

MINUTES
BROOKHAVEN BOROUGH COUNCIL MEETING
MONDAY, SEPTEMBER 14, 2015

At 7:05 PM Council President, Ben Linowski, called the regularly scheduled meeting of Brookhaven Council to order. He welcomed all present and led in the Pledge of Allegiance to the American Flag. Mayor Hess read the names of the Borough residents who passed away during the month of August—Katharine Markert, Helen Howley, Jeanette M. Vandergrift, Joseph C. Boughner, Jr., Marie Presloid (Frank Christopher’s daughter) and Ella B. Greagori. In their memory a moment of silence was held.

Mr. Linowski spoke about the wonderful Welcome Home Parade for Korean and Vietnam Veterans that was held on Sunday, September 13. He thanked Ms. Leslie and retired Police Officer Rick Full as well as all of the other people on the committee who helped. He also thanked others who volunteered. He said it was a beautiful day for the veterans.

The record shows Council met in Executive Session immediately prior to the meeting to discuss legal and/or personnel matters.

Public Discussion

Michael Ruggieri from East Garrison Road spoke about the new concrete work that was done in front of the Brookhaven Veterinary Hospital at 101 East Garrison Road. He was concerned about drainage issues because there was no longer paving that provided for water to be absorbed by the vegetation planted in the blocks that had been installed prior to the hospital opening. Mrs. McKinley said the permit for the work had been issued and Mr. Catania explained that extra stone was put under the concrete and the work was done according to code.

David Schlott, 3551 Edgewater Lane complimented and thanked everyone involved in organizing and bringing about the Welcome Home Parade for the veterans who served in Korea and Vietnam. He said he has spent most of his life in some kind of uniform. After 46 years he said he was use to not being thanked for serving. He said it was wonderful for the Borough to host the Welcome Home Parade. It is very much appreciated. Mr. Schlott said “Brookhaven really comes together to get things done”!

Police Chief’s Report – Chief McGoldrick

Chief McGoldrick began his report by thanking Ms. Leslie, Retired Police Officer Rick Fuller and all those responsible for the Welcome Home Parade. He also thanked the Public Works Department for all that they did—dropping of barricades, benches, etc. Chief McGoldrick thanked Police Officers Subers and Jenkins for riding their bicycles in the parade.

He continued his report by thanking Mr. Wilwert for the September 11 Memorial Service on Friday night. He said Mr. Wilwert did a great job. He congratulated Town Watch on their 20th Anniversary.

Chief McGoldrick said that he has been to several Papal Meetings. If I-95 North gets backed up on Saturday, September 26, the State Police will evacuate I-95. The only impact to Brookhaven is minor, but Edgmont Avenue (Route 352) may get backed up by people, especially from Delaware, Maryland and points south who have been directed by their GPS to use Edgmont Avenue to get to Route 1.

School Board Report – Mr. Kuminka wasn’t able to be at the meeting

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Fire Chief's Report – Chief Montella

Chief Montella thanked Town Watch for the September 11 Memorial Service and congratulated them on their 20th Anniversary. He also thanked everyone involved with the Welcome Home Korean and Vietnam Veterans' Parade on Sunday.

Chief Montella reported the following statistics for the month of August, 2015:

7 Fire Incidents, 27 Non-Fire Incidents, 31 Mutual Aids and 4 Drills. As far as losses go, there was \$1,000 loss to structures and \$400,000 worth of property endangered. There were no firefighter or civilian deaths or injuries. The Manpower Report shows that there were 69 fire calls with an average of 15 persons participating for a total of 568 hours. There were 4 training sessions with an average of 30 people participating for a total of 232 hours.

Brookhaven Volunteer Fire Company responded to a building fire at TD Bank with the fire contained to an HVAC roof unit. They responded to a building fire on Kenney Lane where an air conditioning unit transformer shorted in the basement. They responded to a building fire on Grandview Avenue where a bedroom ceiling fan caught fire. They responded to a motor vehicle accident with entrapment at Edgmont Avenue and Cambridge Road, They responded to 5 other motor vehicle accidents in the Borough. They assisted Chester Township on 2 working car fires and assisted Upland Fire Company on a working car fire and an elevator rescue at Crozer Chester Medical center where a patient was stuck in the elevator. They assisted Rocky Run Fire Company on a building fire at Fair Acres and assisted Parkside Fire Company on a hazmat situation at Parkside Elementary School. They also assisted Aston Fire Company on a building fire at the Mount Road Industrial Complex. Brookhaven Volunteer Fire Company had Fire Dynamic Training and Water Rescue Training.

