**PRESENT:** John P. McBlain, Chairman; Colleen P. Morrone, Vice Chairman; Michael F. Culp, Council Member; Kevin M. Madden, Council Member; Brian P. Zidek, Council Member; Joanne Phillips, Controller; Marianne Grace, Executive Director; James A. Gillin, Assistant Solicitor; Anne M. Coogan, County Clerk; and other department heads.

The Regular Meeting of Delaware County Council was held on October 3, 2018 at 6:00 P.M. in the Upper Chichester Township Municipal Building, located at 8500 Furey Road, Upper Chichester. Chairman McBlain called the meeting to order and thanked Upper Chichester Township for hosting this meeting tonight. The Pledge of Allegiance to the flag was led by Upper Chichester Township's Board of Commissioners President Michael Gaudiuso followed by the invocation by Upper Chichester Police Chaplin Rod Brooks.

Chairman McBlain called on Vice Chairman Morrone to speak on Agenda Item 4, a Resolution recognizing Upper Chichester Township's "Heart and Soul of the Community" Initiative.

Mrs. Morrone said it was her honor and privilege to recognize Upper Chichester Township Heart and Soul Community Initiative.

The success of a great community is due in part to the dedication and commitment of the residents and those who serve in local government. They are truly the heart and soul of the community.

Upper Chichester was recently selected to participate in a program to enhance the quality of life for members of the community. The Pennsylvania Humanities Council has partnered with the Pennsylvania Department of Community and Economic Development and the Orton Family Foundation to support Upper Chichester in becoming an even stronger, healthier and more vibrant community through an initiative called "Community Heart and Soul." The program was created to empower residents to share their ideas with local government.

Twenty community residents and local businesses were selected as "The Upper Chichester Heart and Soul Leadership Team" and will receive training and technical support from the Foundation. The Leadership Team will hold meetings, attend community events, provide educational seminars and engage with as many residents as possible to hear their stories and ideas. The goal is for the team to engage with citizens and empower them to let government leaders know what matters most to them.

The Community Heart and Soul program is focused on building stronger, healthier and more economically vibrant small cities and towns across America. Upper Chichester's team is focused on creating positive change that is resident-driven and recognizing the unique opinions and voices of the entire community.

Judy Stang, the Chair of the Heart and Soul Leadership Committee, was unable to attend tonight's meeting. Lauren Aaron, Secretary of the Heart and Soul Leadership Committee,

introduced members of the Leadership Team and gave a brief overview of this initiative.

Chairman McBlain called on Mr. Madden to present a Resolution recognizing Upper Chichester Township Director of Recreation, Joan Morrison.

Since 1995, Mr. Madden said Upper Chichester Township Director of Recreation, Joan Morrison has worked to create and expand programs and events throughout the township for residents of all ages to enjoy. After 23 years at the helm, Mrs. Morrison has made the decision to retire and spend more time with her family, especially her two grandchildren, CJ and Logan.

Mrs. Morrison is widely credited with the expansion of the recreation program in the township, such as Quizzo nights, basketball and karate tournaments, movie nights, holiday parties, Community Day, Zumba, painting and cooking classes. She found and created engaging activities for residents and families of all ages throughout her years working with Upper Chichester.

Mrs. Morrison has said that the children of Upper Chichester Township have motivated her throughout her career. Her hope is that children growing up in Upper Chichester experience the fun and the memories that she did as a child.

While she will be missed by the entire community, Delaware County Council joins Upper Chichester Township in congratulating Mrs. Morrison on her retirement. We wish her the best and hope she spends time enjoying some of those wonderful activities and events in the township with her grandchildren.

Township Commissioner Nicole Whitaker, who serves on the Recreation Board, accepted the Resolution on behalf of Mrs. Morrison.

Chairman McBlain called on Mr. Culp to speak on Agenda Item 6, announcing the Delaware County Hero Run.

Tonight, Mr. Culp said we are proud to announce the 18<sup>th</sup> Annual Run for Heroes. The 5K Walk/Run is the largest fundraiser for the Delaware County Hero Scholarship Fund, which was established in 1977 by County Council to provide education scholarships for the children of police, fire fighters and emergency medical personnel who were killed in the line of duty. Since the Run was founded, they have raised over \$500,000.00.

