

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

The Regular Meeting of Delaware County Council was held on June 20, 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 led by Matthew Smith, a 5<sup>th</sup> grade student at St. Thomas School. Maureen Dillon, of the Department of Information Technology, gave the invocation.

Chairman McBlain called on Mr. Culp to speak on Agenda Item 4, the presentation of the Delaware County Historical Society "Passport to History" Awards.

On County Council, Mr. Culp said one thing we really enjoy are the times we can have young people attend our meetings and even more enjoyable is when we have an opportunity to hear their thoughts and views on government and history.

Delaware County is rich in history and we are proud of the role Delaware County played in the history of our nation. In fact, the first permanent settlement in Pennsylvania was established by the Swedes in Tinicum Township. William Penn first stepped foot in America in 1682, in Chester.

It is important for each generation to learn about the wonderful historic sites we have right here in our own backyard, from the Swedish Cabin and Morton Homestead to the Colonial Pennsylvania Plantation.

The Delaware County Historical Society has a great program called "Passport to History" that encourages students in fourth and fifth grade to visit these sites. Each year, County Council is proud to join the Historical Society to recognize the winners in the Passport to History Essay Contest.

Representing four different schools, 14 winners were chosen and were invited to attend this morning to receive certificates of achievement from the Historical Society.

Mr. Culp said Council is pleased to have with us members of the Historical Society including Executive Director Laurie Grant and Education Director Karyn Confer who will tell us more about the Passport Program. Also attending today's meeting was the Honorable Linda Cartisano, Chair of the Historical Society.

Ms. Confer said this program was started as an experimental program in 1999 and has grown to offer over 6,000 historical experiences this year with children throughout Delaware County.

They are also expanding a version of Passport to History to an adult form and will begin to offer lectures and other programs geared to adults, hopefully beginning in 2019.

The following are the Passport to History Essay Contest winners: (St. Thomas School) Sophia Reinsel, Bridget Malloy, Matthew Smith, Isabella Anastasia, Dylan Colvin, Dominic DelVeccio, Sarah Hayes, Anthony Carabello; (Media Providence Friends School) Parker Jimenez; (Pennell Elementary School) Hailey Sanders, Katlyn Filler, Brayden Diehl; and (Parkside Elementary School) Cara Fearon-Brooke and Kollin Prox.

Motion made by Mr. Culp approving the Minutes of the Regular Meeting of June 6, 2018, seconded by Mr. Zidek and carried unanimously.

Motion made by Mr. Culp approving Central Tax Collection Department's request for a refund for the year 2017 County Real Estate Taxes for 1 property owner due to the overpayment of the amount of taxes due, seconded by Mr. Madden and carried unanimously.

Motion made by Mr. Culp approving to accept a Grant from the Pennsylvania Auto Theft Prevention Authority in the amount of \$315,000.00. The motion is subject to the Solicitor's approval, seconded by Mr. Madden and carried unanimously.

Motion made by Mr. Culp 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. Madden and carried unanimously.

Motion made by Mr. Culp approving to adopt a Resolution closing out the Community Grant Project and adopting the Delaware County Parks Signage Manual and Inventory. The motion is subject to the Solicitor's approval, seconded by Mr. Madden and carried unanimously.

Motion made by Mr. Culp approving to adopt the County's 5-Year Consolidated Plan and FY 2018 Action Plan. The final list of activities is attached. The motion is subject to the Solicitor's approval, seconded by Mr. Madden and carried unanimously.

Motion made by Mr. Culp approving Agenda Item 11 to assign Loan Agreement, dated March 31, 1999, between the County of Delaware and the Darby Court Associates LP to the Community Action Agency, Inc. The remaining balance of the loan is \$1,282,703.00 with an additional \$247,922.00 of accrued interest. All other terms and conditions remain the same. The motion is subject to the Solicitor's approval, seconded by Mr. Madden and carried unanimously.

Under Council's direction at yesterday's Agenda Meeting, Solicitor Maddren investigated this transaction and the history of it and consulted both with counsel for Community Action Agency and outside counsel with expertise in tax credits, along with reading the documents himself. He is confident that there is no risk of liability to the County in assigning this loan.

Solicitor Maddren said the real concern would be whether we guaranteed these tax credits. If the IRS characterized the loan as a grant, then the recipients of the tax credits would have some relief against the guarantor. However, we did not guarantee the tax credits, Community Action Agency was the guarantor for those tax credits. Additionally, the tax credits were eventually assigned back to Community Action Agency by the recipients.

Chairman McBlain asked that Solicitor Maddren put this in the form of a memo to County Council.

Motion made by Mr. Culp approving to renew Microsoft Azure from CDWG, who is the Sole Vendor for Microsoft Licensing in PA, at a cost of \$163,605.96 on the CCAP Contract 2014-IT 0001 for a period of one (1) year. The license is to be used for Disaster Recovery. The motion is subject to the Solicitor's approval, seconded by Mr. Madden and carried unanimously.

