

MINUTES
BROOKHAVEN BOROUGH COUNCIL WORKSHOP
OCTOBER 24, 2016

At 7:00 PM Council Vice President, Denise Leslie, called the regularly scheduled Workshop Session of Council to order and welcomed all present. She led in the Pledge of Allegiance to the American Flag.

The record shows the meeting was held in Council Chambers at the Brookhaven Municipal Center, 2 Cambridge Road, Brookhaven, PA 19015. The following people were seated at the Council Table (from my right to left): Ms. Sawicki, Mr. Linowski, Mr. LaPera, Mrs. Fooks, Ms. Leslie, Solicitor Maddren, Mayor Hess, Mr. Donaway, Engineer Catania and Secretary McKinley. Mr. Wilwert was absent because of his 5 year old grandson's hospitalization.

PUBLIC DISCUSSION – None

SOLICITOR'S REPORT – Mr. Maddren

Mr. Maddren introduced two resolutions concerning the Delaware Valley Regional Planning Commission's (DVRPC) Regional Streetlight Procurement Program in which the Borough has enrolled. The first Resolution resolves that Brookhaven Borough Council authorizes the Borough to accept and approve the final Investment Grade Audit Report, to deliver to Johnson Controls, Inc. notice of acceptance of the above Audit Report and authorizes and directs one or more of its Authorized Persons to take all such further actions and to execute and deliver all such instruments and other documents to such Authorized Persons they may consider necessary or appropriate to enable the Borough to carry out the intent and purposes of the foregoing resolutions and the transactions contemplated thereby. Mr. Linowski made the motion and Ms. Sawicki the second to adopt the proposed Resolution. Motion carried by unanimous vote. This is Resolution 2016-09.

The second resolution resolves that Brookhaven Borough Council approves the Lease Agreement, approves the borrowing by the Borough in an amount not to exceed 102% of the total financed amount as defined in the Investment Grade Audit Report approved by the Borough to fulfill its obligation under the Guaranteed Savings Agreement and its obligations under the Lease Agreement; that Council approves the Program Agreement, such agreement to be in substantially the same for of the draft attached as Exhibit C, with such changes and modifications therein as the Borough's Authorized Person deems necessary and approves to be conclusively established by the Authorized Person's execution of such agreement; and authorizes and directs one or more of its Authorized Persons to take all such further actions and to execute and deliver all such instruments and other documents as such Authorized Person may consider necessary or appropriate to enable the Borough to carry out the intent and purposes of the foregoing resolutions and transactions contemplated thereby. Mr. Linowski made the motion and Ms. Sawicki the second to adopt the proposed Resolution. Motion carried by unanimous vote. This is Resolution 2016-10.

Mr. Maddren asked to meet with Council in an Executive Session immediately following Workshop to discuss possible litigation. He also said he would like to meet with the Police Committee after the Executive Session.

MAYOR'S REPORT – Mayor Hess

Mayor Hess read A Proclamation of Brookhaven Borough Council declaring October 23 to 31, 2016 Red Ribbon Week: Working Toward a Drug Free Community in the Borough. Mr. Donaway made the motion and Mrs. Fooks the second to adopt the Proclamation. Motion carried unanimously.

COUNCIL REPORTS

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CHAIR ARBOR SHADE TREE COMMITTEE, LIAISON TO HEALTH INSPECTORS AND HEALTH OFFICER, MEMBER OF GRANT COMMITTEE, LIAISON TO PLANNING COMMISSION, MEMBER LONG RANGE DEVELOPMENT COMMITTEE AND MEMBER OF FIRE COMMITTEE – Ms. Sawicki

Ms. Sawicki said the Planning Commission will be meeting on November 15 at 7:30 PM to continue reviewing the proposed outparcel development (no tenants for those stores yet) in Plaza 352 including the recommendations of Alex Rodriguez from Catania Engineering. Ms. Sawicki said everyone on the Commission was happy to see Mr. Rodriguez. He is very knowledgeable. The developer came before them on October 18 also to present their plans for the outparcel.

The Butterfly Garden will be closed down soon. The sprinkler system will be turned off for the winter. Ms. Sawicki hopes to get a running start with the garden early in the spring.