This year's Run will be held on Sunday, October 14 at 9 A.M. at the Springfield Township Municipal Building. So far, over 450 people have registered to participate, including approximately 100 Delaware County employees running as "Team Delco."

Ed Kelly, of the Delaware County Hero Run Committee, said a few words about the Hero Run.

Chairman McBlain announced the 2018 Flu Shot Clinics. It's hard to believe that the fall season is already here, which means cooler temperatures and (unfortunately) the start of flu season.

The intensity and severity of flu seasons are difficult to predict and the effectiveness of the vaccine is dependent on many variables. The U.S. Centers for Disease Control and Prevention (CDC) has found immunization reduces the risk of flu illness by 40-60 percent during seasons when most circulating flu viruses are well-matched to the flu vaccine.

A flu shot is the first and most important step in preventing the flu and decreasing the risk of severe flu-related illnesses. Each year, 200,000 people in the United States are hospitalized due to complications from the flu. The CDC recommends that everyone six months and older should get vaccinated against the flu. Flu shots should be given by the end of October.

County Council urges all residents to get their flu shot, which is the best way to protect yourself, your family, friends and your co-workers from getting sick.

Delaware County Council and our Office of Intercommunity Health is offering two free drive-thru flu shot clinics this year. The drive-thru makes it more convenient for our older residents, those with disabilities and also parents with small children. The clinics will be held on October 12<sup>th</sup> at the Middletown Fire Station, 425 S. New Middletown Road (Media) and October 19<sup>th</sup> at the Tinicum Fire Station, 99 Wanamaker Avenue (Essington). Both clinics will be held from 10 A.M. to 2 P.M. No registration is needed.

Chairman McBlain called on Mrs. Morrone to start the Agenda Items.

Motion made by Mrs. Morrone approving the Minutes of the Regular Meeting of September 19, 2018, seconded by Mr. Culp and carried unanimously.

Motion made by Mrs. Morrone approving Agenda Item 9 to Advertise for Requests for Proposals for a Study of the delivery of health and public health services in Delaware County, seconded by Mr. Culp and carried unanimously. Discussion followed.

Motion made by Mrs. Morrone approving Central Tax Collection Department's request for refunds for the year 2018 County Real Estate Taxes for 87 property owners due to the overpayment of the amount of taxes due, seconded by Mr. Culp and carried unanimously.

Motion made by Mrs. Morrone approving Central Tax Collection Department's request for one (1) Court Ordered refund for the year 2018 for a property in Haverford Township in the amount of \$153.54, seconded by Mr. Culp and carried unanimously.

Chairman McBlain called on Assistant Solicitor Gillin to present the First Reading of Ordinance 2018-1 authorizing the incurrence of non-electoral debt by the issuance of the General Obligation Notes, 2018 Series, through the Delaware Valley Regional Finance Authority in the

aggregate principal amount of \$40,000,000.00 and award a Qualified Interest Rate Management Agreement related to the 2018 Notes.

Mr. Gillin said Ordinance 2018-1 authorizes the incurrence of non-electoral debt by the County of Delaware pursuant to the issuance of General Obligation Notes, 2018 Series, in the aggregate principal amount of \$40,000,000.00 and approves certain capital projects. This Ordinance in summary as follows:

Section 1. Approval of the 2018 Project and authorization to issue the 2018 Notes

Section 2. Approval of the Loan Commitment

Section 3. Approval of the Forms of the Loan Documents and authorization to execute and deliver all necessary documents

Section 4. Amortization Schedule and maximum annual Debt Service Payments

Section 5. Authorization and Award of a Qualified Interest Rate Management Agreement

Section 6. Pledge of the Full Faith, Credit and Taxing Power

Section 7. Obligations of the County related to the Qualified Interest Rate Management Agreement

Section 8. Sinking Fund Depository

Section 9. Authorization to submit Statements to the Department of Community and Economic Development

Section 10. Legal Advertisements

Section 11. Conflicting Ordinances

Mr. Gillin said a Public Hearing on this Ordinance will take place at the next regular County Council Meeting on Wednesday, October 17, with a Second Reading and Final Adoption to take place. Discussion followed.

