DAUPHIN COUNTY BOARD OF COMMISSIONERS

WORKSHOP MEETING

SEPTEMBER 17, 2014
10:00 A.M.

MEMBERS PRESENT

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

STAFF PRESENT

Chad Saylor, Chief Clerk; Marie E. Rebuck, Controller; Janis Creason, Treasurer; Joseph A. Curcillo, III, Esq., Solicitor; Ed Marsico, Jr., District Attorney, Judge Richard Lewis; Randy Baratucci, Director of Purchasing; Fred Lighty, Esq., Solicitor's Office; Kay Lengle, Human Resources; Robert Sisock, Courts; August Memmi, Director of Community & Economic Development; Amy Harinath, Press Secretary; Steve Libhart, Director of EMA; J. Scott Burford, Deputy Chief Clerk; Fran Chardo, District Attorney’s Office; Ed Marsico, Sr.; Julie Mackey, Commissioners’ Office; Melody Osborn, Commissioners’ Office and Richie-Ann Martz, Assistant Chief Clerk

GUESTS PRESENT

Jodi Marsico, James Roxbury, Julie Mattera, Karl Singleton and WGAL

MINUTES

CALL TO ORDER

Mr. Haste, Chairman of the Board, called the meeting to order at 10:08 a.m.

MOMENT OF SILENCE

Everyone observed a moment of silence.
PLEDGE OF ALLEGIANCE

Everyone stood for the Pledge of Allegiance.

APPROVAL OF MINUTES

There are several sets of meeting minutes that will be considered at next week’s Legislative Meeting.

EXECUTIVE SESSIONS HELD BETWEEN MEETINGS

Mr. Saylor reported that no Executive Sessions were held between Meetings.

PUBLIC PARTICIPATION

There was none.

DEPARTMENT DIRECTORS/GUESTS

A. Dauphin County Commissioners

   1. Presentation of Proclamation

Mr. Haste asked Mr. Marsico to come forward. The following Proclamation was read by Mr. Haste.

Office of County Commissioners
Dauphin County, Pennsylvania

Proclamation

We, the Dauphin County Board of Commissioners, take great pride and pleasure in joining the countless friends, family members, judges, former district attorneys, county employees and residents in congratulating the distinguished and dynamic Edward M. Marsico, Jr. for becoming the longest-serving district attorney in Dauphin County history;

Whereas, Marsico was sworn into office as Dauphin County District Attorney on January 3, 2000 and will surpass the record 5,371 days set by former District Attorney and Pennsylvania Attorney General LeRoy S. Zimmerman on September 18;

Whereas, from office intern to chief law enforcement officer, he has handled many complex investigations and prosecutions too numerous to list;

Whereas, during his tenure as District Attorney, Marsico pioneered the use of DNA identification evidence, implemented programs to keep kids safe, helped to establish specialty courts to reduce recidivism and launched the online crime-fighting tool Crimewatch;

Whereas, one of the most admired and respected public servants, Marsico has worked closely with police and victims of crime to bring offenders to justice and hold them accountable for their actions and has mentored hundreds of young lawyers;
Therefore, we join the 268,000 residents of Dauphin County in applauding Edward M. Marsico, Jr. for his long and distinguished career as Dauphin County District Attorney; we thank him for his outstanding service and countless contributions to this very grateful County of Dauphin and wish him many more successful years as District Attorney; and in grateful recognition thereof, we do hereby proudly proclaim September 18, 2014 to be “Edward M. Marsico, Jr. Day” in Dauphin County.

(Applause was given.)

Judge Lewis thanked everyone. This is a wonderful honor for Ed. Everything said about Ed is right on the money. He has been a phenomenal District Attorney and is very proud of him. He did start as an intern, his second year of law school. He came in and worked for peanuts and rose up through the ranks and became the DA. He is not only a DA, but a wonderful husband. He does have a distinguished reputation across the State. Everyone admires him. He does a great job. Congratulations!

