

**MINUTES
BROOKHAVEN BOROUGH COUNCIL MEETING
MONDAY, APRIL 2, 2018**

At 7:00 PM Council President Vawn Donaway called the regularly scheduled Council Meeting of Brookhaven Borough Council to Order. Mr. Donaway 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 and the following people were seated at the Council Table: Councilpersons Mr. Donaway, Ms. Sawicki, Mr. Heller, Mr. LaPera, Mrs. Fooks, Ms. Leslie, Mr. Pappas, Solicitor Stone and Mrs. Mulvena and Mayor Hess was not present. *(Mrs. Joan Boyle, Brookhaven Planning Commission Secretary, recorded the minutes for Mrs. McKinley in her absence).*

WELCOME OF NEW POLICE OFFICERS

Acting Police Officer Gregory Martin introduced the three new part-time officers for the Brookhaven Police Department: Austin Gallagher, Ryan Eastman and Mitchell August. They were introduced to everyone and were then sworn in as Brookhaven Police Officers by Mayor Hess.

DELCO CRUISERS

Mr. Tom Manning was present to give Certificates of Recognition to the Brookhaven Police and the Brookhaven Fire Department members. The Delco Cruisers is a car club that does charitable work. Mr. Manning said that each year at Christmas time approximately 125 vehicles travel through Brookhaven on their "Cruise for Kids" that starts at Rose Tree Park to their final destination for the purpose of delivering their toys to Crozer Chester Medical Center. Mr. Manning said that the Brookhaven Police and the Brookhaven Fire Department give them assistance when they come through Brookhaven and help with their safety. The Delco Cruisers wanted to recognize them this evening.

DiFIORE MAXIM INVESTMENTS LLC

Mr. Mathew Houtman, Professional Engineer, from G. D. Houtman & Son, Inc. was present to ask for the Planning Module Exemption request for this property. The property is situated at 315 W. Brookhaven Road. This property is opposite Chandler Drive on Brookhaven Road and a portion of the property is located at Arlington Avenue. It is two acres and is zoned R-1. It requires a minimum of 9,000 feet of Open Space. Two houses will be built on Brookhaven Road and seven on Arlington Avenue. No sanitary sewers are on Arlington Avenue but there is a manhole on Brookhaven Road. The sewers will go into our system. Individual Storm Water Management is in place. Sidewalks will be installed. They received a review from the Borough Engineer with 12 comments and they will comply with all of them. They want to give the Open Space to Brookhaven.

Mr. Houtman said that he was hopeful that he could receive approval for a Preliminary Plan Approval this evening from Council. Approval tonight will allow them to do a percolator test, which is required before they can proceed with the development. Mr. Pappas asked if there is going to be fencing on the Open Space. Mr. Houtman said this has not been proposed. Mrs. Mulvena asked how they propose to show the separation from home properties and the Open Space. Mr. LaPera said they got pricing for the baseball field and that the fencing for that would be \$20,000. Mr. Houtman said that the applicant could not be present this evening and he would need his input. Mayor Hess said that we would appreciate the Open Space but not if it is going to cost \$15,000 to \$20,000 for fencing plus the cost of the upkeep. Mr. Pappas said that it makes sense to put the fence on the three sides. Mrs. Mulvena wanted to have the owner to organize a Home Owners Association. Mrs. Fooks asked that if we do not take the land, could they build another house on that space. Mrs. Mulvena said that they would have to get a variance from Zoning because there is not enough space for another house. Mr. Houtman said that it is very expensive to run a HOA for the maintenance of this ground. There was discussion about the different types of fencing. Mrs. Mulvena said that something should be there so the homeowners know where their property starts and ends. It was discussed about putting in shrubbery.

A motion was made to accept the 315 W. Brookhaven Road Subdivision contingent on the Delaware County Planning comments and the Borough Engineer's comments to satisfactorily address the perimeter of the Open Space by Mr. Pappas and seconded by Ms. Sawicki. The motion was approved unanimously.

A motion was made to accept the Open Space contingent upon the Borough Engineer's comments to satisfactorily address the perimeter of the Open Space by Mr. Pappas and seconded by Ms. Sawicki. The motion was approved unanimously.