Motion made by Mrs. Morrone approving to enter into a three (3) year contract for the District Attorney's Office with Thomson Reuters/Westlaw for their Legal Research Program at the following rates: 1<sup>st</sup> year - \$52,079.64, 2<sup>nd</sup> year - \$53,642.02 and 3<sup>rd</sup> year - \$55,251.29. The motion is subject to the Solicitor's approval, seconded by Mr. Culp and carried unanimously.

Motion made by Mrs. Morrone approving to accept FY18 Internet Crimes Against Children Grant from the Office of Justice Programs, U.S. Department of Justice, for the term 10/1/2018 to 9/30/2019 in the amount of \$498,616.00. The motion is subject to the Solicitor's approval, seconded by Mr. Culp and carried unanimously.

Motion made by Mrs. Morrone approving a ten (10) year full-service Lease Agreement with two 5-year options between the County of Delaware (Lessor) and the Commonwealth of Pennsylvania (Lessee) for the Pennsylvania State Police Crime Lab, Lima, PA for the term as per the attached list. The motion is subject to the Solicitor's approval, seconded by Mr. Culp and carried unanimously.

Mr. Zidek asked to make a motion to amend the agenda to move for the authorization to advertise for Request for Proposals for the insurance brokerage services related to the administration of insurance of Delaware County's Health Care Plan Benefits. The motion was seconded by Mr. Madden. Chairman McBlain asked if there was discussion on this motion. Discussion followed.

Motion made by Chairman McBlain to amend the agenda as presented by Mr. Zidek. The following votes were cast: 2 Yeas (Zidek and Madden) and 3 Nays (McBlain, Morrone and Culp). The motion did not pass.

Motion made by Mrs. Morrone approving the request by the Controller's Office for payment of current bills, seconded by Mr. Culp and carried unanimously.

**SOLICITOR:** Mr. Gillin had no County business to discuss.

**PUBLIC COMMENT:** Livia Smith, 930 E. 18<sup>th</sup> Street, Chester, commented on Agenda 9, the RFP for a Study of the delivery of health and public health services in Delaware County.

<u>Elizabeth Williams, 2701 Chestnut Street, Chester</u>, made comments about the Delaware County Prison and the members who serve on the board.

<u>George Needles, Upper Chichester Township Manager</u>, thanked County Council for their consideration in the Community Development Block Grant funding for Chichester Avenue Streetscape Project.

<u>Diane Simon, 4201 Somerset Lane, Upper Chichester Township</u>, asked that Delaware County discontinue the county's contract with the GEO Management Group at the George Hill Correctional Facility and change their mindset about how this county can deal with its incarcerated citizens.

Delores R. Shelton, 138 E. 18<sup>th</sup> Street, Chester, commented on the County's prison system.

<u>Gwendolyn McCullough, 1448 Burmont Road, Havertown</u>, a former inmate and member of the Delco Coalition for Prison Reform said a few words about the incarceration of citizens in our prison.

<u>Margie McAboy, 412 Old House Lane, Middletown Township</u>, remarked about the current interest in our prison system, the current 5-member Prison Board and what restrictions are placed on citizens attending the meetings.

Edward Raikowski, 2020 Mill Road, Upper Chichester Township, spoke about the decline in volunteer firefighters here in Delaware County and across the State of Pennsylvania. He asked that Delaware County consider including a flyer or such in our next tax statement encouraging residents to get involved as volunteer firemen.

<u>Bruce Thomas, 7 Hutton Lane, Garnet Valley</u>, suggested that the Prison Board Meetings be more accessible to residents to attend, such as meeting in the Government Center Building.

<u>Portia West, 112 West Elkington Avenue, Chester</u>, asked for a commitment by County Council that they will look into the situation (the conditions) at the prison.

**COUNCIL:** Mr. Zidek thanked Upper Chichester Township for hosting tonight's County Council Meeting and also thanked the Delaware County Coalition for Prison Reform for sponsoring the meeting that was held on Sunday, September 30, which he attended. He hopes we can have a public meeting where we invite experts on prison issues to attend; invite the Board of Prison Inspectors; and County Council and the public to offer their perspectives on the prison issues. Hopefully by getting a lot of information from a lot of different sources, we can be more deliberate and informed in making decisions about the manner in which we want to incarcerate citizens of Delaware County.

