

**MINUTES
BROOKHAVEN BOROUGH COUNCIL MEETING
MONDAY, APRIL 6, 2020**

At 7:00 PM Council President Terry Heller called the regularly scheduled Brookhaven Borough Council Meeting to Order. Mr. Heller led in the Pledge of Allegiance to the American Flag.

The record shows the meeting was held by Virtual Teleconference and the following people participated in the meeting by Zoom: Council President Mr. Heller, Councilpersons Ms. Sawicki, Mrs. Heller, Mr. Vazquez, Mrs. Fooks, Ms. Leslie, Mayor Hess, Mr. Pappas, Engineer Mr. Catania and Solicitor Mr. Wills. The minutes were recorded from the Zoom Teleconference by Planning Commission Secretary Mrs. Boyle.

Mayor Hess had no deceased name of residents to report.

PRESIDENT OF COUNCIL, CHAIRMAN BOARD OF HEALTH, CHAIRMAN BUILDING COMMITTEE, MEMBER BUSINESS REVITALIZATION COMMITTEE, MEMBER GRANT COMMITTEE, HISTORICAL COMMITTEE, MEMBER LONG TERM COMPREHENSIVE PLAN COMMITTEE, MEMBER POLICE COMMITTEE AND MEMBER PUBLIC WORKS COMMITTEE – MR. HELLER

Mr. Heller said that his report was about the COVID-10 virus. None of his committees met this month. We have three meetings to announce, all in Executive Sessions. Council met in Executive Session on March 19, 2020 from 7 to 7:30 pm for the purpose of extending the Emergency Disaster Declaration relating to the COVID-19 virus. The meeting was held in the Council Room where Social Distancing guidelines were practiced. This was our last meeting held in person.

The next Executive Meeting was on March 23, 2020 by teleconference from 7 to 7:30 pm for the purpose of waiving the after-hour deliveries for supermarkets.

The next Executive Meeting was on April 2, 2020 by teleconference from 7 to 8 pm for Personnel matters.

Mr. Heller wanted to thank the residents and our employees for accepting the measures put in place so we can do our part to help control the spread of COVID-19. We are faced with a crisis that none of us has ever seen. This is a Pandemic which has not occurred in over 100 years. Brookhaven is doing very well and our residents are adhering to the rules put in place. We realize that it is by no means easy and we hope to return to normal as soon as possible. Mr. Heller said that he would now go over the timeline of measures that were put in place and this includes the measures by Police Chief Kurten and Fire Chief Montella

Mr. Heller said that Brookhaven Council declared a State of Emergency on March 13, 2020 and closed the Municipal Center to all sports and rental activities and to all in-person activities. We sent Public Works and most of the office staff home on March 26, 2020 with full pay and benefits until April 3, 2020. The decision on staffing and Public Works will be discussed later this evening.

Overall, Brookhaven Council was ahead of the curve in Delaware County because we closed our Municipal Center and Gym before any other community in Delco and we took quick action by protecting our employees by sending them home with pay while evaluating our next steps. We are in constant communication with Chief Montella and Chief Kurten with updates and to make sure they have everything they need to keep their respective departments updated while still providing great service. For now, we will continue to operate with a limited office staff; we have the Treasurer working limited hours, we have Matt Copple working limited hours to handle phone calls, emergency permits and some other tasks. We have Bob Grant handling his usual duties and emergency inspections and other Board of Health matters. While we are reevaluating on a daily basis, the reality is that we are going to be operating in this capacity until at least mid-May if not until early June based on all the data Mr. Heller has reviewed and the various models we have studied. Mr. Heller said that today's news brought some optimism that in New York the curve may be starting to flatten but we need to see this curve flattening. Mr. Heller said that we have to be on the other end of the curve before any decisions can be made. Mr. Heller said that Delaware County has shown to have 70 to 100 new cases a day up to April 5, 2020 with a total of 822 cases in Delaware County with 15 deaths. As for Brookhaven, while we are surrounded by areas with double digit cases, we have just had one case that showed up two weeks ago. The individual's name is private and we do not have an update. Mr. Heller thanked the residents for doing their part in helping against this COVID-19 fight and for all of our first responders for all they are doing until we can return to normal.

PUBLIC DISCUSSION

Mr. John Wilwert, Trimble Blvd., wanted to thank Mayor Hess, Mr. Heller and the entire Brookhaven Council for taking such quick action during this pandemic. He also wanted to thank all the First Responders for all they have done. He said that the Council being proactive is a good sign.