ROCKY RUN PRESENTATION

Ms. Devon Manning, Senior Project Manager, was present to give a short presentation about the Rocky Run Day Camp. Mr. LaPera said that he had looked into other options for a camp in Brookhaven when there was a possibility that there would be no Camp Haven. One of the options was the Rocky Run Camp. Mr. Donaway said that the option was not to phase Camp Haven out but just to make sure we do have a camp if Camp Haven does not work out. Ms. Manning said they have three camp locations: one at the Chichester High School; one at Garnet Valley High School and their location at the Rocky Run Y. They would model the Brookhaven Camp after the Chichester Camp. They all have pools so that swimming is available three times a week. Their campers are offered the option of going on field trips each week. They are non-profit and offer financial assistance to those who qualify. Their counselors are all trained and all have clearances. The ratio for counselors is one counselor for eight campers. All of the counselors have 40 hours of training before camp starts. The cost is \$135 per week for members of the Y and \$150 for non-members.

The camps are open from 7 am to 6 pm, Monday to Friday. Mr. Donaway asked if the campers could attend the camp for two or three days per week, as is allowed with Camp Haven. Ms. Manning said that she did not know and would have to discuss with her Director. The field trips are included in the cost of the camp. Ms. Manning said it is one price.

Mr. Heller asked if everyone had to go on the trips; can they stay on-site. Ms. Manning said they did not have to go on trips. Solicitor Stone asked Ms. Manning what date Rocky Run would need to be notified if Brookhaven would go with them. Ms. Manning said April 11 to 18 at the latest. Mr. Donaway thanked Ms. Manning for her attendance here this evening and said that Council would get back to her one way or another.

FIRE CHIEF'S REPORT – CHIEF MONTELLA

Chief Montella reported that there were five fire calls and 16 non-fire calls for March. There were five automobile accidents in March, a CO on Madison Drive, a gas leak at Traditions, a generator fire on a deck on Grandview Avenue and a house fire on Mt. Vernon Avenue for March. There were 148 Ambulance calls for the month of March. A detailed report from Chief Montella is attached with these minutes.

BUSINESS ASSOCIATION REPORT

Mr. Jim Sredenschek, representing the Brookhaven Business Association, reported that the Association is conducting their Annual Membership Drive. The Association is planning a 5-K Run in mid-September to raise money for Scholarships. Mr. Donaway invited Mr. Sredenschek and some of his members to attend the Holiday Parade Committee meeting on April 11. Mayor Hess told Mr. Sredenschek that some of the youth sport teams are looking to get new scoreboards for their games. Mayor Hess suggested that Mr. Sredenschek could mention this to his Executive Committee and to put it out to his members.

SHOPPES AT BROOKHAVEN

Mr. Robert Hill was not present. There was no report.

PUBLIC DISCUSSION

Janice Ford, 208 Upland Road said she attended the Workshop Meeting about the condition of the home next to her on Upland Road (210) and she came back this evening to show the council members some pictures of the property. Mr. Donaway said that he has talked to the Inspectors and the Board of Health Inspector; they have all been to the home, as well as the Fire Chief. Mr. Donaway said that he is getting a meeting set up with all the Inspectors to try to get a resolution to the problem.

Mike Garvey, 136 Upland Road said that he received an email from A. J. Gallagher Insurance Company. Mr. Garvey said that there has been a lack of communication about Camp Haven within our Council. He said that the Borough Insurance company recommended 3 million dollars in liability and molestation insurance.

Mr. Garvey asked why they recommended such an excessive amount of insurance coverage. The insurance company thought that Camp Haven is a Day Care. Mr. Garvey said that he looked at other camps about their insurance and he said that Council might agree to reduce the insurance coverage from 3 million dollars to 1 million dollars. This will cover the camp. Camp Haven caters to single mothers who are looking to drop off their children for a few hours a day or two to three days a week.

