

PRESENT: Brian P. Zidek, Chair; Dr. Monica Taylor, Vice Chair; Kevin M. Madden, Council Member; Elaine Paul Schaefer, Council Member; Christine A. Reuther, Council Member; Joanne Phillips, Controller; Howard Lazarus, Executive Director; William F. Martin, Solicitor; and Anne M. Coogan, County Clerk.

The Regular Meeting of Delaware County Council was held on November 17, 2021 at 6:00 pm in the County Council Meeting Room, Government Center Building, located at 201 West Front Street, Media, PA and was live streamed. Chairman Zidek called the meeting to order, followed by the Pledge of Allegiance.

Chairman Zidek stated Council has been in executive session today to discuss existing and potential litigation matters, real estate acquisitions and personnel items.

3) Public Comment

4) Approval of Minutes

4.A Approval of the Minutes of the Regular Meeting of November 3, 2021.

Motion made by Dr. Monica Taylor to approve the Minutes of the Regular Meeting of November 3, 2021. The motion was seconded by Elaine Paul Schaefer and carried unanimously.

5) COVID Vaccination Update

6) Ordinance(s)

6.A Second Reading, Public Hearing and Approval of Ordinance 2021-11 amending Chapter 141 of the County Code to allow alcoholic beverages in County parks pursuant to exceptions approved by County Council.

Chairman Zidek called on Assistant Solicitor Lichtenstein to present Ordinance 2021-11 and give a brief summary of this Ordinance. Chairman Zidek said it would be appropriate for Public Comment at this time. There was no public comment.

Motion made by Dr. Monica Taylor to approve Ordinance 2021-11 amending Chapter 141 of the County Code to allow alcoholic beverages in County parks pursuant to exceptions approved by County Council. The motion was seconded by Kevin M Madden. A roll call vote was taken by County Clerk Coogan with 5 Yeas and 0 Nays. Ordinance 2021-11 was passed.

6.B First Reading of Ordinance 2021-12 exempting certain categories or classifications of personnel from the provisions of § 6-20G(1)(a) of the Administrative Code.

Chairman Zidek called on Solicitor Martin to present Ordinance 2021-12 and give a brief summary of this Ordinance. Discussion followed.

6.C First Reading of Ordinance 2021-13 amending Section 6-12 of the Administrative Code to require disclosure of certain political contributions by county contractors.

Chairman Zidek called on Assistant Solicitor Lichtenstein to present Ordinance 2021-13 and give a brief summary of the Ordinance. Discussion followed.

7) Resolution(s)

7.A Approval of Resolution 2021-5 approving alcoholic beverages in Rose Tree Park for the Festival of Lights event during the Holiday Vendor Market.

Motion made by Dr. Monica Taylor to approve Resolution 2021-5 approving alcoholic beverages in Rose Tree Park for the Festival of Lights Event during the Holiday Vendor Market. The motion was seconded by Kevin M Madden and carried unanimously.

7.B Approval of Resolution 2021-6 to approve Fees for Services including increases for Erosion and Sediment Control Plan Reviews by the Delaware County Conservation District.

Motion made by Dr. Monica Taylor to approve Resolution 2021-6 to approve Fees for Services including increases for Erosion and Sediment Control Plan Reviews by the Delaware County Conservation District. The motion was seconded by Brian Zidek and carried unanimously.

8) Announcement(s)

8.A Announcement of the County's 2021/2022 Cold Weather Plan.

9) Advertisement(s)

9.A Approval to Advertise Request for Qualifications for a radio/cell tower leasing consultant.

Motion made by Dr. Monica Taylor to advertise request for Qualifications for radio/cell tower leasing consultant. The motion was seconded by Kevin M Madden and carried unanimously.

10) Agreements / Contracts / Amendments / Purchases

10.A Approval to award 5-year contract to Thomson Reuters for online legal research for the courts in the amount of \$193,656.00 for year 1 with a 2% increase yearly.

