

PRESENT: Mario J. Civera, Jr., Chairman; Colleen P. Morrone, Vice Chairman; John P. McBlain, Council Member; David J. White, Council Member; Michael F. Culp, Council Member; Edward O'Lone, Controller; Marianne Grace, Executive Director; Michael L. Maddren, Solicitor; Anne M. Coogan, County Clerk; and other department heads.

Chairman Civera called the regular meeting of October 12, 2016 to order followed by the Pledge of Allegiance to the flag led by Paul Jones, a Naval veteran from Middletown Township. Maureen Dillon, of the IT Department, gave the invocation.

Chairman Civera called on Mrs. Morrone to start today's Agenda Items.

Motion made by Mrs. Morrone approving the Minutes of the Regular Meeting of October 5, 2016, seconded by Mr. McBlain and carried unanimously.

Motion made by Mrs. Morrone approving Central Tax Collection Department's request for refunds for the years 2013, 2014 and 2016 County Real Estate Taxes for 6 property owners due to the overpayment of the amount of taxes due, seconded by Mr. White and carried unanimously.

Motion made by Mrs. Morrone approving Central Tax Collection Department's request for 13 Court Ordered refunds for the years 2015 and 2016 for properties in the Townships of Chester, Lower Chichester, Nether Providence, Upper Chichester and Upper Darby in the total amount of \$75,731.40, seconded by Mr. Culp and carried unanimously.

Motion made by Mrs. Morrone approving a Funding Agreement between the County of Delaware and the Pennsylvania Department of Health supporting the County Medical Reserve Corps program for the period of July 1, 2016 through June 30, 2017 in the amount of \$10,500.00. The motion is subject to the Solicitor's approval, seconded by Mr. McBlain and carried unanimously.

Chairman Civera called on Joe Dougherty, Director of Human Services, to speak on Agenda Item 8.

Mr. Dougherty asked for Council's approval of an amendment to the HealthChoices Agreement with the PA Department of Human Services. This amendment addresses regulation changes at the state and federal level.

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

Motion made by Mrs. Morrone approving to appoint Inderjit Bains, of Upper Darby Township, and Margaret Young, of Springfield Township, to the Delaware County Library Board to a three (3) year term ending October 2019, seconded by Mr. Culp and carried unanimously.

Motion made by Mrs. Morrone approving to reappoint Donna W. Mackrides, of Edgmont Township, to the Delaware County Library Board to a three (3) year term ending October 2019, seconded by Mr. McBlain and carried unanimously.

Chairman Civera spoke on Agenda Item 11, the raising of the U.S. Navy flag.

Chairman Civera said 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 on 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 2016, 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 fourth of the five flags to be flown this year with the flag of the U.S. Navy, which was established on October 13, 1775. 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.

Chairman Civera acknowledged Paul Jones, of Middletown Township, who attended this morning's meeting to help celebrate this important anniversary.

Mr. Jones joined the Navy in January 1944 at the age of 17. He was an anti-aircraft gunner assigned to a landing ship tank, which transported and deployed troops, vehicles and supplies. He participated in various missions in the Mediterranean in the European Theater, including the invasion of Southern France, in August 1944. Shortly, thereafter, his ship was deployed to the Pacific to deliver munitions to the Marshall Islands and Guam. The ship and crew participated in various missions in the months following the conclusion of World War II.

Chairman Civera called on Mr. Culp to speak on Agenda Item 12 announcing the Delaware County Transportation Management Association Annual Employment and Career EXPO.

On Delaware County Council, Mr. Culp said job creation and workforce training are two areas that we are extremely committed to. We understand that having a life sustaining job is fundamental for all residents.

We are pleased to partner with the Delaware County Transportation Management to host the 22nd Annual Access to Jobs EXPO. This Expo is supported by Delaware County Council as a service to businesses and residents of the county. It's presented by the Transportation Management Association (DCTMA) in conjunction with County Council, the County Office of Workforce Development, Pennsylvania CareerLink, the Commerce Center and the Delaware County Chamber of Commerce. Last year's Jobs EXPO was extremely successful with over 30 organizations represented and over 500 job seekers meeting with employers and colleges from throughout the area.

This year's Career EXPO will be held on Thursday, October 20 from 9:00 A.M. to 1:00 P.M. at the Springfield Country Club. Over 30 area employers will be on hand when people will have a chance to meet with recruiters and human resources personnel from businesses and educational institutions about job opportunities in varied fields of employment. Job seekers are encouraged to bring copies of their resume.

The EXPO is open to all residents, whether they are looking for a job, looking for qualified employers or looking for a career change.

The following individuals attended this morning's meeting on behalf of Access to Jobs EXPO: Cecile Charlton, Executive Director, DCTMA; Mary Ann Sandone, Project Coordinator, DCTMA; John Daly, newly appointed Director of the Office of Workforce Development; J. Patrick Killian, Director of the Delaware County Commerce Center; Trish McFarland, President of the Delaware County Chamber of Commerce; and Brittany Killion Carter, Director of Events & Membership, Delaware County Chamber of Commerce.

