

MINUTES
BROOKHAVEN BOROUGH COUNCIL WORKSHOP MEETING
MONDAY, AUGUST 26, 2019

At 7:00 PM Council President Vawn Donaway called the regularly scheduled Workshop Session 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. LaPera, Mrs. Fooks, Ms. Leslie, Mayor Hess, Mr. Pappas, Engineer Mrs. Mulvena and Solicitor Mr. Stone. Mr. Heller was not present. Planning Commission Secretary Mrs. Boyle recorded the minutes.

Mr. Donaway wanted it on the record that the Council members had an Executive Meeting before this meeting to discuss legal matters and also before the August 5, 2019 Council Meeting.

PUBLIC DISCUSSION

There was no public discussion.

SOLICITOR REPORT

Mr. Stone reported that we did have a meeting this evening to discuss legal matters. One item that Mr. Stone wanted to confirm was that they had discussed at the June Council meeting to terminate our contract with the Business Privilege Tax collector, which is Municipal Resource Recovery Systems, LLC (MRRS), effective the end of August. We looked at the contract and it actually expires the end of 2019. He wanted to confirm with Council that we will not renew the contract at the end of the year, rather than to terminate the contract now. Mr. Stone asked for a motion to not renew the contract for Municipal Resource Recovery Systems, LLC (MRRS), when it expires at the end of 2019. Ms. Sawicki made the motion and Ms. Leslie made the second motion. Motion was carried by unanimous vote.

Mr. Stone discussed 315 W. Brookhaven Road. There was a request for permits. Mr. Stone said that to his knowledge, there has not been an agreement signed by the new purchaser of that property. There is a new owner and he submitted an application for permits for at least two of the seven houses. Mr. Stone that the Borough will not issue any permits until they are sure of the financial security of the developer.

MAYOR HESS

Mayor Hess had no report.

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

Mr. Pappas had no report.

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 said there was an Ordinance Committee meeting on August 15th and a resident attended the meeting; residents are always welcome. There was a discussion regarding cooking oil contamination and composting. We are creating an Ordinance for oil containment; when this is finalized, it will be sent to the Council members and to Mr. Stone for his opinion.

Chili's is scheduled to open on Friday, September 6th. Freddy's is scheduled to open in September or early October. Chick-fil-A is now scheduled to open in late December or January.

Mrs. Fooks said that she and Mr. Heller are evaluating some agreements from the Pennsylvania State Association of Boroughs (PSAB) for website planning. She has also been corresponding with Mr. Cadden for his professional opinion to make sure that the information we have been given will be adequate for our website. Mrs. Fooks also needs to verify that we can keep our gmail business account that we currently have and to make sure it is compatible with the Pennsylvania State Association of Boroughs (PSAB). The price that we are being offered is \$389 a year which includes seven hours of work. Mrs. Fooks said that we will need more hours than that so we will put aside \$3,000 in next year's budget. We should not need all of that, then we will allocate it for other budget items.

Mrs. Fooks discussed at the last Council meeting a new grant that the County has for recreational space. She has requested a quote from a company that specializes in playground equipment. They are a COSTARS participant. The pricing is more than anticipated so we will reevaluate and look to other companies that we can work with. Ms. Sawicki said that perhaps we can get one item from a COSTARS company every year. The grant that the County is offering is to match 15% to 50% of the cost.

VICE PRESIDENT OF COUNCIL, CHAIR LONG RANGE AND COMPREHENSIVE PLANS, MEMBER GRANT COMMITTEE, LIAISON TO ZONING EARING BOARD, LIAISON TO RECREATION COMMITTEE AND CHAIR INSPECTORS – MR. LA PERA

Mr. LaPera said that there will be no meeting in August for the Rec Board. We will meet again on September 26th.

The Zoning Board met on August 13th; Mr. LaPera will give a more detailed report at the September Council meeting.

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

Ms. Leslie had no report.

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 reported that Council received the bill list for July. We are working on the September bill list which we will have ready for the September Council meeting.

