

MINUTES
BROOKHAVEN BOROUGH COUNCIL MEETING
APRIL 4, 2016

At 7:00 PM, Council President, John Wilwert, called the regularly scheduled meeting of Brookhaven Borough 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 two residents who passed away in March—Frances DeAugustine and Anna DiNicola. Mayor Hess asked for a moment of silence in their memory.

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 with me (from my right to left): Ms. Sawicki, Mr. Linowski, Mr. LaPera, Mrs. Fooks, Mr. Wilwert, Solicitor Maddren, Mayor Hess, Mr. Donaway and Engineer Catania. Ms. Leslie was absent because of her employment.

PRESENTATION FROM COUNCIL – Mr. Wilwert, Mayor Hess and Mr. Kuminka

Mr. Wilwert, Mayor Hess and Mr. Kuminka presented Victoria Burgos and Dominick Lalli with certificates in recognition of achieving 1,000,000 words in the Reading Counts Program and Coebourn Elementary School. Aidan Davis was not present to accept his certificate so Mr. Kuminka will present it to him at school.

PRESENTATION TO COUNCIL – Brookhaven Basketball Tournament Team Champions

The Brookhaven 8 Year Old All Star Champions won the Brookhaven Invitational Tournament. They also won the Interboro Tournament and were Runner-Up at the Brandywine Youth Club. The team is coached by Tom Radico and Aaron Freeman. Members of the team are Rocco Radico, Aaron Freeman, Kevin Thomas, Caleb Gaines, Calvin Lewis, Jimmy Gray Aaron Profitt, Sean Healy, Dylan Butler and Kameron Wilcox. The coaches and team was accompanied by their “Good Luck Charm” the adorable little mascot, Max Freeman. The team presented Council with the three trophies they won. The coaches thanked Council for providing the indoor facilities and parks for the children to play in. They thanked Dawn Jones and Harry Swayngim for keeping the children on the court, on the field and keeping them out of trouble. The coaches also thanked the parents.

SCHOOL BOARD REPORT – Mr. Kuminka

Mr. Kuminka said that Coebourn Students in grades 3-5 will be starting the English Language Arts, Math and Science PSSA’s on April 11. English Language Arts testing dates are April 11, 12, 13 and 14. Math PSSA testing dates are April 18, 19 and 20. Fourth Grade Science PSSA dates are April 27 and 28. Mr. Kuminka recommended having students get a good night’s sleep and have a healthy breakfast. This testing is an opportunity for students to show off what they have learned at this stage of the school year. Students will be encouraged to relax and do their very best. The information obtained from the results of these state assessments is valuable and helps Coebourn drive their instruction for subsequent lessons. He thanked the PTL for providing morning snacks for the students. He said “Let’s go Coebourn”.

He thanked Coebourn’s Lead Teacher, Allison Carey, for organizing an evening for students and parents to meet a published author and learn about the writing process. This was called Family Literacy Night. He thanked the PTL for the refreshments they provided. Published Author, Meghan Rogers was the keynote speaker. She promoted the craft of writing and gave valuable insight to her journey of becoming a writer. Miss Rogers; words were inspiring to Coebourn Elementary’s authors. Meghan Rogers left them with the following quote: “One of the cool things about writing is that it’s something you can do at any age. So if you want to be a writer, write. Start now, and keep writing. Write the kind of story you would want to read. Don’t worry about making it perfect. Worry about having fun.”

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Mr. Kuminka thanked the students, staff and families of Coebourn for raising over \$900 to support the Leukemia and Lymphoma Society. This is an amazing accomplishment and they well exceeded their school goal. The winning grade level will receive a pretzel party and extra recess. It was a close race during the past two weeks but the totals are as follows: Kindergarten \$61; 1st Grade \$89; 2nd Grade \$134; 3rd Grade \$166; 5th Grade \$252 and in 1st Place 4th Grade, raising \$253. Congratulations Coebourn!

PUBLIC DISCUSSION

Amy Karman, 4833 Greenwood Street thanked Council and the Recycling Committee for the Electronics and Shredding event on Saturday. They were out there in all that rain taking residents' electronics and paper to be shredded.

POLICE CHIEF'S REPORT – Chief McGoldrick

Mayor Hess said Chief McGoldrick and two of our other police officers who are members of the Borough's Incident Response Team are in Villanova and will be helping with crowd control before, during and after the big Villanova Basketball Game tonight.

FIRE CHIEF'S REPORT – Chief Montella

For the month of March Chief Montella reported 4 fire incidents, 4 non-fire incidents, 16 mutual aids and 5 drills. There was no loss to structures or contents nor was there any property endangered. There was \$4,000 in vehicle loss. No firefighter or civilian injuries or deaths. On the 29 fire calls there was an average of 18 persons participating for a total of 420 hours. On the 5 training sessions there was an average of 32 participants for a total of 208 hours.