Motion made by Mr. Culp approving to enter into a Professional Services Agreement between the County of Delaware and Jane Williamson based on \$50.00 per hour and not to exceed \$40,000.00 for the period of January 1, 2018 through December 31, 2018. The motion is subject to the Solicitor's approval, seconded by Mr. Madden and carried unanimously.

Motion made by Mr. Culp approving Agenda Item 14 to enter into a Professional Services Agreement between the County of Delaware and Capozzoli Catering of Chester County, LLC for Cafeteria operations for a five (5) year term. The motion is subject to the Solicitor's approval, seconded by Mr. Madden and carried unanimously.

Motion made by Mr. Culp approving to accept a Grant from the Pennsylvania Emergency Management Agency (PEMA) in the amount of \$1,789,816.00 for the CAD (Computer-Aided Dispatch System) to CAD Regional Project. This Grant is being awarded on behalf of the Southeastern Pennsylvania Regional Task Force. The motion is seconded by Mr. Madden and carried unanimously.

Motion made by Mr. Culp approving Agenda Item 16, a Grant to the Newlin Grist Mill to rehabilitate the mill in the amount of \$25,000.00 (Act 13 – Marcellus Shale Legacy Funds). The motion is subject to the Solicitor's approval, seconded by Mr. Madden and carried unanimously.

Chairman McBlain called on Ryan Judge, of the Delaware County Planning Department, to speak on Agenda Item 17, a presentation of the Open Space Task Force Implementation Plan.

Mr. Judge said the Open Space Task Force recommends a 3-prong approach to implementing the County's Open Space Plan: Category 1 – Grants to local municipalities, Category 2 – Capital Investments in County Parks and Category 3 – Professional Services. The three main goals are to conserve, enhance and connect and those goals will help to spread that out throughout the nine planning zones within the county. Discussion followed.

Chairman McBlain said he would like to propose, as the County does its normal capital funding financing, that we create an Open Space Parks and Recreation Fund in the amount of \$10 million which would leverage \$20-30 million in total monies that could be spent on parks and open space along with our municipalities and conservation groups, state and federal funding.

Motion made by Mr. Culp to allow Emergency Services Director Tim Boyce to revise the scope of the Pipeline Hazard Analysis to include Mariner East 2 and Adelpia and ask Mr. Boyce to contact potential vendors for this analysis. Discussion followed. The motion is subject to the Solicitor's approval, seconded by Mr. Zidek and carried with an abstention vote cast by Mr. McBlain as the law firm which he is employed has done work for Sunoco in the past. (Vote: 3 Yeas, 1 Abstention)

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

**SOLICITOR:** Mr. Madden asked for the approval to file two (2) Consents for Adoption with the Orphans Court.

Motion made by Mr. Culp approving to file two (2) Consents for Adoption with the Orphans Court, seconded by Mr. Madden and carried unanimously.

Mr. Madden asked for the authorization to enter into a Contingent Fee Agreement with Anapol Weiss to initiate the lead-based paint litigation that David Senoff described at yesterday's Agenda Meeting.

Motion made by Mr. Culp to enter into a Contingent Fee Agreement with Anapol Weiss to initiate the lead-based paint litigation, seconded by Mr. Madden and carried unanimously.

**PUBLIC COMMENT:** Sally Saunders, 120 Locust Grove Road, Bryn Mawr, said she is representing the group "Citizens for Better Elections" that studies and advocates for paper ballots. She spoke about a few of the group's recommendations to help promote election security and efficiency.

Livia Smith, 930 E. 18<sup>th</sup> Street, Chester City, made remarks about the Open Space Task Force and the nine areas that are broken down as open space and asked how many members are on the Task Force.

Elizabeth Williams, of Chester City, said a few words about open space and parks in the City of Chester.

Brett Burman, 1064 Tyler Drive, Edgmont, thanked Chairman McBlain and County Council for following up on the abstention issue that he brought up in the past. He also asked that when

Council receives an opinion from the State Board of Ethics that it be read at the following Council Meeting and attached to the minutes.

David Bennett, 21 Pennock Terrace, Lansdowne, extended his thanks for his many years of friendship with the Delaware County Planning Department who is a great resource and who is always willing to answer questions. He is a member of the Darby Creek Valley Association and was last year's chairman of their annual cleanup with the largest project being at the *new* Little Flower Park (Upper Darby/Darby Township). It was a pleasure having a partnership with Delaware County Parks and Recreation under the direction of Marc Manfre.

George Alexander, 437 E. Franklin Street, Media, wished to commend County Council with moving forward with the Hazards Analysis and to emphasize the urgency of getting this done.

