



DAUPHIN COUNTY BOARD OF COMMISSIONERS

WORKSHOP MEETING

FEBRUARY 11, 2009

10:00 A.M.

MEMBERS PRESENT

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

STAFF PRESENT

Chad Saylor, Chief Clerk; Marie E. Rebeck, Controller; Janis Creason, Treasurer; William Tully, Esq., Solicitor; Tom Guenther, Director of IT; J. Scott Burford, Deputy Chief Clerk; Randy Baratucci, Director of Purchasing; Jason Miller, Commissioners' Office; Melissa Wion, Personnel; Brooke Miller, Personnel; Steve Suknaic, Chief Juvenile Probation Officer; C. Jeff Patton, Juvenile Probation; Leila Brown, Solicitor's Office; Gary Serhan, Deputy Controller; Faye Fisher, Director of Personnel; Diane McNaughton, Commissioners' Office; Amy Richards, Commissioners' Office; August Memmi, Community & Economic Development; Brenda Hoffer, Commissioners' Office; Jena Wolgemuth, Commissioners' Office; Guy Beneventano, Esq., Solicitor's Office; Mike Pries, Director of Security; Greg Schneider, Budget & Finance; Kim Robison, Director of Domestic Relations and Richie-Ann Martz, Assistant Chief Clerk

GUESTS PRESENT

Dan Miller and A. Buckner

MINUTES

CALL TO ORDER

Mr. Haste, Chairman of the Board, called the meeting to order at 10:05 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 three sets of meeting minutes that we will take up at next week's Legislative Meeting.

PUBLIC PARTICIPATION

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

DEPARTMENT DIRECTORS/GUESTS

A. Randy Baratucci & Tom Guenther

1. Printing Services

Mr. Guenther: As you are aware for many years the County has operated its own internal print shop. That print shop was manned by two employees. Over this past year we had a situation that we no longer have those employees. Our lead employee has a serious medical condition and was forced to resign. Our second employee decided to leave County employment at the end of August. Since August we have been under an emergency services contract. We have been looking at how we would provide that service and how we would move to an outsource arrangement for our printing services for the entire County operation. In December of this year we were informed by Mr. Cooper that he would not be able to return to work, which kind of sealed the fact that we would move to the outsourced arrangement and contract out for the service. At that point in time Randy and I prepared an RFP to go out to vendors in the local community to get quotes and prices on how we would do this on a yearly contract basis so we could provide that service to all County departments. I will tell you that over the last few months we kind of locked in on the procedure dealing with the vendor I think it's been a pretty solid operation. We are confident in what we can provide and keep the service at a consistent level. I'll let Randy explain how we did the RFP and the selection process.

Mr. Baratucci: We sent out to 18 different companies; ones that have expressed interest over the years of doing some jobs for us. We received 14 responses, which was fantastic for a response. We usually don't get that many, but we did this time. The company that we had done the emergency service work with was Huggins Printing.

They finished number two on our list. We did get very good responses. We took 12 of the most common used items over Tom's time he was doing this. He picked these items as the most used items and came up with estimated yearly quantities. We listed the lots that we usually order these in and ask the vendors to supply us with pricing based on the estimated yearly quantities and based on the lot sizes. They did that and we factored that into play and came up with an estimated yearly amount. We came up with David A. Smith Printing as the lowest bidder. We then went out and took a look at their facilities. They are located in Dauphin County. Their main facility is out on Route 22, out near Mountain Road. They have a second facility on Route 39 where they handle some large printing jobs, things like placards, banners and that type of stuff. They showed us quite a list of clients. Hershey Bears are one of their clients and so is Tyco. They seem to be very good as far as being able to handle this type of stuff. Again, we met with them once here in the office, once at their facility and we are confident that they can do the job. At this point, based on what Tom had mentioned and based on the results of the RFP, we would like to recommend that the Commissioners enter into a contract with David Smith Printing. The contract is set up to be a one year contract, renewable if both parties agree. We really want to keep some kind of continuity going if everybody is happy. If things are going well, our intent would probably be to renew it for another year. That is pretty much the summary. If you have any questions on how we did anything or why our selection process was what it is, we would be happy to answer any questions.