They are looking for a hometown camp. Mr. Garvey asked if Council could vote on the policy amount this evening. Mr. LaPera said that he received an email from our Insurance Company and they recommended that 1 million dollar coverage is not adequate for Camp Haven. Mr. Donaway said to let Mr. LaPera and Solicitor Stone work out the insurance coverage. Mr. Garvey said that we have insurance coverage with the policy he brought this evening. Solicitor Stone said that it is his legal opinion that Camp Haven would be treated the same as a Borough rental and is a separate entity. The issue is that since it started from an audit, the Borough would have to pursue different options and they were looking for guidance about how Camp Haven is run. From a legal standpoint Solicitor Stone would have no problem with the 1 million dollar insurance since Camp Haven would be their own entity. Solicitor Stone has asked A. J. Gallagher to look at the insurance coverage and he has not received an answer to see if our Borough insurance would be at risk. Ms. Leslie said there is no need to take a vote on this. She told Mr. Garvey that if he can get a policy in place to just submit it to the Borough. Mrs. Fooks asked if she rented the gym, what amount of insurance would she need. Would she need 1 million dollars in coverage. Ms. Sawicki said that the liability for children is astronomical. She feels that the Borough should use A. J. Gallagher for the insurance since they have the best municipal coverage available. Ms. Sawicki said that anyone working with children has to have all of their clearances. Mr. Donaway said that any certifications or clearances on the counselors at Camp Haven are the responsibility of Camp Haven. Mayor Hess said that we should keep this Camp in our town.

A motion to approve the operation of Camp Haven as an independent entity renting the gym with a Facilities Use Agreement in place and insurance coverage with coverage limit of one million dollars and subject to the approval of the Borough Insurance Provider was made by Mr. Heller and seconded by Ms. Leslie. The motion was not unanimous and a roll call was taken. Mrs. Boyle took the roll call as follows: Mrs. Fooks – Yes; Ms. Leslie – Yes; Mr. Donaway – Yes; Mr. Pappas – Yes; Ms. Sawicki – No; Mr. LaPera – Yes; Mr. Heller – Yes. The motion was carried.

Larry Shively, 421 Sir Galahad Drive said that PECO is putting new underground conduit cables on his property. He said that PECO promised to reconnect him to the conduit but they have not shown up as of today. They had to break two blocks of his sidewalk to dig. He asked what recourse he has if PECO does not come back. Utility Companies do not need permits to do this work. Solicitor Stone said that if he has a problem with PECO in the future, he could contact the Pennsylvania Utility Commission to pursue this.

This is not under the control of the Borough. Solicitor Stone said that Mr. Shively should not have a problem with PECO. They probably have not come back due to the cold weather.

Mike Johnson, 5200 Hilltop, #T-3 wanted to thank Mr. Garvey and Council for what they have done to keep Camp Haven open. He asked about the nets and poles at Durkin Field. Mrs. Mulvena said that Council should approve this at tonight's meeting. After approval it should take two to three weeks. Mr. Johnson asked if the field was aerovated and seeded. Mr. LaPera and Mrs. Mulvena are looking to have it reseeded. Mr. Johnson said that the Teener League would be starting soon and he asked when they could use the field. Mr. LaPera will look into it.

SOLICITOR'S REPORT-SOLICITOR STONE

Mr. Stone said that the Comcast Cable Franchise Agreement is almost complete. If Council is prepared to move forward, there is a resolution to adopt rules for public discussion at Borough Council Meetings and Workshop Meetings. Everyone on Council has a copy of this. Solicitor Stone asked if there were any questions. He then asked for a motion to adopt this resolution.

A motion to adopt the resolution was made by Ms. Sawicki and seconded by Ms. Leslie. The motion was unanimous.

MAYOR'S REPORT

Mayor Hess gave an update on the work that was to be completed by PennDOT at Brookhaven and Mt. Vernon. It is not complete so another letter will be sent to PennDOT. Mayor Hess said that he requested a traffic study on Rt. 352 (Edgmont Avenue) and Coebourn Blvd.

