

**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 September 12, 2018 at 10:00 A.M. in the County Council Meeting Room, Government Center Building located at 201 W. Front Street, Media, PA. Chairman McBlain called the meeting to order followed the Pledge of Allegiance to the flag. Kate Morrone, of the Office of Public Relations, gave the invocation.

Chairman McBlain announced the raising of the U.S. Air Force Flag in the courtyard of the Government Center Building and the Courthouse Complex. Brave men and women in the United States military continue to protect our national security, both at home and on foreign soil. Since the terrorist attacks of September 11, 2001, a new generation of heroes have stepped up to preserve peace and safeguard our homeland. In Delaware County, we are committed to showing our appreciation of their dedication, courage and sacrifice.

During 2018, we in Delaware County will once again fly the flags of our five service branches, the Army, Navy, Marine Corps, Air Force and Coast Guard, to observe their anniversaries and in tribute to those who served since our nation's founding.

This morning, we raised the third of the five flags to be flown this year with the flag of the U.S. Air Force, which was established on September 18, 1947. It will fly for one-week from the flagpoles in the courtyard of the Government Center and Courthouse Complex and in front of the Courthouse.

We were joined by Staff Sergeant Kerry "Tex" Darley who served in the United States Air Force from 1974 to 1992. During the time he served, he led the Telecommunications Information Processing Computer operations. His last assignment was at Headquarters Space Command, NORAD, in Colorado.

Chairman McBlain called on Mrs. Morrone to speak on Agenda Item 5, a Resolution recognizing September as National Recovery Month.

Sadly, Mrs. Morrone said each of us know someone who has struggled or currently struggles with addiction. As members of Delaware County's Heroin Task Force, we see and hear firsthand how addiction is affecting our youth, our families and our communities. Addiction knows no boundaries. It affects men, women, people of all ages, races and socio-economic backgrounds.

According to the Substance Abuse and Mental Health Services Administration, about 23.5 million Americans are addicted to drugs or alcohol. That's 1 in every 10 Americans over the age of 12.

While our Human Services Department, the Delaware County Heroin Task Force and our partners in the community work year-round to combat addiction, September gives us a chance

to spotlight the programs that offer treatment and recovery and the success stories that hopefully spark inspiration for those struggling.

September is National Recovery Month, a time to celebrate the people who are living healthy and productive lives in recovery, and a time to recognize the dedicated people who work to make recovery possible.

This year's theme for National Recovery Month is "Join the Voices for Recovery: Invest in Health, Home, Purpose and Community." It focuses on how integrated care, a strong community, sense of purpose and leadership contributes to effective treatments that sustain recovery.

Attending today's meeting were members of the County's Office of Behavioral Health, the Delaware County Heroin Task Force, MVP Recovery, Myra's Place and PRO-ACT.

County Council has had the privilege of meeting with and working with members of MVP Recovery, Myra's Place and PRO-ACT, 3 private organizations which are dedicated to the long-term recovery of our community.

Mrs. Morrone highlighted some of these organizations. On behalf of County Council and all of Delaware County, Mrs. Morrone said we thank each of you with us today for the work you do each and every day to help our community overcome addiction and live healthy and full lives in recovery.

Attending this morning's meeting were the following individuals: Anne Jennings, Delaware County Office of Behavioral Health, Division of Drug and Alcohol; Akoete Akpeko, Delaware County Office of Behavioral Health, Drug and Alcohol Case Management Specialist; Joel Shafer-Harris, Delaware County Office of Behavioral Health, Drug and Alcohol Case Management Specialist; District Attorney Katayoun Copeland, Chair of the Delaware County Heroin Task Force, Brian Corson, Founder and Executive Director of MVP Recovery; Chrissie Corson, Program Director of MVP Recovery; Sharon White, PRO-ACT, Public Policy Committee; and Kelly Osborn, a resident of Myra's Place.

Chairman McBlain called on Mr. Culp to speak on Agenda Item 6, a Resolution recognizing September as Ovarian Cancer Awareness Month.

Mr. Culp said Ovarian Cancer is called the "Silent Killer" because it's often difficult to diagnose since symptoms may be subtle, easily confused with other diseases and there is no single screening tool.