CHAIR FINANCE AND INSURANCE COMMITTEE, CHAIR LONG RANGE DEVELOPMENT, MEMBER OF FIRE COMMITTEE, MEMBER OF THE CIVIL SERVICE COMMISSION AND CHAIR OF THE CONDO ASSOCIATION COMMITTEE – Mr. Linowski

Mr. Linowski said that all 2017 budget requests were to be given to him by October 3. To date he has only received figures from Mr. Donaway, Chief McGoldrick and Mr. Catania. Anyone else who has figures to submit must do so immediately.

An updated bill list will be presented for approval at the November 7 Council Meeting.

CHAIR EMERGENCY MANAGEMENT ADMINISTRATION, CHAIR RECYCLING/TRASH COMMITTEE, CHAIR OF FIRE COMMITTEE AND CHAIR OF POLICE COMMITTEE – Ms. Leslie

Ms. Leslie said that Mr. Wilwert was absent tonight because his grandson, Noah, was in DuPont Hospital for Children suffering from severe stomach pain. Noah wanted his Pop Pop stay with him in the hospital.

She continued her report congratulating the Fire Company on their open house on October 15. Everyone involved did a wonderful job.

CHAIR PUBLIC WORKS AND BUILDINGS, LIAISON TO HOLIDAY PARADE COMMITTEE, CHAIR COMPREHENSIVE PLANS, MEMBER OF TRAFFIC CALMING COMMITTEE AND MEMBER OF POLICE COMMITTEE – Mr. Donaway

Late in the afternoon of September 15 on Dutton Mill Road a blockage was discovered. Someone poured concrete into a manhole. Gary Thompson, Dave Evans, Jr. and Steve Reed responded to the problem which was discovered because the lid on the manhole was not seated properly. When Mr. Evans lifted the cover, a piece broke off and hit him in the cheek, breaking the skin. He was wearing safety glasses at the time. The concrete had to be jack-hammered out of the manhole. There didn't appear to be any new projects in the area that would require the use of concrete. There was not too much damage done because the problem was caught quickly. Mr. Evans was treated at Crozer Chester Medical Center's Emergency Division, given a tetanus shot and released. Mr. Catania notified Middletown Township about the concrete in the manhole.

On Wednesday, October 26, Borough representatives will be meeting with Mr. Catania, representatives from Chester Water Authority and their sub-contractors to discuss a project they will be doing in the Borough. It involves drilling to confirm where their water lines are. The meeting will begin at 10:00 here.

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The Public Works Department got a request from the owner of 3200 Arlington Avenue. The owner wanted a handicapped sign placed in front of his home so he could park there. Mr. Donaway said he asked Chief McGoldrick about it. Chief McGoldrick and Mr. Donaway visited the property and looked at the driveway where there is room to park 6 vehicles. The owner told Mr. Donaway that he was going to be doing some work on his house and needed room in his driveway. When the owner's mother was asked what the work at the house was, she said she knew of no intended work. Sample ordinances and/or applications for handicapped parking places will be obtained and turned over to the Ordinance Committee for them to develop an Ordinance or guidelines. Ms. Sawicki said that just because one has a handicapped space on the street doesn't entitle the person to be the exclusive user of the spot. Anyone with a handicapped placard or license plate can use it. Mr. Donaway said if the homeowner's situation changes, the Borough will revisit the matter.

The Holiday Parade Committee will be meeting every Wednesday night at 7:30 from now until the parade steps off at 2:00 PM from Our Lady of Charity Church Parking Lot on November 19.

LIAISON TO ZONING HEARING BOARD, LIAISON TO RECREATION COMMITTEE, MEMBER OF THE GRANT COMMITTEE, MEMBER LONG RANGE DEVELOPMENT, MEMBER OF THE CONDO ASSOCIATION COMMITTEE – Mr. LaPera

The Zoning Hearing Board met on October 11 and approved the H&R Block sign variance. They will meet again on November 15 at 7:00 PM to hear from Starbucks for their Sign Variance request.