Mr. Tom Dykes, W. Brookhaven Road, wanted to thank everyone for all that has been done. He wanted to let people know that they should not be dropping their masks and gloves at the supermarket parking lots. That is dangerous for the employees. Mr. Dykes said that he was surprised to see the amount of people walking around during this time. Mr. Heller commented that it is okay to be walking around for exercise as long as everyone keeps their social distance.

POLICE CHIEF REPORT – CHIEF KURTEN

Chief Kurten gave the following report:

- ~ There were 12 arrests in the month of March; 9 adults and 3 juveniles
- ~ There were 6 thefts total which was a very good number; 2 were retail and 4 other thefts. 3 occurred in a multiple block area one evening to cars. All of the cars were unlocked. Chief Kurten reminded everyone to lock their car doors.
- ~ There were 15 false alarms for the month
- ~ There were 541 business checks
- ~ There were 10 911 hang up calls that we responded to

- ~ 55 motor vehicle citations were issued; 45 warnings were issued
- ~ 26 parking tickets were issued
- ~ 21 collisions were handled
- ~ 16 motor vehicle assists were handled
- ~ There was no training completed this month for obvious reasons
- ~ There was no Work Place Safety Meeting on March 31st
- ~ Officers continue to patrol and provide high visibility to help decrease criminal incidents
- ~ Officer Kyler remains on injury leave from an incident in June, 2019
- ~ Many protective measures have been implemented to decrease the susceptibility of infecting Officers with the COVID-19 virus. This includes professional cleaning of the Police Department, cleaning the vehicles, etc. It is an ongoing process.
- ~ All vehicles are operational at this time.
- ~ In a cost saving measure, Chief Kurten has discontinued the Contract whereby we were paying \$177 per month to a certain business to maintain our radio communications, essentially as a standby. This contract commenced before Chief Kurten became Police Chief. This will save the Borough over \$2,000 per year.

FIRE CHIEF – ROBERT MONTELLA

Chief Montella reported the following for March:

- ~ We had 3 fire calls in the Borough; 18 non fire calls; 18 mutual assists; 5 fire drills for a total of 44 calls for the month
- ~ We have answered 154 fire calls for the year
- ~ We had no fire loss on contents or structure for the month
- ~ We have had no Fire Fighter injuries
- ~ We had 44 calls with an average of 16 Fire Fighters per call
- ~ We were in service for a total of 528 hours for the month; 2,164 hours for the year
- ~ We had five training sessions with an average of 35 Fire Fighters attending for a total of 177 hours of training for the month and 822 hours for the year.
- ~ We responded to a building fire on Sir Galahad Drive
- ~ We responded to 3 accidents; one at Brookhaven Road and Bridgewater Road; one at Rt. 352 and Dutton Mill Road and one at 4500 Block of Edgmont Avenue
- ~ We had 1 accident with entrapment at Rt. 352 and Cambridge Road.
- ~ We responded to a gas leak at Traditions of Ridley Creek in Building #8.
- ~ We assisted Garden City Fire Department on two building fires; one on Warminster Drive and one on Chestnut Parkway.
- ~ We assisted Parkside Fire Department with a building fire on West Garrison Road
- ~ We assisted Rocky Run Fire Department on a building fire at Riddle Hospital
- ~ We assisted Chester Fire Department on two building fires; one at 11th and Kerlin Streets and one on the 800 block of East 15th Street.
- ~ For the training for the month, we trained on the Corona Virus Procedures, social distancing procedures, personal protective procedures, etc.

We have also limited the number of personnel staffing at one time at the Fire Station. We are constantly ordering supplies needed at this time for the protection of our people.

Chief Montella said that he did not have a full Ambulance Report for the month but said they have responded to 12 suspected cases of COVID-19 but all of them have come back as negative. Chief Montella said that he currently does not know of anyone in the Borough that has the COVID-19 virus. He said that 911 has a report of anyone suspected to have the virus and they will let our men know if anyone in the house has it before our men respond. Chief Montella said that he just asks that the residents be truthful and honest by answering the questions from 911 before we come into the house and if anyone else who lives in the house is sick. Everyone will get transported to the hospital; we just need to know what we are dealing with. Mr. Heller asked if Chief Montella has heard from the hospitals about how they are doing. Chief Montella said that Riddle and Crozer may go on divert for just a short period of time because they get a heavy overflow but then they come off the divert. There are no elective surgeries at this time. Chief Montella said to be sure to constantly wash your hands and to not touch your face. Chief Montella said we are looking good for equipment through PPE. Mr. Heller said that everyone appreciates the work the Fire Company and First Responders are doing.