Mr. Madden thanked Upper Chichester Township for hosting tonight's Council Meeting. He said it is important that folks see their democracy at work. It's not always pretty. It's not always clean. We don't always agree, but he thinks the more that we as a country, as a society, get out from behind our computers and get away from the social media activism and engage in this sort of conversation in a face to face way; he thinks we all gain from that. It is the fabric that holds our country and society together.

Mr. Madden continued by saying there have been stories (over the years) about the conditions at George Hill Prison and what he believes is a complete misalignment of incentives when you have a "for profit" company managing a prison. We, as a community, should be working in every respect possible to reduce recidivism, to reduce the number of people over time. That happens through rehabilitation and through many other ways that we can help support those who find their way into incarceration.

He shares the idea of having the meetings of the Board of Prison Inspectors at a different time, rather than 10 A.M. (the time County Council holds its meetings). Whether it is intentional or accidental, he hopes that changes (and for a long time).

Mr. Culp thanked Upper Chichester Township for hosting tonight's meeting and for all the residents who attended. He had read the recent article in the local press regarding the nationwide discussion about criminal justice reform. There are a number of topics that were covered: mandatory minimum sentences, mental health issues, drug treatment vs. incarceration and yes, private entities managing prisons.

One of the issues he looked at is whether a private "for profit" entity should run a prison is moral. He says that because the issue is legitimate and one that merits discussion, but also because an individual reached that conclusion that it is immortal and no other factor – economic, safety or operational will change the person's mind, nor should it.

It seems to him that we are not having discussions overlap each other and it is counterproductive to this Council. He thinks it would make no sense to separate the discussion of whether it is morally right to subcontract a task (such as this) if it is morally wrong than no amount of savings or efficiency would matter.

Mr. Culp further said the operation of a prison is very complex in nature. There are people in there with mental health issues who could be better served in other venues. But, there are also very bad people who are housed there because they have committed heinous crimes. He looks forward to discussing this matter further.

Mrs. Morrone echoed her thanks to Upper Chichester Township Commissioners for hosting this meeting. She has been on County Council for seven years and during those years Council has gone out to Delaware County municipalities. This is nothing new that Council has gone out and conducted these meeting in our municipalities, but it is the first time we have come to this township. With all the municipalities in Delaware County, it is difficult to get to all of them in a timely fashion.

Mrs. Morrone thanked all the individuals who spoke tonight, especially the comments made on the prison on how the residents feel and what they have heard. That is very important. She wants to know that so that when Council is making a decision, they are taking that all into account. She also wants to make sure we have the right facts. Sometimes we talk in generalities and we think we have the right information, we have heard it from this person to that person and we wind up with not having the accurate information of what is really happening.

She's sure there are things that happen in the prison that she would be appalled at, but she also knows there are things that happen in the prison that she is very proud of. She doesn't think we are hearing those stories and are important to hear as well. She encourages everyone to look

at the positive things that are happening. There are many who are getting re-entry assistance, getting medical assistance that they didn't get outside the prison and many other services.

Chairman McBlain thanked Upper Chichester Board of Commissioners - President Michael Gaudiuso, Vice President Joe Neary, Ed Raikowksi, Joe Baiocco and Nicole Whittaker for their hospitality tonight. This township has always been very active. He has had the opportunity to meet with the commissioners and talk about ideas. There are always active ideas being generated by Upper Chichester, which is a very good sign of a good healthy government. He applauds them for that.

Chairman McBlain commended the member of the Upper Chichester School Board. After the school shootings in Florida last year, their school board came together and held a couple public meetings. A meeting was held with the local law enforcement, school administrators, teachers and interested parents, the public and invited Delaware County Council to attend and participate. There was a subsequent planning meeting that was held when they turned their emotions and anger into action. Congratulations! Ruth Ann Biaocco, Mary Magaw, Frank Sill and Ed Gaudiuso and others who were involved in those meetings.