Brookhaven Volunteer Fire responded to the following incidents in the Borough: A building fire at Traditions at Ridley Creek which was contained to the oven; a building fire at Hilltop Condominiums in an oven which resulted in fire and minor smoke damage; a engine compartment vehicle fire on Bradbury Road and a brush fire on Chester Creek Road due to burning wood. This affected 3 yards.

Brookhaven Volunteer Fire Company assisted Upland Fire Company on a motor vehicle accident at 80 Upland Avenue; assisted Aston Township Fire Department on a working building fire on Springvalley Way; assisted Chester Fire Department on 2 second alarm building fires—one at 5th and Barclay and the other at 1301 Edgemont Avenue at the Diner/Hotel and 2 ambulances assisted the City of Chester on the Amtrak train crash on Sunday April 3.

The EMS statistics for March show 28 transports, 10 refusals, 9 fire/standbys. Call Totals for Boroughs for March shows Brookhaven-52 – 38; Media 23 – 2; Rocky Run 46 – 2; Parkside 45 – 0; Middletown 50 – 2; Chester Township 47 – 2; Nether Providence 65/51 – 0; Aston 17 -0; Upland 57 – 0; Rose Tree 73 – 0; Springfield 44 – 0; Lower Chichester 3-/40 – 0; Chester City 100/82/83/81 – 2; Swarthmore 14 – 0; Darby – 0 and Concordville – 1. There were four 2nd Emergencies.

SOLICITOR'S REPORT – Mr. Maddren

Mr. Maddren spoke about the animal control situation. Brandywine Valley terminated their agreement the County which puts the responsibility on local municipalities for stray animals. Brandywine Valley has provided an agreement and a representative from there will be at our Workshop on the 25th to explain it.

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MAYOR'S REPORT – Mayor Hess

Mayor Hess read a Proclamation of Brookhaven Borough Council making the prevention of underage drinking a community-wide priority. Mothers Against Drunk Driving (MADD) started the PowerTalk 21 day back in 2011. This year's PowerTalk 21 Day is April 21 as stated in the Proclamation. Mr. Donaway made the motion to adopt the Proclamation and Mr. Linowski made the second. Motion carried by unanimous vote.

MINUTES APPROVAL

Mr. Linowski made the motion to approve the February 22, 2016 Workshop Minutes. Mrs. Fooks made the second. Motion carried by unanimous vote.

Mr. Linowski made the motion and Mrs. Fooks the second to approve the March 7, 2016 Public Hearing Minutes. Motion carried by unanimous vote.

Mr. Linowski made the motion and Mrs. Fooks the second to approve the March 7, 2016 Council Meeting minutes. Motion carried by unanimous vote.

COUNCIL REPORTS

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

Mr. Linowski made the motion and Mr. Donaway the second to approve the Bill List dated 04/04/16 –General Fund \$40,311.76, Road Fun \$1,690.37 and Sewer Fund \$26.38 for a total of \$42,028.51. Motion carried by unanimous vote.

The Regional Street Light Procurement Program was discussed at length. Mr. Linowski said that he and Mr. Rodo from Catania Engineering met today on this matter. He's on the Energy Savings Committee. Mr. Linowski and Mr. Rodo were at an on-line seminar that explained how the plan works. Now we have enough information on the Program. The Borough would enter into a guaranteed energy savings contract with a qualified provider for the evaluation, recommendation and implementation of energy conservation measures for the project. Johnson Controls, Inc. desires to be selected as the Borough's qualified provider and desires to enter into the Guaranteed Savings Agreement with the Borough. During the first 8 years the Borough would see no savings. Savings will begin in the 9th year. From the 9th through the 20th year we will save a total of \$593,430. Mr. Maddren explained the Guaranteed Energy Savings Contract. The cost can be amortized over an 8 year period. He said it is a "no lose program for the Borough". We will save enough to pay for the program. Delaware Valley Regional Planning Commission is behind the program. Mr. Wilwert said it is a good safety issue too. The lights are LED's and they project more light but not so much of a projection that the lights shine into houses—just on the street. Mr. Wilwert asked if the audience had any questions. Mr. Phillips from 4829 Shepherd Street asked if the lights are going to be white or yellow. Mr. Wilwert said they will be white. Mr. Maddren said that's the next step in the audit phase. The program is not "fully engineered". Mr. Phillips said yellow is better on the eyes and puts out more light. Mr. Wilwert said if there is an option we will look at both. Mike Ruggieri from East Garrison Road asked everyone to look at the ceiling and see what the LED lights in Council Chambers to show what LED lights put out. He spoke about the lighting at the 7-11 Store at the corner of Dutton Mill and Concord Roads in Aston. They have LED lights. Ms. Sawicki asked if the Borough will be getting a map of the Borough that shows where our current street lights are and can we add more lights in dark spots. Mr. Linowski said yes. Mr. Donaway asked if after this step if we decide not to go forward with the

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program what is there any cost. Mr. Linowski said we would have to pay engineering which is \$10,800. With no more discussion on the matter from Council or the audience, Mr. Linowski made the motion and Mr. Donaway the second to adopt the Resolution necessary for the Regional Street Light Procurement Program. Motion carried by unanimous vote. This is Resolution 2016-06.

