



**DAUPHIN COUNTY BOARD OF COMMISSIONERS**

**COMMISSIONERS' WORKSHOP MEETING**

**WEDNESDAY, NOVEMBER 9, 2005**

**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/Chief of Staff; Bill Tully, Esq., Solicitor; Marie Rebuck, Controller; Robert Dick, Treasurer; Carolyn Thompson, Court Administrator; Randy Baratucci, Purchasing Director; Edgar Cohen, Facility Maintenance Director; Tom Guenther, Information Technology Director; Robb Wentzel, EMA Director; Diane McNaughton, Press Secretary; Faye Fisher Personnel Director; Kay Sinner, Personnel; Daphin Bowman, Personnel; Bob Christoff, Conservation District; Jena Wolgemuth, Commissioners' Office; George Connor, Economic Development; Garry Esworthy, Risk Manager; Bob Hawley, Deputy Court Administrator; Dan Robinson, Director of Economic Development;

**GUESTS PRESENT**

Matt Bonunno; Terri Martini; Bryan Davis; Mike McHale

**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 four sets of meeting minutes to be considered at next week's meeting.

## **PUBLIC PARTICIPATION**

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

## **DEPARTMENT DIRECTORS/GUESTS**

Mr. Haste: Mr. McHale will you please come forward?

- A. Mike McHale from Interstate
  - 1. Presentation of the 2006 Unemployment Compensation Solvency Fee for relief from charges.

Mr. McHale: My name is Michael McHale from the Interstate Tax Service Bureau. Our firm handles the County's unemployment compensation matters. We have a concern with respect to what is called "relief from charges" for the upcoming year 2006. In essence, I guess the best way to explain this is to give one as an example.

Relief from charges entails when you have an employee of the County who is separated for a disqualifying reason, ie, voluntarily quits or is discharged for willful misconduct. Then this individual subsequently will find other employment, by six months or one year later become laid off or qualified for unemployment based upon that particular separation from that subsequent employer, based on the eligibility the State will go back five quarters to determine which employer would be liable for that particular claim in that particular incident. The County may be subject to some liability if the person did work for you and quit six months later after working with the subsequent employer and gets laid off you could be held liable and subject to that claim. The relief from charges by paying a solvency fee for 2006 which would be \$79,406.34. You would be entitled to be relieved of any such charge. Heretofore, that solvency fee especially 2005 for example that fee rate was .0003 and amounted to a fee of \$21,458.30. For 2005 based upon the example that I gave you, the County up through September has saved well over \$50,000. We're estimating that it is going to be close to \$75,000 in savings by paying that \$21,000 last year. Unfortunately, the Department of Labor and Industry found out that this particular .0003 provided for all non-profit organizations in Pennsylvania is draining the UC Trust Fund. Because of that, they've had to bump this almost four fold and the 2006 solvency fee will be .0011 and based upon your gross wages representing

\$72,000,000, your solvency fee for 2006 will be \$79,406. It is going to be what we feel like a wash for 2006 if you pay this solvency fee upfront here that is due by November 18<sup>th</sup> in order to possibly save a similar amount for 2006. This particular solvency fee is an election that comes up every year. Our suggestion would be to sit back and see how things develop for 2006 and if the fee does drop for 2007 then we could possibly look at that again. At this point it would not be our recommendation.

Mr. Haste: Garry do you want to come up front? Did you get a chance to look at this?

Mr. Esworthy: No, I haven't.

Mr. Haste: When would this have to be paid?

Mr. McHale: By November 18 and that would be effective for the calendar year 2006. That amount would be \$79,000.

Mr. Haste: You're thinking it is going to be a wash.

Mr. McHale: Yes, sir.

Mr. Haste: Why don't we take a week, take a hard look at it and put in on the agenda for a vote? Bob, do you want to come forward?

Mrs. Rebuck: If that is due November 18, is there a penalty if you don't have a check to them before the 18<sup>th</sup>?

Mr. Haste: Mike, there is a question, is there a penalty if we don't pay it by the 18<sup>th</sup>?

Mr. McHale: You will lose that election for 2006.

Mrs. Rebuck: We may not have an opportunity to have a check to them if we wait another week.

Mr. Haste: I think with the decision that we would make now, we wouldn't be doing it anyhow.