Mr. Chardo stated that in his 46 years of life, there have been only four District Attorneys of Dauphin County. The four of them are LeRoy Zimmerman, Richard Lewis, John Cherry and Ed Marsico and they are his four professional heroes. He has learned from each of them. Ed has been a great boss for the 14 plus years and it has been an honor to serve with him. Dauphin County is truly blessed to have such a great public servant.

Mr. Pries stated that it is an honor and privilege to serve with Ed as an elected official. Ed is the real deal. He doesn’t just talk the talk, he walks the walk. Ed has a great deal of respect from his peers and the accolades that he has received across the State show that. Ed is the best of the best. This is a wonderful thing to celebrate.

Mr. Hartwick stated that from the professional side he knows that Ed has been spearheading and trying to lead a charge that most District Attorneys are unwilling to step forward from police regionalization to attempting to find alternatives to try to address the root causes of crime, which show that not only does Ed have a record that is very tough on prosecution, but he also cares about people. Ed also is a Dad that is at every practice, school event and at everything that is going on. He admires the commitment that he has with his family. Ed is a good guy and is respected, not only just here, but as a man and Dad. He has Commissioner Hartwick’s respect. Congratulations!

Mr. Pries stated that Ed has taken the bull by the horns on the police regionalization effort. His leadership, along with the Chiefs of Police, is enabling this to have a chance to succeed. That is a huge undertaking.

Mr. Haste stated from many folks who are not here today, the thing about Ed is when he needs to be tough he is and when he needs to be compassionate, he is compassionate. That says a lot about Ed as a leader and elected official. Ed is a role model for many folks. Commissioner Haste is very proud to serve with Ed. It seems like a long time. Congratulations!
(Pictures were taken and applause was given.)

Mr. Marsico stated that he is very surprised and honored to receive this Proclamation. He didn’t know when this was exactly going to happen. He had an idea. He has been blessed to have great mentors, working for both Judge Lewis and Judge Cherry. The County couldn’t have better District Attorneys or better Judges or men than Judge Lewis and Judge Cherry. He was honored to work for them and now practicing in front of them. His wife, Jodi, has given a lot of support at home. There are times when you miss a kid’s game or practice, because of the demands of the job. Jodi has been able to handle that with the four kids. It is a credit to Jodi that has never been a factor in him doing his job. He has had a great staff. Fran has been his First Assistant since he has been DA. Fran does an outstanding job and is respected throughout the County as any attorney could be by the police and the victims’ community. He has had great attorneys over the years. Trying to keep them has been a challenge. The support staff does outstanding work. Dauphin County has a great County government. The Commissioners have done a great job of telling people how good Dauphin County is. This Board of Commissioners is fantastic. Working with the three Commissioners is a walk in the park. The Commissioners say no when they need to say no, but they are also open to different ideas to do things like police regionalization, central booking center that will have social service agencies in there to help people and not just lock people up. He is very active statewide with other district attorneys and the relationships between the DAs and boards of commissioners can be difficult at times. Ed has a great relationship with the Commissioners and a Board that is always doing the best for the people of Dauphin County. He is blessed to work with fellow row officers, directors and staff. He is fortunate that the voters have placed their trust in him a couple of times. His parents and Jodi’s parents have been great over the years in helping them with the kids and teaching them how to do things. The motto of the District Attorney’s Office is “Do things the right way for the right reasons and everything will work out”. That is what they try to do every day in the District Attorney’s Office. He thanked the Commissioners for this honor and Proclamation.
HUMAN RESOURCES

Ms. Lengle asked the Commissioners if they had any questions on the Salary Board items or the Personnel Transactions. (There were none.)

Mr. Haste asked if she received the information from Judge Lewis.

Ms. Lengle indicated that today is her first day back.  She will look. It could be the paperwork that Mr. Sisock just gave her.

Mr. Haste indicated that he would like that paperwork to be added to the Packet for next week and to make sure the Controller gets a copy of it.

