DAUPHIN COUNTY BOARD OF COMMISSIONERS

LEGISLATIVE MEETING

JANUARY 15, 2014
10:00 A.M.

MEMBERS PRESENT

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

STAFF PRESENT

Marie E. Rebuck, Controller; Janis Creason, Treasurer; Joseph A. Curcillo, III, Esq., Solicitor; Randy Baratucci, Director of Purchasing; Mike Yohe, Director of Budget & Finance; Steve Libhart, Director of EMA; August Memmi, Director of Community & Economic Development; George Connor, Community & Economic Development; Will Gordon, Community & Economic Development; Dave Schreiber, Human Resources; Kay Lengle, Human Resources; Bobby Sisock, Court Administration; Mike Madden, Director of the Judicial Center; Donna S. Miller, Commissioners’ Office; Leila Brown, Solicitor’s Office; Fred Lighty, Esq., Human Services Director’s Office; Randie Yeager, Director of Human Services; Amy Harinath, Press Secretary; Keith Kepler, Director of Solid Waste & Recycling; Gerald D. Feaser, Jr., Director of Registration & Elections; Gary Serhan, Deputy Controller; Troy Petery, Deputy Court Administrator; Britt Klouser, Court Administration; Gino Santamaria, Solid Waste & Recycling; Greg Schneider, Budget & Finance; Julie Mackey, Commissioners’ Office; Melody Osborn, Commissioners’ Office; Ruby Doub, Commissioners’ Office and Richie-Ann Martz, Assistant Chief Clerk

GUESTS PRESENT

Arcelia Pennell, Chris Fegley, Aimee Snelbaker and Donald Gilliland

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

It was moved by Mr. Hartwick and seconded by Mr. Pries that the Board approve the December 11, 2013 Workshop Meeting Minutes and the December 18, 2013 Legislative Meeting Minutes; motion carried.

It was moved by Mr. Pries and seconded by Ms. Rebuck that the Board approve the December 18, 2013 Salary Board Meeting Minutes; motion carried.

EXECUTIVE SESSIONS HELD BETWEEN MEETINGS

Ms. Martz reported that there were no Executive Sessions held between meetings.

PUBLIC PARTICIPATION

There was none.

DEPARTMENT DIRECTORS/GUESTS

A. August Memmi, George Connor & Will Gordon – Community & Economic Development

   1. Land Bank Presentation

Mr. Memmi thanked the Commissioners for allowing them to make a presentation on the Land Bank.

Mr. Gordon presented the following presentation on the Dauphin County Land Bank:

   Defining the Problem – vacant properties, abandoned properties, tax-delinquent properties, identify and remove/prevent blighted areas, take control of tax-delinquent, abandoned properties and increase property tax collection rate.
Cost on Communities – lowers property value on neighboring properties, increases fire and police protection costs, decreases tax revenues, undermines community cohesion and spread of blight.

Land Bank Powers – acquire vacant/abandoned properties, may file a court action to quiet title in expedited procedure, discharge or extinguish existing tax liens, “all power necessary” to repurpose vacant or abandoned property, unrestricted in how properties are disposed of, collecting up to 50% of the real property taxes on properties put back on the tax roll (for the first five years after the transfer) and the Land Bank does not have the power of eminent domain.

Acquiring Properties – The Land Bank can acquire properties as gifts or donations, transfers or exchanges with other entities, foreclosure or purchase, from municipalities and through Dauphin County Tax Claims.

The Inventory – Once the Land Bank acquires the property they are exempt from state and local taxes, must be in accordance with all applicable laws and codes and the municipality maintains property per the Memorandum of Understanding.

The Dauphin County Experience – The Land Bank Authority is staffed and maintained through the Dauphin County Office of Community & Economic Development. The Land Bank Authority Board consists of 7 members (5 of the members also sit on the Redevelopment Authority Board). The Land Bank staff communicates with the Dauphin County Tax Claims Office to stay up to date with properties on the Repository list, Judicial Sale list and Upset Sale list. The Land Bank staff is also responsible for communicating with municipal leaders to keep up-to-date inventory in each participating municipality. The Land Bank decided to create a pilot program to include a limited number of municipalities. Of the 12 municipalities originally targeted, 7 (Millersburg Borough, Highspire Borough, Steelton Borough, Hummelstown Borough, Middletown Borough, Lykens Borough and Susquehanna Township) have entered in a Memorandum of Understanding with the Land Bank. With the support of these municipalities, the Land Bank is approaching the necessary school districts to have them enter into a Memorandum of Understanding.