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 was not present and no report was given.

ENGINEER'S REPORT – MRS. MULVENA

Mrs. Mulvena reported the following:

~ Public Works reported today that there was a lateral issue at 141 Trimble Blvd. We will add this to the list at September Council meeting.

~ Regarding the left turn traffic signal installation at Edgmont Ave. and Coebourn Blvd: we have to run new wiring in the signal. We did get a proposal from Lenni Electric but we also talked about eliminating the sidewalk at the controller. Mrs. Mulvena said that she thinks their price is actually higher to do that and she feels we should go back to routing the sidewalk around the light.

The price she received was \$56,689; the price did go up from the original price received. Mrs. Mulvena asked Council to give her an indication this evening if she should proceed with this. Ms. Sawicki said that she feels we need to put the arrows in as soon as possible. With school opening and with the new restaurants located there, we will have a tremendous amount of traffic turning onto Coebourn Blvd. from Edgmont Avenue. Mr. Grant will take a look at the box. Mrs. Mulvena said that the problem is that there was a lot of splicing done previously in the box and it has to be corrected. There are two different junction boxes and one looks like “spaghetti”. Mrs. Mulvena said it will not work if it is not compliant. It could be just shy of \$36,000 to fix the problem but Mrs. Mulvena said she does not think it will be that high. There was a lengthy discussion among Council about why Brookhaven should have to pay to fix something that was done incorrectly. Mr. Stone said one of the problems is having the paper trail about the original problem. This could have been done five years ago or 50 years ago. This was done in violation of the way PennDOT wants it done, but the question is “who did it incorrectly”? Our options are to go after the one who did it incorrectly or to just pay the money to fix it. Again, after much discussion, it was decided that Mr. Stone will try to find out who did it incorrectly. He will contact the attorney for Retail Sites to see if they have the name of the contractor who did the work. Mrs. Mulvena said that it will take much time to find this information. Mr. Stone said that this will be very challenging legally and expensive for the Borough to try to find out who is responsible. While we are waiting for the resolution, nothing is being done about putting in the left turn signal.

~ Regarding Waste Water Treatment Plant – they are getting ready for the appropriately sized mechanical screen to be delivered.

~ Shepherd Street Stormwater Treatment Drainage Issue – we got an approval of our plan. The approval states that as long as we have four to seven feet of cover over the pipeline, it is fine. The representative from Sunoco responded back that he thinks there is only two feet of cover over the pipeline, so that is an issue for Sunoco to work out.

~ No. information has been received about Brookhaven Green Estates.

~ Regarding the traffic study on Chandler Drive – Mrs. Mulvena said that she was not familiar with the term “pillow” that was used at the August Council meeting. Mrs. Mulvena said that she has always referred to that term as “truncated cuts” so she wanted to apologize for the misunderstanding. These are maintenance nightmares; if a plow goes through, it will cut the top off.

~ Ms. Leslie asked Mrs. Mulvena if she talked to the resident on Janney Avenue about the water problem. Mrs. Mulvena said the neighbor is away but she will talk to her and explain what is happening.

PRESIDENT OF COUNCIL, CHAIRMAN PUBLIC WORKS AND BUILDING,
HOLIDAY PARADE LIAISON, MEMBER POLICE COMMITTEE – MR.
DONAWAY

Mr. Donaway reported the following:

~ The fence at Memorial Park has been installed.

~ Mr. Swaygnim did work in the Police Evidence Room to make it more secure and everyone is happy with it.

~ The letter to Gov. Wolf, Senator Killian and Rep. Krueger regarding the Chester Water Authority has been sent out.

~ The developer for the proposed Self-Storage Units on Brookhaven Road has asked Council what is their opinion about this. Mr. Donaway sent a message that we are interested but we have to wait to see how the tax situation gets resolved. This should be done by the beginning of September.

~ The open Basketball is on every Wednesday night from 7 to 9 pm. They have had about five participants each night.