SOLICITOR'S REPORT – MR. JAY WILLS

Mr. Wills reported the following:

123 E. Brookhaven Road – There was a hearing before Judge Eckel from Delaware County Court of Common Pleas that entered an order to mandate the property owner to remove all the junk, debris and trash from the property. The property changed ownership in March and the new property owner owns and operates a clean out company and has abated the nuisance from the property. Mr. Wills said that he is pleased to advise that the property is code compliant per Mr. Howard Hampton, Brookhaven Zoning Officer.

4209-13 Edgmont Avenue (known as Carmen's) – This is a blighted property. The Conservator appointed by the Court filed a motion on February 12, 2020 for the sale of the property. A hearing for the motion occurred on March 2, 2020. Mr. Wills attended the hearing to ensure that the Borough would be reimbursed for all costs and fees incurred throughout this process. The Court took the motion under advisement. Since the Courts are now closed, no decision has been made but Mr. Wills feels that the Court will grant the motion.

3607 Victor Avenue – This is a residential property with a lot of junk and debris in the rear of the property. There was a complaint filed on February 10, 2020 at the Delaware County Court of Common Pleas on behalf of the Borough against the property owner. The Court scheduled the hearing on March 14, 2020 but all Courts are closed until at least April 30, 2020 so the case will have to be postponed.

The next item is the Resolution for extending the deadline for property tax discount. Brookhaven Council had an Emergency Meeting held on March 19, 2020 and Council passed a resolution to extend the discount to April 30, 2020. A motion was made by Mrs. Heller and seconded by Mrs. Fooks to extend the deadline for property tax discount to April 30, 2020. The motion was unanimous.

The next item concerns Emergency Declarations pursuant to the COVID-19 epidemic. It includes:

- 1) The Emergency Declaration proclaimed by Mayor Hess on March 13, 2020
- 2) A Resolution by Brookhaven Borough Council declaring, joining and extending the Emergency Declaration Disaster issued by Mayor Hess with the provisions of the Pennsylvania Emergency Management Services Code and the Pennsylvania Borough Code dated March 19, 2020.
- 3) The next Resolution is by Brookhaven Borough Council to suspend certain provisions provided for in the Borough Code of Ordinances entitled Noise Control to ensure critical food delivery operation at supermarket chains located in the Borough. That resolution was dated March 3, 2020.

The next item on the agenda concerns Gov. Wolf's Emergency Declaration ordering closure of all non-life sustaining businesses. Mr. Wills has provided guidance, recommendations and counsel to Mayor Hess, Council President Heller and Chief Kurten regarding the quick ability of the closure of multiple businesses throughout the Borough. This has been an ongoing and continuous operation.

315 W. Brookhaven Road – This is a small residential development consisting of seven single family homes. Mr. Wills has recently drafted and prepared a Supplemental Land Development Agreement between the Borough and the Contractor regarding the OA Occupancy Permit for the development's sanitary sewer installation.

The next item concerns Furlough Notification Memos. Mr. Wills has drafted and prepared on behalf of Mayor Hess and Council President Heller 11 proposed Furlough Notification Letters to designated Borough Employees as a result of the COVID-19 Pandemic. These 11 individuals were identified and notified by various emails today (April 6, 2020). Mr. Wills asked for a motion to approve issuance of 11 Furlough Notification Letters to designated Borough Employees as a result of the COVID-19 Pandemic. The 11 individuals have been notified. A motion was made by Ms. Leslie and seconded by Mrs. Heller. The motion was unanimous.

Mr. Heller said that the Furloughs are temporary. They are a certain percentage of the office staff; while we feel that all the staff is essential, we are furloughing them so they can go on unemployment until we can have a fully functioning front office staff. Any part-time Police Officer that held another position outside of the Borough will be furloughed. This is due to the fact that if they are working elsewhere and are in contact with other people, we do not want them bringing the virus back to our employees still working. It is for their protection and our employees' protection. We cannot have a full office staff and abide by Social Distancing Guidelines. The Treasurer will be working on a limited basis; we cannot function without a Treasurer. Matt Copple will be working an office away on a limited basis and Bob Grant will be working.

