



DAUPHIN COUNTY BOARD OF COMMISSIONERS

WORKSHOP MEETING

MARCH 23, 2011

10:00 A.M.

MEMBERS PRESENT

Jeff Haste, Chairman
Mike Pries, Vice Chairman
George P. Hartwick, III, Secretary

STAFF PRESENT

Laura E. Evans, Esq., Chief Clerk; Marie E. Rebeck, Controller; Janis Creason, Treasurer; William Tully, Esq., Solicitor; Fred Lighty, Esq., Human Services Director's Office; Tom Guenther, Director of IT; Randy Baratucci, Director of Purchasing; Brad Winnick, Chief Public Defender; Guy P. Beneventano, Esq., Solicitor's Office; Mike Madden, Prison; Joe Cardinale, Esq., Solicitor's Office; Leila Brown, Solicitor's Office; Amy Richards, Commissioners' Office; Kay Lengle, Human Resources; J. Scott Burford, Deputy Chief Clerk; Edgar Cohen, Director of Facilities Maintenance; Brenda Hoffer, Commissioners' Office and Richie-Ann Martz, Assistant Chief Clerk

GUESTS PRESENT

Matt Miller, Tim Reardon, Janine Park, Diane Krug, Andrew Kenworthy, Todd Gilchrist, Wayne Tarvin, Karl Kauffman, Tom Clark and Christa Toomey

MINUTES

CALL TO ORDER

Mr. Haste, Chairman of the Board, called the meeting to order at 10:10 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 meeting minutes that we'll 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. Janine Park, Dauphin County Planning Commission

1. Presentation on the Proposed Dauphin County Subdivision & Land Development Ordinance

Ms. Park: I'm Janine Park and I'm a Senior Planner with Dauphin County Planning Commission and I'm the Project Manager for the Proposed new Dauphin County Subdivision and Land Development Ordinance. I have with me Andrew Kenworthy, an Engineer with HRG, and the County engineering firm who has also been involved in the Ordinance.

We have an existing 1990 Ordinance. After the adoption of the Tri-County Regional Planning Commission's model Subdivision and Land Development Ordinance in 2008, the Dauphin County Board of Commissioners decided to have drafted and consider for adoption a new Subdivision and Land Development Ordinance based on the model Ordinance. The idea of drafting the Ordinance was supported by the seven affected municipalities. The Ordinance affects the seven municipalities that do not have their own subdivision and land development ordinances. That is Berrysburg Borough, Elizabethville Borough, Jefferson Township, Millersburg Borough, Rush Township, Williams Township and Williamstown Borough.

A Task Force was formed with invited representatives of the seven municipalities. Tom Shaffer and Tom Clark from the Dauphin County Planning Commission served on the Task Force. Professionals in the land development field were invited to serve on the Task Force that included a representative from Light Heigel, Bill Burch, a surveyor that does work primarily in northern Dauphin County, Keith Ashley, from the Home Builders' Association and Bob Christoff from the Dauphin County Conservation District. We have a very comprehensive Task Force.

The Commissioners had requested that HRG, the County Engineer, review the model's engineering standards. Andrew has done that. He provided some revisions and brought it up to current development standards, engineering standards and up-to-date best management practices. The meat of the Ordinance is Article V. He is here to answer any questions that you might have on that Article.

Much was carried over from the existing Ordinance that was incorporated. It does have more than the old Ordinance, as I said, including up-to-date engineering standards and some additional provisions were added. It had to be applicable to both boroughs and townships. So, there are some provisions that a township might prefer where a borough might not, but in the Ordinance provisions from waivers have entered the requirements. So, if there is something that doesn't work for someone that is developing in a township as opposed to a borough, they can request that the County Planning Commission waive those requirements.

The Commissioners were provided with copies of the Ordinance. The Ordinance has everything in it that was required by the Pennsylvania Municipalities Planning Code. Again, it is based on the model Subdivision and Land Development Ordinance that TCRPC adopted in 2008. That model was edited by the Task Force to apply to these seven municipalities and tailor it so it could be used by those seven municipalities.