Zurdi Dobi, 200 Powhatton Avenue, Lester (Tinicum Township), made comments on several topics such as the status of this year's budget, the posting of Agendas and Minutes on the County website, the Philadelphia Airport Capacity Enhancement Program and his experience at a recent Sheriff's Sale.

**COUNCIL:** Mr. Zidek acknowledged the troubling events occurring at our nation's borders involving the separation of parents and children seeking a better life in America. Nearly all our citizens in Delaware County were immigrants at one time or another and it is not difficult for him to imagine the horror felt by parents and children who are in a strange land, perhaps struggling to communicate, and finding themselves separated from their parent or their child. The actions being taken through the U.S. Department of Homeland Security are affront to the principles of our nation. We are better than this and he hopes this practice ends immediately.

Mr. Madden said he appreciates Sally Saunders, of Citizens for Better Elections, for coming in today. He thinks the fact that she and this organization and many organizations throughout the country have been an advocate for advancing how our elections are running given the world we live in today. Cyber warfare is quickly replacing conventional warfare, as we look forward, the more concerning element of how nations will fight one another. The county is really doing a lot of work here. We are very focused as a Council and as a larger governmental body on ensuring that we comply with the regulations that have evolved from Harrisburg and from (essentially) best practices that we can put here. We have been provided with a couple of demonstrations at this point from vendors and we are actively working on accessing what the right vendor would be. Two issues that we are having to deal with that are outside of our control are the following:

- (1) About a month ago, there was only one machine that had been certified by Harrisburg. So we cannot move forward with any vendor or with any machine solution that has not been certified by Harrisburg, as complying with the rules. That is out of our control, but we are doing everything that we can to be ahead of the curve in knowing what solutions are out there and are pending certification.

- (2) Money – we certainly want to do this as cost effectively as we can to Delaware County citizens. The last time there was sort of a national push down of legislation requiring changes to the machinery, which was in the aftermath of Bush-Gore in 2000. There was money provided at the federal level to ensure that counties were able to comply. That has not yet been made available to us.

Mr. Madden said, as a county, open space is an area where we are playing catchup but this does not blame past leadership. The reality is Delaware County is one of the most mature areas in the Philadelphia area, as well as the eastern seaboard. So, when you are dealing with a densely developed area like Delaware County, you have understandable headwind and you are dealt a deck of cards that makes it a bit more work than if you are in Chester County or Bucks County, for example. When you look at the 9-county area of the Greater Philadelphia area per DVRPC, Delaware County is last of the 9 counties in terms of percentage of open space that's been preserved; we are roughly 10% and even Philadelphia is around 12%. So this is an area, as we look at the immediate and sort of indirect benefits of preserving open space, we are very focused on. This is bipartisan. He hopes to say – look for more to come here.

Mr. Culp thanked Ryan Judge, of the County's Planning Department, for all the hard work he and his department did on the Open Space Task Force Implementation Plan. It wasn't easy, but they did an excellent job. He wished everyone a good summer and a happy Fourth of July holiday.

Chairman McBlain said County Council is not scheduled to meet again until July 11, which will also be an away meeting at East Lansdowne Municipal Building, 155 Lexington Avenue, East Lansdowne at 6 P.M. The Agenda Meeting will take place here in this meeting room, as usual, at 10 A.M. on Tuesday, July 10.

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

**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>
Prospect CCMC, LLC dba Crozer Chester Medical Center (PCCMC)	Base Service Unit, BCM, Student Assistance, Crisis Service, Psychiatric Rehabilitation, Sex Offenders, Outpatient, Community School Program, County Alternative School Program, Inpatient, Certified Peer Specialist	7/1/17-6/30/18 (amendment)	\$2,982,319	\$3,382,319
Holcomb Behavioral Health Systems	Residential, Family- Based, Housing Support	7/1/17-6/30/18 (amendment)	\$2,086,418	\$2,317,722
Davis' Personal Car Home, II, Inc.	Personal Care Home	7/1/17-6/30/18 (amendment)	\$107,000	\$127,400
Refuse to Quit RTQ Academy Education & Family Services LLC	Evidence Based Practices	7/1/18-6/30/19	N/A	N/A*
Ambassador Academy Robots and Mentors	Subsidized Daycare	4/1/18-**	N/A	N/A (Based on maximum State childcare allowance)
Amor Kissing Hands LLC	Subsidized Daycare	1/1/18-**	N/A	N/A (Based on maximum State childcare allowance)
Noahs Ark Learning Center	Subsidized Daycare	5/1/18-**	N/A	N/A (Based on maximum State childcare allowance)
Evangelical Lutheran Church of the Refor	Subsidized Daycare	1/1/18-**	N/A	N/A (Based on maximum State childcare allowance)

\*Contract contains no maximum dollar amounts – approved rates attached.

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