Mr. Hartwick: I actually did take a look at the numbers. We reviewed it with Personnel. Unfortunately, I think it is another way for the State to shift costs to the County. They see that they are not going to make money and losing money from the Trust Fund and now all of a sudden they are not going to offer us the advantage to be able to take advantage of the program. Based upon our claims last year and the amount of money they are asking us to pay in the solvency fund, we had actually less amount that we paid in claims then they are asking us to pay for an upfront fee. It doesn't make any sense for us to enter into the agreement.

Mr. Haste: Go ahead, Bob.

B. Bob Christoff, Conservation District Resource Planner

1. Multi-Creek Watershed Stormwater Management Plan. The Plan includes Beaver, Manada and Bow Creeks and Kellock Run.

Mr. Christoff: We're presenting to you today the Multi-Creek Stormwater Management Plan under Act 167, the Pennsylvania Stormwater Management Act.

This is very similar to several of the plans that you have seen before. What it will do is provide peak flow, ground water recharge, water quality, and channel protection standards for the covered areas which are Beaver, Bow, Manada Creeks and Kellock Run. What we are doing today is presenting it to you and requesting that it be adopted at next week's meeting. After adoption, it goes to DEP for final approval. Once it is approved it falls to the municipalities to implement through ordinances. We did have a public hearing on this plan last week and there were no comments on the plan.

One thing that I did want to point out to you is, I gave you a little map and I want to update you on what we are doing with the Act 167 plans. The area you see in yellow, those are approved plans. They are finished and they are to be implemented now by the municipalities. This plan covers the area that you see in blue. We would anticipate that people would approve this by the end of the year and this will be finalized. We do have a proposal into DEP that would essentially cover the rest of the County, the area you see in gray. We haven't heard back from DEP yet on that as far as any funding for the project. That would be the final plan for Dauphin County and then finally the entire County would be covered by the plan.

Mr. Haste: This is the last one we get to do, right?

Mr. Christoff: This is the last one on the plans that we have in the works now.

Mr. Hartwick: I have no questions. I already reviewed it.

Mr. Haste: Thanks for the good job you are doing and for staying on top of it.

## **PERSONNEL**

Ms. Sinner: The first part of the packet is the Salary Board requests. The District Attorney's Office is requesting permission to create a full-time deputy district attorney. This position is 100% funded by the Protection From Abuse Grant.

Economic Development is reclassifying the HOME Program Coordinating position and creating an Environmental Specialist I position. Tri-County Planning used to take care of the environmental planning for Economic Development. They are no longer going to be doing that. That is why Economic Development needs to create this position.

There are several changes in the MDJ offices where we are eliminating clerks and creating clerks in different offices.

Mr. Haste: Does this straighten everything out now?

Ms. Sinner: No, we haven't resolved that issue of the one in Solomon's office.

In the personnel transactions, I have a listing of various vacancies in Spring Creek and Prison. Court Administration is requesting permission to fill a department clerk II vacancy. The person in that position went to the judicial assistant for one of the judges. They are actually getting the work done by using overtime. So that is why they are requesting permission to fill that position as soon as possible. There are some current vacancies in the MDJ offices that they are requesting to fill.

Mr. Hartwick: When is our hiring window?

Mr. Saylor: The last meeting of this month.

Mr. Hartwick: Do you want to take the initiative again?

Ms. Sinner: DJ Semic's office has an employee out on FMLA so they are shorthanded. That is why they are trying to get help.

Mr. Hartwick: We always have good reasons why everybody needs everything filled.

Ms. Sinner: They do have a hiring for Smith's office. I don't have hires for these other offices.

Mr. Hartwick: I want to ask Chad with the hiring review committee to make sure that we check on all of these to make sure they can't wait until the hiring window. That is why it is set up.

Ms. Sinner: In the new hires, there are hires for Spring Creek and Children & Youth, of course they are funded. Part-time for facility maintenance and they are also filling the full-time mail clerk position. There might be something that we want to find out why that couldn't wait until the window. Although, I know our mail has been very irregular the way it is being handled now.

Mr. Saylor: November 30<sup>th</sup>, is our Legislative Meeting for the window.

Mr. Hartwick: Do you want to give us a report on that?