Mr. Haste: I talked with you guys the whole way through the process.

Mr. Guenther: I would like to discuss the disposal of some of the equipment that is at the print shop. Randy and I have also been looking into a service. It is an online auction company that appears to meet all of our surplus sale requirements that we have with the County. Some other counties have entered into an agreement. CCAP brought this to my attention. We are looking to work on doing that where we could do online web based auction of that equipment to get the best resale and the most people involved in that process as we go to close down the entire operation.

Mr. Hartwick: As long as it's not the same people that did the civil war auction we will be okay.

Mr. Haste: We had a discussion some time ago...

Mr. Baratucci: Unbelievably this company is offering to do this free of charge other than a small 5% commission on what we sell. There are no upfront costs whatsoever and taking only 5% of what we are going to get I thought was an attractive rate considering some of the other offers that we had. Quite frankly most of this stuff that ends up at our warehouse is junk. You get \$5 or \$10 for it, but here we have some stuff that does have some value. In fact, I believe the printer that we are recommending here has also offered free of charge to give us a hand in helping to find places to sell this. I'm sure they are going to be interested in bidding on some of it as well. I think it is a very good idea.

Mr. Hartwick: I only have one question. What would happen if these contractors, for some reason, because of the economy, because of the cost of products, they would be unable to meet the bid that they provided? In a year's turn, they would have to accept the loss? Am I correct? There are no change orders or amendments to this? They are required to meet whatever they put forth in this document?

Mr. Baratucci: We have asked the Solicitor's Office to draw up a contract based on the requirements. The RFP does say that you will hold these prices for at least one year. In fact, we double checked and triple checked that question with them, because they were considerably lower than some of the others. We made sure of that and that would be part of the contract that we sign. That would hold them for at least one year.

Mr. Haste: Do you need a vote today or next week?

Mr. Baratucci: Hopefully it will be on your agenda as a contract item next week. We just wanted to present it per your request so you know how we got to where we are at.

B. Melissa Wion, Personnel

1. Public Transportation Policy/Procedure

Ms. Wion: Based on the current state of the economy, the environment and downtown parking availability, the need for Dauphin County to lend support is here. The Transportation Policy presented to you today will enable the County Commissioners and the County employees to assist with efforts to protect and improve the environment, to promote the County going greener initiative and to improve public access to parking. As outlined in this policy, County employees will be afforded the opportunity to ride to and from work each day without incurring out-of-pocket expenses by using CAT or Rabbit Transit solely paid for by the County. This will help reduce the number of cars on the road, reduce individual carbon footprints and will help improve parking. The Personnel and Payroll staff will be responsible for requesting to CAT or Rabbit a specific number of passes based on employee requests, distributing passes to participating employees and submitting invoices for payment. It is the intention of this policy to help not only the County employees, but in the long run to help the residents of Dauphin County. I'm happy to answer any questions or concerns at this time.

Mr. Hartwick: I've asked them all before we got here. I think it is a great initiative, one that I fully support and one that sends a clear message that government is not only talking about mass transit and the environment, but we are taking a step to try to not offer the same level of parking, but instead try to provide an incentive for employees to ride mass transportation, which is something that this Board has talked about for the last two or three years, if not longer, and to finally see a policy move forward is something that I fully support.

Mr. DiFrancesco: I would say it was back in the late 1980's, as a member of the CAT Board that I started talking about how incredibly insane it is that the State would continue to subsidize the level of parking in the City that they do and in my opinion wasting all that money while the bus system sits there and struggles. This policy actually is something that needs to be pushed in other areas of government. It's been long overdue. As new employees come in I think this is a great way for us to not only take care of our employees, but I think more importantly assist CAT financially with our mass transit as we all know is suffering today. We are dying to get more trucks off our street, close off our streets, but the way that we do that is supporting mass transit. This will help us strengthen CAT. It will also give us the opportunity to get out of subsidized parking. While we will continue to have employees that have parking available to them this is a great alternative for new employees. It is also a way that we could possibly start to do other things like carpooling. There is a lot of good that can come out of this policy. As Commissioner Hartwick mentioned it is certainly good just simply because it is green. It helps with the carbon footprint and everything else. It helps with congestion. I certainly hope and surveys indicate that the employees will take advantage of it. I think this is a great policy and I think it is just the first step of us moving to a more responsible environmental policy.

