



DAUPHIN COUNTY BOARD OF COMMISSIONERS

WORKSHOP/LEGISLATIVE MEETING

DECEMBER 17, 2008

10:00 A.M.

MEMBERS PRESENT

Jeff Haste, Chairman
Dominic D. DiFrancesco, II, Vice Chairman

George P. Hartwick, III, Secretary (ABSENT)

STAFF PRESENT

Chad Saylor, Chief Clerk; Marie E. Rebuck, Controller; Janis Creason, Treasurer; William Tully, Esq., Solicitor; J. Scott Burford, Deputy Controller; Dominick DeRose, Warden; Carolyn Thompson, Court Administrator; Randy Baratucci, Director of Purchasing; Mike Yohe, Director of Budget & Finance; Fred Lighty, Esq., Human Services Director's Office; Faye Fisher, Director of Personnel; Edgar Cohen, Director of Facilities Maintenance; Diane McNaughton, Commissioners' Office; Amy Richards, Commissioners' Office; Kelly Wolf, Manager, Solid Waste Department; Leila Brown, Solicitor's Office; Melissa Wion, Personnel; Kay Lengle, Personnel; Brenda Hoffer, Commissioners' Office; Kacey Truax, Commissioners' Office and Richie-Ann Martz, Assistant Chief Clerk

GUESTS PRESENT

WHTM, Tom Stang, Fox 43 and Dan Miller

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

It was moved by Mr. DiFrancesco and seconded by Mr. Haste that the Board approve the November 26, 2008 Legislative Meeting Minutes and the December 3, 2008 Workshop Meeting Minutes; motion carried.

It was moved by Ms. Rebuck and seconded by Mr. DiFrancesco that the Board approve the November 26, 2008 Salary Board Meeting Minutes; motion carried.

EXECUTIVE SESSIONS HELD BETWEEN MEETINGS

Mr. Saylor: We met once in Executive Session on December 10, 2008 to discuss some labor and personnel matters.

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?

Mr. Stang: My name is Thomas Stang. I'm with Waste Management. I didn't see on the Agenda anywhere about the Authority increase. Maybe I'm missing it somewhere. I'm aware of the hearing that is scheduled. Is there any discussion that is going to take place on this at today's meeting?

Mr. Haste: No.

Mr. Stang: How would we be able to get a copy of the Agreement that the County has with the Authority? Is that a document that we could get?

Mr. Haste: Sure. Chad will make sure you get that.

Mr. Stang: At this point in time as far as the directive. We are hearing one thing from the Authority and another thing from the County. The haulers are in a state of confusion. I was wondering what directive we are to be following.

Mr. Haste: That is why we are having a hearing next week.

DEPARTMENT DIRECTORS/GUESTS

(There was none.)

SALARY BOARD

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

PERSONNEL

Ms. Lengle: There is a request for an employee to participate in the educational incentive program.

Mr. Haste: What number is that?

Ms. Lengle: It is not a numbered item. It is at the very back of the Packet. It is on Prison letterhead.

Mr. Haste: We had a discussion on a couple out there and this is the one that is good to go.

Ms. Lengle: Are there any questions on any of the items in the Personnel Packet or the Addendum? (There was none.)

It was moved by Mr. DiFrancesco and seconded by Mr. Haste that the Board approve the Personnel Packet and Addendum; motion carried.

PURCHASE ORDERS

Mr. Baratucci: Since this is a combined meeting, we are asking for your approval today. There are a couple items on here that are showing over budget. The only over budget is on Page 5, that is part of the Facilities Maintenance. My understanding is that you are aware from the budget hearings that Department is going over so there were no adjustments to be made. There is also Page 12, the Coroner's Office, which was carried over from last week. They got a new vehicle and these are accessories for that. The balance is coming from EMA on a transfer. Page 26, Supervision Fees, that was one that got missed and Mike indicated that has been corrected. Money has been moved into that account for that. Unless you have any questions relative to the Packet, I'm looking for your approval today.

Mr. Haste: Any questions of Randy? (There was none.)

It was moved by Mr. DiFrancesco and seconded by Mr. Haste that the Board approve the Purchase Order Packet; motion carried.

