

**MINUTES**  
**BROOKHAVEN BOROUGH COUNCIL MEETING**  
**MONDAY, AUGUST 3, 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, Mayor Hess, Mr. Pappas, Engineer Mr. Catania, Solicitor Mr. Wills and Brookhaven Office Manager Mr. Wilwert. The minutes were recorded from the Zoom Teleconference by Planning Commission Secretary Mrs. Boyle. Ms. Leslie was not present.

Mayor Hess read the names of the Brookhaven residents who passed away in the month of July: James Dragoni, Sr., George Lohin, Gail Stafford, Frank Rivera and Joan Rodgers Kane. A moment of silence was observed in their memory.

**PUBLIC DISCUSSION**

Peggy Cully, Cooper Road, said she is concerned about a neighbor's yard that has not been mowed and has weeds above the roof line, two deserted cars, branches all over the place, dog feces and flies and kid's toys from 15 years ago all over the yard. She feels it is a health hazard and if she would try to sell her house, it would go for nothing. Ms. Cully said that she is basically in fear of the homeowner. Mr. Heller said that the Borough has a history of the house and the owner has been fined and we are working on it. Unfortunately, the Courts are now closed but we have this on our punch list. Mr. Wills said that the Code Enforcement Officer is aware of this property and the property owner has been issued multiple citations. Mr. Wills said he would recommend that the Code Enforcement Officer continue to issue citations to this property owner each and every day because each and every day that the property is non-compliant it results in a violation of the Property Maintenance Code that has been adopted by the Borough of Brookhaven. Mr. Wills said that Mr. Heller is correct in that the Courts are only partially open. They are hearing a limited number of cases and a lot of civil complaints and civil violations unfortunately are being pushed to the side as criminal cases are taking precedent in the limited Court System that is now open in Delaware County. Mr. Wills said that he can share in the frustration of Ms. Cully about her property. Mr. Wills suggested that we should hire A to U Services (which Brookhaven uses), if there is a serious health hazard and to have them go onto the property if it needs to be mowed or landscaped. For public health issues we should take this step and then lien the property owner for the cost that the Borough would incur in having A to U Services landscape and mow this property. We have to balance the public health risk that the surrounding property owners are experiencing; the property owner has certain property rights but Mr. Wills said that at this point if the situation continues, we have to take some extraordinary steps and that may be getting A to U Services involved.

Craig Cully, a resident of Tucson, Arizona, is the son of Mrs. Cully and said that he appreciates Mr. Wills' comments and directiveness in how to handle this but Mr. Cully wanted to let the Council know that this is not a recent problem. This is something that has been going on for over ten years. Mr. Heller said that we are aware of it and have had other properties like this. Mr. Cully said that the property owner has been issued citations in the past and has paid them and the problem continues. Mr. Heller told Mr. Cully that this is a brand new Council and we will take care of it; there is a property similar to this on Victor Avenue and we have been working on it and as of next week, the property will be cleared up.

We had a business on Edgmont Avenue (Carmans) that was blighted for 25 years and this present Council, along with the help of Mr. Wills and the former Solicitor, Mr. Stone, took care of that. Mr. Heller said that we take blight very seriously, much more seriously than previous Councils, and we will take care of it. Mr. Wills asked if the property is owner occupied and Mr. Heller said it is. Mr. Heller said that Mr. Grant, Code Enforcement Officer, has sent at least seven citations to the property owner. Mrs. Heller asked if the backyard is covered as well and it is on a corner that is a school bus stop, does this escalate Council getting this cleaned up. Mr. Wills said that if the site lines are affected, such as high weeds, grass or brush, and school buses have to traverse at that intersection, then it is an issue. Mr. Wills said that is why he is suggesting that we take it a step further and get A to U services involved with this particular property or possibly use the services of Pro Clean Out to clean out the property and then lien the property owner for the cost. This would be for public health and public safety issues for the surrounding property owners. Mr. Heller said that we have had success with the other properties so we will start the process with this property tomorrow.

Theresa Cummings, Marshall Road, said that she lives next door to this property in discussion and wanted to reiterate what Mrs. Cully spoke about. The backyard of the property has not been cut since last year. Ms. Cummings said there is dog feces there and the smell comes onto her yard and the flies are unbelievable. She said that she had a new deck put on her house last year and they could not eat on the deck without their food being covered with flies. Ms. Cummings said that this year with COVID they would really like to sit outside but cannot because of the flies and the odor. She said there was a recent storm and a lot of branches fell down and there were cones and caution tape put around them and they are just sitting there. It is a hazard and with all the sticks around the yard, it is a hazard to anyone walking on the sidewalk. Ms. Cummings said she does appreciate what Council has done. Mr. Heller said that he has seen the property and feels her pain and would feel the same way if he lived next door to the property but he wanted to reiterate that this is a decade old problem but with a new Council we will get on it and you will see progress.