The Salary Board Packet and the Personnel Packet will be considered at next week’s Legislative Meeting.

PURCHASE ORDERS

Mr. Baratucci indicated that the Purchase Order Packet was distributed yesterday. There are a few budget adjustments that need to be made. He asked if there were any questions. (There was none.)

The Purchase Order Packet will be considered at next week’s Legislative Meeting.

TRAINING PACKET

It was moved by Mr. Hartwick and seconded by Mr. Pries that the Board approve Items #1, #17 and #20 of the Training Packet.

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

ITEMS FOR DISCUSSION

A. Resolution #26-2014 – Opioid & Prescription Overdose Crisis (**A Vote is Requested 9/17/14**).

Mr. Hartwick stated that today the Board is looking to adopt a Resolution #26-2014 to deal with an issue that he has discussed on multiple occasions. It is one that has affected the community dramatically. Over 81% of individuals that in the Dauphin County Prison suffer from substance abuse and he doesn’t believe there is a day that goes by where he doesn’t get on his phone a report of an overdose. This is happening in every section of the County, from the very northern region to the very southern region and in between. This prescription drug epidemic and opioid epidemic has affected every socio and economic category, every race, every group of individuals and there is no one that has been immuned from having to address the issue. He provided some
statistics. It is a big business in the United States. At the last NACo conference, he was shocked to hear from the head of the DEA on the heroin at the borders. Pennsylvania has some of the most laxed laws related to addressing the prescription drug crisis that exists throughout Pennsylvania. The County Commissioners have moved forward with this being one of the top 10 priorities. His role as Human Services Chair of CCAP, this epidemic has hit places across the United States. Here in Pennsylvania with the laxed laws related to a prescription drug registry, you can probably get a prescription filled at one place and then go to another place around the corner and get it filled again. If you go to New York or West Virginia they say that they can’t fill the prescription because of regulatory requirements that you must meet, but in Pennsylvania you can probably get it filled.

Currently there are three laws that are being proposed in this Session. They don’t expect a lot to be done by the Legislature in this upcoming session, but have made a push throughout the State of Pennsylvania. Commissioner Hartwick sent a personal letter out with a call to action to 67 counties across the Commonwealth to be able to contact, from a grassroots level, each one of their legislators. He received hundreds of responses from both human services directors and commissioners who showed him the action that they have taken with their state legislator and senate member. He is asking for the adoption of this Resolution as a further message to the Central Pennsylvania delegation about the County’s position on this particular issue.

He read the following Resolution into the record.

**RESOLUTION NO. 26 - 2014**

**OPIOID AND PRESCRIPTION OVERDOSE CRISIS**

WHEREAS, Four hundred and forty-four (444) Pennsylvanians have died in the first half of 2014 as a result of drug overdose deaths and more than Two thousand four hundred (2,400) since 2009; and

WHEREAS, there is pending legislation in the Pennsylvania legislature (Prescription Drug Monetary Bill – Senate Bill 1180) which will greatly aid in combating drug overdose deaths; and

WHEREAS, the County Commissioners Association of Pennsylvania, the Dauphin County Board of Commissioners and the Dauphin County District Attorney all strongly support passage of the above referenced legislation.

NOW THEREFORE, BE IT RESOLVED AND IT IS HEREBY RESOLVED that the Dauphin County Board of Commissioners hereby supports and encourages the following:

1. Passage by the Pennsylvania House of Representatives of Senate Bill 1180 which was previously approved by the Pennsylvania Senate by a vote of 47 – 2.
2. The passage of future legislation granting immunity to those who report drug overdoses.

3. The passage of future legislation allowing police officers, firefighters and EMTs to receive training qualifying them to administer the drug Naloxone to those suffering from opioid overdose.

ADOPTED THIS 17th DAY OF SEPTEMBER, 2014.