The Ambulance Report shows 73 transports, 15 refusals, 18 assists for a total of 105. The Call totals for Boroughs shows Brookhaven-52 - 82; Media 23 – 1; Rocky Run 46 – 1; Parkside 45 – 0; Middletown 50 – 1; Chester Township 47 – 1; Wallingford/Nether Providence 65 – 7; Aston 17 – 1; South Middletown 51 – 0; Upland 57 – 7; Chester 100 – 0; Chester 73 – 0; Chester – 82 – 4 and Chester 83 – 1.

Chief Montella announced that the Fire Company is having a BBQ Ribs and Chicken Fundraiser featuring Nelson's Port-a-Pit BBQ. It will be on Sunday, October 11. Meal includes ½ rack of ribs or ½ chicken, side dish, roll with butter and a soda. Ribs meal \$13.00 and chicken meal \$8.00. It is recommended that meals be pre-ordered and they will be ready for pick up at the Fire House from 11:00 AM until 4:00 PM.

Solicitor's Report – Mr. Maddren

Mr. Maddren explained the Police Killed in Service Benefit and the reason it was necessary to delete it from the Brookhaven Borough Code. This proposed ordinance was properly advertised for adoption. He recommended adoption of it—An Ordinance of Brookhaven Borough, Delaware County, Pennsylvania deleting the Police Killed in Service Benefit from the Police Pension Provisions of the Brookhaven Borough Code. Ms. Leslie so moved and Mrs. Fooks made the second. Motion carried by unanimous vote. This is Ordinance 784.

Mr. Maddren recommended a motion to adopt the Pennsylvania Food Code. The proposed ordinance was properly advertised for adoption—An Ordinance of Brookhaven Borough, Delaware County, Pennsylvania adopting the Pennsylvania Food Code and Repealing all ordinances, resolutions and parts of ordinances or resolutions inconsistent herewith to the extent of such inconsistencies. Mr. Camma made the motion and Mrs. Truesdale the second. Motion carried unanimously. This is Ordinance 785.

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He continued his report by recommending a motion to adopt the updated Flood Plain Management Ordinance. This too was properly advertised for adoption—An Ordinance requiring all persons, partnerships, businesses and corporations to obtain a permit for any construction or development; providing for the issuance of such permits; setting forth certain minimum requirements for new construction and development within areas of the Borough which are subject to flooding; and establishing penalties for any persons who fail, or refuse to comply with the requirements or provisions of this Ordinance. The update was done at the Federal Emergency Management Agency's request. Ms. Leslie made the motion and Mr. Camma the second. Motion carried by unanimous vote. This is Ordinance 786.

Mr. Maddren recommended adoption of the following Resolution—A Resolution of the Borough of Brookhaven, Delaware County, Pennsylvania, selecting InR Advisory Services LLC as Pension Advisor for the Borough of Brookhaven Pension Plans. The plans were previously handled by Flagship Capital Management. Mrs. Fooks made the motion and Mrs. Truesdale the second to select InR Advisory Services LLC as Pension Advisor for the Borough of Brookhaven Pension Plans. Motion carried by unanimous vote. This is Resolution 2015-08. The record shows that InR Advisory Services, LLC is located at 115 West State Street, Media, Pennsylvania 19063.

Mr. Catania confirmed the fact that applications are in to demolish the home at 133 Charles Avenue.

Mr. Maddren congratulated Brookhaven and its Emergency Management Team who were recognized at the County Council Meeting on September 9. The Resolution they were presented with said, among other things that Brookhaven “showed remarkable resiliency and a strong, unified response to keep residents safe and informed” during and after the storm on June 23, 2015. “Councilwoman Leslie and Borough Mayor Mike Hess were joined by first responders, police and firefighters, public works staff, health inspectors and countless volunteers who worked tirelessly to provide food and shelter for displaced residents, to direct traffic and more downed trees, respond to emergencies, and work to restore and rebuild the community after the storm, which left many without power for five days”. The County recommitted “to strengthening the capacity of local responders and creating resilient communities like Brookhaven that are prepared when disaster strikes”.

Minutes Approval

Ms. Leslie made the motion and Mr. Camma made the second to approve the Minutes from the July 27, 2015 Council Workshop. Motion carried by unanimous vote.

Ms. Leslie made the motion and Mrs. Fooks made the second to approve the Minutes from the August 3, 2015 Council Meeting. Motion carried by unanimous vote.