Bid Awards

1. Prison Food Service Contract

Mr. Baratucci: The Prison one was a rebid for food service at the Prison. If you recall we did a bid back in October. We received two bids at that time, one from ARAMARK and one from Canteen. Canteen's bid had about 11 exceptions to the specifications. They did appear to be the low bidder at the time, but again, with so many exceptions it wasn't a comparative bid. We opted to rebid the project. Actually we took into consideration a number of their requests and did rebid the project with a little bit different specifications. We just got a one year price instead of for all five years. They tied the years 2 through 5 with the CPI Index, with the maximum of 5%. We thought and hoped that would entice Canteen to submit a bid, but they did not. They sent a letter to all the Commissioners and to us. Basically they were looking for a five year contract that was a one year renewal contract. They wanted to be able to opt out at any time if things weren't going well basically. That was something that was not acceptable to us. We have the one bid from ARAMARK. The recap is something that the Warden prepared. The history of this it does show that at least by doing the rebid that we did save some money, because ARAMARK's prices and those prices there are with the maximum increase of 6%, which we hope it won't be. Even if it went up 6% the total there for five years is \$8,931,696.00 is less than the total up above of \$9 million, etc. We got a \$200,000 some dollar difference. That is the worst case scenario if it goes up 6% every year. Even though we were not able to entice Canteen to bid, I think we still got a better deal by doing the rebid. At this point, unless you have any questions for the Warden, our recommendation would be to award a new five year contract to ARAMARK. They will get the documents in for signatures on the meeting on the 31st.

Mr. Haste: Are there any questions? (There was none.)

Thanks for your hard work. This wasn't an easy one. The Warden is very detail oriented and I think that helped us out in this process.

Mr. Baratucci: It did and he was very helpful with getting everything prepared. It was a nice combination of the two of us working together.

Mr. Haste: We wrestle with this every time with a contract this large. There are only a limited number of folks who truly can provide this. I wish there were more that would bid. Competition is always good. The problem is Canteen wanted it their way and it was not good for us.

Mr. Baratucci: We tried to accommodate a lot of their requests. One of their big requests was about being committed into a five year pricing. They wanted to tie it to something and so we did. We even gave them a reasonable maximum increase of 6%. They were stuck on wanting to be able to opt out and that would cause us some problems.

Mr. Haste: The worst part would be for them to be there a year and decide that they didn't like it and walk away.

It was moved by Mr. DiFrancesco and seconded by Mr. Haste that the Board accept the bid submitted by ARAMARK for the Food Service Contract at the Prison for the next five years; motion carried.

2. Office Supply Contract

Mr. Baratucci: The second bid is our yearly office supply contract. It is divided into two parts. Part A is regular office supplies like pens, pencils, folders, etc. Part B is for computer supplies, which are mostly for the printers, cartridges and such. We did receive two bids for Part A and a total of five bids for Part B. Office Basics is the one that I am recommending for both parts. I want to explain that the second page for Part B, we have a new company that actually called and got a copy of our bid specs and submitted a bid that was slightly lower than Office Basics, but unfortunately they did not submit a proper bid bond. They filled out the form, which was fine, but they did not have an insurance company actually complete the bid bond. I discussed that with the Solicitor's Office. There are some technicalities that we can waive, but submitting an improper bid bond, especially because it does cost money to have the Insurance Company do that. It's just not something that we can waive. It is a small difference. Office Basics has been our supplier for the last four years. I really don't know anything about this company other than they are from Brooklyn. I'm not sure if they would be able to do a good job or not, but certainly if they were the low bidder and had a valid bond we would give them that opportunity. I think because we have favorable experiences with Office Basics and they are supplying Part A items, I'm comfortable with recommending that we award both parts to them. The only alternative would be to do a rebid and I'm not sure once you added in the cost of doing the bond that we would make out better.

Mr. Haste: Technically it is not a good bid.

Mr. Tully: Absence of a bid bond has always been a basis for declaring it an invalid bid. Even if they submitted it after the fact we have not been able to look the other way.

Mr. Baratucci: They tried sending one by email after the fact. My recommendation would be to award both Part A and Part B to Office Basics.

It was moved by Mr. DiFrancesco and seconded by Mr. Haste that the Board award the Office Supply Contract for Part A (Office Supplies) and Part B (Computer Supplies) to the low qualified bidder, Office Basics; motion carried.

REPORT FROM BUDGET & FINANCE – MIKE YOHE, BUDGET DIRECTOR

Mr. Yohe: I have two items on the Agenda. Since this is a combo week I have my Investment Report to give.

Report from the Office of Budget & Finance December 17, 2008

- **December 12, 2008** transferred **\$760,459.43** to the **Payables** account from the County's Concentration account for checks issued that week.
- **Total Term Investments**
 - **\$10,000,000.00** 90-day CD (matures 12/30/08) at PA INVEST - rate **3.790%**
- **Balance today in INVEST account \$171,418.20 rate 1.443%**

Mr. Yohe: I think, as we go down, that 1.443% looks pretty good compared to some of these other ones. I don't think they have taken into account the action from yesterday. I think that is going to plummet. I'm going to keep my eye on it. If it stays up we will move most of the money into there from some of these other ones.