For outreach, we did several different things. We posted a draft copy on our TCRPC website. We published a couple articles in the Upper Dauphin Sentinel that goes to the affected communities. They gave us tremendous coverage. They really did a good job and published quite lengthy articles. We placed draft hard copies in both our office and the Northern Dauphin County Human Services building. That was mentioned in the article that was in the Sentinel so folks could come and take a look, as well as on our website. In talking with Scott Burford when we were drafting the Ordinance, he indicated that the Commissioners had asked that all seven municipalities support the concept of the Ordinance. We sent a lengthy letter to the seven affected municipalities, the supervisors, council and the planning commission members explaining what the ordinance was about and requesting support from each of those seven municipalities. I'm pleased to announce that we have received support from all seven municipalities. They are in full support of the ordinance. On February 7, 2011, the Dauphin County Planning Commission recommended approval of the proposed Ordinance.

Our remaining schedule is that the Board of Commissioners has scheduled a Public Hearing on the Ordinance on April 6, 2011 that requires legal notices to be published in the Upper Dauphin Sentinel and the Patriot-News. The first notice was yesterday in both newspapers. It also appears on the TCRPC website and copies are available at Tri-County and Northern Dauphin Human Services which is included in the notices to make people aware of where they can review the ordinance. It is proposed for consideration for adoption on April 27, 2011. The Pennsylvania Municipalities Planning Code requires a legal notice of enactment to be published in the newspaper. We are publishing that in the Upper Dauphin Sentinel and the Harrisburg Patriot-News to make

sure we have complete coverage as we have with everything else. The Pennsylvania Municipalities Planning Code requires that if you don't publish the entire Ordinance, which of course we don't want to do, that you place hard copies of the draft Ordinance with the newspapers where you published that notice of enactment. That will be done. It also requires that an attested copy be placed in the County Law Library and that will be done. Then again, hard copies will continue to be available at our office and at the Northern Dauphin County Human Services building. On April 27th, in the event that substantial amendments are proposed to the draft Ordinance, before voting on enactment it would have to be re-advertised. We do have in our schedule that can be done and we can accommodate that before the completion of our grant. Our grant expires at the end of June, 2011. We have to have it adopted and distributed prior to the end of June 2011. With that I'll entertain any questions or any questions that you may have for Mr. Kenworthy.

Mr. Haste: Did we have any public hearings in the upper end? I know that each municipality supports it and they have been involved.

Ms. Park: It was on each of their municipal agendas of their council or supervisor meetings. We didn't hold actual meetings. We have done that in the past and we didn't have much success with it. So, we chose to go the outreach way of advising all the supervisors, council and planning commission and the lengthy articles, thinking that we would have a broader coverage.

Mr. Haste: So, it was at some point in time publicly discussed at each one of the seven?

Ms. Park: It was on their agendas for all seven municipalities.

Mr. Haste: The only other suggestion that I would make is could we also have hard copies at all the County libraries, not just the Law Library?

Ms. Park: We can do that.

Mr. Hartwick: Particularly the Lykens Library.

Mr. Haste: Lykens and Elizabethville in particular.

Ms. Park: I would be happy to do that.

Mr. Pries: I think you have answered every question I would have had. That was very detailed, the times, the dates, what you need to do and what you have already done. Very impressive!

Mr. Hartwick: I think this was a great undertaking and one that is long overdue. I was interested in two things. The first one is in your introduction; there is just one small minor change in the first sentence of your introduction. It has been adopted by the

Dauphin County Board of Commissioners, not Commissioner. We are not a home rule charter. So, it is Commissioners. This has always been a hot button topic when I've been out discussing the actual idea of having a land development subdivision ordinance in the municipalities that don't currently have them. Have you received a significant amount of feedback, if any, from the public?

Ms. Park: None.

Mr. Haste: That is why I was sort of asking and she sort of said that. I was curious of that myself without having a public meeting. I don't know how much more of an attempt you could go if you went to all seven municipalities.

Ms. Park: We went to all seven and as I said all seven municipalities were represented on the Task Force. There were several Task Force meetings within their community to discuss it.

Mr. Haste: We had the builders...

Ms. Park: Keith Ashley was involved. He had input also.

Mr. Haste: It was very thorough and very well done.

Mr. Kenworthy: We had it on the Agenda so the elected officials had an opportunity to comment and residents had an opportunity to come and comment as well.

Ms. Park: If I may, one of the municipalities crossed wires on getting it on an agenda. They accepted responsibility for that. They said that they will bear the cost of advertising and they met at 8:30 on a Saturday morning to make sure that they had it on an agenda and that it was done at an actual meeting. That is the kind of support that we have had from the seven municipalities.