Mayor's Report – Mayor Hess

Mayor Hess said that at the County Council Meeting last week, Brookhaven was honored with a Resolution for our quick response to the disaster left behind after the storm on June 23 blew through Brookhaven. He said the residents of Brookhaven continue to amaze him. Ms. Leslie will read the resolution during her report. He said we are a town that came together. He also thanked the more than 1,000 residents who lined the streets along the Welcome Home Parade route. We are truly a Community with Unity.

Liaison to Zoning Hearing Board, Chair Finance and Insurance Committee, Chair Long Range Development Committee, Member Civil Service Commission, Chair Condo Association Committee, Member Historical Committee and Member Vacancy Review Committee – Mr. Linowski

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Mr. Linowski present the list of Bills for Approval dated 9/14/15 5:17 P.M. and totaling \$329,672.51 of which \$185,894 was for Joseph E. Sucher & Sons, Inc. for the 2015 Road Resurfacing Program. Ms. Leslie made the motion and Mrs. Fooks the second to approve the bills for payment. Motion carried unanimously.

Mr. Linowski explained that approval was needed for the 2016 Financial Requirement and Minimum Municipal Obligation Budget for 2016 for both the Police Pension Plan and the Non-Uniformed Pension Plan.

The figures are as follows:

Mr. Linowski explained the 2016 Financial Requirement and Minimum Municipal Obligation Financial and Minimum Municipal Obligation Budget for the Uniformed and Non-Uniformed Pension Plans (MMO's). Ms. Leslie made the motion and Mrs. Truesdale the second to it. The 2016 Financial Requirement and Minimum Municipal Obligation Financial Requirement and Minimum Municipal Obligation Budget for 2016 is as follows:

	Police Pension Plan	Non-Uniformed Pension Plan
1. Total Annual Payroll		
Estimated Payroll	\$747,792	\$577,706
2. Normal Cost as a Percentage of Payroll (Derived from latest actuarial valuation) 1/1/15	15.18%	3.52%
3. Total Normal Cost (Item 1 x Item 2)	\$113,515	\$ 20,335
4. Amortization Requirement (Derived from latest actuarial valuation)	\$324,493	\$ 0
5. Total Administrative Expenses (Derived from latest actuarial valuation)	\$ 5,550	\$ 7,199
6. Financial Requirement (+ Item 3 + Item 4 + Item 5)	\$443,558	\$ 27,534
7. Total Member Contributions	\$ 37,390	\$ 0
8. Funding Adjustment (Derived from latest actuarial valuation)	\$ 0	\$ 4,201
9. Minimum Municipal Obligation (+Item 6 – Item 7 – Item 8)	\$406,168	\$ 23,333
10. Minimum Municipal Obligation Based Upon Market Value of Assets	\$471,607	\$ 29,449

Motion was approved by unanimous vote.

Mr. Linowski reported that the Zoning Hearing Board did meet on August 11, 2015 and did approve the Lowe's signs variances. They met again on September 8 and approved the variances for an addition to the home at 217 Upland Road.

Mr. Linowski continued his report asking for a motion to waive the Parade Permit Fee for the Motion to Waive Vietnam and Korean Veterans' Parade yesterday. Ms. Leslie made the motion and Mr. Camma the second. Motion carried unanimously.

Mr. Linowski recommended a motion to advertise the vacancy for the Commercial Food Related Health Inspector. Mr. Camma made the motion and Mrs. Truesdale the second. Motion carried unanimously.

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Council Reports

Chair Historical Society, Liaison to Holiday Parade Committee, Traffic Calming/Speed Humps Assignor, Chair Comprehensive Plans, Chair Inspectors and Fire Marshal– Mr. Camma

Mr. Camma made the motion and Ms. Leslie the second to appoint Robert Grant as Residential Building Inspector. Motion carried by unanimous vote.

Several members of the Holiday Parade Committee and Mr. Camma collected donations during the Holiday Parade Committee's Tag Day on September 12. The Holiday Parade is on November 21 and volunteers are needed and welcome. There will be a Youth Dance in October. The date has not yet been determined.

Mr. Camma reflected back to last year when his son was welcomed home from serving our country. He thanked all involved with that welcome home as well as everyone involved with the Korean Vietnam Veterans' Welcome Home Parade yesterday.

Liaison to Recreation Committee, Chair Personnel Committee, Member Finance Committee, Member Fire Committee and Member Police Committee – Mrs. Truesdale

Mrs. Truesdale also thanked everyone who participated in and planned the Welcome Home Parade yesterday.