Ms. Charlton thanked County Council for recognizing the work they are doing for job placement. She also thanked the sponsors of this event: Delaware County Community College, SEPTA, Fair Acres, Crozer Keystone Health System, Goodwill and Penn State Brandywine.

Motion made by Mrs. Morrone approving the request by the Controller's Office for payment of current bills, seconded by Mr. McBlain and carried with an abstention vote being registered by Mr. White as it relates to CM3 bills.

SOLICITOR: Mr. Maddren said he had no County business today.

Chairman Civera open the floor to public comment.

PUBLIC COMMENT: Darby Borough Police Lt. Richard Gibney said his business here today is to address the issue of what is happening at the Darby District Court. He first wanted to make clear two things. First, they don't believe this is a racist issue and they don't believe she is a racist. They just believe she is a cop hater. Second, they request that she is moved out of their court. Their court is in shambles right now. The main thing is she released information to a drug dealer the day before a major raid. At the time, the police department still had an undercover

officer making purchases that day and that night. To say she put that officer in danger is above everything else. The next morning, there were approximately 150 police officers going out making drug raids. Every one of them was put in danger.

Police Officer Gibney said the Court Administrator's Office investigation is actually ridiculous. It is embarrassing to them and to Judge Kenney to even attempt to pull that wool over their eyes. We won't accept it. We are not going away. We are going to continue to do what we do.

As you can see, there are conflicts of interest here. There are all types of issues going on. They are looking for Council's help. They realize Council's hands are kind of tied, but you do budget this stuff and they are sure a hiring-freeze on the staff or something can be done. We need help!

Besides all that, we then have her posts that are on Facebook, which I guess she has the right to do. But with her job and then tipping off the drug dealer, it all just stinks. Something has to be done. Are we going to let a police officer get killed over her evil wicked rants that are just turning people against the police?

Police Officer Gibney said he does not know what County Council can do for them (the police officers), but we are asking for your help. We are not going to go away and we are going to continue this.

Chairman Civera said, let me begin by saying this. First of all, thanks to everyone for attending this morning's Council meeting. This is what this forum is all about, to listen to different things that happen within the County of Delaware and to bring our attention to certain matters.

Council truly sympathizes for what happened here. Chairman Civera said he was speaking for all Council members when he said they all support our local police departments. We wouldn't know what to do without them.

Chairman Civera said he was born and raised in Upper Darby Township. He was a former Upper Darby Councilman and Chairman of the Public Safety Committee and worked with the police department, EMS and fire departments. So, when someone comes out and attacks and does certain things and says certain things, it hurts. It is no different, in his view, then when you pledge allegiance to the flag and he realizes that another person may not want to get up and put his hand over his heart and salute the flag for what he believes in and what he has worked for and for what he served in the Armed Forces for, it truly hurts. It is no different than when somebody goes after law enforcement, it truly hurts.

Police Officer Gibney said what he'd like to say about the investigation is "it is a sham." Just so you understand, Darby Borough had 120 some arrest warrants. They were put into the system when there was a 72 hour hold for those warrants, meaning they are not to be released. Simple

as that. No one is to know about them. They are sealed. That is the number of warrants that are marked on the computer and sealed. Not only that, but not only did she tell the drug dealer that but there was an officer in the court that she could have gone over to and said "this guy is wanted." She didn't. She told the drug dealer who then left the courtroom. That is what occurred and that is not even mentioned in the investigation.

Chairman Civera called on Solicitor Maddren to say a few words.

Solicitor Maddren said he has discussed this matter with Council. I think you (the police officers and supporters here today) realize she is a Court employee and I believe you all recognize that. He's been meeting with the Court Administrator who has been in contact with the AOPC, but he is reluctant to go too far into this because it is a personnel matter.

Police Office Gibney said he understands where Solicitor Maddren is coming from. They are not asking him to make some crazy public comment right now, but they are asking for help. They are asking for help to get her moved out of their court for the safety of their officers. They are asking for some sort of help. If it takes Solicitor Maddren's help with pressuring the judge by putting a hiring freeze on him or cutting his budget or whatever you need to do, well, that is what they are here to ask to be done.

Councilman McBlain said he was first contacted by Chief Adams. He was told about the situation regarding the social media posts. County Council was appalled. He is embarrassed that this person is an employee, but nonetheless we need to let the process take its place. He recognizes there are issues involved here regarding protected speech, but his opinion is this is not the end of the inquiry. Protected speech doesn't mean you can utter whatever you want or whenever you want or about whoever you want. There are balances and words have consequences. Council has received a commitment that there will be an investigation to determine whether or not this speech has impaired the ability of the district court to carry out its job to administer justice. Again, his opinion is he agrees with Lt. Gibney.

Police Officer Gibney further said they would like the Attorney General to be contacted and an investigation done and along with the State Ethics Commission involvement.