Ovarian Cancer is the fifth leading cause of death among women in the United States and is the deadliest of all gynecological cancers. It is estimated that in 2018 approximately 22,280 women will be diagnosed with ovarian cancer and about 14,240 will die from the disease.

Delaware County is blessed to have a local organization fighting for prevention and a cure. The Sandy Rollman Ovarian Cancer Foundation, based in Havertown, was founded as a tribute to

Sandy Rollman, who passed away from ovarian cancer in 2000. Her sister, Adriana Way and her nurse Robin Cohen decided to keep Sandy's memory alive while trying to prevent other women from having to endure the same pain as Sandy did.

The mission of the Sandy Rollman Ovarian Cancer Foundation is to "fight for those who are fighting, speak for those who have fallen silent and provide for those working to end ovarian cancer." To date, the Foundation has provided \$4.1 million in research funding and created programs to support women and families with ovarian cancer.

The Foundation has various activities scheduled for September to raise awareness and money for research. Robin Cohen, CEO of the Sandy Rollman Ovarian Cancer Foundation, attended today's meeting to accept a resolution declaring September as Ovarian Cancer Awareness Month and to say a few words.

Chairman McBlain called on Vice Chairman Morrone to start today's Agenda items.

Motion made by Mrs. Morrone approving Agenda Item 7, the Minutes of the Regular Meeting of August 22, 2018, seconded by Mr. Culp and carried unanimously.

Motion made by Mrs. Morrone approving Central Tax Collection Department's request for refunds for the year 2018 County Real Estate Taxes for 4 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 a Project Extension for PCCD funding of the Second Chance Court Program to 9/30/2019. The underspent funds will remain allocated to employee personnel benefits and also consultants. This extension is at no cost to the County. The motion is subject to the Solicitor's approval, seconded by Mr. Culp and carried unanimously.

Motion made by Mrs. Morrone approving to advertise for the following Housing and Community Development Action Plan Amendment as it relates to the CDBG Program: allocate an additional \$11,000.00 to Springfield Township for the restoration of the Old Central School; and allocate an additional \$14,756.00 to Marcus Hook Borough for Cedar Street Drainage Improvements. The motion is subject to a 30-day comment period, seconded by Mr. Culp and carried unanimously.

Motion made by Mrs. Morrone approving Agenda Item 11 to accept the recommended Implementation Strategy prepared by the Delaware County Open Space Task Force. The motion is subject to the Solicitor's approval and seconded by Mr. Culp. Discussion followed. The motion was carried unanimously.

Motion made by Mrs. Morrone approving a Lease Agreement between the County of Delaware and 529 Penn Associates, LLC for 18,000 square feet of office space, located at 529 Penn Street, City of Chester for the use as District Courts 32-1-20, 32-1-21 and 32-1-22 and office space for the Public Defender, District Attorney and CID, as well as a satellite for county records storage. The term of the lease will be ten (10) years with two 5-year renewal options to the county. The rates are \$22.50 per square foot for years 1-3; \$24.00 per square foot for years 4-

5; and \$25.00 per square foot for years 6-10 plus amortized fit-out costs. The motion is subject to the Solicitor's approval and seconded by Mr. Culp. A lengthy discussion followed.

Mr. Zidek asked that Item 12 be "tabled" until we can better understand who owns the property at 529 Penn Street that we are voting on. The motion was seconded by Mr. Madden. Agenda Item 12 was "tabled" for one week. The motion was passed by a 3 to 2 vote. (Yeas – McBlain, Madden and Zidek, Nays – Morrone and Culp.)

Motion made by Mrs. Morrone approving to Advertise for Bids for the rehabilitation and repair of the Upland Road Bridge over Chester Creek, County Bridge No. 183, in the Borough of Upland, seconded by Mr. Culp and carried unanimously.

Motion made by Mrs. Morrone approving the contract between the County of Delaware and Remington & Vernick Engineers to provide Construction, Inspection and Documentation Services for the W. 7<sup>th</sup> Street Bridge over Chester Creek, County Bridge No. 186, in Chester City for a fee not to exceed \$483,093.25. (Funding: 80% Federal, 20% State) The motion is subject to the Solicitor's approval and seconded by Mr. Culp. Discussion followed. The motion was carried unanimously.