Ms. Wion: Thank you!

Mr. Haste: If you could say thank you to those that helped you develop this. I know you had a committee of employees that at times it got spirited on the thought of how to handle this. Again it is a program that was brought by your department by a group of employees. Please make sure you say thank you to all of them for us.

Ms. Wion: Definitely.

C. Janis Creason, Treasurer & J. Scott Burford, Deputy Chief Clerk

1. Tax Collector Compensation Schedule and Resolution

Ms. Creason: We presented a proposal to you last week that had been compiled by myself, Scott Burford and Steve Howe and basically directed by you being given some parameters looking for an incentive based system. We tweaked that slightly based on comments that we received last week. We also received some feedback during that week from our tax collectors. I'm pleased to say that most of the feedback that we received, if not all of the feedback in fact that we received, was positive and complimentary of our efforts to both include them in the process and to come up with what they feel is an equitable plan. At least they understand our motivation behind doing it. The only comment that I did receive where they asked us to reconsider was in issuing a quarterly payment for the Part A, the incentive payment. I talked with our Controller, Marie Rebeck, and some others and we did come to some consent on that and are asking for you to consider that payment being made quarterly and Part B being made annually. That will allow for the cash flow to continue for the tax collectors and it also compliments our cash flow situation here. It will make it easier for everyone to be

monitoring this. That is the only change that we have there as far as timing of the payments. The change from last week is that we, upon your advice, I believe Commissioner Haste increased the requirements in Part B to four of six and increased the annual payment for that if they can achieve those four benchmarks.

Mr. Haste: Who will make the determination whether the tax collector has met the criteria? Is that Tax Assessment or you or a combination?

Ms. Creason: It can be one of all above. I'm volunteering for my office to take the lead on monitoring it simply because we already monitor or track how many bills that they have collected and report that to payroll. That is our function to make sure that is happening.

Mr. Hartwick: I thought about recommending the same group that has been assembled to be able to derive the policy to come together quarterly to talk about where the tax collectors are at and to make a determination on whether or not they met the criteria. We should set up a formal process in which to evaluate.

Ms. Creason: I think that would be very helpful. Part A is pretty easy to monitor. The reports are there or they are not. Part B is more subjective. I think having a group that gets together and/or even having some tax collectors there to discuss their issues. I met with the tax collectors twice since I've taken office. We've had breakfast meetings together. We plan to continue that on a quarterly basis. They have been very favorable to that. It is very educational for them and for my office. We are learning from them what they do and they are learning things that they necessarily didn't know, especially those that have simply been thrown in to this because there was a vacancy and they had their arm twisted. We're trying to bring them up to speed on what is required. I agree with you in a nutshell that having a group get together to digest this is... I would like to have Gary Serhan, for instance, talk to them formally about demonstrated security measures. He has a wealth of information available to him that he shared with me that could benefit them on hearing about their liability insurance, their bonding and everything. A lot of them do not understand that is required. I feel I have an obligation to educate them on that. They have an obligation too to take responsibility for the office that they ran for. There is not going to be a standoff between my office and the tax collectors. It is going to be a working relationship.

Mr. Hartwick: I would prefer at the end of the year rather than quarterly. I understand that our feedback from the tax collectors is important. I just still like the idea of taking a look at their year as a whole in giving them a payment based upon performance for an entire year rather than them being able to get \$200 and then say screw it I don't have the time to do it for the next quarter so I might not get \$200, but then for the fourth quarter say I might want to meet these requirements again I get the \$200 and then in the end I might not reconcile so I'll get a \$400 bonus, but I completed two of the four quarters. Based upon the history of some of the tax collectors, some of them are on vacation or issues that have affected their life. I would prefer to try to maintain that as

being the end of the year reconciliation. I understand why you did it. That is still one that I would prefer to see done at the end of the year rather than quarterly.