#### SOLICITOR'S REPORT – MR. JAY WILLS

Mr. Wills reported that he submitted a report to Council but wanted to discuss the following:

3607 Victor Avenue – This is another property with maintenance issues. We were in Court last week before Judge John Whelan of the Delaware County Court of Common Pleas. The Code Enforcement Officer, Mr. Grant, was there also. As a result of that hearing the Judge did issue an order requiring that property owner to fully comply with the International Property Maintenance Code and to bring the property up to the Borough Ordinances as required and if not, the Borough is authorized to have their agents go onto the property and clean up the property. Mr. Wills suggested to Borough Council that they consider a quote we received from Pro Clean Out Company in the amount of \$750 to remove and haul away all of the junk and trash and debris that is currently in the rear yard of that property. Mr. Wills said he thinks this is a very attractive quote and if it is the pleasure of Borough Council, a motion would be in order this evening to approve the quote of Pro Clean Out Company. They are located right here in the Borough and they are one of our local businesses and they are prepared to move on this as early as Monday, August 10, 2020. This is the deadline that the Judge has given the property owner to get in compliance. Mrs. Fooks asked if the property owner would be responsible for paying for the clean out. Mr. Wills said that the Judge authorized the Borough to bill the property owner for the costs it would incur for hiring a clean out company to perform that duty. Their cost, the attorney's fees for filing the liens and so forth and the Court costs would all be recoverable by the Borough when the property owner seeks to refinance the mortgage or sell the home. It will be an existing lien on the property and eventually the Borough will be paid and the Borough is also entitled to annual interest on that lien.

It is a Municipal Lien and a priority lien so eventually the Borough will get paid. This may be the process we want to use for other properties in the Borough. Mr. Heller said that he wants the same steps we used for this property to be implemented for the other property we discussed this evening. Mr. Wills said that assuming the Council approves the quote this evening, he will be in contact with them to be on the property on August 10, 2020. Mr. Wills said that he would suggest that the Code Enforcement Officer be on the property also. The Court Order also authorizes the Brookhaven Police Department to be on the property to ensure that this order is carried out. Mr. Heller said that it would like to ask Mayor Hess and Acting Police Chief Zebley to bring in a part time office to be present for as long as it takes and the cost can be added to the Municipal Lien. Mr. Wills asked for a motion for Council to approve the \$750 quote from Pro Clean Out to go onto the property at 3607 Victor Avenue on Monday, August 10, 2020 if the property owner has not complied to the Court Directive to clean out the property. Ms. Sawicki made the motion and it was seconded by Mr. Vazquez. The motion was unanimous.

Preliminary/Final Subdivision and Development Plan for Brookhaven Storage – This was submitted by Spring Lane LLC, This is on the south side of Brookhaven Road. The applicant is proposing to consolidate 22 lots of 22.4 acres into one lot and develop a three story free standing storage building with ten parking spaces. This went before the Brookhaven Planning Commission last week and they voted unanimously to recommend conditional approval of this particular plan. The plan had also been before the Delaware County Planning Commission two weeks ago and at their meeting on July 7<sup>th</sup>, the Delaware County Planning Commission has also recommended conditional approval of this plan. There is before Council a proposed resolution approving the plan with approximately ten enumerated conditions and there is one waiver attached. Mr. Wills said that he and the Borough Engineer are comfortable recommending conditional approval of this plan. Mr. Wills said that a motion would be in order to adopt this resolution to approve the reverse land division and land development plan for Brookhaven Storage. Ms. Sawicki made the motion and it was seconded by Mr. Vazquez. The motion was unanimous.

Stationary Food Truck Vendors – Mr. Wills said that there has been some interest among some home owners about having Stationary Food Truck Vendors here in the Borough. The Borough Ordinance Committee is currently reviewing the draft of an Ordinance to authorize the operation of Food Truck Vendors and that is still in process. If we adopt an Ordinance that authorizes Food Truck Vendors in Brookhaven, that may take a couple of months to do. Borough Council has asked Mr. Wills if it is possible to adopt a resolution for a temporary Ordinance to authorize Food Truck Vendors in the Borough. Mr. Wills said that pursuant to the Emergency Declaration Disaster that was declared by Council back in March, the Borough is authorized to exercise certain powers under the Pennsylvania Emergency Code without regard to time procedures and formalities. Mr. Wills has prepared for Borough Council's consideration this evening a resolution that would permit the temporary operation of stationary food trucks here in the Borough. There are approximately 15 various conditions that Mr. Wills has attached to the resolution for Council's consideration. The motion would be in order to adopt this resolution pending a formal adoption of an Ordinance that may take a couple months. In the interim, this would provide the home owners the opportunity to have a stationary food truck operating here in the Borough. Mr. Leslie asked where would the food trucks be parked. Mr. Wills said that the food truck operator would have to come into the Borough for a 24 hour permit and they would have to designate the particular street that they would be on. Mr. Wills said that there are many stipulations and requirements about having a food truck operate in Brookhaven Borough. Mrs. Fooks asked if they need to be invited. Mr. Wills said that there is no formal requirement by the property owner. They would have to make application and a one day application would be \$100 and they could operate no more than two days per month.