Motion made by Dr. Monica Taylor to award 5-year contract to Thomson Reuters for online legal research for the courts in the amount of \$193,656.00 for year 1 with a 2% increase yearly. The motion was seconded by Elaine Paul Schaefer and carried unanimously.

10.B Approval to submit and accept Grant from Trinity Health/Mercy Fitzgerald in the amount of \$75,000.00 to be used for the purpose of community health and well-being.

Motion made by Dr. Monica Taylor to free form to submit and accept Grant from Trinity Health/Mercy Fitzgerald in the amount of \$75,000.00 to be used for the purpose of community health and well-being. The motion was seconded by Kevin M Madden and carried unanimously.

10.C Approval of 1 year extension of Contract E-071719 between McCormick Taylor and Delaware County for Bridge Management, Design and Administration for amount not to exceed \$315,000.00. Subject to Solicitor's approval.

Motion made by Dr. Monica Taylor to approve of a one (1) year extension of Contract E-071719 between McCormick Taylor and Delaware County for Bridge Management, Design and Administration for amount not to exceed \$315,000.00. Subject to Solicitor's approval. The motion was seconded by Elaine Paul Schaefer and carried unanimously.

10.D Approval of Construction contract #96368 for the replacement for Bridge #9 Mt. Alverno Road over Chester Creek between Road-Con Inc and Delaware County for an amount not to exceed \$3,260,000.00 (80% Federal; 15% State; 5% County Motor Vehicle Fund). Subject to Solicitor's approval.

Motion made by Dr. Monica Taylor to approve Construction contract #96368 for the replacement for Bridge #9 Mt. Alverno Road over Chester Creek between Road-Con Inc and Delaware County for an amount not to exceed \$3,260,000.00 (80% Federal; 15% State; 5% County Motor Vehicle Fund). Subject to Solicitor's approval. The motion was seconded by Christine A Reuther and carried unanimously.

10.E Approval to extend current NBIS (National Bridge Inspection Standards) bridge inspection contract with McCormick Taylor until funding exhausted (approximately 2 years). Current contract has \$374,000.00 left and contract will expire 3/2022. Subject to Solicitor's approval.

Motion made by Dr. Monica Taylor to extend current NBIS (National Bridge Inspection Standards) bridge inspection contract with McCormick Taylor until funding exhausted (approximately 2 years). Current contract has \$374,000.00 left and contract will expire 3/2022. Subject to Solicitor's approval. The motion was seconded by Elaine Paul Schaefer and carried unanimously.

10.F Approval to Direct Calhoun Baker, Inc., to Perform Services Under their Original 2014 Agreement with Delaware County to Manage the Financing for the 2022 Capital Improvement Program.

Motion made by Dr. Monica Taylor to approve to Direct Calhoun Baker, Inc., to Perform Services Under their Original 2014 Agreement with Delaware County to Manage the Financing for the 2022 Capital Improvement Program. The motion was seconded by Kevin M Madden and carried unanimously.

10.G Approval of a budget increase in the amount of \$1,134,755 for Little Flower Open Space Park Development, Phase 1. This increase adds Phase 1B to the original Phase 1A scope of the project. The new funds are requested to fund professional services and construction.

Motion made by Dr. Monica Taylor to approve of a budget increase in the amount of \$1,134,755 for Little Flower Open Space Park Development, Phase 1. This increase adds Phase 1B to the original Phase 1A scope of the project. The new funds are requested to fund professional services and construction. The motion was seconded by Elaine Paul Schaefer and carried unanimously.

10.H Approval of a budget increase in the amount of \$1,087,638 for Rose Tree Park Playground and Pedestrian Mall Development to fund professional services and construction.

Motion made by Dr. Monica Taylor to approve of a budget increase in the amount of \$1,087,638 for Rose Tree Park Playground and Pedestrian Mall Development to fund professional services and construction. The motion was seconded by Elaine Paul Schaefer and carried unanimously.