Motion made by Mrs. Morrone approving the Supplemental Engineering Agreement for the W. 7<sup>th</sup> Street Bridge over Chester Creek, County Bridge No. 186, in Chester City, between the County of Delaware and McCormick Taylor Inc. for an amount not to exceed \$77,215.42. The motion is subject to the Solicitor's approval, seconded by Mr. Culp and carried unanimously.

Motion made by Mrs. Morrone approving Agenda Item 16 to purchase one (1) Domain and ten (10) User Licenses from Monitor at a cost of \$38,400.00 for the purpose of utilizing the Delaware County Adult Probation's Monitor Enterprise Case Management System to add, update and track the status of client's community service assignments and obligations. The motion is subject to the Solicitor's approval, seconded by Mr. Culp and carried unanimously.

Motion made by Mrs. Morrone approving a Professional Services Agreement between the County of Delaware and CSERT for Consultant Services for Emergency Management Planning for the period of 9/1/2018 to 8/31/2019 at the cost of \$70,000.00. The motion is subject to the Solicitor's approval, seconded by Mr. Culp and carried unanimously.

Motion made by Mrs. Morrone approving to extend the current Fair Acres Dietary Management Contract at an initial monthly cost of \$60,718.30 with Morrison Management Specialist, Inc. for the period of one (1) year until November 26, 2019. The motion is subject to the Solicitor's approval, seconded by Mr. Culp and carried unanimously.

Motion made by Mrs. Morrone approving Agenda Item 19 to enter into a Lease Agreement between the County of Delaware and TWP Properties II, Inc., a Pennsylvania Corporation, to lease the 2<sup>nd</sup> Floor of 212 W. Front Street, Media, PA for a five (5) year term 9/17/2018 to 9/16/2023. This lease is for two (2) private offices, adjacent large open space and two (2) parking spaces at a rate of \$3,100.00 per month for the Office of Intercommunity Health. This is an all-inclusive lease with the exception of janitorial services. The motion is subject to the

Solicitor's approval, seconded by Mr. Culp and carried with an abstention vote cast by Mr. Zidek. Mr. Zidek abstained as follows: the chairman of his campaign committee's family owns Media Real Estate who negotiated the terms of this lease.

Motion made by Mrs. Morrone approving of and authorizing to advertise the amended County Council Meeting Schedule, subject to the Solicitor's approval, seconded by Mr. Culp and carried unanimously.

Motion made by Mrs. Morrone approving Resolution 2018-9 authorizing a fifteen (15) year Agreement for Payment in Lieu of Taxes for the Simpson II Low-Income Senior Housing Project to be constructed at the properties currently identified as 82 N. Lansdowne Avenue and 19 W. Stratford Avenue, Lansdowne Borough. The motion is subject to the Solicitor's approval and was seconded by Mr. Culp. Discussion followed. The motion was carried unanimously.

Motion made by Mrs. Morrone approving Agreement, Contracts and Amendment with the Office of Workforce Development as per the attached list. The motion is subject to the Solicitor's approval, seconded by Mr. Culp and carried unanimously.

Motion made by Mrs. Morrone approving Agreements, Contracts and Amendments with the Human Services Provider of Services as per the attached list. The motion is subject to the Solicitor's approval, seconded by Mr. Culp and carried unanimously.

Motion made by Mrs. Morrone approving the request by the Controller's Office for payment of current bills and seconded by Mr. Culp. A lengthy discussion followed regarding a memo that Controller Phillips sent to Council concerning bills (which are not included in today's list of bills to be approved) that were incurred by the Prison Board for the preparation of the RFP for the new operating agreement that is being considered. The motion was carried with an abstention vote registered by Mrs. Morrone as it relates to a payment to Goodwill Industries of which she is employed in the private sector. (The vote was 4 Yeas, 1 Abstention.)

**SOLICITOR:** Mr. Maddren asked for Council's authorization to file three (3) Petitions for the Termination of Parental Rights and five (5) Consents for Adoption with the Orphans Court.