An unrestricted Gaming Grant was awarded to the Dauphin County Land Bank from the Dauphin County Board of Commissioners in the amount of $250,000 as an initial source to get the Land Bank up and running. Plans for future funding include grants or loans, proceeds from property sales and 50% of real property taxes for five years once the properties are back on the tax rolls. The Land Bank is also looking into the usage of HOME and Community Development Block Grant (CDBG) funds as a source of funding. Additional possible funding sources: Gaming Funds, CDBG, Act 137, the PNC Foundation, the Foundation of Enhancing Communities, Tyco Electronics Foundation and the Wells Fargo Regional Foundation.

In addition to the Memorandums of Understanding (MOUs) with the municipalities, the Land Bank has entered into a MOU with the Dauphin County Prison
and its “Project Trade” program and the Dauphin County Vo-Tech. The Land Bank plans to have MOUs from 7 or more municipalities and school districts completely authorized by Spring 2014. The Land Bank plans to start acquiring properties and building a small inventory in Spring/Summer 2014 and plans to finish its first couple of projects by early 2015.

Funding the Land Bank – PA Land Banks may fund their operations through grants and loans from public and private sources, rents and lease payments or fees for services rendered, proceeds from property sales, proceeds from the issuance of tax exempt bonds and up to 50% of real property taxes collected on properties put back on the tax rolls.

Mr. Connor stated that Vo-Tech is excited about doing this. A meeting will be scheduled to discuss how we can partner with Vo-Tech.

Mr. Hartwick indicated that in communities that have blighted properties a level of commitment needs to be made to get those properties back on the tax rolls. If you don’t take care of the blighted properties that section of the community will continue to deteriorate. The property value of homes in a blighted area will lower. The resurgence of a community will not occur if no one gets engaged. If these blighted properties are repaired and brought up to code, they would make a good home for young families. This is a good tool for municipalities and he encourages the school districts to look at the facts.

B. Keith Kepler

1. Update on Illegal Dumping Task Force

Mr. Kepler stated that the Illegal Dumping Task Force was formed in March 2013. It is a seven (7) member Task Force. Data from 2006 was used and the Task Force began checking the 130 sites. A lot of that data was outdated. Most of the sites that the Task Force came across were already cleaned. While checking the sites from 2006, the Task Force came across other sites. Within a short period of time, the Task Force, with assistance from the District Attorney’s Office, had an offender. The media did a great job covering this story. It showed that Dauphin County was not going to tolerate illegal dumping. There were 100 cases in 2013, 51 were in Dauphin County (23 are still open, 2 pending citations, 11 convictions and 14 were issued warrants) and 49 were in the City of Harrisburg (26 open cases, 9 pending citations, 11 convictions and 4 were issued warrants).

None of this would have been accomplished without the support from the Commissioners and the Task Force. Chris Fegley from the Task Force is here today. Daryl LeHew and Gloria Martin-Robert could not make it today. The Task Force members are committed. They provide ideas and support. Tammy Sheesley is another member. Unfortunately we will need to replace her on the Board. She recently got a
new job and will not have the time commitment to give to the Task Force. Gino is here today. He does all the investigations.

Mr. Hartwick indicated that he is amazed at the amount of illegal dumping that is done in the City. One enforcement officer is not going to solve the problem. The residents need to get involved. There are residents that want to get engaged. Perhaps having block captains would help.

Mr. Kepler stated that is what is refreshing. There are more and more people collaborating with the Task Force because they don’t want this in their backyards.

Mr. Pries thanked Mr. Fegley and the other Task Force members, the District Attorney’s Office and the residents for their role in getting 22 convictions. He will continue to support the Task Force in its role to clean up illegal dumping sites.

Mr. Kepler indicated that it costs approximately $800 to clean up a site. The Public Works Department for the City was very helpful in the cleanup.

Mr. Pries mentioned that in upper Dauphin County there are Saturday hours where people can discard recyclable items.

Mr. Kepler indicated that is correct. There is an electronic drop-off in Williamstown and Upper Paxton Township. Vintage Tech has been fantastic.

Mr. Pries mentioned that the residents, at an Eggs and Issues Breakfast, brought the need to have some sort of recycling in the upper end to the Board’s attention where in turn the Board authorized Mr. Kepler to find a solution to this issue. As a result there are now two locations for electronic recycling.