10.I Approval of a budget increase in the amount of \$1,308,150 for Upland County Park improvements, including Playground Development budget increase, and the addition of an

adjacent Athletic Field Improvements phase. For both phases combined, \$1,308,150 of new funds are requested for professional services and construction.

Motion made by Dr. Monica Taylor to approve of a budget increase in the amount of \$1,308,150 for Upland County Park improvements, including Playground Development budget increase, and the addition of an adjacent Athletic Field Improvements phase. For both phases combined, \$1,308,150 of new funds are requested for professional services and construction. The motion was seconded by Kevin M Madden and carried unanimously.

10.J Approval of Addendum to Professional Services Agreement in the amount of \$231,000.00 from Pennoni, Inc., amending the budget, scope, and term of the existing Agreement for design and construction oversight for facilities in three County Parks: Rose Tree County Park, Upland County Park, and a new park at the County's Little Flower Open Space. Subject to Solicitor's approval.

Motion made by Dr. Monica Taylor to approve of Addendum to Professional Services Agreement in the amount of \$231,000.00 from Pennoni, Inc., amending the budget, scope, and term of the existing Agreement for design and construction oversight for facilities in three County Parks: Rose Tree County Park, Upland County Park, and a new park at the County's Little Flower Open Space. Subject to Solicitor's approval. The motion was seconded by Christine A Reuther and carried unanimously.

10.K Approval of a Grant to Lower Chichester Township in the amount of \$40,000.00 for the demolition and clearance of a vacant residence located at 2 West Ridge Road, Marcus Hook. Subject to Solicitor's approval.

Motion made by Dr. Monica Taylor to approve a Grant to Lower Chichester Township in the amount of \$40,000.00 for the demolition and clearance of a vacant residence located at 2 West Ridge Road, Marcus Hook. Subject to Solicitor's approval. The motion was seconded by Christine A Reuther and carried unanimously.

10.L Approval of a Grant to Lower Chichester Township in the amount of \$70,000.00 for the demolition, clearance and adjacent structure restoration of a vacant residence located at 32 West Ridge Road, Marcus Hook. Subject to Solicitor's approval.

Motion made by Dr. Monica Taylor to approve a Grant to Lower Chichester Township in the amount of \$70,000.00 for the demolition, clearance and adjacent structure restoration of a vacant residence located at 32 West Ridge Road, Marcus Hook. Subject to Solicitor's approval. The motion was seconded by Elaine Paul Schaefer and carried unanimously.

10.M Approval of amendment and grant of authority to advertise the following Housing and Community Development 2021 Action Plan amendment as it relates to the CDBG Program: Allocate an additional \$54,250.00 to Marcus Hook Borough for streetscape improvements and change the location of activities from Cedar Street between Pine Street and Chestnut Street to Cedar Street between Plaza Street and Pine Street. CDBG funding will total \$259,250.00. Subject to a 30 day comment period and Solicitor's approval.

Motion made by Dr. Monica Taylor to approve of amendment and grant of authority to advertise the following Housing and Community Development 2021 Action Plan amendment as it relates to the CDBG Program: Allocate an additional \$54,250.00 to Marcus Hook Borough for streetscape improvements and change the location of activities from Cedar Street between Pine Street and

Chestnut Street to Cedar Street between Plaza Street and Pine Street. CDBG funding will total \$259,250.00. Subject to a 30 day comment period and Solicitor's approval. The motion was seconded by Elaine Paul Schaefer and carried unanimously.

10.N Approval to extend the performance period of the agreement with Echo Communications for the four months at an additional cost of \$26,000.00. Subject to Solicitor's approval.

Motion made by Dr. Monica Taylor to extend the performance period of the agreement with Echo Communications for the four months at an additional cost of \$26,000.00. Subject to Solicitor's approval. The motion was seconded by Kevin M Madden and carried unanimously.