Public Works employees will return on April 13, 2020 to full duty. They have to be 20 feet apart from each other and they are to have no interaction with the public or any other employee. Mr. Heller commented that no one will be hurt financially due to the fact that the Federal Government passed a bill last week that added \$600 which is PA's max on unemployment. This is effectively a paid vacation and they will stay safe until we can resume business as usual.

Ms. Leslie asked if the Public Works employees will have to wear gloves and masks. Mr. Heller said that it is up to their discretion; they have been provided with masks if they need them. They will be using separate vehicles and we are waving the procedure to clock-in for work. They also will have a staggered start time for work. The grass has to be cut for health measures and they have to take care of emergency sewer problems.

MAYOR'S REPORT

Mayor Hess wanted to thank the Police and Fire Departments and all the brave men and women for the outstanding job they are doing for our community to protect us from this virus and he wanted to applaud them. He asked the residents to thank them when you see them by giving them a "thumbs up", of course by keeping 6 feet away. Mr. Hess said that we have to adhere to Gov. Wolf's Mandate; we are in a crisis and we need to stay home and only go out if it is absolutely necessary and to wear a mask and gloves. Also, please dispose of gloves in a trash can. Mayor Hess wanted to add that the furloughs are to protect our staff and to protect our people.

Mayor Hess said that everyone should have received their Census Letters in the mail. He asked everyone to complete the Census and to return it or to fill it out online. This contains important information that will provide funding to Brookhaven Borough based on the results and it also determines how many seats we will have in Congress. All information contained in the Census must be kept confidential by law under a penalty of \$250,000 fine so don't feel that anyone is going to take any of your information.

Mayor Hess said that the Borough celebrated its 75th Anniversary on April 4, 2020 as being incorporated as a Borough. Mr. Heller said that we were working on a 75th Celebration but there is no reason we cannot celebrate next year.

We have to question every large celebration or get together for the rest of this year until we get a vaccine for the virus. We will evaluate on a daily basis every celebration planned for the rest of this year.

Mayor Hess wanted to add that he has received calls as to why certain businesses are open and why are some people standing side by side in groups. The Police Officers will be citing people that are not practicing Social Distancing. We have been very fortunate that we had only one case in Brookhaven to date and we want to keep it that way. Mr. Heller added that we do not have any control over what businesses stay open or closed. The Governor makes those decisions; we just have to enforce them.

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

Ms. Sawicki said that Council has a copy of the April bills in their packet. The General Fund for this month is \$51,516.43. The Trash Fund is \$60; the Sewer Fund is \$20,275.18 for a total of \$71,851.61. Ms. Sawicki made a motion to pay the bills so the Treasurer can mail the bills this week. The motion was seconded by Mr. Vazquez and the motion was unanimous.

The discount for the tax bills has been extended to April 30, 2020. Please mail the bill to Mr. Smith, Tax Collector, with a self-addressed stamped return envelope to receive your receipt. Ms. Sawicki said that she has started to review the 2020 Budget for Income and Expenses. She is going to meet with the Treasurer to prepare a report for Council to see what we may have to delete from the 2020 Budget. The revenue for this year is going to be deplorable because of the businesses being closed. Ms. Sawicki said she wants Council to know what her suggestions will be so that Council can discuss it together to decide what items we can keep in the Budget or postpone to next year. Mr. Heller said that he reached out to the Budget Committee to get together for a meeting. We will be taking a hit this year from the mercantile taxes.

VICE PRESIDENT OF COUNCIL, CHAIR EMERGENCY MANAGEMENT ADMINISTRATION, CHAIR RECYCLING/TRASH COMMITTEE, MEMBER FIRE COMMITTEE, CO-CHAIR VETERANS' COMMITTEE, AND MEMBER POLICE COMMITTEE – MS. LESLIE

Ms. Leslie reported that the Recycling Event was cancelled and the next one will be held in October. Our Memorial Service is scheduled for Saturday, May 23, 2020 depending on what goes on with the COVID-19.

Ms. Leslie asked the Police and Fire Department to just keep up their good work; Ms. Leslie said they are doing a fabulous job. She asked Chief Montella how the EMS Staff is holding up. Chief Montella said they were doing all the precautions; some of the family members are nervous but we are doing our job.

Ms. Leslie said that Steve Shultz, Emergency Management, reported that all costs are being recorded to be turned in for reimbursement at the end of COVID-19. He is working with the Police and Fire Departments to see that they are properly supplied. Their PPE supplies are being closely monitored. Ms. Leslie said that a question came up about hazardous pay; she said that there is no viable plan at this point. Ms. Leslie said that Mr. Shultz said for residents to refer to the Delaware County's Website to keep up with the current statistics about the virus. Ms. Leslie concluded her report to tell everyone to stay safe and be well.