Motion made by Mrs. Morrone approving to file three (3) Petitions for the Termination of Parental Rights and five (5) Consents for Adoption with the Orphans Court, seconded by Mr. Culp and carried unanimously.

**PUBLIC COMMENT:** Kath Tomlinson, 532 Circle Drive, Havertown, a certified Medicare counselor who works for APPRAISE (under the umbrella of S.H.I.P., the State Health Insurance Assistance Program) said she wanted to let residents know they offer *free* counseling on supplemental insurance benefits, prescription drugs, provide informational Medigap insurance and respond to any helpful Medicaid.

**COUNCIL:** Mr. Zidek said the biggest and most consistent issue raised by Republicans and Democrats alike is the high taxes in Delaware County. Much is made of the fact that the taxes have not been raised for the past three years at the County level and no doubt that is useful.

Let's not forget that the County taxes were raised in 2010, 2012, 2013 and 2014. Let's not forget that our County taxes are 50% higher than those in neighboring Montgomery County. Rest assured that he is cognizant and sensitive to this issue and will continue to support the work of Ms. Phillips office and her oversight of the county's expenditures.

Mr. Zidek also said he will continue to do his level best to make sure any services and supplies purchased with taxpayer dollars is done in a transparent and efficient manner because we cannot afford to waste any of our tax dollars.

Mr. Madden said this was not a planned comment, but given the testiness of today, he wanted to speak to fact that as a Council we have dealt with issues that could be quite contentious and he thinks (for the most part) they have found the ability to maintain level heads and speak on the merits of one side or the other.

Today we had a lot of conversation around campaign contributions. When such topics are raised, there is an embedded accusation there. For that reason, he understands why reactions to campaign contributions to the Republican Party or to Republican Campaigns resulted in a (no other word to say it but) defensiveness. So, he acknowledges that and he appreciates that, if he were in your shoes I would probably feel the same way.

The reason that he thinks it is important to raise such issues is precisely so that we don't have meetings like we had today. He thinks finding a solution in which campaign contributions from folks who have a benefit resulting out of the decision making of County Council that those contributions be made apparent, in a transparent way, and that potentially we look at caps so that we don't have days like we had today where folks feel like there is an implication of impropriety or that one's vote is being decided based on campaign contributions (because no one wants to feel like they're accused of something of that sort). He will call on this to be an issue that we look at in the near future, whether you are wearing a Republican or Democratic hat, he thinks it is important to acknowledge that campaign funding is the life-blood of a candidate's race to public office. Without any ability to look into the mindset of someone who is in elected office and the rational for the decision making, he thinks it is important that we examine transparency and potential restrictions on campaigns contributions so that the public can be aware of how their elected officials are elected and who has contributed to their campaign to public office.

Secondly, Mr. Madden said we are here on the week of the anniversary of 911. He said it is deeply important that every year we honor those who gave their lives on 9/11 and also for those in Delaware County and elsewhere who put their lives on the line. The vast majority of our first responders in Delaware County as firemen are volunteers. He wants to recognize those in Delaware County and elsewhere who put their lives on the line for the community every day.

Mr. Culp thanked Mr. Madden for believing that his comments were a defensive nature. However, they were not because it was more of a hypocritical statement because if we are really looking for transparency here, as Mr. Madden said, wouldn't they have looked into if Republicans or Democrats gave donations? They didn't. In fact, we asked them and they said they didn't look into that. If you are interested in that, you look at it yourself. Well, if that's not a

political nature, I don't know what is and it's not transparency and they should stop hiding behind transparency if they are not actually going to be transparent.

Secondly, Mr. Culp said he does agree with Mr. Madden on one thing and that is our fire services, our police and our EMS Services are number "1" anywhere in the state and the United States. We had a great day yesterday for the 911 ceremony. It was truly touching and he'd like to thank District Attorney Katayoun Copeland for putting that together.

Mrs. Morrone said, in addition to recognizing our 9/11 Service yesterday and our first responders, EMS and police and the work they do every day, she said it is important to remind everyone to be careful over the weekend. We have an approaching storm. It looks like the track of Hurricane Florence took a slightly more southern approach, so that should be better for us. Thoughts and prayers goes out to those in harm's way. We need to be there, from a County perspective, to help. Our 911 Emergency Responders will be there for them just as they were in New York in 2001.