CHAIR EMERGENCY MANAGEMENT ADMINISTRATION, CHAIR RECYCLING/TRASH COMMITTEE, CHAIR FIRE COMMITTEE, CHAIR VETERANS' COMMITTEE AND CHAIR POLICE COMMITTEE – MS. LESLIE

Ms. Leslie welcomed aboard our new three part-time Police Officers that were sworn in this evening and wanted to thank Mr. Manning for thanking Brookhaven Police and Brookhaven Fire Department this evening. She wanted to remind everyone that this Saturday is the Recycling Date for shredding and electronics. The time is from 9 am to 12 noon. Also, TV's left at the curb will be picked up on the first and last Mondays of the month. They should be placed outside at the curb and then the office should be called for a pick-up. Public Works has already picked up about 50 TV's within the Borough. TV's will not be picked up in the private complexes such as Hilltop, Trimble Run and Stone Hill Apartments. The Veterans Memorial Day Service will be on Saturday, May 26 at 11 am on the Memorial Island. Ms. Leslie wanted to congratulate our Fire Public Safety Officer, Joe Bynum, for earning his certification as a Fire Service Instructor One from the State Fire Commission.

She also wanted to thank the Fire Department for inviting Council members to their banquet. Ms. Leslie said that she and Steve Schultz would be attending a class at the 911 Center to learn about the computer application that will help us communicate with the emergency official from the 911 Center in the event of an emergency. This application is installed on our new laptop that the Borough purchased for us.

PRESIDENT PRO-TEM, CHAIR ARBOR/SHADE TREE COMMISSION, CHAIR FINANCE AND INSURANCE, COMMITTEE, MEMBER LONG RANGE DEVELOPMENT AND COMPREENSIVE PLANS, MEMBER FIRE COMMITTEE AND CHAIRMAN GRANT COMMITTEE – MS. SAWICKI

Ms. Sawicki asked for a motion to approve the March Bill List. Mr. LaPera asked her to hold off for the bill for Durkin Field from Caramanico & Sons, Inc. to Aerovate, scarify, overseed and fertilize. This work has not been completed. Ms. Sawicki said that she has the check ready but will not mail it until the work is completed.

A motion was made by Ms. Sawicki to approve the March Bill List and seconded by Mr. LaPera. The motion was approved unanimously.

Ms. Sawicki reported that the Borough has received a certified letter from DELCORA that said they are seeking the Margin of Safety fee for the last four years in the amount of \$217,783. Ms. Sawicki said that the Borough does not have the money. We submit to DELCORA the amount of our bill and that is the only money that we take from the residents. Solicitor Stone said DELCORA sends a list of items that they do for the Borough and now they are saying they forgot to include one of the items and they want to be paid for the four years. He said that he has drafted a response stating why the Borough should not have to pay it. Mr. Donaway suggested that we find out what other towns received this letter.

CHAIR TECHNOLOGY AND COMMUNICATION COMMITTEE, CHAIR BOARD OF HEALTH, LIAISON TO CIVIL SERVICE COMMISSION, CHAIR HISTORICAL COMMITTEE AND MEMBER POLICE COMMITTEE – MR. HELLER

Mr. Heller said that he received the plaques from Coebourn School that we requested. They should be put in the cabinet before the April meeting. The cameras for the Council Meeting Room have been installed on March 13 and the network video equipment installed in the front office. We are still waiting for an external microphone. It has been requested that a resolution be adopted for the use of public recording. Mr. Heller drafted a resolution and sent it to Solicitor Stone today and the Council members have copies for their review. The goal is to record Council meetings beginning in May on You Tube. The Committee met on March 29 to discuss the completion of the video equipment. It was also discussed at the meeting to have an overhaul of the Borough website. The Committee is also in the process of researching the Emergency System for the Borough in the event of disasters. New laptops were ordered for Emergency Management and the Board of Health. They have been delivered.

The software is being installed. Mr. Donaway asked the Council members to give their input about the resolution for public recording to Mr. Heller.

PLANNING COMMISSION LIAISON, CONDO ASSOCIATION CHAIR, MEMBER FIRE COMMITTEE AND MEMBER HISTORICAL COMMITTEE – MR. PAPPAS

Mr. Pappas reported that the Planning Commission had a meeting about expansion of the Shoppes of Brookhaven. Storm Water Management was discussed. The result was that the applicant would respond back to the Planning Commission and also submit to the Borough Engineer's comments.