MEMBER CONDO ASSOCIATION COMMITTEE, PLANNING COMMISSION LIAISON, MEMBER PERSONNEL COMMITTEE, COUNCIL LIAISON TO CIVIL SERVICE COMMISSION, MEMBER POLICE COMMITTEE, MEMBER PUBLIC WORKS COMMITTEE, CO-LIAISON TO ZONING – MR. PAPPAS

Mr. Pappas had no report.

MEMBER PERSONNEL COMMITTEE, MEMBER BUSINESS REVITALIZATION COMMITTEE, MEMBER EMERGENCY MANAGEMENT COMMITTEE, HOLIDAY PARADE COMMITTEE, MEMBER POLICE COMMITTEE AND MEMBER RECREATION BOARD AND MEMBER TECHNOLOGY AND COMMUNICATIONS COMMITTEE – MRS. HELLER

Mrs. Heller reported the following:

- ~ The Concert Series Committee met on March 10, 2020. We do not know what the outcome for the concert series will be at this point.
- ~ Roseanne McGrath was retained to complete an assessment of the office staff and it was completed on March 3, 2020; she met with the office staff on March 10, 2020. We did receive a report from Ms. McGrath and we are in the process of reviewing it.

BUSINESS AND REVITALIZATION COORDINATOR, MEMBER FINANCE AND ADMINISTRATION, MEMBER GRANT COMMITTEE, MEMBER HOLIDAY PARADE COMMITTEE, MEMBER LONG TERM AND COMPREHENSIVE PLAN COMMITTEE, ORDINANCE COMMITTEE, MEMBER RECREATION BOARD, SCHOOL BOARD LIAISON, MEMBER CONDO, TECHNOLOGY AND COMMUNICATIONS COMMITTEE – MRS. FOOKS

Mrs. Fooks reported the following:

- ~ There was no Ordinance Meeting this month and there will be none in April.
- ~ For Business news, Mrs. Fooks wanted to remind the residents to utilize Brookhaven Restaurants for take-out for their first choice.
- ~ Tech Committee – we will have a meeting with E-Code once it is safe to do so, probably in late Spring or early Summer.
- ~ Recreation Board – We had to cancel the Easter Egg Hunt and we will try to reschedule an Opening Date for the Baseball and Softball Parade. Please check the website for information
- ~ Providence Animal Center – As of now, we are unsure about the dates for the Vaccine Clinic. Please check the website for information.

FINANCE AND INSURANCE COMMITTEE, PUBLIC WORKS COMMITTEE AND LIAISON TO ZONING HEARING BOARD – MR. VAZQUEZ

Mr. Vazquez reported the following:

We will be bringing Public Works Employees back for grass cutting and to take care of emergency calls. Mr. Vazquez asked Council for their opinion if Public Works should still fix clogs in resident's houses as they have done in the past as a courtesy. Mr. Heller said that he spoke to Mr. Evans today about this and he agrees with Mr. Vazquez that there should be no contact with residents. All the Council members agreed.

We are going to try to get the Scoreboard squared away before the Baseball/Softball season begins while we have the time. Mr. Heller said that he doesn't see the possibility of a season this year but we should proceed with the Scoreboard to be ready whenever the season begins. Mr. Heller said that we also have to consider the possibility that Family Day might not happen this year. We have to evaluate this on a weekly basis.

Mr. Vazquez said that Zoning did not meet in March. He said that we are going to be looking at the high-ticket items in the budget to see what can be postponed or pushed back. We will have a meeting to see about this and will do what is best for the residents. He also wanted to thank everyone on the front line for all they are doing.

ENGINEER'S REPORT – MR. CATANIA

Mr. Catania reported the following:

Brookhaven Green Development – Mr. Catania made a request for Escrow for \$1,878,122.41 plus \$56,500 for Inspector's Fees. Mr. Heller asked for a motion. Mr. Vazquez made a motion and it was seconded by Mrs. Heller. The motion was unanimous.

Ms. Sawicki asked if the Escrow would be cash. Mr. Catania said that this Escrow was already established. Mr. Wills said that it will be either cash or a line of credit from a banking institution.