Chairman McBlain wanted to correct a couple of things that were said. Mr. Zidek talked about the taxing, not the lack of tax increases – actual four years in a row. When you compare us to Montgomery County (again), we either need to be factual or understand what it is we are doing. They deal with a different assessed value than what is here. So, when you compare the millage rate you also have to compare the base of the assessed value. In actuality, Montgomery County raises more real estate taxes than Delaware County does just on a dollar for dollar level, even then the millage rate is less because their tax assessment base is higher because they are larger and have more properties. So, that is just a fundamental thing to look at.

Chairman McBlain said he hopes he shares Mr. Madden's desire that we can somehow get past it in terms of comparing when someone comes up. A lot of people that come before county government or deal with it (and state government) do get involved in the game. As he (Mr. Madden) said, "money is the life blood of political campaigns and people do give political contributions." He thinks, on County Council, we need to measure, no matter whether somebody has contributed to a Democrat or Republican, look and see whether what is being offered is in the best interest of the county.

Earlier this year, we had a great outcry about a contract that was awarded out at our 911 Center to a vendor and where there were (I haven't checked) but a record of contributions to Republicans. But I also point out that a little bit earlier than that, there was a project that was brought to us by Mr. Madden and Mr. Zidek that dealt with suing lead paint manufacturers. They brought that project to us with a law firm, Anapol Weiss. We didn't do a RFP process to find the best law firm to go out and sue lead paint manufacturers. We were brought the project with Anapol Weiss as the people who were going to do it. That was what was proposed. Again, there was no RFP process, no suggestion that we get out and get the best and the brightest in order to do it.

Chairman McBlain said he is certainly aware, as an attorney, of Anapol Weiss. He thinks they are a very good firm, especially when it comes to class action lawsuits. Looking at them, he thought they would be very well suited to represent the County of Delaware, to go after lead

paint manufacturers. That was a public policy decision that he was in favor of, but he guesses if he were to play the game like other people would play it, he would point out that Anapol Weiss is a huge donor to Democratic candidates in Pennsylvania, in Philadelphia and other places. If you want to be nefarious about it, he would point out that Anapol Weiss and their partners gave tens of thousands of dollars to Joe Torsella, the Treasurer of Pennsylvania, and Joe Torsella employs the democratic leader of Haverford Township who is a close campaign associate of the members of County Council that are Democrats. So, if he were nefarious, he would say that Anapol Weiss was brought to us because of political contributions.

However, they got to us, he was able to look and see that Anapol Weiss (he thought) was in a very good position to represent the County of Delaware. Whether they donated to Republicans or Democrats didn't make a difference to him.

Just like today and last week, we had several leases where we have obtained leases for properties around this area because of the problem we had with the parking garage and they went through Media Real Estate. As Mr. Zidek has pointed out, one of the principals involved there is the chairman of his campaign committee and presumably raised funds for that.

He certainly knows that there was no nefarious plot, by Mr. Zidek or people of Media Real Estate, to have caused problems with our building. We look to see that these are the best properties. So regardless of the fact that they are political contributors or supporters to Mr. Zidek or perhaps others, he looks at it and sees that it is the best deal for the county and what was needed. That is why he voted in favor of this item.

Chairman McBlain said he hopes we can dispense with those things in the future and look to see what is going on, whether a potential vendor or contractor is in our best interest, serves our residents and serves the needs of county government.

Lastly, Chairman McBlain said he had a small announcement – the Spotted Lantern Fly. The Spotted Lantern Fly is a new invasive insect that has spread through southeastern Pennsylvania since it's discovery in Berks County in 2014. These bugs have recently been discovered in Delaware County. The Spotted Lantern Fly presents a significant threat to Pennsylvania agriculture, including the great tree fruit hardwood and nursery industries, which are collectively worth nearly \$18 billion to the state's economy.

Delaware County's Department of Intercommunity Health, Delaware County Conservation District and the Penn State Extension have partnered to hold a presentation for residents and business owners regarding the threat of the Spotted Lantern Fly and methods to control the species on Friday, November 2 from 9 a.m. to 1 p.m. at the Penn State Brandywine campus, located in Middletown Township. This is just an announcement to raise public awareness. It has been in the Pennsylvania counties west of us.