C. Arcelia Pennell

1. 5th Year Anniversary of the Northern Dauphin Human Services Center

Ms. Pennell stated that she is a volunteer at the Northern Dauphin Human Services Center. She moved to Lykens 25 years ago and has dedicated her life to her family. After her children grew up, she wanted to serve her community, but she didn’t know how. Approximately three years ago she went to the Center looking for some assistance. She had a family member that was terminally ill that was coming to visit her and she needed assistance. She volunteers in many capacities at the Center, they are as follows:

- Bell ringing for The Salvation Army - All money raised through this program stays in the community to help residents with rental and heating assistance.
- Ladies Night Out, which will be held at a new location this year, Grace United Methodist Church in Millersburg.
- Community Garden, which is located behind the Center. Everything that is grown at the Garden is provided for free to the community at the front desk or the food pantry at the Center.
- Distribution of the Farmers Market Vouchers for the elderly. Over 700 senior citizens participate each year. The Food Pantry serves over 300 families per month.
- “First Impressions” which is a program that provides a new outfit, shoes and a haircut for students to start their school year.
- Help organize Project Prom Wear, which offers free prom gowns.
- Helps at the front desk when needed.

The Center is launching again, Money In Your Pocket, which is a program for low to moderate income families. Trained volunteers prepare their taxes for free.

She graduated from a program offered by the Center called “Getting Ahead in a Just By World”. This is a 16-week program and is based around different individuals throughout the community. For 16 weeks they investigate what poverty is and what poverty isn’t. They learned that poverty is the lack of resources and then those resources are defined.

She earned her GED thru a program at the Center, thanks to HACC.

The Center is a one stop shop of services for everyone in the community. She thanked the Commissioners for making this happen.

**SALARY BOARD**

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

**HUMAN RESOURCES**

Ms. Lengle asked if there were any questions. There was none. There are no changes.

> It was moved by Mr. Pries and seconded by Mr. Hartwick that the Board approve the Personnel Packet.

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

**PURCHASE ORDERS**

Mr. Baratucci asked if there were any questions on the Purchase Order Packet. There were none.

> It was moved by Mr. Pries and seconded by Mr. Hartwick that the Board approve the Purchase Order Packet.
Question: Mr. Haste – Aye; Mr. Pries – Aye and Mr. Hartwick – Aye; motion carried.

REPORT FROM BUDGET & FINANCE – MIKE YOHE, BUDGET DIRECTOR

Mr. Yohe provided the following Report:

Report from the Office of Budget & Finance
January 15, 2014

- **December 20, 2013** transferred $1,291,195.11 to the **Payables** account from the County’s Concentration account for checks issued that week.

- **December 27, 2013** transferred $4,149,350.26 to the **Payables** account and $1,831,069.86 to the **Payroll** account from the County’s Concentration account for checks issued that week.

- **January 3, 2014** transferred $446,574.87 to the **Payables** account from the County’s Concentration account for checks issued that week.

- **January 10, 2014** transferred $3,690,777.56 to the **Payables** account and $2,101,968.18 to the **Payroll** account from the County’s Concentration account for checks issued that week.

- Wire Payments since last report: **$9,600,388.04**

- Debt Service Payments since last report: **$90,774.37**

- Term Investments
  - None

- Balance today in PA INVEST account #2100017144860: **$1,379.99** rate 0.050%

- Balance today in Susquehanna Bank investment account #119002023: **$2,119,569.38** rate 0.150%

- Balance today in First National Bank investment account #97014743: **$7,558,372.12** rate 0.300%

- Balance today in Integrity Bank Money Market Checking account #2206001209: **$22,725,907.11** rate 0.260%

- Balance today in Santander Bank investment account #9551017714: **$5,002,630.62** rate 0.200%

REPORT FROM ASSISTANT CHIEF CLERK – RICHIE-ANN MARTZ

Ms. Martz reported that Dauphin County’s next Diversity Network Forum will be held at 8 a.m. tomorrow at the Case Management Unit, located at 1100 Cameron Street. This month’s discussion will be on poverty, income inequality and the effects on our community. This event is free and open to the public.

SOLICITOR’S REPORT – JOSEPH A. CURCILLO, III, ESQ.

Mr. Curcillo reported that the items reviewed by the Solicitor’s Office are ready for your approval.