~ There was a meeting with Public Works which was attended by Mr. Swaygnim, Mr. Thompson, Mrs. Mulvena Ms. Sawicki and Mr. Donaway. The total for the sanitary and storm sewers that we know have to be repaired, along with street paving, is \$1.7 million dollars. The paving alone is \$315,000. We will just keep prioritizing to do the work.

~ The Bargain Warehouse is on a month-to-month lease until October. The owner said he thinks the old bank located next store to him is coming over and taking down the walls. He was offered a space at the old Pay-Less Shoe Store but he is just closing. Mrs. Hampton said that Elwyn Day Care is taking over the space of the bank and Bargain Warehouse. They are planning to have 90 clients with 15 counselors.

~ 60 lids for the recyclable cans have come in and are available at the Borough Office. The cost is \$3.75.

~ We are waiting for bids for concrete work to be done around the Municipal Building.

~ The Fire Emergency Entrance at Trimble Run has been repaved.

~ There will be a back to school dance for 4th, 5th and 6th graders on September 13th sponsored by the Holiday Parade Committee. We are looking for parent chaperones.

~ The Holiday Parade Committee and the Town Watch will sponsor a Designer Bag Bingo on October 18th at 7 pm. Cost is \$25 in advance and \$30 at the door. Tickets are available at Borough Hall.

INSPECTORS' REPORTS

BOARD OF HEALTH – MR. BOB GRANT

There was no report.

ELECTRICAL – MR. JON GRANT

Mr. Grant said he has sent citations to the owner of 123 E. Brookhaven Road. There will be a hearing in September. Mr. Stone said that the Borough has filed a lawsuit against the owners of 123 E. Brookhaven Road and they have been served. This is now ongoing with the Media Courthouse. Mr. Stone has asked the court to give them a very short time to clear up the property.

FIRE MARSHAL – MR. LESLIE

Mr. Leslie said that Lowe's has a fire hazard in the rear of the store and they are working to get it cleaned up.

The Inspectors are going to meet on August 30th to inspect Chili's. They are going to get a temporary COO so they can get their supplies in. The workers have been working day and night to get ready.

The Beer Barn has been issued a temporary COO so they can stock their shelves.

Mr. Leslie has been working with the Police Chief to upgrade the signs in the fire lane at the shopping centers. Some cases were dismissed by the Judge because the signs were not properly marked in the fire lane.

Mr. Leslie said that he needs to be able to get keys for the Inspector's Office so they can get it when the Inspectors are away.

ZONING OFFICER – MR. HAMPTON

Mr. Hampton said the Zoning met on August 13th. They granted a variance for a fence. The homeowner has to stay 24 feet from the curb line.

He said he has received many complaints from people regarding 123 E. Brookhaven Road.

FIRE CHIEF – CHIEF MONTELLA. There was no report.

PUBLIC DISCUSSION

Ms. Logue, 3607 Victor Avenue, asked to be given an extension for her trash rebate. She did not know about it and that it ended on July 31st. She said that there was no date given on the paper from Brookhaven. She was told that it was originally May 31st, then it went to June 30th and then to July 31st. She talked to a clerk in the office and she said that they did extend it in the past but could not extend it any further. She was told that if she was given an extension, then they would have to give an extension to anyone else who asked for one. Ms. Logue said she missed the August Council meeting because the date on Facebook was August 6th and she did not know the date of the meeting. Mr. Donaway said that Brookhaven does not advertise on Facebook.

Ms. Sawicki stated that the date for the paperwork to be submitted was June 30th and that there never has been any extensions. When the budget is passed in January, the resolution is made for the date to be June 30th. This has been done for the last 25 years for the date to be June 30th.

ADJOURMENT

There was no other business to come before Council. Ms. Sawicki made the motion and Mr. LaPera made the second motion to adjourn. Motion carried by unanimous vote. The meeting was adjourned at 8:00 pm.

Respectfully Submitted,

Mrs. Joan Boyle
Brookhaven Planning Commission Secretary