The Pennsylvania Department of Agriculture technically says that the Lantern Fly nymphs can be mechanically destroyed, which means you swat them and smack them.



We will put a link on the front page of the County website today where you can get more information on the Spotted Lantern Fly and about the informational workshop of November 2.

Mr. Madden said Chairman McBlain made an accusation there or an implication and for the record he would say, "he received no contributions from anyone at Anapol Weiss." He has no idea what contributions they made to the Democratic Party of Delaware County, but he thinks that the fact that he (Chairman McBlain) brought it up again highlights what his primary point is which is that transparency around campaign contributions and examination of caps is a vital thing for Delaware County and for other counties.

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.

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ANNE M. COOGAN, County Clerk

DELAWARE COUNTY WORKFORCE DEVELOPMENT  
AGREEMENTS, CONTRACTS AND AMENDMENTS

9.12.18

Contract Number	Name of Provider	Type of Service	Term of Contract	Amount
CARM.OJT.18	Carmana Designs, Ltd.	On-the-Job Training	7/1/18-6/30/21	Not to exceed \$5,000.00 per participant
BROTHERS.OJT.18	Brothers Inc.	On-the-Job Training	7/1/18-6/30/21	Not to exceed \$5,000.00 per participant

**HUMAN SERVICES AGREEMENTS, CONTRACTS  
& AMENDMENTS TO CONTRACTS**

<u>Name of Provider</u>	<u>Type of Service</u>	<u>Term of Contract/ Agreement</u>	<u>Current Contract/ Agreement Amount</u>	<u>Proposed Contract/ Agreement Amount</u>
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\*Contract contains no maximum dollar amounts – approved rates attached.

\*\*Either party may terminate this Agreement in accordance with Article IV of this Agreement.

Teen Challenge Training Center, Inc. dba PA Adult and Teen Challenge	Drug & Alcohol Detox and Residential	9/1/18-6/30/20	N/A	N/A*
Early Learning Resource Center (ELRC)	Subsidized Daycare	See List**	N/A	N/A (Based on maximum State childcare allowance)

**EARLY LEARNING RESOURCE CENTER REGION 15 (ELRC)  
REGULATED AGREEMENTS**

<b><u>AGREEMENT NUMBER</u></b>	<b><u>PROVIDER</u></b>	<b><u>TERM</u></b>	<b><u>AMOUNT</u></b>
ELRC 587/18	Dripping Knowledge Childcare LLC	7/1/18-*	N/A (Based on maximum State childcare allowance)
ELRC 589/18	Little Legacy Learning Center LLC	7/1/18-*	N/A (Based on maximum State childcare allowance)
ELRC 591/18	J and A Beacon of Light Childcare	7/1/18-*	N/A (Based on maximum State childcare allowance)
ELRC 605/18	ICU Stem Academy	7/1/18-*	N/A (Based on maximum State childcare allowance)
ELRC 611/18	Quality and Kreative Kids Childcare Center LLC	7/1/18-*	N/A (Based on maximum State childcare allowance)
ELRC 613/18	Zion Lutheran Church Child Care	8/1/18-*	N/A (Based on maximum State childcare allowance)
ELRC 619/18	Tamiah Davis	8/1/18-*	N/A (Based on maximum State childcare allowance)
ELRC 620/18	New Beginnings Christian Academy LLC	8/1/18-*	N/A (Based on maximum State childcare allowance)
ELRC 623/18	Early Stages Education Annex Inc	8/1/18-*	N/A (Based on maximum State childcare allowance)
ELRC 626/18	Diors Daycare LLC	8/1/18-*	N/A (Based on maximum State childcare allowance)
ELRC.647 /18	Charmaine Mills	8/1/18-*	N/A (Based on maximum State childcare allowance)

**\*Either party may terminate this Agreement in accordance with Article IV of this Agreement.**

## **2018 County Council Meetings**

September	19
October	3, 17, 31
November	14, 28
December	5, 12

## **2018 Council Agenda Meetings**

September	18
October	2, 16, 30
November	13, 27
December	4, 11