This is true.

Mr. Haste: It again highlights that someone on a fixed income which often times is as we get advanced in our years, as our income gets fixed, the value of the property may increase which means our taxes increase, we are only going to have more of these problems. That was highlighted 12-15 years ago, nothing ever occurred and it's been highlighted again. We will look at those procedures.

Mr. Petrucci: I can't help but comment a little more before I lose my opportunity to comment on these kinds of things. For almost all of my years here, I've been pushing for not only local tax reform but especially for the elimination of the useless middle man which is the tax collector. The \$572 that were owed here that weren't collected were the library tax and municipal tax to South Hanover Township. The tax collector there, to me in my opinion, was the one who should have been knocking on the door if they have any saving grace to the tax collector system. It is they that are most knowledgeable about and the first line affecting the collection of the taxes in the district. It would seem to me that rather than be a tax receiver, which we are currently paying for, we really have paid for a tax collector. I think what needs to be brought into the discussion is, can we impose in that fee that we charge for the collection for our taxes some kind of behavior of the tax collector in regard to this so that there might well be a person who is knocking on the door before our Tax Claim Bureau is coming to post it. That's a part of the discussion that I think needs to happen, a full range discussion from start to the end.

Mr. Haste: Is there anything else under Commissioners' Discussion?

There is one thing that I would like to point out to the Board. Maybe some of you know and some may not. We had a former long-time County employee and friend of some of us pass away over the weekend. He was also a resident of the county home, Jim Cosgrove. I think many folks know him. He had worked in Security for awhile and was active in the community. It is my understanding that the services will be Monday at the Gap. I thought I would pass that on.

CORRESPONDENCE

Mr. Haste: Items A-H will be handled appropriately by the Commissioners' staff.

- A. Notification from Dauphin Engineering Co., on behalf of Central Penn, Inc., indicating they intend to submit application to DEP for a General Permit for discharges of storm water from construction activities for the Sturbridge, Phase II Final subdivision plan, Sturbridge Drive, Susquehanna Township, Dauphin County.
- B. Notification from Herbert Rowland & Grubic, Inc., indicating the PA Dept. of Transportation will apply to DEP for a water obstruction and encroachment permit

for S.R. 4008 (Hoy Road) Section 12 Bridge replacement, Upper Paxton Twp., Dauphin County.

- C. Notification from Light-Heigel & Associates, Inc., on behalf of Frank English, indicating Mr. English will be applying to DEP for a water obstruction and encroachment permit in reference to the English Estates, 80 acres of agricultural land that will be subdivided into approximately 45 lots, Conewago Twp., Dauphin County.
- D. Notification from Alfred Benesch & Company, on behalf of PA Dept. of Transportation, indicating they will be applying to DEP for a general NPDES permit for S.R. 3020, Section 005, Lower Paxton Township, Dauphin County.
- E. Notification from Evergreen Environmental, Inc., on behalf of The Harrisburg Authority, indicating the Authority will be submitting an application for an Air Quality Plan Approval to DEP to retrofit the existing municipal waste combustors at the Harrisburg Materials, Energy, Recycling & Recovery Facility.
- F. Received a copy of a letter addressed to AmerGen Energy Co., from the U.S. Nuclear Regulatory Commission in reference to the Three Mile Island Nuclear Station, Unit 1.
- G. Received a copy of a letter addressed to PA Dept. of Transportation from Benatec Associates indicating they will be submitting a proposal to perform rating analyses for the TK527 vehicle on thirty-six (36) of the thirty-nine (39) bridges currently on the NBIS Inspections of the municipally owned bridges.
- H. Received the Dauphin County Liquid Fuels Tax Fund Audit Report for year ended December 31, 2002 from the PA Dept. of Auditor General.

PUBLIC PARTICIPATION

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

ADJOURNMENT

Mr. Haste: Is there a motion for adjournment?

Mr. Henry: So moved.

Mr. Petrucci: Second.

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

All: Aye.

Mr. Haste: This meeting is now adjourned.

Transcribed: November 13, 2003

Respectfully submitted,

Robert Burns,
Chief Clerk/Chief of Staff

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