Ms. Creason: Let me bring another element that takes it away from the incentive pay. Number one those items that are in Part A are required by law. So, I have the ability to enforce that and even impose penalties upon them for untimely filing. If we want to take the full scope of this and say we're all going to be accountable to the letter of the law and we have an offender, we have the power, through the law, to impose penalties on them for late filing.

Mr. Haste: Which I think we should do.

Ms. Creason: I'm not opposed to exercising that. I find that to be two-fold. It doesn't need to be part of this compensation package, because it is dictated by the statutes. It is already there. I don't believe it's ever been exercised in that office. I believe we are bringing ourselves all up to a higher level of accountability then you should not be afraid. The good tax collectors, the ones who are performing well said that. The law is not our enemy when we are performing well.

Mr. Hartwick: The good ones are not the ones that we have the challenges with. The larger municipalities...

Ms. Creason: That goes both ways. It is big and small.

Mr. Haste: We have had some trouble with some big ones.

Mr. Hartwick: I'm saying the bigger ones are the ones that caused the challenges. The bottom line is the bigger ones have caused more of the challenges than the smaller ones.

Ms. Creason: The timely filing and you're not to belabor this, because again it doesn't necessarily need to be in the compensation discussion, but I think we have had enough conversation individually to know that going forward, beginning with the McKonly & Asbury study, that brought some of the lack of best practices into focus for us and has helped us to form this base of compensation. I believe that it is incumbent upon us to be monitoring the performance of the tax collectors and becoming more stringent in what we require, whether it is going in there and spot checking their performance, finding out what they have that is in process. One of my issues has been some times we have timely filing by the tax collectors. They are johnny on the spot with every date. The thing that we don't realize is that they have only given us a quarter of what they are holding on their desk in their office. You can file timely by say remitting \$1 million, but we don't know is that there is \$9 million sitting on the counter that has not been processed yet. I have an issue with that and I've always have. I believe that outside the compensation we also need to come in, in an auditing role, whether it be on a spontaneous moment, we want to know what you haven't processed. In all fairness to the tax collector and to the county, that complaint has more to do with the school district

than it is with the county, because they are collecting the bills in a shorter period of time. The county bills go out February 1 and they have until December 31 to pay. The school district bills go out July 1 and then have until December 31 to pay. So, they are compressed into a shorter period, but it doesn't mean that our bills are not being lost in there and it still doesn't mean that they are not processing all of the payments. I want to see and impress upon them that all the payments, and this is going to be part of this as we write some additional regulations under what these performances are, is that it is not just timely reporting. It is reporting everything that you have collected. The resolution that Scott has drafted will outline that. It is everything you have collected, not just what you've turned over. Am I making sense?

Mr. Hartwick: If we are talking about imposing some sort of fines or penalties, this has been an educational process for me. Analyzing 67 counties to see how they compensate tax collectors,

Ms. Creason: The school district mimicked a little bit from us last night.

Mr. Hartwick: If you are talking about penalties and fines, I would like to know, based upon the current statute, to what extent those penalties and fines are authorized and to what amounts? That would be nice for us to be able to also have a handle on. That should be clear. We are standing here saying that we will work along with the current system that has been given by the Legislature, but absent their participation there is the ability to impose fines and costs up to a certain level if they don't participate. If they do in fact participate they will be compensated. Their interest bearing accounts will enable us to get the maximum benefit from early remittance of taxpayer dollars.

Ms. Creason: And full remittance could even be a bigger win than...

Mr. Hartwick: Could we provide the information to them?

Ms. Creason: I could briefly answer that I believe that I'm accurate in saying that the penalty on a monthly basis for the report, the DCED report not being remitted is a maximum of \$250. I believe it runs in increments of \$10 per day after the sixth day. Something along those lines. I don't want to be recorded verbatim on that, but I'm very close to that being accurate.

Mr. Hartwick: Can you give us a summary of that and then talk about enforcement and the mechanism for review, I'm comfortable with the policy.

Ms. Creason: Sure. I really do like your idea.