MATTERS REQUIRING BOARD ACTION

A. Training Packet.
B. Satisfaction Piece for Matthew and Brittany Berry on the property located at 138 Hoffman Avenue, Middletown, PA 17057 ($3,000.00).
C. Subordination Agreement for Darice Mayhew on the property located at 1613 N. 15th Street, Harrisburg, PA 17103.
D. Stipulations of Settlement:
   1. Cleveland Brothers Equip. Co., Inc. – No. 2012-CV-8971-TX – Parcel #68-024-231 (336 Fairville Avenue, West Hanover Township)
   2. Cleveland Brothers Equip. Co., Inc. – No. 2012-CV-8974-TX – Parcel #63-015-021 (5300 Paxton Street)
E. Repository Bids received from Weston Milligan, Milligan Group LLC for the following properties:
   1. Parcel #09-013-008 (1246 Bailey Street) - $500.00
   2. Parcel #10-055-032 (2138 Susquehanna Street) - $500.00
   3. Parcel #02-029-039 (441 Buckthorn Street) - $500.00
   4. Parcel #09-047-051 (1230 Mulberry Street) - $500.00
F. Purchase of Service Agreement between Dauphin County and Comcast Spotlight for 2014 Public Service Announcement for the Recycling Center.
G. Training Agreement between Dauphin County and the University of Cincinnati Research Institute – Ohio Risk Assessment System (ORAS).
H. Purchase of Service Agreement between Dauphin County (Area Agency on Aging) and Safe Haven Skilled Services, LLC.
I. Purchase of Service Agreements between Dauphin County (Children & Youth) and:
   1. Jewish Family Service of Greater Harrisburg, Inc. (Contract #1)
   2. Jewish Family Service of Greater Harrisburg, Inc. (Contract #2)
   3. Knowledge Learning Corporation
5. United Methodist Home for Children Residential Care, Inc.

J. Addendum #1 to Purchase of Service Agreement between Dauphin County (Children & Youth) and The Bair Foundation of Pennsylvania.

K. Amendment #1 to Purchase of Service Agreement between Dauphin County (Children & Youth) and Harrisburg Area YMCA.

L. Purchase of Service Agreements between Dauphin County (MH/ID) and:
   1. Lancaster County Office of Behavioral Health and Developmental Services
   2. County Commissioners Association of Pennsylvania
   3. Therapy Resource Center, LLC

M. Amendment #1 to Purchase of Service Agreement between Dauphin County (MH/ID) and Patch-N-Match, Inc.

N. HCQU Agreement between Dauphin County (MH/ID) and the Cumberland/Perry MH/IDD Program.

O. Purchase of Service Agreement between Dauphin County (Probation Services) and National Curriculum and Training Institute, Inc.

P. Lease Agreement between Dauphin County and HP Financial Services, Schedule No. 103108000055 for 25 PCs and 4 laptops to be distributed to EMA.

Q. Purchase of Service Agreement (67084A) between Dauphin County and Controls Service & Engineering Co., Inc. for HVAC maintenance of Liebert Unit #22 that serves the ECC only.

R. Purchase of Service Agreement (PM67083) between Dauphin County and Controls, Service & Engineering Co., Inc. for HVAC maintenance for the cell tower sites.

S. Purchase of Service Agreement (PM67084) between Dauphin County and Controls, Service & Engineering Co., Inc. for HVAC maintenance at the EMA main Administration Building.

T. Radio Systems Maintenance Agreement between Dauphin County and Capital Area Communications for maintenance of the Dauphin County microwave communications system.


V. Subordination Agreement for Jessica L. Doody on the property located at 3210 Sunnyside Avenue, Harrisburg, PA 17109.

W. Agent and Depository Agreement between Dauphin County, Dauphin County Treasurer and Frederick J. Pace, Tax Collector, Borough of Penbrook. County and Treasurer agree to act as depository for purposes of receiving and collecting all real estate taxes beginning January 6, 2014 through the first Monday in January 2018.

X. Agent and Depository Agreement between Dauphin County, Dauphin County Treasurer and Patricia Smeltz, Tax Collector, Pillow Borough. County and Treasurer agree to act
as depository for purposes of receiving and collecting all real estate taxes beginning January 6, 2014 through the first Monday in January 2018.

Y. Certification of County Funds for the Pennsylvania Farmland Preservation for the 2014 Program Year.

Z. Appointment of Dominic D. DiFrancesco, II to the Susquehanna Area Regional Airport Authority. Term expires the 1st Monday in January 2019.

AA. Commissioners’ Oversights.

BB. Corrective Amendment to December 18, 2013 Agenda Item DD, striking Travelers Casualty and Surety Company and inserting County Commissioners Association of Pennsylvania.

CC. Act 71 Grant Agreement (Gaming) between Dauphin County and the City of Harrisburg for various public safety equipment purchases for use by the Harrisburg Police Department.

DD. Cooperation Agreement between Dauphin County and Twin Valley Players/Millersburg Colonnade Theatre – Redevelopment Assistance Capital Program Grant.

EE. Resolution #1-2014 adopting Pennsylvania Department of Transportation Policy and Procedure for Consultant Selection of engineering firms.