VICE PRESIDENT OF COUNCIL, CHAIR LONG RANGE AND COMPREHENSIVE PLANS, MEMBER GRANT COMMITTEE, LIAISON TO ZONING HEARING BOARD, LIAISON TO RECREATION COMMITTEE AND CHAIR INSPECTORS –

Mr. LaPera said that Zoning would meet on April 10. Aldi is petitioning to get extra signage at their new site. The Recreation Board will meet on March 29. The Easter Egg Hunt went well. Mrs. Fooks said that a resident emailed her and said that the area where the 2-year olds were hunting eggs had cigarette butts on the ground. It is close to the cigarette receptacle. They were asking that it be cleaned up next year before the egg hunt. We are in possession of two bleachers from Our Lady of Charity's Field. They are 4 seats high and now, any bleachers that are over 3 seats high need to have a fence around it. We are looking into this. Mr. Ron Kolp from Brookhaven Softball works at Comcast and we are the recipient of the Comcast Cares Day, which is April 21. This means that 50 to 75 volunteers will come to Samson Field and will work at Samson Field for about four to five hours. We are trying to get mulch delivered there and they will spread it out. There is a Bag Bingo on May 19. Family Day is September 29.

BUSINESS AND REVITALIZATION COORDINATOR, CHAIR ORDINANCE COMMITTEE, MEMBER CONDO ASSOCIATION, MEMBER LONG TERM AND COMPREHENSIVE PLANS, SCHOOL BOARD LIAISON, CHAIR TECHNOLOGY COMMITTEE, CHAIR GRANT COMMITTEE – MRS. FOOKS

Mrs. Fooks reported the Ordinance Committee met on March 29 and discussed parking in the fire lanes. We will meet again in April if there is anything on the agenda. The vacant MAB store will now be a tobacco store names Prime Tobacco Outlet. Mrs. Fooks has heard that a new Burger Place wants to come to Brookhaven. Mrs. Fooks said that although we would like to have a large diversity of businesses in Brookhaven, we cannot turn businesses away when they want to come here. The Technology Committee will be meeting to get more photos on the website. Also, we are doing a major overhaul on the website called "Survey Monkey" and it will be put out on the 19015 face book page and the Borough website for residents to complete. The feedback is very important for this. Mrs. Fooks asked Council members to include John Wilwert for any information that they want to be put out on the Borough TV and sign. The Providence Animal Center will have a chip/vaccination clinic in our gym during the month of July. Mrs. Fooks will confirm if it is July 17 or July 18.

ENGINEER’S REPORT – MRS. MULVENA

Mrs. Mulvena said she needs a motion to award the Utility Poles Installation at Durkin Field to the lowest bidder. A motion was made by Ms. Sawicki and seconded by Mr. LaPera. The motion was approved unanimously.

Mrs. Mulvena asked for a motion to authorize the Borough Engineer to prepare and send RFQ for procuring and installing the netting between the poles at Durkin Field. A motion was made by Mr. LaPera and seconded by Mr. Pappas. The motion was approved unanimously.

Mrs. Mulvena asked for a motion to award to the lowest responsible bidder for the procuring and installation of netting at Durkin Field contingent upon project costs from both RFP’s being less than the threshold of \$20,100. Mrs. Mulvena will look into the cost of the Borough procuring the netting for these and if it is lower than the company doing the installation, the Borough will procure it.

A motion was made by Ms. Sawicki and seconded by Mrs. Fooks. The motion was approved unanimously.

Mrs. Mulvena asked for a motion to authorize A to U Sevices to TV the storm sewer on Coebourn Blvd. between Shepherd Street and Jackson Drive and to televise the sanitary sewer on Conley Circle in the vicinity of the sinkhole. A motion was made by Ms. Sawicki and seconded by Mrs. Fooks. The motion was approved unanimously.