- **Balance today in Susquehanna Bank investment account \$22,768,665.79 rate 1.000%** (This rate equals the Susquehanna Bank 90-day T-Bill rate plus 25 basis points. It is fixed for the month)
- **Balance today in Sovereign Bank investment account \$22,713,679.56 rate 0.830%** (This equals today's 1-month LIBOR rate of 0.880% minus 5 basis points)
- **Balance today in Citizens Bank investment account \$10,058,540.86 rate 2.750%** (This rate is fixed for the month)
- **Balance today in Citizens Bank Flex CD Program \$32,529,193.45 rate 2.320%** (This rate is fixed for the month)
- **Balance today in PNC Bank investment account \$1,000.00 rate 0.200%** (This equals today's Fed Funds rate of 0.250% minus 5 basis points)
- **Balance today in Graystone Bank investment account \$1,000.00 rate 0.050%** (This equals today's Fed Funds rate of 0.250% minus 20 basis points)
- **Balance today in Commerce Bank investment account \$100.00 rate 0.000%** (This equals today's 90-day T-Bill rate of 0.040% minus 25 basis points)

No T.R.A.N. Line of Credit required for 2008.

Mr. Yohe: It is not a very attractive scenario here. I'm kind of dreading next month's RFP results, because I don't think they are going to be very good.

2009 Budget

Mr. Yohe: Today is the day advertised to approve the 2009 Calendar Year Budget for Dauphin County. I have some handouts. Back on the 26th we had a pretty detailed presentation of what makes up the budget. As you are aware, we had the public hearings earlier in November when we went over every department's budget, answered any questions and made some decisions at those public hearings. The results then were laid out on the 26th. Since that time, the last three weeks, there were some changes. What I'm going to highlight and focus on are some of those changes that were made in that timeframe. There weren't many. One thing I always do in those three weeks is every other week you do the personnel action forms. I update that. That is one thing, across the board, probably every single one of these changes is by personnel actions. I got some final rates for dental, benefits and other benefits. They are all put in now. There are some minor changes throughout every department. One big one that I would highlight and I mentioned it on the 26th was the pension. When we laid it out in November we based it on a \$10 million ARC for next year. Our actuaries came back with an \$8.17 million ARC. I did make that adjustment. That is the primary difference. That was about a \$1 million reduction in the General Fund. You are looking at, back on the 26th; we had a \$150,938,000 budget presented. Today we are asking for approval of a \$150,372,541. I'm focusing on the General Fund. You can say why isn't that down \$1 million because of the pension? In the meantime, the other piece to this, we made a decision to move a grant for Juvenile Probation from the fiscal year into the General Fund. That was almost \$1 million. We had a million dollar increase on the expense side moving that grant in, but then we took a million out plus some reduction in dental and these other things. You are not seeing a one for one relationship. The most important thing you are going to see on item #12 the approved budget now has about a \$7.9 million draw down on fund balance. Back on the 26th we were looking at a \$9 million draw down. We were able to better this budget by a million dollars in the last three weeks. Most of it was with pension and some savings in the benefit area. There weren't any other changes of any significance. The final numbers for 2009, overall for the calendar year we are looking at a \$203,766,120 budget, which would represent about a 7.66% increase over the 2008 budget. Most importantly, we were able to do this without any increase in taxes. The tax rate would remain the same. I don't want to spend a whole lot of time we went over most of this on the 26th. I will be happy to go over it if you want. If not, I can answer any questions that you might have.

Mr. DiFrancesco: No questions.

Mr. Haste: I think we have been through all this before. Anything we would say now is sort of anti-climatic. I just again would like to say thank you to our partners in this and that is the department heads and the elected officials. It is drastically different than what it was when I sat here six years ago. People finally get it and when we do a budget they know there is a revenue side as well as an expenditure side. We have

made some very tough difficult decisions over the last five/six years and they have paid off. Again, our partners in this we should say a big thank you for doing that. Hopefully and I just looked over and saw Marie, hopefully Marie gets some satisfaction out of this because she was one of the loud advocates to change way back when and we have done that.

Ms. Rebeck: Thank you.

It was moved by Mr. DiFrancesco and seconded by Mr. Haste that the Board adopt the 2009 Budget; motion carried.

Mr. Yohe: I will see that the budget is placed on the website.