She said the following things are on the Recreation Board's horizon:

Saturday, September 26 from noon until 4:00 P.M. – Family Day. Last day for tickets is September 18.

Sunday, October 18 – Golf Outing at Beckett. Tickets and sponsorships still available.

Saturday, October 24 – Possibly a Hunted Gingerbread House event

Friday, November 6 – Murder Mystery Dinner "Charlie Angels of Death"

Saturday, November 21 – Designer Bag Bingo

Saturday, November 29 – Photos with Santa 11:00 A.M.-1:00 P.M.

Sunday, December 6 – Senior Holiday Luncheon at 1:00 PM and Tree Lighting at 6:00 P.M.

Chair Public Works Department, Co-Chair Inspectors and Fire Marshal, Member Fire Committee, Deputy Emergency Management, Chair Building/Rental Committee, Member Grant Committee and Member Police Committee – Mr. Linowski for Mr. Wilwert

Mr. Linowski read Mr. Wilwert's report as follows:

Public Works – Mr. Sparks is still out. Recommend a motion to hire 1 temporary employee (if needed). \$9.50 per hour to start and \$10.00 per hour after satisfactorily completing 30 days of temporary employment. No benefits.

Two 25 miles per hour speed limit signs were installed on Commerce Avenue. There were none on the street.

The timer on Sampson Park's lights for girls' softball was set. Higgins Electric was notified to replace the bulbs since none of them were good.

Grass cutting was done as time permitted even though they were still chipping branches from the June 23 storm damage. Finally finished storm damage chipping on August 14.

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Chipping totals: 420 homes were serviced for limbs. 59 loads of chips were produced at 8 cubic yards per load. 472 cubic yards of chips were taken to Rick's Tree Service for disposal. Chipper ran for 43.7 hours. Borough chipper developed a clutch problem. 269 gallons of diesel fuel was used in all equipment.

Cost of Chipping: Wages	\$11,662.87
Fuel	502.72
Chipper Rental	1,831.00
Repair to Borough Chipper	850.29

Contractor Fees for trees our Public Works Department could not handle:

4926 Grant in rear from Borough Property	\$ 1,400.00
Lane in rear of Victor Avenue	600.00
Garzia Park	400.00
155 Meadowbrook Lane – Tree on House	1,400.00
4245 School Lane – Remove large Oak Tree from Street – Bill sent to homeowner for reimbursement	2,650.00
Total as of September 1, 2015	\$21,299.88

Contractor and Public Works Department are still working on damaged or downed trees on Grant Drive that fell from Borough owned land, Garzia Park, Sommerville Park, Eaton Park and ground in the rear of Ruth Road.

School Board Liaison, Chair Technology Committee, Member Personnel Committee, Member Finance Committee and Chair and Council Liaison to Grant Committee – Mrs. Fooks

Mrs. Fooks said that yesterday's Veterans' Parade was wonderful and she commended Ms. Leslie, Rick Fuller and their committee on a job well done. She also thanked the Delaware County Daily Times for publishing about the parade on line. She said it's a shame that local television news channels didn't think the parade was important enough to televise even though all of the channels were notified.

The Ordinance Committee did meet on August 19 to discuss adopting the Pennsylvania Food Code. It was agreed by all to do so in order to remain consistent with State Regulations. There will be no Ordinance Committee Meeting in September.

The Ordinance Committee previously discussed creating a generator operating ordinance. The Committee decided that it would be in the Borough's best interest to create guidelines instead of an Ordinance and post the guidelines in the Newsletter and on our website. She provided a copy of those guidelines to Mr. Maddren, Chief Montella and Fire Marshal Leslie for their review and approval. As previously discussed, mounted generators will need some additional stipulations, specifically setback requirements. Once approved, Mrs. Fooks will post the guidelines on the website so residents can access them.

Under Business Revitalization, Mrs. Fooks contacted Novatec's owner, Mr. Maguire. He updated her on their progress. Novatec is located in the old Blast Fitness facility on Chester Creek Road. Renovations at the building are almost complete. It has taken several more months than expected; however, they have done a lot more to the building than originally expected. Novatec has added a loading dock and drive in door as well as new entrance and exit doors all around. A new outside entrance landing, with handicapped access, approved railings and other requirements to meet ADA (American with Disabilities Act) standards. A fire protection sprinkler system has been installed and all new lighting as well. Novatec will be hiring employees for assembly positions as product lines are moved, one at a time, from Novatec's Baltimore location to this new facility. To further

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elaborate, hiring will be spread over 3 or 5 months for the balance of this year. It may be only 10 to 15 people but as product lines move here from Baltimore, then they will add more employees with each product line.