Under his Recreation Committee Report, Mr. LaPera said that the Trunk or Treat will take place this Saturday, October 29 from 3-5 PM. It will be in the Coebourn Elementary School Parking Lot. Signups are still taking place via Mr. Dykes. The Murder Mystery Night is November 18. The cost is \$48.00 for one person, \$85 per couple.

The Borough has received word that the Borough has been awarded a grant for Eaton Park in the amount of \$229,040. It has a 15% match. We have also received word that we have gotten another grant for \$52,000 for Eaton Park. This does not have a match. Mayor Hess and Mr. LaPera were in contact with State Representative Leanne Krueger-Braneky along the whole process. It is anticipated that work at the park will begin in the spring of 2017.

BUSINESS AND REVITALIZATION COORDINATOR, CHAIR ORDINANCE COMMITTEE, MEMBER OF CONDO ASSOCIATION, SCHOOL BOARD LIAISON, CHAIR OF TECHNOLOGY COMMITTEE, CHAIR OF GRANT COMMITTEE AND MEMBER OF POLICE COMMITTEE – Mrs. Fooks

The Ordinance Committee did not meet on October 19 because of the political debate that was being held in the Council Room. They will meet on November 17 at 6:30 PM. They are working on the Solicitation Ordinance and now at the request of Mr. Donaway, an ordinance governing handicapped parking spaces. At the request of Zoning Officer Hampton they will also be working on revising the fence ordinance.

Mrs. Fooks had an estimate prepared for Karen Dauber from Lucky Sign Shop in Glen Mills, PA. It was a quote for a Vinyl Banner or a Poly Duck Fabric Banner. Both would be double sided. The vinyl Banner would be \$1,580 and the Poly Duck Fabric Banner would be \$1,450. The banner would be double-sided and would inform our residents that our borough is being included on the 2016's Best Places for Families to Live in Pennsylvania List. We are ranked #29. Ms. Leslie told Mrs. Fooks that she would like to get a quote from one of her contacts. The prices might be lower. Mr. Linowski said he thought Mrs. Dauber was going to purchase the banner with help from the funds in the Business and Professional Association's bank account and the Borough would handle getting it hung. Mayor Hess said the Association does not have much money in their account.

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Mayor Hess said he thinks we should promote our Borough via the banner. Mrs. McKinley said that she has the PennDOT permit application if the banner is to be placed over a State Highway. There is a short time-frame for banners being hung over a State Highway.

Under Business Revitalization, Mrs. Fooks said keep our eyes on Plaza 352 Shopping Center. More changes will be taking place in 2017. Shoppes at Brookhaven will have the following retailers along with a few additional in the months ahead: Giant Food, LA Fitness, Fine Wine and Good Spirits, PetValu, Hand & Stone Massage, Mavis Tire, Smashburger, Starbucks, AT&T, Sports Clips, Hair Cuttery, Lee Nails & Spa and an urgent care facility. Grand opening information for the public will be placed on our website and electronic sign.

Ms. Sawicki asked Council if they were aware that the construction fence has been removed on the Coebourn Boulevard side of the Retail Sites property. There are kids on bicycles riding through the property and existing carelessly on to Coebourn Boulevard. Recently, she had to avoid them while driving home after dark.

For new businesses and businesses on the move, Mrs. Fooks said we welcome Fusco Insurance at 3309 Edgmont Avenue. MBMA Karate moved its location to 3423 Edgmont Avenue, next to Ro-Lynn Deli.

Mrs. Fooks will be involved in ongoing discussions with Metro Realty and Giant regarding the soon to be vacant Giant storefront.

Under Community News Mrs. Fooks said that earlier Mr. LaPera mentioned the Borough's Trunk or Treat event to be held Saturday, October 29 at Coebourn School's parking lot. She said if you are driving on Coebourn Boulevard, please drive with caution because there will be congestion and children all around.

Mrs. Fooks asked Mr. Catania about the traffic that backs up on Dutton Mill Road, especially in the morning rush hour. It gets back up all the way to Greenwood Street. There's no left turn arrow to go on to Edgmont Avenue. Mr. Catania said he would look into that situation.