Mr. Hartwick indicated that it is important not to have someone die, because they are fearful of prosecution. The Good Samaritan Law is one that the Board fully supports. Naloxone is a drug that immediately reverses the effects of an overdose that shuts down all of a person’s respiratory system. There is a nasal spray that has the Naloxone in it. In 95% of the cases, if they get there in time, the individual is saved. It has very limited side effects. It is not an addictive drug. Treatment can come after a life may be saved. We have a responsibility if we have the tools to be able to administer a drug that could potentially give parents the opportunity to save a life or an EMT or police officer. He would much rather not be seeing the coroner as a result of the drug overdoses. The Board is supporting the three pieces of legislation.

It was moved by Mr. Hartwick and seconded by Mr. Pries that the Board adopt Resolution #26-2014, noted above.

Comments:

Mr. Haste stated that it is one of those things that is unfortunate, the number of messages that the Board gets about the overdoses. This is in all segments of our society, whether it is those who have good means or those who don’t have the means. When you think about this you think of urban settings. As the Commissioners were kicking off the Gratz Fair, they got a notice of a young individual that overdosed within miles and hours of the start of the Fair. It hits everywhere. The cost to the taxpayers of this epidemic is unreal. You can’t be judgmental. People get to this point – some do it because they are recreational users, medical need and don’t know how to get off of it, or those that are dealing with stress or issues in their life. Once they are on this path they are all the same. It is a very dangerous path and one that usually ends up with some deaths and a lot of money to the taxpayers. Collectively we have to start to fight this epidemic.

Mr. Marsico stated that it is an epidemic across the Commonwealth. Last year at this time Cumberland County DA, Dave Freed, took over as President of the DA’s Association. Mr. Freed set up a series of roundtables across the State just to talk to different DAs and small groups to ask what the issues are. Without a doubt, throughout the Commonwealth, it was heroin epidemic and opioid abuse epidemic. As a result of that the Association rolled out a prescription drug take back program. There are boxes placed at various areas where they can get rid of their prescription drugs safely. One of the keys is getting those drugs out of the house so they are not accessible. The legislation is very important. The Senate Bill that Commissioner Hartwick referred to is
in the House. There is a House Bill introduced by Matt Baker that is in the Senate. Unfortunately it is caught up in some House/Senate politics right now. They are trying to break that log jam. He did receive word that they are hopeful that can be broken, because it is ridiculous. The pharmacists want this database so they can see if someone is getting prescriptions filled at multiple places. The doctors want that type of database as well. It is really a first step. It will not solve all the problems, but it is a good first step. The Good Samaritan legislation is also another good step. He personally worked on some of the language in that legislation to ensure that if someone is going to call in that they will not get prosecuted if they are reporting that their friend just overdosed, because they want to get them the medical help. The third piece of legislation is a no brainer to have that drug accessible to the first responders who can help. Unfortunately a few days ago, he attended a viewing for a teenage boy, son of a Harrisburg police officer, who had a heroin overdose. It hits you when you see a kid in a casket with his favorite candy. Heroin has no boundaries, neither does the prescription drugs. It affects black, white, Latino, rich, poor, from Gratz to Londonderry Township, from the City to East Hanover Township and it is everywhere across the Commonwealth. Law enforcement efforts have been stepped up to try to target dealers and take some of it off the street. The prescription drugs are especially hard to combat from a law enforcement standpoint, because individuals have them. It usually starts off in a home lawfully and then makes its way into the stream of commerce illegally. He applauds the Commissioners. They have always been on top of any trend. These pieces of legislation are a good start. He commends the Board for this Resolution.

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

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

Mr. Curcillo indicated that he has nothing for today. Everything will be ready next week.

**CHIEF CLERK’S REPORT – CHAD SAYLOR**

Mr. Saylor stated that he has nothing to report unless there are questions of him. (There was none.)

**COMMISSIONERS’ COMMENTS**

There was none.

**PUBLIC PARTICIPATION**

There was none.
ADJOURNMENT

There being no further business, it was moved by Mr. Pries and seconded by Mr. Hartwick that the Board adjourn; motion carried.

Transcribed by: Richie-Ann Martz