10.O Approval to Amend the Professional Services Agreement with Dr. Bennett Preston, M.D. to provide forensic pathology services by \$75,000 to an amount not to exceed \$275,000. Subject to Solicitor's approval.

Motion made by Dr. Monica Taylor to amend the Professional Services Agreement with Dr. Bennett Preston, M.D. to provide forensic pathology services by \$75,000 to an amount not to exceed \$275,000. Subject to Solicitor's approval. The motion was seconded by Elaine Paul Schaefer and carried unanimously.

10.P Approval of a Memorandum of Understanding (MOU) between the County of Delaware and the United Automobile, Aerospace and Agricultural Implement Workers of America (UAW), effective November 28, 2021, to increase the minimum rate of annual pay for attorneys in the Public Defender's Office to a rate of \$53,530.00. Subject to Solicitor's approval.

Motion made by Dr. Monica Taylor to approve a Memorandum of Understanding (MOU) between the County of Delaware and the United Automobile, Aerospace and Agricultural Implement Workers of America (UAW), effective November 28, 2021, to increase the minimum rate of annual pay for attorneys in the Public Defender's Office to a rate of \$53,530.00. Subject to Solicitor's approval. The motion was seconded by Elaine Paul Schaefer and carried unanimously.

10.Q Approval of Collective Bargaining Agreement (CBA) between the County of Delaware and the County of Delaware Public Employees' Association, Local 3107 of the American Federation of State, County and Municipal Employees, District Council 88 (AFSCME) terminating December 31, 2024 and providing for certain retroactive base pay increases for the period commencing January 1, 2021.

Motion made by Dr. Monica Taylor to approve Collective Bargaining Agreement (CBA) between the County of Delaware and the County of Delaware Public Employees' Association, Local 3107 of the American Federation of State, County and Municipal Employees, District Council 88 (AFSCME) terminating December 31, 2024 and providing for certain retroactive base pay increases for the period commencing January 1, 2021. The motion was seconded by Kevin M Madden and carried with a Nay vote being registered by Mr. Zidek.

11) Miscellaneous

11.A Update on Delaware County Interactive Gaming Revenue Authority.

12) Tax Collection Refund(s)

12.A Approval of Central Tax Collection Department's request for refunds for the year 2021 County Real Estate Taxes for nine (9) property owners due to overpayment of the amount of taxes due.

Motion made by Dr. Monica Taylor to approve Central Tax Collection Department's request for refunds for the year 2021 County Real Estate Taxes for nine (9) property owners due to overpayment of the amount of taxes due. The motion was seconded by Kevin M Madden and carried unanimously.

12.B Approval of Central Tax Collection Department's request for two (2) Court Ordered Refunds for the year 2021 for properties in the township of Haverford and the Borough of Yeadon in a total amount of \$499.74.

Motion made by Dr. Monica Taylor to approve Central Tax Collection Department's request for two (2) Court Ordered Refunds for the year 2021 for properties in the township of Haverford and the Borough of Yeadon in a total amount of \$499.74. The motion was seconded by Kevin M Madden and carried unanimously.

13) Request by the Controller's Office for payment of current bills

Motion made by Dr. Monica Taylor to approve request by the Controller's Office for payment of current bills. The motion was seconded by Christine A Reuther and carried unanimously.

14) Communications from the Executive Director

15) Solicitor

15.A Approval to file five (5) Termination of Parental Rights and two (2) Consents for Adoption with the Orphans Court.

Motion made by Christine A Reuther to file five (5) Termination of Parental Rights and two (2) Consents for Adoption with the Orphans Court. The motion was seconded by Elaine Paul Schaefer and carried unanimously.

16) Public Comment

17) Council Remarks

18) Adjourn

Motion made by Christine A Reuther to adjourn the meeting, seconded by Elaine Paul Schaefer and carried unanimously.