Mrs. Fooks continued her report by saying she has been hearing some residents talk about the possibility of Pathmark closing. She decided to reach out to the shopping center's owner. Unfortunately they are unable to discuss the subject at the moment but assured her they are on top of it and they will be doing everything in their power to find a solid replacement tenant if Pathmark closes. They will be in touch with her when they know more.

Mrs. Fooks asked Mr. Maddren if he had any updates on the old Wawa building. Mr. Maddren said the sign is down and he thinks Wawa's lease expires this month. Mrs. Fooks thinks Phatso's Bakery is still interested in that location.

Mrs. Fooks reminds all residents to check our Brookhaven Borough website frequently for upcoming events and information. The website address is www.brookhavenboro.com.

Chair Arbor/Shade Tree Committee, Liaison to Health Inspectors and Health Officer, Member of Grant Committee, Liaison to Planning Commission and Member Long Range Development Committee –
Ms. Sawicki

Ms. Sawicki was absent. Mr. Linowski said that the Planning Commission did not meet in September because there was nothing on their agenda; however, they will meet on October 20 at 7:30 P.M. to discuss the 203 Upland Road Skulski Subdivision Plans.

Chair Emergency Management Administration, Chair Recycling/Trash Committee, Chair Fire Committee, Chair Police Committee and Member Personnel Committee – Ms. Leslie

Ms. Leslie reported that the Electronic Waste Collection went very well. This is the last electronic waste collection event this year. There were a lot of electronics recycled. We are waiting for the figures. We will try to schedule another one in March or April, 2016.

The last Shred It Day for 2015 will be held on Saturday, October 31 from 9:00 A.M. until noon.

Ms. Leslie said that September is Emergency Preparedness Month. She read the County Council Resolution presented to Brookhaven at County Council's September 9th Meeting.

She complimented Mr. Wilwert and Town Watch for the September 11 Memorial Service. She also Congratulated Town Watch on their 20th Anniversary.

Ms. Leslie said she wanted to say thank you to everyone that participated in the Welcoming Home Parade for Vietnam and Korean Veterans. Rick Fuller and all of her parade volunteers—Harry Davidson, Bruce Thomason, Pierce Phillips, Greg Camma, Harry Seth, Linda and Ed Riffert, Joe Dubolino, Mayor Hess, Harry Swayngim, Willie Hilton, Gary Nygard, Christine Hayter, Jack Mitch, George Fritzinger, Jack Ruth, Barry Durham, Tom Foster, Vawn Donaway, Donna Fooks, Sue Truesdale, Dawn and Bill Jones, all of the Town Watch volunteers, John Wilwert, Sharon Williams, Gary Thompson, Fire Chief Rob Montella, Police Chief Randy McGoldrick and the Fire Police Officers. Thanks to all of the businesses that donated food and

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beverages, the 15 passenger van, Brookhaven Swim Club for the benches they allowed us to use and Auto Zone for decorations. She said it was “an emotional, wonderful parade” and she was very glad to have been a part of it.

Ms. Leslie will be having both a Police and Fire Committee Meeting early in October.

Engineer’s Report – Mr. Catania

Mr. Catania said he tabulated the bid from the only company (JMC Contractors, Inc.) who submitted one for the Memorial Park Field Improvements. He recommended that the bid be rejected and Catania Engineering be authorized to re-advertise the project. Mr. Camma so moved and Mrs. Fooks made the second. Motion carried by unanimous vote.

Mr. Catania discussed repairs at the Wastewater Treatment Plant that had to be done. He recommended a motion to ratify these repairs. Mrs. Truesdale so moved and Mrs. Fooks made the second. Motion carried by unanimous vote.

Inspectors’ Reports

Code Enforcement, Electrical, Plumbing, Mechanical and Building – Messrs. J. and R. Grant

The fire siren blew earlier in the meeting and Messrs. Grant responded to the call as did Fire Marshal Leslie.

Board of Health – Mrs. Warfield and/or Mr. R. Grant

Mrs. Warfield’s report was tabled until Workshop on the 28th of September.

With there being no more business to come before Council, Mrs. Truesdale made the motion and Mrs. Fooks the second to adjourn. Motion carried unanimously.

Respectfully Submitted,

Mary Ellen McKinley
Borough Secretary