Mr. Hartwick: Thanks for your work.

Mr. Haste: Some of our smaller ones, north of Peters Mountain, is really who we are talking about.

Mr. Pries: I would like to thank Commissioner Hartwick for pointing out that you missed an s out of 7,412 words!

Mr. Hartwick: I'm sure you didn't read any of them!

B. Tim Reardon and Diane Krug, Dauphin County Planning Commission

1. Memorandum of Understanding between Dauphin County Planning and Tri-County Planning Commission for the Regional Growth Management Plan

Mr. Reardon: As you know Tri-County Regional Planning Commission can provide steps and support services to Dauphin County Planning Commission. We are here this morning to talk to you about a tool that we are using to implement the Regional Growth Management Plan, which is a major component of the Regional program. That document, in concert with the Regional Transportation Plan, which is done by the HATS organization, will allow us to link transportation and land use in Dauphin County, as well as Cumberland and Perry counties. You should have received a Memorandum of Understanding, which is between the Dauphin County Planning Commission and the Tri-County Regional Planning Commission to support and endorse the concept of linking land use and transportation. I'm going to turn that over to Diane Myers-Krug, who is the Associate Director of the Commission and she has also been a long-time transportation planner. She will discuss the understanding and will also give a quick summary of a regional grant program that we are endeavoring to take through the HATS program. We are still awaiting word from the Department on whether or not our special study requests have been funded. I'll turn that over to Diane for some information on the MOU.

Ms. Krug: In January the Tri-County Regional Planning Commission adopted the Regional Growth Management Plan and the MOU. The MOU is a tool that we are going to use to implement the plan to continue to develop a working relationship with the municipalities in our region. We are fully aware of all the local development decisions at the local level and we need to be closely working with them in order to get the concepts of the regional plan in play. A key component of the plan is coordination, within each municipality, as well as the neighboring municipalities. Support for the coordination stems from the fact that multiple municipal planning is mutually beneficial. It ensures capacity for growth and it maintains an infrastructure able to continue to support the needs of the public. It enables those systems-transportation, school, water and sewage to operate efficiency and effectively. There are four main concepts from the Regional Growth Management Plan through which multiple municipal cooperation can be achieved. They are intergovernmental cooperation, land needs concept, infrastructure and investment and livability and sustainability. The intergovernmental cooperation refers to the understanding that local decisions should align with broader regional goals. Local, State and Federal decisions can work together to ultimately maximize the funding opportunities and effectiveness of local decisions on a regional scale. Decisions concerning the location and density tie into our land needs concept, mainly focusing on investment and development priorities where infrastructure is already in place. Density and capacity considerations allow the municipality's infrastructure to meet the public needs associated with growth and development into the future. In addition to location concerns, infrastructure investment ensures that fundamental assistance will continue to function region-wide through alignment of local capital to achieve regional goals. A secure infrastructure paired with livability and sustainability will improve quality of life and conservation within the municipalities individually and for the region as a whole. To do this the municipal plans need to align with the regional concepts that are outlined in the Regional Growth Management Plan. In conclusion, the growth and development at the regional scale is contingent upon cooperation at the local level as that is where all

the development decisions are made. Specified through the intergovernmental cooperation land needs concept infrastructure, investment and livability and sustainability concepts with the growth management plan. In turn any one municipality's development potential relies on coordinating with surrounding areas to uphold quality of life and sustainability and ensure that infrastructure systems continue to operate effectively and efficiently. Recognizing that large scale and local growth development are interdependent, the alignment of the growth management concepts ensures that those entities are working toward the same goal – to allow the region to continue to grow and develop while preserving and possibly improving the quality of life and sustainability in the region. Are there any questions? Right now we are working with the Dauphin County Planning Commission. We are asking for your endorsement of these concepts so that we can enter into the MOU and if at a future date you would be so inclined to also enter into a MOU with the Commission.

Mr. Haste: Again, thank you. This is a step forward. We've talked before. I'm not sure we will get everything we really need just yet, but I think anything that we can do that ties infrastructure, transportation planning together with our economic development and local economic development is the smartest way to go. The more we can get all those entities working together, I think the better off we are. I'm in favor of this. Hopefully this is only the start and that we can grow from here. Just as we talked with the other program it is small, but it is a start.