Councilman Culp agreed with the Council members who have spoken. He thinks this is deplorable. He is not going to just beat a dead horse here; he agrees with everything that Mr. McBlain said. He also wanted to thank the police officers for everything they do. They are out there protecting and serving Delaware County. They shouldn't have to deal with this and we are committed to following through on this.

Councilman White said he thinks you are going to hear a lot of echoes of what everybody has been saying. He can assure them that their work is appreciated. Council has stood by them at funerals and been with them at the hospitals. Council understands their frustration. The frustration not only in Delaware County but it's the frustration throughout this country right now.

It is despicable to disrespect the words as Mr. McBlain said – words do have consequences and we understand that. There is a process and he appreciates being up on Council and understanding that there is a process we need to go through to make sure that however it comes out, it comes out the right way. Whether she is dismissed or stays, that it is done properly. He understands their concerns with the warrants and we will, as John said, request an investigation.

Police Officer Gibney said he believes it is the President Judge's job to make sure the courts are running smoothly and clearly that is not happening at this court (Darby Borough District Court).

Solicitor Maddren asked Lt. Gibney to elaborate on his statement saying "the court is not operating efficiently."

Police Officer Gibney said it's not that it's not operating efficiently because they are still holding hearings, but rather the mood in the court, the officers are uncomfortable in there, no one trusts her. You can see the affect that it is having. It's a horrible situation. When they do a search warrant and she is in there and we have to worry if the drugs are gone or the guns are gone or is there someone in there waiting for us. It's a very dangerous situation that the County is leaving them with. That is why they are here today asking for help. Every day she is there, the danger is there.

Councilwoman Morrone stated she would also like to extend her thanks for all the work they do each and every day protecting the residents of Delaware County. She doesn't feel we can say that enough how much they are appreciated. County Council is very supportive of our police and respect the work they do. This issue is very concerning to her as well. She wants to assure them that appropriate steps are taken to review this issue. The tough part is that it is a personnel issue and there are some sensitive things that we need to do to protect those personnel investigations and review. I think you have heard from all of Council and that you have our support. Allow us to take the necessary steps to review this appropriately.

Darby Borough Police Chief John Smythe said he totally supports what his men are doing. They needed to get this out, so that is why they are speaking here today.

Darby Borough is the busiest court in Delaware County (1,200 Criminal Pleas a year) said Chief Smythe. We have a major problem in Darby Borough with crime and the District Justice does not back them up. He is fining drug dealers, and that's his right, but Darby Borough has a major problem with crime.

Last Wednesday while all this texting was going on, Chief Smythe said the judge walked into the open court in front of his men and makes a joke about it and he and this woman laugh about it. Now I have to send my guys in there – do you think they are going to get a fair hearing? There is not another court in Delaware County that starts court at 9 A.M. and on some days it is 9 or 10 o'clock at night because of the latitude that he runs his court. He's a judge and he can run

his court, but I'd really like to know about another D.J. in the County of Delaware where there is a hundred and some arrests in April and bail was set and the following Friday he has a bail-reduction hearing in his court. I have never heard of that. Not only a video but lawyers inside. I never heard of a D.J., not a hearing where he's going to hear the preliminary case, he just had bail-reductions all day long and let almost all of them back on the street. Five months, six months of investigations and undercover work and he takes this problem out of my town and he puts everyone back on the street. That is the frustrations that Darby and Sharon Hill are dealing with.

How do you change it? I don't know. He's an elected official. Is he a good judge? I will tell you right now - he's a bum. It is that simple. He's a bum and will always be a bum.

Joseph Gabe thanked County Council for taking the time to listen to us, but this is bigger than Darby. This affects all the local police. It's pretty bad when the officers have to go back into the court and see this woman every day and deal with this. It's not a good thing for them.

Michael Miller said he knows there is a process but when something like this comes up with one of the police officers there is administrative leave, they might have their weapon taken, maybe reassigned to another area or put on desk duty, which may take several months or up to a year. His question is: While the process is going on all the safety concerns are out there. It's already been proven that whether you believe it was on purpose or an accident, when the investigation is over she gave confidential information to somebody who had a warrant then did nothing about it and the guy went back out on the street. Every day she is in the court; she is endangering police officers. She talks about a revolution. Take it however you want, but she has the information to get out to people and put police officers lives in danger, not just police officers but the public as well.

So, while the process is going on, my question is, "Is there nothing that can be done to secure the safety of the police officers as well as the residents in Darby Borough?" It would be very easy for everyone to stand up here and want her fired or her words hurt our feelings, but that's not the case here. The case that Chief Smythe and the Lieutenant Gibney made is about the safety of the police officers as well as the residents. Is there something that can be done while the process is playing out that can insure the safety of everyone?

Solicitor Maddren said he uses "outside" labor counsel, so he is reluctant to give you an off-the-cuff labor opinion. He can say this is something that will go back to our labor counsel and be discussed.

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

ANNE M. COOGAN, County Clerk

RECORDED BY: N. J. Scallan