Ms. Sinner: The treatment specialist at the Prison, I know they want to get those positions filled because with not being able to work with the unions or have enough treatment specialists they are pretty shorthanded. That causes problems with the inmate population.

Mr. Saylor: Looking at the new hires, generally speaking the Spring Creek and Prison hires, we've not focused on because that is always an overtime issue. You know as well as I do, with the Children & Youth folks, we always run into the Department of Health citing us for not having enough caseworkers. We haven't focused on part-time positions at Mike Yohe's suggestion but I can check the mail clerk and the rest are.....

Ms. Sinner: The department clerk in Adult Probation, we did have permission to fill. In fact, somebody withdrew from that position. We were putting a hire through in the last packet and the person declined the position. Now they have another person to put through. Because of the automation in the court system that is why they are trying to get this position filled as soon as possible.

Mr. Hartwick: So this person is going to help get money in a more efficient way?

Ms. Sinner: I just know we had received permission to put another individual's hire through this clerk position in Adult Probation and now they have a replacement. That is what this one is.

Mr. Saylor: That happens from time to time. If I understand what you are saying, that we gave approval out of window if there is a special circumstance and they move forward to hire somebody and the hire doesn't work out, so then they begin the whole process over again.

Ms. Sinner: That is the case with this one. There is the changes list, overtime and an overtime request from the Prison. There are changes in the MDJ offices, a transfer into Wenner's office from Semic's office. Someone is filling the person's place that went to Wenner's office.

Mr. Hartwick: Could we see a plan with all of the swapping, Bob? I have not seen a District Justice plan. There seems like a lot of personnel action and activity related to district justice offices changing staff here and there. Could you present us with a flow-chart for a plan of action with the personnel changes related to the MDJ offices?

Mr. Hawley: Yes.

Mr. Hartwick: There has been a whole lot of action and activity that has taken place and I want to make sure that we've got a handle on what is going on and we're not creating additional positions. I want to see the overall picture prior to the next meeting.

Mr. Haste: Nothing needs action this week, correct?

Ms. Sinner: Nothing needs action today.

## **PURCHASE ORDERS**

Mr. Baratucci: You all should have received your purchase order packet yesterday. If you have any questions on that, I'll try to answer them for you and then I'll go onto the couple of additional items that I just gave you. Do you have any questions on the packet, itself?

Mr. Hartwick: I have a few. The budget issues?

Mr. Baratucci: They are all being taken care of and in fact two of them are already resolved and the other two will be prior to next week.

Mr. Hartwick: A heavy duty mini barn for the Wildwood Nature Center?

Mr. Baratucci: I talked to Ed about it and he tells me that this is something that has been in the works for awhile. Evidently at Wildwood they used to store a lot of their things in the basement area. I guess there were some changes there with the Audubon Society and they had to move some things around. They lost some storage area and a lot of things have been stored out back, sitting out in the elements. This is like a storage shed and it is going to house a lot of the items that are kind of an overflow that used to be in the basement. Ed said if you wanted any more details he would supply them. This was something that was supposedly in the works for a while. He and Noel had discussed this.

Mr. Hartwick: I just hope he is planning on generating enough revenue to pay for the barn.

Mr. DiFrancesco: I have a question in regards to the Audubon partnership that we have.

Mr. Baratucci: I don't know how much...

Mr. DiFrancesco: I would like to find out how they have taken over space that we were using for storage or why.

Mr. Baratucci: I don't know how much we're involved in that. It sounds like a long time there have been things.....

Mr. Haste: We use that space a lot.

Mr. Baratucci: We're using it so the space that was left....we took over more space, is that correct?

Mr. Haste: That is correct.

Mr. DiFrancesco: Would that be back in what is their office area? The space that I was thinking about was the storage area between where the classroom is and where the Audubon is.

Mr. Haste: They made offices for our folks in that area. That area was the storage for Audubon. Audubon has moved over and we now have put....

Mr. DiFrancesco: Audubon has moved into that space.

Mr. Haste: Audubon has less space than what they had before and we have moved into that other space.

Mr. Hartwick: And we still need more room for storage?

Mr. Haste: Yes, because they took the storage space and made offices out of it.

Mr. DiFrancesco: It was a packed storage room.

Mr. Haste: Right.