It was moved by Mr. Hartwick and seconded by Mr. Pries that the Board approve Matters Requiring Board Action, Items A through EE, listed above.

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

FORMER BUSINESS

There was none.

NEW BUSINESS

There was none.

COMMISSIONERS’ DISCUSSION & ACTIONS

Mr. Haste reported that CCAP will be announcing its 2014 priorities at the Capitol. That list will be released tomorrow. 9-1-1 funding is high on the list. In recent months the flood insurance issue has escalated to a level for serious discussion. When he was in Washington, DC folks didn’t think that Pennsylvania would be affected by this flood insurance issue, but when it was illustrated on a map it showed that Pennsylvania was number 1 when it came to waterways and how they would be affected by the National Flood Insurance Act.
Mr. Hartwick stated that the flood insurance issue is huge. The impact that it will have in Dauphin County is great in that properties will be devalued and loss of revenue. Two other priorities are the prescription drug overdoses and the substance abuse and mental health in our prison system. If we cannot provide the service, this issue will never change. He has never seen a drug and alcohol priority.

Mr. Pries stated that Maxine Waters, the bill’s sponsor, is no longer supporting the Biggert-Waters Act.

Mr. Hartwick stated that she did a complete reversal and is no longer supporting the Act.

**CORRESPONDENCE**

The following correspondence was received by the Commissioners’ Office and will be handled by the staff appropriately.

A. Notification from Raudenbush Engineering, Inc. advising that Penn State Harrisburg is applying to DEP for a NPDES Permit for the demolition of Demey Elementary and select associated pavement and utilities in Middletown, PA.

B. Notification from Retwew advising that Conewago Township is applying to DEP for a General Permit 7 for Project #0114110011 Fed-Ex.

C. Notification from Mellott Engineering, Inc. advising that Deodate Associates, L.P. is applying to DEP for a NPDES Permit for the Creekside Meadows Project in Conewago and Londonderry Townships.

D. Notification from Cardno advising that Norfolk Southern Railway Company is notifying DEP of the presence of regulated substances within 20 miles upstream of the Enola Yard, 218 Enola Road, Enola, Cumberland County facility.

E. Notification from Cardno advising that Norfolk Southern Railway Company is applying to DEP of the presence of regulated substances within 20 miles upstream of the Lucknow Yard, 3322 Industrial Road, Harrisburg, Dauphin County facility.

F. Notification from GHD advising that the Lower Paxton Township Authority is applying to DEP for General Permits 3, 5, 8 and 11 for the Beaver Creek Mini-Basins BC-4A, BC-4B and BC-4C Sanitary Sewer Replacement Project.

G. Notification from Evans Engineering, Inc. advising that the United Parcel Service, Inc. is applying to DEP for a NPDES Permit for stormwater discharges associated with the construction of a parking facility located along Gibson Blvd. and UPS Drive in Swatara Township.

H. Notification from Retew advising that Highspire Borough is applying to DEP for a General Permit 11 for the rehabilitation or replacement of water obstructions and encroachments for the Poplar Street Culvert Replacement Project.
PUBLIC PARTICIPATION

Ms. Snelbaker brought to the Commissioners’ attention a situation that she is having with Londonderry Township. She has a business, named Hobby House Retreat, which is located in the Township. The Township is aware that she is open for business and in December she received a cease and desist letter stating that the business doesn’t meet the guidelines for a Bed & Breakfast.

Mr. Hartwick asked what the Township issues are for the cease and resist.

Ms. Snelbaker indicated that it says that the business doesn’t meet the Bed & Breakfast requirement and are out of zoning requirements, but she can’t find in the zoning laws where it states that. She has tables for scrapbooking. The property is located on 4.5 acres. Her website doesn’t state that they are doing anything else.

Mr. Hartwick offered to talk to her about her concerns. He suggested getting a meeting scheduled with all parties involved.

Mr. Haste asked if she went to a Township meeting.

Ms. Snelbaker indicated that she has not. She has met with Jeff, the full-time zoning officer, who is not licensed and Ed, the part-time zoning officer who is licensed. She has also hired an attorney.

Mr. Haste suggested that she attend a meeting and indicated that this is the second similar case he has heard of with Londonderry Township. The Township changed their zoning officers and he is not sure if that is where the issue is. He knows the Supervisors and they are not unreasonable. The Planning Commission staff can also help you out in this process.

Mr. Hartwick indicated that he will bring all parties together for a meeting here in the building.

Mr. Haste asked what the address is of the business.

Ms. Snelbaker indicated that it is 845 Locust Grove Rd., Middletown (Londonderry Township).

ADJOURNMENT

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