Chairman McBlain said he wanted to address the prison. He shares some of the same anger and frustration that Mr. Madden does, perhaps not for the same reasons, but the same way. When he was sworn in, January 2012, he addressed the prison in his comments by saying he wanted people in our prison who should be there and the people who shouldn't be there – out. He wants them to get whatever services are available while they are in the prison.

People stay for a relatively short amount of time in the Delaware County Jail, usually a period of 30-90 days. It may be difficult to enact lifetime long term reform, something where the public school system and our other citizens may have failed them. We cannot fix in 30 days, but we can try to do what we can.

He has been actively involved in Criminal Justice matters starting at the time when he was a defense attorney representing people in the prison. He has seen that aspect of the law. He has worked with our Criminal Justice Advisory Board from the time he was the Delaware County Solicitor (10+ years). He has worked with former D.A. Green and the board to devise ways where we could lower our prison population. He is aware that we have a 1883-bed prison and if we built a 3400-bed prison that would get filled up, whether that be Delaware County, Montgomery County or Philadelphia County, that's what is going to happen. So, we need to find ways to get people out of the prison that shouldn't be there. We have worked to do that.

Chairman McBlain said "Fast Track" Programs have been devised in order to identify people who are there for probation and parole violations or non-violent crimes that should be addressed in a manner and taken out.

We have addressed the Records Department by assigning a former Deputy District Attorney who knows our Criminal Justice System from the time they enter the front door to the time they are released.

He gets frustrated when he hears some of the antidotes. He has spoken to dozens of parents, relatives, friends and people in the prison since he came on Council. Sometimes it was a simple request concerning visitation times to boots not being returned. Multiple calls have been made and in every instance these requests have been accommodated.

Chairman McBlain said he has attended Prison Board Meetings. He agrees, if the number of the public attending has outgrown the room size, then we have to look toward other facilities and do something different. He would suspect if he asked for a show of hands tonight in terms of who has attended a Prison Board Meeting prior to 2018, there might only be one or two other people and one of them would have been paid to be there in the past.

We pay a lot of money every year, a lot of tax dollars, in order to operate that prison. It's serious business negotiating the contracts that go into that and employing people. There are 1883 lives that depend on us. They are all there for some reason, whether they are right or wrong, he does not know. That is up to the court to decide. GEO or any private operator doesn't determine who goes into that prison or who comes out of that prison. That is up to the courts and Criminal Justice System.

Chairman McBlain said he wanted to share some facts not antidotes. The two most recent prison inspections took place in 2014 and 2016, on a bi-annual basis, in which the reports showed full compliance (which comes from the PA Department of Corrections, under Governor Wolf). This is a distinction earned when a facility and staff have met or exceeded the Statutory Regulatory Expectations. There were no deficiencies or citations. The American Correctional Association performed an audit in 2018 and our facilities scored 99.3 according to their standards. In June 2018, the PA Department of Corrections approved and renewed the basic training curriculum for the facility, which is effective through 2021. In terms of educational programs, in September 2018, 179 student inmates participated in various educational programs where there were over 3140 teaching hours performed. In 2018, 36 inmates have earned their G.E.D.'s at our facilities, gaining an overall pass-rate of 57%. Based on information that was obtained, that is the highest number of G.E.D.'s obtained in a facility like this in the State of Pennsylvania.

In September 2018, there were 361 inmates who participated in various treatment programs. In that same month, there were 129 inmates in the Prep 1 and Prep 2 Programs which focuses on addiction and drug and treatment programs, relapse prevention as well as aftercare. Also, there are additional programs offered for anger management, sex offender and behavior modification, transgender group, trauma and loss therapy for inmates who have lost family and friends due to a traumatic situation, threshold program (which is decision making and life-skills course). There

are multiple wellness programs that address emotional, social, spiritual, environmental, occupational, intellectual and physical well-being of the inmates. Some of these programs include yoga, meditation, exercise, spin classes, cross-fit, pilates and music therapy, which have been especially important to our female population.

In his estimate, 90% of the female population in the County jail are there somehow related to the heroin or opioid crisis, whether it's because of drug possession, drug sales or some other minor crime that their addiction drove them to be involved with. We need to heal their bodies and their minds when they finish their sentence.

The mental health crisis continues to grow in the Commonwealth of Pennsylvania. We, as a society and a state, do not provide adequate mental health institutions and treatments for people who need it. We have to address that.