CHAIR INSPECTORS AND FIRE MARSHAL, DEPUTY EMERGENCY MANAGEMENT COORDINATOR, CHAIR TRAFFIC CALMING, MEMBER OF TECHNOLOGY COMMITTEE AND MEMBER OF THE HISTORICAL SOCIETY COMMITTEE – Mr. Wilwert was absent.

ENGINEER'S REPORT – Mr. Catania

Mr. Catania opened the only bid received for the Wastewater Treatment Plant Contract. It was from M&B Environmental, Harleysville, PA 19438. A cashier's check in the amount of \$200 was included with their bid. Their base bid total was \$90,640. Extension Year 1 (1/1/19-12/31/19) was \$47,012. Extension Year 2 (1/1/20-12/31/20) was \$47,780 and Extension Year 3 (1/1/21-12/31/21) was \$48,560. It was taken for review and tabulation by Mr. Catania. He will make his recommendation at the November 7 Council Meeting.

Mr. Catania opened and read the bids for the re-bid of the Police Station Flooring project. The first bid opened was from M. J. Bradley, Aston, PA 19014 and was for B – Epoxy. Their bid was \$7,500. He then opened the bid from Nascella Construction, Ridley Park, PA 19078. Their bid was for A – FCT. Their bid was \$45,000. The bids were taken for review and tabulation by Mr. Catania. He will make his recommendation at the November 7 Council Meeting.

Mr. Catania said three manhole covers on Dutton Mill Road need to be replaced.

Because the front and side areas of the Borough's highway garage had little to no base material, that area

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required additional base repair. For that reason, Mr. Catania asked for approval of Municipal Parking Lot Resurfacing – 2016 Change Order #1 adding \$39,937.50 to the contract. Mr. Donaway made the motion and Ms. Sawicki the second to approve Change Order #1. Motion carried by unanimous vote.

There is a sinking problem with a stormwater sewer line on 3734 Donegal Lane. This sinking problem will be corrected.

INSPECTORS' REPORTS

FIRE MARSHAL – Mr. Leslie

Mr. Leslie said he will give his report on November 7 at the Council Meeting.

ZONING OFFICER – Mr. Hampton

Mr. Hampton said he would give his report to Mr. LaPera and asked Mr. Donaway if he was going to be at the municipal center tomorrow. Mr. Donaway said he would be here and Mr. Hampton asked to meet with him.

BOARD OF HEALTH – Mrs. Warfield

Mrs. Warfield said that 35 people came in for the flu shots given on September 26. She said she has to think about having shots administered here next year. Mr. LaPera said he talked to the new pharmacist at Giant. She wanted Mr. LaPera to give her information to Mrs. Warfield so Giant could administer flu shots. Mrs. Warfield said that we use our Health Officer, Dr. Crowell to administer the shots.

There will be a Sushi Shop in the new Giant.

Mrs. Warfield said she needs to be on the checklist for openings. Even if she says not applicable on her sign-off line.

Smashburger is not close to opening.

There is still graffiti on the TD wall near Eaton Park. Mrs. McKinley said she will call TD Bank again.

Mrs. Warfield said she noticed a formerly empty space in the businesses at 4100 Edgmont now appeared to be occupied. Someone said that was a Hillary Clinton Campaign Office.

Mrs. Warfield said thanks to Mr. Maddren's office the borough got paid back on a property that they filed a lien against.

Mrs. Fooks mentioned the trash, debris and weeds all over the Mobile Uni-Mart property at the corner of Edgmont Avenue and Coebourn Boulevard. There are clothes and other things thrown behind the collection bins on the property, there is trash in the flower bed/rock bed on the corner. Mrs. McKinley will send a property maintenance code violation letter to them from the Code Enforcement Officer. It was suggested properties all along Edgmont Avenue be tidied up. Mr. Maddren said he would contact Mr. Omler to get a team of Community Service Workers out to handle the cleanup.

PUBLIC DISCUSSION – None

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Mayor Hess asked how much the Borough has taken in for door to door permits so far this year. Mrs. McKinley didn't know off the top of her head and said she would find out after the meeting.

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With no more business to come before Council, Mr. Linowski made the motion and Mrs. Fooks the second to adjourn. Motion carried by unanimous vote.

Respectfully Submitted,

Mary Ellen McKinley,
Borough Secretary