Mr. Linowski thanked Ms. Leslie and the Recycling Committee for the Recycling/Shredding Event on Saturday. He was able to recycle a lot of things. They did a great job.

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

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

Mr. Donaway said the Public Works Department Employees filled potholes, started cutting grass on March 26 and serviced the Speed Trailer. They responded to two sewer calls—one corrected by plunging the line and the other at Stone Hill Apartments which was not the Borough's responsibility. Because of the magnitude of the overflow, we had to report the incident to the Department of Environmental Protection. They removed nasty graffiti from playground equipment in Eaton Park. Mr. Donaway asked Delaware County Times Reporter to report if we catch the offenders, they will be prosecuted. The Public Works Department Employees also replaced a door at Memorial Park. Mayor Hess said he has obtained license plate numbers for those parking in Eaton Park. He said we should put a sign that says No Overnight Parking. Mr. Donaway said he thinks Bateman should help with the repaving costs in the park. Mr. Linowski said we just cleaned up the park then it was damaged again with unrepeatable bad words written on play equipment. Mr. Wilwert said maybe we should only allow parking until dusk. The parking matter at Eaton Park was tabled. Fire Marshal Leslie asked if TD Bank has a camera facing Eaton Park. No one knew. Maybe TD Bank could put up 1 camera in exchange for the privilege of parking on our property. Mr. Donaway said he found needles, beer cans and bottles when he was at the park. It's landlocked and hard to have patrolled.

Mr. Donaway spoke about Borough's Ford 1995 F-350 which has worn out its useful life and a brand new pump/fountain that was to be installed in Sampson Park's retention basin. It was never installed because it would have burned out if there was no water in the basin. Mr. Donaway made the motion and Mr. Linowski the second to authorize Mrs. McKinley to properly advertise for bids on the 1995 Ford F- 350 and Pump/Fountain. Motion carried by unanimous vote.

The Holiday Parade Committee will have a Youth Dance on Friday, April 8 from 7:00-10:00 PM. The cost is \$7 per person and includes a slice of pizza. Town Watch will be doing traffic control for drop off and pick up of the children.

The Holiday Parade Committee will meet at 7:30 PM on April 13. They are hoping to organize a 5K race with proceeds being split between the Holiday Parade Committee and Town Watch. Mr. Wilwert thanked the Committee for their generosity.

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

Mr. LaPera said the Zoning Hearing Board will meet on April 12 to review the Zoning Code as well as have a

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Variance Hearing for a deck at 4920 Greenwood Street.

Cost quotes for cameras will be given to Council by Mr. LaPera tomorrow.

There will be a conference call in the near future. It will be about us looking into the possible use of Greenway Grant funds at Eaton Park. The application is due June 30 and it's only a 15% matching grant. The 15% can come from various sources. The property must be appraised and the appraisal must equal or be more than the funds for which we would be applying. Mr. LaPera said we should aim high but the #1 priority is a walking trail. The cost figures for the proposed Eaton Park upgrade are recorded in the March 28 Workshop Minutes. Mr. Donaway asked if we are looking to do the whole list. Is the park big enough to handle what we have on paper? Mr. LaPera said yes. Mayor Hess said the idea behind this is to get people to go into the park. Mr. LaPera said he has been involved with sports activities at Sampson Park for 20 years and organized activities at the park as well as the equipment in the parks being used cuts down on vandalism. Ms. Sawicki asked if the neighbors in the vicinity of Eaton Park have been spoken to about the proposed upgrades. This might make the area noisier. Mr. LaPera said we can get neighborhood feedback. Mr. Wilwert asked if there was a time limit on how fast we must spend the money. Mr. LaPera said we have a year to use it or we will lose it. There may be a little wiggle room. Mrs. Fooks asked if the park will have a camera. Mr. LaPera said it will. Mr. LaPera said he would "head up" this project. After the appraisal we will adjust the figures, if necessary. Mr. LaPera made the motion and Mr. Linowski the second to have Eaton Park appraised.

The Opening Day of Baseball/Softball Parade and festivities is on April 9. The parade steps off from Faith Community Church at 9:00 AM and goes up Edgmont Avenue. The softball group will split off and go to Sampson Park and the baseball group will continue on to Memorial Park.