Our County jails have become mental health hospitals of the State of Pennsylvania. Our prison has the Restoration of Competency Program that is second to none in the state. One-hundred percent of the people who have been admitted into that program so far have successfully been restored to competency. That is when a person with a mental health issue is not competent, and that means that their case cannot proceed; they are going to languish in that jail until they are deemed to be competent again to come court and can deal with their case. Our Restoration Competency Program leads the Commonwealth of Pennsylvania.

He does not have a commitment to whether the prison should be operated in a public or private fashion. He is open to it. He doesn't have the same moral objection in regards to this, but it is truly a serious situation and should not be a political issue.

There being no further County business, nor public discussion, motion made by Mr. Culp to adjourn the meeting, seconded by Mr. Madden and carried unanimously.

ANNE M. COOGAN, County Clerk

RECORDED BY: N. J. Scallan

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PA State Police Crime Lab Agreement	
Proposed Monthly Rent Schedule	
5-Year Renewal Option- Period #1	
Breakdown of Monthly Rent, Year 11:	
Base Rent	\$ 1.00
Monthly maintenance (\$44,635/yr.)	\$ 1.00 \$ 3,719.58
Escrow Fund for Capital Improvements (\$325,000)	\$ 2,708.33
Monthly rent amount, Year 11	\$ 6,428.92
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Breakdown of Monthly Rent, Year 12:	
Base Rent	\$ 1.00
Monthly maintenance (\$45,528/yr.)	\$ 3,794.00
Escrow Fund for Capital Improvements (\$325,000)	\$ 2,708.33
Monthly rent amount, Year 12	\$ 6,503.33
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Breakdown of Monthly Rent, Year 13:	
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Base Rent	\$ 1.00
Monthly maintenance (\$46,438/yr.)	\$ 3,869.92
Escrow Fund for Capital Improvements (\$325,000)	\$ 2,708.33
Monthly rent amount, Year 13	\$ 6,579.25
Breakdown of Monthly Rent, Year 14:	
Base Rent	\$ 1.00
Monthly maintenance (\$47,367/yr.)	\$ 3,947.25
Escrow Fund for Capital Improvements (\$325,000)	\$ 2,708.33
Monthly rent amount, Year 14	\$ 6,656.58
Breakdown of Monthly Rent, Year 15:	
Base Rent	\$ 1.00
Monthly maintenance (\$48,315/yr.)	\$ 4,026.17
Escrow Fund for Capital Improvements (\$325,000)	\$ 2,708.33
Monthly rent amount, Year 15	\$ 6,735.50

Monthly rent amount, Year 15

Proposed Monthly Rent Schedule			
5-Year Renewal Option- Period #2			
Breakdown of Monthly Rent, <b>Year 16:</b>			
Base Rent	\$	1.00	
Monthly maintenance (\$49,281/yr.)	\$	4,106.75	
Escrow Fund for Capital Improvements (\$325,000)	\$	2,708.33	
Monthly rent amount, Year 16	\$	6,816.08	
Breakdown of Monthly Rent, Year 17:			
Base Rent	\$	1.00	
Monthly maintenance (\$50,266/yr.)	\$	4,188.92	
Escrow Fund for Capital Improvements (\$325,000)	\$	2,708.33	
Monthly rent amount, Year 17	\$	6,898.25	
Breakdown of Monthly Rent, Year 18:			
Base Rent	, \$	1.00	
Monthly maintenance (\$51,272/yr.)	\$	4,272.58	
Escrow Fund for Capital Improvements (\$325,000)	\$	2,708.33	
Monthly rent amount, Year 18	\$	6,981.92	
Breakdown of Monthly Rent, Year 19:			
Base Rent	\$	1.00	
Monthly maintenance (\$52,298/yr.)	\$	4,358.08	
Escrow Fund for Capital Improvements (\$325,000)	\$	2,708.33	
Monthly rent amount, Year 19	\$	7,067.42	
Breakdown of Monthly Rent, Year 20:			
Base Rent	\$	1.00	
$M_{1}$ , the product of $f(2,2)/(m)$	\$	4,445.25	
Monthly maintenance (\$53,343/yr.)			

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