Mr. Haste: Thank you for all your hard work Mike.

Mr. Yohe: Thank you.

Mr. DiFrancesco: Good job!

REPORT FROM CHIEF CLERK/CHIEF OF STAFF – CHAD SAYLOR

Mr. Saylor: We will not be meeting in public session next Wednesday, but will in fact be back on the 31st for a last meeting of the year.

Mr. Haste: We will not be meeting as a Board of Commissioners, but we do have a Retirement Board next Wednesday at 10:00 a.m.

I would like to wish you a Merry Christmas!

SOLICITOR'S REPORT – WILLIAM TULLY, ESQ., SOLICITOR

Mr. Tully: I have nothing to add, happy to answer any questions. Merry Christmas!

MATTERS REQUIRING BOARD ACTION

- A. Training Packet.
- B. Resolution #25-2008. A resolution authorizing a Tax Levy and Appropriating specific sums required for purposes of County government.
- C. Resolution #26-2008. A resolution mandating continuation of the Hiring Freeze for the 2009 calendar year.
- D. 2009 IRS Mileage Rate for non-bargaining employee travel for the use of a car (also vans, pickups or panel trucks) will be 55.0 cents per mile for business miles driven, effective January 1, 2009.
- E. Resolution #27-2008 calling for an improved national energy policy for the 21st Century.

- F. Resolution #28-2008 Application to Encumber Liquid Fuels Tax Funds – County Bridge #122 (South Hanover/Derry Township) - \$700,000.
- G. Agreement with the Central Pennsylvania Energy Consortium for 2009-1010 Fuel Supplies Bid Vendor Award effective July 1, 2009 through June 30, 2010.
- H. Purchase of Service Per Diem Rates between Children and Youth and:
 - 1. Visiting Nurses Association of Central Pennsylvania
 - 2. ChildFirst Services, Inc.
 - 3. Children’s Choice, Inc.
 - 4. Children’s Home of York
 - 5. CHOR Youth & Family Services, Inc.
 - 6. Clear Vision
 - 7. COBYS Family Services
 - 8. Concern Professional Services for Children, Youth and Families
 - 9. Community Specialists Corporation (The Academy)
 - 10. Cornell Abraxas Group, Inc.
 - 11. Diakon Lutheran Social Ministries
- I. Satisfaction Piece for Linda S. Jackson on the property located at I6340 Darlington Street, Harrisburg, PA 17112. (\$2,243.00)
- J. Refund of real estate taxes for 2008 to Ames True Temp, Inc., parcel # 01-049-037 in the amount of \$7,054.57.
- K. Proposed Four (4)-year Professional Service Agreement between Dauphin County and Justice Benefits, Incorporated (JBI).
- L. Special Counsel will no longer have to utilize payment caps. Instead, the Board of Commissioners will monitor fees through the budget process and the Solicitor’s Office oversight. The Controllers Office is authorized to pay all Special Counsel Invoices.
- M. Refunds of taxes and interest – County’s pro rata share - \$12,148.60.
- N. Commissioners Approval to contribute the County’s *pro rata* share for (2-tier) appraisal services and trial costs needed to ascertain true value.
 - 1. Hummelstown Housing Associates for Hummelstown Manor Apartments - 300 Poplar Avenue, Hummelstown, PA (\$2,700 – \$945 / \$1,755). Tax Parcel No. 310-042-015.
 - 2. Target Store – 5125 Jonestown Road, Lower Paxton Twp, Harrisburg, PA (\$3,240 - \$600 / \$2,640). Tax Parcel No. 35-043-175.
 - 3. Nationwide Insurance Company – 100 Nationwide Drive, Susquehanna Township, Harrisburg, PA (\$2,550 – \$600 / \$1,950). Tax Parcel Nos. 62-052 and 62-025-027
- O. Consent to Assignment. L. Robert Kimball & Associates to assume the contract between SSI and the County. SSI has been absorbed by Kimball.
- P. Radio System Maintenance Contract between Dauphin County Capital Area Communications (CAC) (an authorized Motorola Service Station).
- Q. Change Orders for Cell Towers/Radio Project:

1. Change Order #3: Purchase of (2200) Motorola Narrowband Pagers, 2200 x \$99.00 = \$217,800.00; Project schedule extended by 7 months; Changes in equipment; Change in services; New completion date 7/30/09; and pricing change.
 2. Change Order #4: To provide equipment and installation services for (2) new Operator Positions in Derry Township's police dispatch center - \$171,026.00.
 3. Change Order #5: Purchase and implementation of an integrated NICE Telephony recording solution for Dauphin County EMA and Harrisburg, PA Dispatch Center - \$351,286.00.
- R. Lease Agreement between Dauphin County – Northern Dauphin Human Services Center and De Lage Landen Financial Services, Inc. for two (2) Lanier Digital Copy Systems.
- S. Agreement for Janitorial Services. Dauphin County Facilities Maintenance to provide cleaning services at Drugs & Alcohol, 1100 South Cameron Street, Harrisburg, PA 17104.
- T. Delta Dental 2009 Renewal Contract for Teamster Unions.
- U. Intragovernmental Transfer Agreement between Dauphin County and the City of Harrisburg. County to transfer six (6) motor vehicles: Ford 200, 1997 Chrysler, 1997 Subaru, 2000 Dodge, 2000 Ford; 2000 Mercedes Benz.
- V. Comprehensive Health Services Agreement between Dauphin County and PrimeCare Medical. PrimeCare to provide services to Dauphin County Prison inmate population, effective 1/1/2009-12/31/2013.
- W. Purchase of Service Agreements between Area Agency on Aging and:
1. Portraits of Life Adult Day Services, Inc.
 3. Visiting Nurses Association of Central Pennsylvania, Inc.
 4. Dr. Michael Greevy
 5. Equipment Depot
- X. Purchase of Service Agreements between Children & Youth and:
1. St. Michael's School
 2. Associated Marine Institutes, Inc.
 3. Harborcreek Youth Services, Inc.
 4. Jondu Corporation
 5. Philhaven, Inc.
 6. Shawnee Academy, Ltd.
 7. Visiting Nurses Association of Central Pennsylvania, Inc.
- Y. Adoption Assistance Agreements 2008-59, 2008-92, 2008-93.
- Z. Purchase of Service Agreement between MH/MR and Jaime L. Hunter, M.A., CCC-SLP.
- AA. ITF Medicaid Waiver Service Agreement between MH/MR and Jaime L. Hunter, M.A., CCC-SLP.
- BB. Amendments to Purchase of Service Agreements between MH/MR and:

1. Pediatric Physical Therapy, Inc. – Amendment #1
 2. Northwestern Human Services of Pennsylvania – Amendment #1
- CC. Sub-Lease Agreements for the Northern Dauphin Human Services Center between Dauphin County and:
1. Capital Area Transit
 2. Northwestern Human Services of Pennsylvania, Inc.
 3. CMU, Inc.
 4. Central Pennsylvania Food Bank, Inc.
- DD. Lease Extension Agreement between Dauphin County and Charles R. Lowe, Trustee (MDJ Stewart)
- EE. Cash Relocation Agreement between Dauphin County and T-Mobile.
- FF. Agreement between Dauphin County and JVH Excavating, Inc. for the Spring Creek Outfall Erosion Control Project.

Mr. Haste: We have Matters Requiring Board Action listed on the Agenda as Items A through FF. Are there any that need to be pulled out for discussion or vote separately? (There was none.)

It was moved by Mr. DiFrancesco and seconded by Mr. Haste that the Board approve Matters Requiring Board Action Items A through FF, listed above; motion carried.

FORMER BUSINESS

(There was none.)

NEW BUSINESS

(There was none.)

CORRESPONDENCE

Mr. Haste: We have correspondence listed on the Agenda Items A through DD, which will be handled by the staff accordingly.

- A. Notification from Akens Engineering Associates, Inc. advising that they are applying for a General NPDES Permit for Stormwater Discharges associated with construction activities from the Pennsylvania Department of Environmental Protection (DEP). The project is the 1.49 acres located at the intersection of Blue Ridge Avenue and Allentown Blvd.
- B. Notification from Brinjac Engineering advising that they are applying for a General NRDES Permit for Stormwater Discharges Associated with Construction Activities from the Department of Environmental Protection (DEP) for the Pennsylvania State Farm Show Complex, Cameron and Maclay Street in the City of Harrisburg, Dauphin County.

- C. Notification from CET Engineering Services advising that, on behalf of Lower Paxton Township Authority, they are using General Permits 3, 8 and 11 for the Paxton Creek Mini-Basins PC-4B and PC-6C Sanitary Sewer Replacement.
- D. Notification from ARM Group, Inc. advising that SealMaster, ARM Group, Inc. is applying to DEP for a Site-Specific Installation Permit for the installation of three aboveground storage tanks at 5970 Derry Street in Swatara Township.

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. Haste that the Board adjourn.

Respectfully submitted,

Chad Saylor, Chief Clerk

Transcribed by: Richie-Ann Martz