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

Mrs. Fooks made the motion to appoint Terry Heller to the Ordinance Committee. Mr. Donaway made the second. Motion carried by unanimous vote.

The Ordinance Committee will meet on April 21 at 6:30 PM. Mr. Maddren has the proposed Solar Ordinance.

In addition to her report at Workshop, Mrs. Fooks said work on the exterior of Wawa was to begin today. This will take about 3 weeks. On or about April 18 the kiosk will be placed on the property. On April 25 the store will be completely closed. Gas pumps will remain open and Wawa plans to re-open on May 20. Please note that at some point there may be a brief complete shut-down of the gas pumps as work is being done. This information will be posted on our web-site.

The Brookhaven Community and Business Association continues to receive new memberships. Mrs. Fooks said she and Mayor Hess thank Karen Dauber, Christine Raftovich and the new members of the Board who work very hard on this important initiative.

Delaware County Open Space, Recreation and Greenway Planning has an Open Space Covenant Program (Act 515). Mrs. Fooks said she has contacted them and is waiting for the full application and information packet.

Mrs. Fooks said that Cocco's has been sold. The family no longer owns it.

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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 FIRE COMMITTEE – Ms. Sawicki

There is nothing on the Planning Commission's Agenda for April.

Ms. Sawicki asked if there is an update on Shop-Rite. Mr. Catania said there was asbestos in the tiles and that was abated by a licensed company to do that. We still have no plans. Ms. Sawicki said Council should get the owner to come before Council. Brookhaven Planning Commission has been waiting for months to see the plans.

Ms. Sawicki said that on May 15 work on the Butterfly Garden will begin. She will be asking for assistance from the County Community Service Workers as well as from any other adults who want to help.

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

Mr. Wilwert said he has just finished the first quarter of 2016 as Council President. He thanked Messrs. Donaway and LaPera as well as others on Council, the Public Works Department employees, the fire company, ambulance crews, police department, inspectors, office staff, Municipal Center Maintenance staff for doing a good job.

Mr. Wilwert said that there was an "Information Gathering Executive Session" from 6:40 until 6:55 PM tonight.

Town Watch will be having a Spaghetti Dinner on April 23 from 1:00 – 6:00 PM.

ENGINEER'S REPORT – Mr. Catania

Mr. Catania said that the contracts for the 2016 Street Resurfacing Program are being executed. Innovative Construction Services is tentatively set to begin the week of April 11. It is estimated it will take 2 weeks for the Program to be completed.

The Shoppes at Brookhaven have periodic site inspections by Catania Engineering. The work progress shows that the erosion and sediment control facilities are completed, Giant's pad site grading is nearing completion and storm and sanitary sewer work has begun.

Mr. Catania's written report also includes there was a street lateral problem at 101 Bradbury Road which he has been authorized to have repaired.

The North Gray & Melvin Drainage Improvements Project shows work underway by Ridley Excavating. Additional trees have been removed from Mr. Scarino's property.

The seating in Memorial Park has been started. Weather permitting, it should be finished by April 8.

There was a site meeting with the Trimble Run Condominium Association representative concerning stream bank erosion.

The Delaware County Conservation District has done a site inspection of the stream bank erosion at 316 East Brookhaven Road. The Conservation District has made recommendations for best management practice to

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reduce erosion. This was sent to the owner of 316 East Brookhaven Road and Ohev Shalom Cemetery.

INSPECTORS' REPORTS

FIRE MARSHAL – Mr. Leslie

Mr. Leslie asked if No Peddling or Soliciting in the Borough signs could be placed at the entrances to the Borough.

CVS was issued a Sprinkler System Permit.

Giant Supermarket saw cut out the storm sewer inlet and filled it in. This hazardous situation was discussed at Workshop.

BOARD OF HEALTH – Mrs. Warfield

The food related establishments inspections are almost complete.

Mrs. Warfield asked everyone to clean up their yard. There should be no place or object for standing water to accumulate.

There is graffiti on the back wall of the American Medical Services at 8 West Brookhaven Road. Mr. Grant will be asked to send them a letter asking them to have it removed.

Mrs. Warfield expressed concern about the business addresses not being visible from the street. Mr. Wilwert said we would have to change our ordinance to require the numbers made bigger than the current ordinance does.

CODE ENFORCEMENT AND ELECTRICAL – Mr. J. Grant

Mr. Grant said he has sent some citations out to homeowners on Meadowbrook Lane who are renting out their property and not getting them inspected in accordance with our Ordinance 776.

PUBLIC DISCUSSION – None

Mr. Wilwert offered Council and the Mayor's condolences to Loretta Rodgers on the recent passing of her mother.

There was no other business to come before Council so Mr. Linowski made the motion and Mr. Donaway the second to adjourn. Motion carried by unanimous vote.

Respectfully Submitted,

Mary Ellen McKinley
Borough Secretary