Mrs. Mulvena will meet on April 3 with the pipeline representative about Shepherd Street to see if they will do some grading work. PennDOT has sent out a notice that they will be paving Upland Road. We have had problems with the storm drains the last few weeks. Mrs. Mulvena said to make sure that only “Rain Goes Down The Drain”

PRESIDENT OF COUNCIL, CHAIRMAN PUBLIC WORKS AND BUILDING, HOLIDAY PARADE LIAISON, MEMBER POLICE COMMITTEE – MR. DONAWAY - Mr. Donaway reported that we are continuing to fill pot holes, There was a sewage problem on Hillside Avenue and it was found that heavy grease was in the sewer. There was a five-pound bag of rags down one of the manholes and we think they came from one of the restaurants. We are going to check the manholes more frequently. We finished chipping for the first quarter. We had a meeting with Emergency Management about the generators for the traffic lights. We met with the Plumbing Inspector about flushing the manholes. We give the residents one flush at no expense. Brookhaven is one of the few towns that does this for the residents.

We lost the brake system on one of the trucks during the last snowstorm. A motion was made to donate the truck to the Fire Department by Ms. Sawicki and seconded by Mrs. Fooks. The motion was approved unanimously.

Mr. Donaway said that we have a broken speed monitor with the trailer. It will cost \$3,000 to fix. Brookhaven, Upland and Parkside jointly own it. The Police Chief wants to go with the signs that blink and show the speed of the cars. The Police Chief is going to call the other two towns to see what they want to do with it.

We have been picking up electronics and storing them at the garage. The new back-up generator was installed at the garage and the portable generator was taken away. The Parade Committee is meeting on April 11 and we will meet with the Business Association to try to get them more involved in the Holiday Parade. The Kids Dance is April 20, which is a fundraiser for the parade.

We are continuing to reorganize the office. Ms. Sawicki, Mrs. Mulvena, Mrs. McDade and Mrs. Pino have contributed greatly toward this. Mr. Donaway is waiting to hear from Pat Natale on when she will begin employment here.

INSPECTORS' REPORTS

ELECTRICAL/PLUMBING – MR. BOB GRANT/MR JON GRANT

There was no report.

BOARD OF HEALTH – MRS. WARFIELD

Mrs. Warfield was not present. There was no report.

PUBLIC FIRE SAFETY OFFICIALS – CHIEF MONTELLA AND/OR MR. BYNUM

Chief Montella said there was no further report.

FIRE MARSHAL – MR. LESLIE

Mr. Leslie said that the “C” building at Hilltop is 90 percent demolished. We are waiting on the plans from the architect to rebuild. Mr. Leslie said that PECO does a good job at restoring power and did the best they could during the March snowstorm.

ZONING OFFICER – MR. HAMPTON

Mr. Hampton was not present. There was no report.

EMERGENCY MANAGEMENT REPORT –

Mr. Steve Schultz gave an extensive report. It is attached to the minutes. At the end of his report, Mr. Donaway reminded Mr. Schultz that there has to be three bids before any purchases can be made.

PUBLIC DISCUSSION

Mr. Tom Dykes, 305 W. Brookhaven Road came before Council with a proposal from the Recreation Committee regarding the “Concerts In The Park” to have a concert/movie night series throughout the summer. He said that we would start with one concert this year to see how the idea goes over with the residents. The first concert date will be on Saturday, June 16 and will be at Eaton Park from 5 pm to 8 pm. They would like to have the concert in connection with the Rededication of Eaton Park. They have two bands for the first concert. The Babe Ruth and Girls Softball are willing to help run the concession and will keep the funds raised from the concession stands. They will need assistance from the Council and Police and Recreation Board. The total cost for music will be \$850. There will be a free will offering from the residents. The surrounding neighbors will be notified. They will use Coebourn School for overflow parking. We will be asking for volunteers for clean up on Sunday morning. All monies left will be set up in a fund to help with the beautification of our parks.

ADJOURNMENT

There was no other business to come before Council. Mr. Donaway made a motion to adjourn the meeting and it was seconded by Mr. LaPera. Motion carried by unanimous vote. The meeting was adjourned at 9:05 PM.

Respectfully Submitted,

Mrs. Joan Boyle
Brookhaven Planning Commission Secretary
(Substituting for Mrs. McKinley)