Mr. DiFrancesco: If I'm thinking about the right storage room, I was there and it was packed.

Mr. Baratucci: Do you need more from Ed on that?

Mr. Haste: No.

Mr. Baratucci: Are there any other questions?

Mr. Hartwick: That is all I have.

Mr. Haste: The carpeting for Bratton's office, how do we select who does that? Is Edgar involved?

Mr. Baratucci: Yes, as you mentioned all the building items now are running through Edgar. I believe these are the same people that had done some of the other work over there.

In addition to the packet, the three things that I just handed to you. There is another requisition again that got here to late for the packet but it involves the election. It is the charge for the polling books through NTS. I would like to have that added next week for approval. It is somewhat timely since this is work being done for the election. The second item is another Blackberry request for Adult Probation. It was approved by the oversight Commissioner. It is being paid for out of their Supervision Fees. That will be there for you to consider and approve or disapprove next week. The third item, we opened a bid last week for the Sheriff's office for pistols. Again, my understanding is that it is part of the union contract. Although there will be an add-on for a purchase order for this next week, we don't have to vote on that until next week. I wanted to see if you could approve the bid award because they want to try and get these things in and

paid for prior to the end of the year. If we can get the bid award approved today, instead of next week, we save a week for ordering time. There were only two bids and they both bid on the exact same pistol. It is the one that the Sheriff picked out after testing a bunch of them. The low bid came from Jerry's Sport Center in the amount of \$578.56 each, total of fifty-five of them is \$31,828.80. If you don't have problems or questions and vote on that, that would be great.

Mr. Hartwick: I want to know the plan for the current firearms. What do they do now? Does the union contract call for them to do an upgrade which we're required to do? Is there a plan to sell the current firearms? What is going to happen with what they are currently using?

Mr. Baratucci: I believe their current pistols are their own. This was something new in the contract from what I understand that the County is supplying. The guys that are carrying firearms I believe are their own.

Mr. Saylor: As I understand the agreement was, we were not going to be disbursing funds this year but next year.

Mr. Baratucci: They told me the money is in this year's budget. That is why we were rushing to get this bid done and paid for.

Mr. Saylor: I need to talk with Dave Schreiber. It is my recollection that we were going to move forward as early as possible next year. We were going to get the uniforms and guns but the money was not going to be spent this year because of the financial situation.

Mr. Baratucci: Maybe what we could do is just approve the bid and then we could resolve that and if it is not going to be expended this year I won't have a purchase order for it next week. I will save that until January but the bid.....

Mr. Haste: It would be just acceptance of the bid?

Mr. Baratucci: Yes, we have 60 days after the acceptance of the bid.

Mr. Haste: Is there a motion to accept this bid?

**It was moved by Mr. Hartwick and seconded by Mr. DiFrancesco that the Board approve the bid award to Jerry's Sport Center for the purchase of fifty-five pistols at a price of \$578.56 each in a total amount of \$31,820.80; motion carried.**

Mr. Haste: You will get that resolved before next week?

Mr. Baratucci: Yes, I will talk with Chad and the Sheriff. That is all I have unless you have any other questions.

Mr. DiFrancesco: Am I reading this correctly in terms of the purchase order, page 13 of 22. I believe this is one of the bus trips, Overly's Country Christmas Program. They are showing 44 people at \$52.00 each and the exact expense on this purchase order is \$2,288. Am I to read that they don't take any profit whatsoever? Do they do these at absolute zero?

Mr. Baratucci: \$52 is what they charge each person, I believe that there is a small profit built into there, but I can't say for sure. That is the amount that they charge each person based on the cost.

Mr. Haste: That is the conversation that Ed and I had this morning. The small profit is just the rounding up. This ticket may cost us \$51.95 and they rounded it to \$52. They are not at this point in time.

Mr. DiFrancesco: It seems to me for us to be taking.....

Mr. Haste: We had that conversation also.

Mr. DiFrancesco: I was just going to say, not milking it but to take an administrative fee in setting these trips up.

Mr. Haste: Their problem is and I need to talk to them. If you make it to high, they are actually competing with municipalities that do the exact same thing.

Mr. DiFrancesco: My point back to them would be that they shouldn't be competing if municipalities are doing it. They should then spend their time doing other things and not doing these things.

Mr. Hartwick: That is exactly right.