Mr. Catania said that two sinkholes were reported to the Borough. One is at 3425 Janney Avenue and one is at 263 Morris Avenue. Both of these locations have been tested by the Public Works Department and determined that the issue is the street lateral. Mr. Catania asked for authorization to repair those two street locations. Ms. Sawicki made a motion to repair these two locations and it was seconded by Mr. Vazquez. The motion was unanimous.

INSPECTORS' REPORTS

FIRE MARSHAL – MR. LESLIE

Mr. Leslie reported the following:

~ Mr. Hampton is dealing with the Our Lady of Charity issues

~ We have had some problems with the pipeline. There has been no communication with the residents. The work has since ceased due to the virus; when the virus is over, we will set up a meeting to take care of this.

~ A fence went up on top of the pipeline on Nathan Avenue. We had to take it down. Mr. Leslie asked if the residents should get their properties surveyed before they erect a fence. Mr. Heller said that we will look into what is the official procedure.

~ Swiss Farms/Financial property was sold and Inspectors were there.

~ Dollar Magic is open

~ Lowe's was inspected and Mr. Leslie met with the new Manager.

~ Mr. Leslie asked how close we are to having a Board of Health Inspector coming aboard. Mr. Heller said that Mr. Grant is the Board of Health Inspector and that we hired a Commercial Inspector. We are waiting for her to be certified but the pandemic postponed her training. Mr. Heller said that anything related to the Board of Health can be handed by Mr. Bob Grant.

~ Cambridge Square put a fence up along the back of their property. This should alleviate the trash coming down onto the walking trail.

~ Mr. Leslie spoke about the fire at the Hilltop K-18 building a few years ago. We had that tragic fire over there and it is resulting in a lawsuit. Their attorney has reached out to Mr. Leslie for all reports and Mr. Leslie may have to ask for advice from Mr. Wills before going to court.

~ Mr. Leslie said that many residents are sitting out at night now with their fire pits going. He asked to keep a screen over the fire pit and to keep the fire to a minimum for their safety.

BOARD OF HEALTH –

There was no report.

ZONING OFFICER – MR. HAMPTON

There was no report

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

Chief Montella said that he and Chief Kurten meet daily to go over everything that comes out from the County. We are staying on top of supplies, etc. Mr. Heller said we should also thank Chester County for acting as our Health Department. They have a great link to get updated information about the virus.

PUBLIC DISCUSSION

Mrs. Fooks wanted to thank our Police and Fire Departments for risking their lives for the residents during this pandemic.

Mr. Wilwert, Trimble Blvd. said that Town Watch has been temporarily suspended during the virus. Town Watch membership has donated \$500 to the Fire Department for funds for whatever they need.

Mr. Dykes, W. Brookhaven Road, said that the Concert Series for May will most likely be cancelled because that is a school program. We were going to have the Northly Middle School Jazz Band and their Steel Drum Band and since school is over for the year, that will probably not happen. We are hoping to have future concert series.

OTHER BUSINESS

Ms. Leslie asked Mr. Heller about B&L Trash. Mr. Heller said that B&L reached out to us today and asked for an additional 5% payment per month on top of what was agreed to in their contract. Mr. Heller said that everyone is hurting from this pandemic. The Borough is hurting; we have furloughed police and employees for the first time in Borough history and we are going to lose mercantile taxes. We have residents who are on unemployment and are worried about their jobs. Mr. Heller is opposed to paying this additional 5%. B&L said that they now have additional volume of trash pickup and additional salaries due to the pandemic. Mr. Heller said that in his opinion B&L does a great job but he is opposed to additional payments.

Ms. Sawicki said that we should refer this matter to Mr. Wills because of the contract to see what our position is in this matter. Mr. Wills said that there is no provision in the contract that permits B&L to surcharge the Borough for an additional 5% per month because of the pandemic. The Borough is going to be fiscally compromised as a result of this pandemic and Mr. Wills said that the Borough is not in a financial condition to pay more than we are obligated to pay. Mr. Heller said that he sympathizes with B&L but we do not know how long this pandemic will last and we can't put an additional burden on our taxpayers. The letter from B&L for this request is attached to the Council's Agenda.

Mr. Heller said that we will have an April Workshop and it will be done by Virtual Teleconference.

ADJOURNMENT

There was no other business to come before Council. Ms. Sawicki made the motion and Ms. Leslie made the second motion to adjourn. Motion carried by unanimous vote. The meeting was adjourned at 8:10 pm.

Respectfully Submitted,

Mrs. Joan Boyle
Brookhaven Planning Commission Secretary