Mr. Haste: I just want to make sure that we have that in place and it is done so that, if you are going to do it quarterly, you get that over to the Controller's Office in a timely fashion so that it is paid so we are holding up our end of the bargain.

Ms. Creason: I agree.

Mr. Saylor: Commissioners, you have before you a Resolution. This will be Resolution #3-2009. We do need to adopt this today. Scott, do they have copies of the Resolution?

Mr. Haste: Do we need to do it today?

Mr. Hartwick: We discussed it last week.

Mr. Burford: Yes, in order to establish the compensation package, the Board needs to take action today.

It was moved by Mr. Hartwick and seconded by Mr. DiFrancesco that the Board adopt Resolution #3-2009, captioned as follows.

A RESOLUTION BY THE BOARD OF COMMISSIONERS OF DAUPHIN COUNTY, PENNSYLVANIA, PROVIDING FOR COMPENSATION OF DULY ELECTED OR APPOINTED TAX COLLECTORS FOR SERVICES RENDERED IN COLLECTING COUNTY TAXES.

Discussion:

Ms. Creason: I just have one comment. I didn't get to look at the final copy of the Resolution, but I know that in previous resolutions there was a cap of \$30,000 on the maximum compensation. I don't know if that has been included in here, but the increase would become moot for our largest tax collector if we continue with that cap. I just wanted to make sure that it wasn't in there.

Mr. Burford: It's not.

Ms. Creason: So, it will stand as the \$1.85 per bill.

Mr. Hartwick: That's correct.

Question: Mr. Haste – Aye; Mr. DiFrancesco – Aye and Mr. Hartwick – Aye; motion carried.

PERSONNEL

Ms. Miller: Are there any questions on the Salary Board Packet? (There was none.)

Are there any questions on the Personnel Packet? (There was none.)

PURCHASE ORDERS

Mr. Baratucci: Are there any questions on the Packet that you received yesterday? We have some normal budget issues to resolve, but otherwise it will be moved to next week for approval unless you have any questions. (There was none.)

TRAINING PACKET

Mr. Haste: I don't believe there is anything on the training packet that we need to deal with. Is there Chad?

Mr. Saylor: That is correct. There is nothing that needs our attention today.

ITEMS FOR DISCUSSION

- A. Electronics Equipment Recycling Collection Program Agreement between Dauphin County and eco International. (*****A VOTE IS REQUESTED 02/11/09*****)
- B. FMLA Training Sessions Proposal – Post and Schell to perform six (6) 90-minute sessions for the supervisors of Dauphin County on the Family and Medical Leave Act.
- C. Proposal for Outside Counsel – Owens Barcavage & McInroy. (*****A VOTE IS REQUESTED 02/11/09*****)
- D. Refund for Overpayment – Parcel #35-044-082 – Alice Knull - \$879.41.
- E. Crime Stoppers of Dauphin County Application for Discretionary Gaming Funds.
- F. Appointment of Ed Carney and Fred Lighty to the Dauphin County Planning Commission. Mr. Carney's term will expire December 31, 2010. Mr. Lighty will be filling the unexpired term of Mr. Sedesse, term expires December 31, 2011.

Mr. Haste: We have Items for Discussion, A through F. Items A and C need to be voted on. A is for our ongoing electronic recycling program. C is for the Solicitor's Office. Are there any questions? (There was none.)

It was moved by Mr. DiFrancesco and seconded by Mr. Hartwick that the Board approve Items A and C, listed above under Items for Discussion; motion carried.

Mr. Haste: The rest of the items will be on next week's agenda.

SOLICITOR'S REPORT – WILLIAM TULLY

Mr. Tully: All the matters listed for action will be ready for final action. I would be happy to answer any questions you might have. (There was none.)

CHIEF CLERK'S REPORT – CHAD SAYLOR

Mr. Saylor: I have nothing unless you have any questions of me. (There was none.)

COMMISSIONERS' COMMENTS

(There was none.)

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? (There was none.)

ADJOURNMENT

There being no further business, it was moved by Mr. DiFrancesco and seconded by Mr. Hartwick that the Board adjourn.

Respectfully submitted,

Chad Saylor, Chief Clerk

Transcribed by: Richie-Ann Martz