Mr. DiFrancesco: If they can do it better and still generate profit...

Mr. Haste: Or they need to pick out trips, or coordinate with municipalities and pick out trips that the municipalities are not doing.

Mr. DiFrancesco: I think the Board agrees what they have to do is generate revenue so they need to find ways to generate revenue and not just spend their time.

Mr. Hartwick: They need somebody focused on fundraising and put the person on trips into fundraising.

Mr. Baratucci: Is that it?

Mr. Haste: Yes.

## **TRAINING PACKET**

Mr. Haste: We have the training packet. Is there anything that needs to be approved?

Mr. Saylor: Yes, we need item #1, approved and if my notes are correct, this training was approved on October 12, 2005. They had to add to the lodging line item about \$300.

Mr. Hartwick: I'll make the explanation. There is an individual with children and family needs that this person has related to her ability to breastfeeding and she asked for her own room. Instead of sharing a room, I granted the opportunity for her to gain her own room.

Mr. Haste: Is there a motion to approve item #1?

**It was moved by Mr. DiFrancesco and seconded by Mr. Hartwick to approve item #1 of the training packet; motion carried.**

Mr. DiFrancesco: I need to go back to the purchase orders with a quick question. I see that the Work Release Center is buying stun guns, is that a new product for that facility or have they been using those?

Mr. Baratucci: I don't know but I will find out for you.

### **ITEMS FOR DISCUSSION**

Mr. Haste: We have item A that we need to adopt today. I think we all have reviewed it. I see Dan and George are in the audience if there are any questions. Are there any questions? (There were none.)

**It was moved by Mr. Hartwick and seconded by Mr. DiFrancesco to approve item A; motion carried.**

- A. **Adopt Resolution No. 34-2005 authorizing submission of the Action Plan for FY2006 for the Housing & Community Development Programs to implement the CDBG Program and HOME Program.  
(\*\*A VOTE IS REQUESTED 11/09/05)**
- B. Resolution by the County of Dauphin to apply to the Department of Conservation and Natural Resources for a grant for the purpose of carrying out the Lykens Valley Rail Trail, State Game Lands 264.

Mr. Haste: Is there anything else that needs to be brought up before the Board? (There were none.)

### **REPORT FROM SOLICITOR**

Mr. Tully: I have nothing to add and happy to answer any questions.

Mr. Haste: Are there any questions?

Mr. Hartwick: I would like to get a copy of #10 on your list. I thought we were going to eliminate our contract with them and that maybe the action that you are taking. I want to review what the action is.

### **REPORT FROM CHIEF CLERK/CHIEF OF STAFF – CHAD SAYLOR**

Mr. Saylor: I would note that tomorrow morning we have our final citizen breakfast for this year. It is for the eastern part of the County, West Hanover, East Hanover, and South Hanover at the Shellsville VFW.

### **COMMISSIONERS' COMMENTS**

Mr. Haste: Anything to be brought up by the Commissioners?

Mr. DiFrancesco: Just to say to all those involved, yesterday's election went off without any obvious hitches. To the Bureau of Elections and I.T. and to all the many people who throughout the County making sure the machines operated properly. It turned out to be a very interesting election but turned out to be a day that went off really without a hitch. Everybody did a great job.

Mr. Haste: A reminder we have Prison Board today.

### **PUBLIC PARTICIPATION**

Mr. Haste: We are again at the point in time for public participation.

Mr. Esworthy: I had a chance to speak to Mr. McHale about the solvency fund of \$79,406 for 2006, and his recommendation and my recommendation is that we do not pay the solvency fee this year and let it go on a case-by-case basis.

Mr. Hartwick: But it is still going to cost us more money and we will need to budget for what those expenditures are going to be.

Mr. Esworthy: You may feel you want to do that but not pay the \$79,406.

Mr. Haste: Will you let Mike know?

Mr. Esworthy: I'll let him know.

Mr. Haste: Is there anyone else that would like to come before the Board at this time? (There was none.)

## **ADJOURNMENT**

Mr. Haste: Is there a motion to adjourn?

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

Respectfully submitted,

Chad Saylor, Chief Clerk/Chief of Staff

Transcribed by: Julia E. Nace, Asst. Chief Clerk  
November 9, 2005

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