Mr. Krug: We realize there are different levels of capacity throughout the region and the MOU is one of the bases to start that conversation to get the awareness going throughout the region. One other thing that we are working on, as Tim mentioned, is a regional grant program. We are awaiting word on funding. Hopefully that will help the municipalities actually put into play what we are asking them to do.

Mr. Reardon: We have reached out to our solicitor to find out if Tri-County Regional Planning Commission is eligible to start a revolving loan, which may allow us a further opportunity to enhance the grant program. If it is okay with you we would like to leave a MOU with you for consideration at your next meeting that is between the Dauphin County Board of Commissioners and Tri-County Regional Planning Commission.

Mr. Hartwick: I was just talking to Commissioner Haste about exactly the same thing you mentioned about trying to put together a real tangible resource pool that will allow for not only the communities that don't have the resources to be able to do the planning, but also some teeth in trying to redirect the growth to particularly the area of our urban municipalities. I see you mention in-fill development, we should have a discussion and dialogue about...I know I, as one Commissioner, would be willing to entertain taking a look at how we may be able to accomplish that not through direct pressure, but in a way that could also utilize both Tri-County and our Redevelopment Authority to provide some assistance, technical, planning and maybe financial to the municipalities that are looking to adhere to particularly the in-fill that urban area redevelopment oftentimes requires some additional government help in order to make it a reality. I think the Redevelopment Authority should be an essential component to your dialogue and

discussion here in this County, because we want to be more active in putting together a comprehensive plan right now and ways that we can partner with other sources, with our intermunicipal government cooperation grant and potentially some additional resources that can be brought about for specific projects. The ideas are good, but how do you put some resources behind particularly municipalities who don't have the ability and resources by which to put together some of these complicated projects.

Mr. Reardon: That's always the question and we are available for those discussions when you deem necessary.

Mr. Hartwick: I think we should set something up after the meeting.

Mr. Reardon: Okay.

Mr. Pries: I'm pleased to see the cooperation between Tri-County and the Planning Commission. I see Planning Commission member and local elected official from Lower Swatara Township Tom Clark is here. Tom, thank you and the Planning Commission and Tim, thank you in what your group is doing as well.

Mr. Haste: You have our blessing.

C. Karl Kauffman, Project Manager, Quandel

1. Presentation of Work Release Center Bids

Mr. Kauffman: I want to congratulate the Commissioners and the County on receiving excellent bids for the Work Release Center. In your package, you have a copy of the bid tabulation sheets and our recommendations. We received over 24 bids over five contracts for the Work Release Center. Bids came in excellent – 17% under budget. Our recommendations are to award to all the low bidders having met all the requirements of the bidding documents and shown good faith efforts in solicitation of minority and women business enterprises. The recommendation to accept the bid for General Trades from Lobar, Inc. with a base bid of \$1,552,500 and accept the Alternate in the amount of \$116,000, which is for the kitchen replacement of the two kitchens in the Work Release Center, for a total contract award of \$1,668,500. The roofing contract, I recommend to award the contract to T G W Corporation in the amount of \$626,210 and recommend acceptance of an Alternate in the amount of \$160,000, which is for the replacement of the Probation building roof, for a total contract award in the amount of \$786,210. We recommend the Plumbing Contract be awarded to George D. Boyer & Sons with a low base bid of \$255,800 and acceptance of their Alternate bid, which is for the plumbing connections for the kitchen replacement, for a total contract of \$259,370. We recommend the award of the HVAC contract to Matchline Mechanical LLC with a base bid of \$630,000. No recommended alternates with a contract award of same amount. The electrical contract to Mid-State Mechanical for a base bid of \$983,765. No recommended alternates to award so their contract award would be the same amount. All the total recommended contract awards total \$4,327,845 and again

this is 17% under the estimated budget. It shows that the County is bidding jobs right now at a very competitive time. It is a great time for bidding for construction. Are there any questions on the recommended alternates, contract recommendations or the good faith efforts?

Mr. Hartwick: I think there is a new contractor that I'm not familiar with Matchline Mechanical. Where are they from and just a little bit of background on who they are?

Mr. Kauffman: They are from Ephrata. They did work at City Island. They did the mechanical portion of the City Island ballpark renovations. They are a breakout of Frey Lutz Mechanical, which is a big HVAC contractor out of Lancaster.

Mr. Hartwick: I'm familiar with them.

Mr. Kauffman: A couple guys left and formed their own company. We worked with them at City Island and had very good results. Are there any other questions from the Commissioners? (There was none.)

It was moved by Mr. Hartwick and seconded by Mr. Pries that the Board accept the low bids as follows:

**General Trades – Lobar, Inc. – base bid \$1,552,500 – Alternate \$116,000
(total \$1,668,500)**

**Roofing – T G W Corporation – base bid \$626,210 – Alternate \$160,000
(total \$786,210)**

**Plumbing – George D. Boyer & Sons – base bid \$255,800 – Alternate \$3,570
(total \$259,370)**

HVAC – Matchline Mechanical LLC – base bid \$630,000 – No Alternate (total \$630,000)

Electrical – Mid State Mechanical – base bid \$983,765 – No Alternate (total \$983,765)

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

Mr. Haste: How soon does work start?

Mr. Kauffman: Probably mid-April.

SALARY BOARD

A complete set of Salary Board Meeting Minutes are on file in the Commissioners' Office.

PERSONNEL

Ms. Lengle: In the Personnel Packet, I would like to request a vote on Item #2, because they are anxious to get that position posted and filled. Do you have any questions on any of the other items in the Packet? (There was none.)

It was moved by Mr. Hartwick and seconded by Mr. Pries that the Board approve Item #2 of the Personnel Packet.

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

PURCHASE ORDERS

Mr. Baratucci: You should have all received the Purchase Order Packet yesterday. Do you have any questions on it? (There was none.) We have just one budgetary item on Page 3 that we will need to clean up, but other than that if you have any questions I can try to answer them now or will get back to you before next week.

Mr. Hartwick: I only had one, which has not been answered yet and I'll wait until it does get answered. I'm not hip on Page 15. Maybe Mike knows what that's all about.

Mr. Baratucci: I had to get some information on that as well from Aging. They said that it is a game that the seniors are going to be playing, Pickleball. It keeps them active.

Mr. Hartwick: I do have a question as to what the details of Pickleball are.

Mr. Pries: Maybe you can answer a question I have on Page 16, Anger Management for Youth.

Mr. Hartwick: I'm not sure about Pickleball, but I know about those.

Mr. Baratucci: The only thing that I have is a Blackberry request out of the Public Defender's Office. It is another personal one.

TRAINING PACKET

Mr. Haste: Laura, is there any that we need to take action on today?

Ms. Evans: Yes, there are two items that we are requesting a vote on for today, #1 and #4. Number one is so they can register in time since the event is prior to our next meeting. The other one occurred on Monday.

It was moved by Mr. Hartwick and seconded by Mr. Pries that the Board approve Items #1 and #4 of the Training Packet.

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

ITEMS FOR DISCUSSION

(There was none.)

SOLICITOR’S REPORT – WILLIAM TULLY, ESQ.

Mr. Tully: No changes to the draft report. Do you have any questions? (There was none.)

CHIEF CLERK’S REPORT – LAURA E. EVANS, ESQ.

Ms. Evans: This Friday we are going to be hosting, along with Penn State Harrisburg, HACC and Messiah College a College Diversity Summit. This will be held from 7:45 to 4:30 at the Penn State Harrisburg Capital Union Building. More than 120 students are expected to attend.

COMMISSIONERS’ COMMENTS

Mr. Pries: Another week another meeting has taken place between the City representatives and the County representatives out at EMA on the dispatcher transition. It is moving along rapidly.

Mr. Hartwick: I’ve gotten some notification that our bond rating was upgraded. We went from an AA- to an AA. I got an email as I was sitting here. That is a positive outlook despite the economic crisis that we are in. S&P has recognized the County’s good decisions from a financial aspect.

Mr. Haste: I didn’t see that yet. I hope you are correct. When they were looking I was afraid the anchor of the City was going to be taking us the other direction.

Mr. Hartwick: It went from an AA negative to an AA stable.

Mr. Haste: That is good news.

The Retirement Board Meeting will convene at 10:50 a.m.

PUBLIC PARTICIPATION

Mr. Haste: We are again at the point in time in the meeting 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. Hartwick and seconded by Mr. Pries that the Board adjourn.

Respectfully submitted,

Laura E. Evans, Esq.
Chief Clerk

Transcribed by: Richie-Ann Martz