They would also have to pay an annual fee of \$25 to the Borough Health Officer and there is also an annual Food Truck Inspection Fee at a cost of \$50. Mr. Heller said that Council was unanimous in requesting that this was by invite only. Mr. Wills said that he can add one additional condition that the potential stationary food truck would have to be invited by a registered property owner in the Borough and that the property owner would have to register as well at the Borough Municipal Building. Mr. Wills said that he could add an additional paragraph to the resolution concerning this and have it to the Borough Office by Tuesday, August 4, 2020. Mr. Wills said that if Borough Council is dissatisfied with this program after thirty or sixty days, we can adopt another resolution to rescind this previous resolution. It could be done on a thirty day cycle. Mr. Heller asked for a motion to adopt a Resolution authorizing temporary operation of Stationary Food Truck Vendors within the Borough while the Borough's Declaration of Emergency Disaster remains in effect, with the addition of the new paragraph regarding being invited into the Borough. A motion was made by Mrs. Fooks and it was seconded by Mr. Pappas. The motion was unanimous.

Carman's – This was a property that was scheduled to go to settlement in July. This has been pushed back to August. Mr. Wills said he expects this to go to settlement; the Conservator and the Buyer are just working out a few issues. At the time it goes to settlement, the Borough will recoup all of its costs that it has incurred since last year when we began legal action on this property. Mr. Vazquez asked if we could add the actual care of the property; there are weeds growing on the property. Mr. Wills said that he spoke to the Conservator last week and made it clear that until it goes to settlement, the exterior maintenance of the property must be performed on a regular basis. Mr. Wills said that the landscaper was out there last week working on the brush and weeds. If there is a problem, Mr. Wills asked Mr. Wilwert to let him know and he will take care of it with the Conservator. Mr. Heller asked what is coming there. Mr. Wills said that he doesn't know but the buyer knows that it must be in compliance with the Brookhaven Zoning Code. If they are looking to use the property for something other than what it is zoned, they will have to go before the Zoning Board to ask for relief. Mr. Wills said that this is a great property; it has a lot of frontage on Egmont Avenue with high visibility on Edgmont Avenue. It is ideal for a lot of commercial businesses to go on that site and to pay taxes to the Borough.

Dunkin Donuts Land Development Plan – This was the old WAWA store. The developer has signed the Developer's Agreement, the Public Improvement Security Agreement, and the Storm Water Management Agreement. Both Council President Heller and Borough Officer Manager Wilwert have signed off on those agreements. The developer is now prepared to start moving forward on this. This property has been an eyesore in the Borough for many years and the property owner is spending significant amounts of money on this property.

#### MAYOR'S REPORT

Mayor Hess had no report

#### FIRE CHIEF – ROBERT MONTELLA

Chief Montella said he forwarded his report to Council for the month of June and reported the following for June:

- ~ 2 fire incidents
- ~ 22 non fire incidents
- ~ 28 calls for mutual aid
- ~ 4 drills

Total calls of 56 calls for July. We had \$300,000 dollars in property damage with no fire fighter injuries or civilian injuries.

#### Manpower

- ~ 56 calls for the month
- ~ average of 14 fire fighters per call for month
- ~ 528 personnel hours of service for the month
- ~ 3,979 hours for the year
- ~ 4 training sessions for the month
- ~ average of 25 fire fighters
- ~ 192 personnel hours of training for the month
- ~ 1,404 hours of training for the year

We responded to the following fire incidents:

- ~ building fire at 4921 Grant Drive in the chimney
- ~ gas leak at Coebourn School
- ~ 6 auto accidents in the Borough – one in the Giant parking lot; one in the Shop Rite parking lot; one in the 3400 block of Edgmont Avenue; one at Edgmont and Cambridge Road; one at 4703 Edgmont and one at Brookhaven Road and Mt Vernon Avenue.
  
- ~ assisted Chester Township Fire Company on two building fires; one on 1300 block of Harshaw Road and one on 1200 block of Rainer Road
- ~ assisted Chester Fire Department on 2<sup>nd</sup> alarm building at 10<sup>th</sup> and Madison Street
- ~ assisted Garden City Fire Company on commercial fire at Crum Creek Condominiums
- ~ assisted Upland Fire Company on an accident on I-95 South behind Crozer Hospital and a building fire in 500 block of Front Street
- ~ assisted Middletown Fire Company on building fire at 915 Ridley Creek Road
- ~ assisted Rocky Run Fire Company on building fire at 1083 West Baltimore Pike
- ~ our monthly training was on water training and EMS packaging. Our Fire Company did an update on COVID-19 practices and procedures.
- ~ we did get confirmation that we transported three positive COVID patients to the hospital. Our EMS personnel were notified of possible exposures. We are following our protocol for procedures and so far our crews are safe and secure. All of this information has been documented.

#### Ambulance Report

- ~ 144 ambulance calls
- ~ 96 transports to the hospital
- ~ 75 were dispatch ALS calls
- ~ 69 were dispatch BLS
- ~ 82 local calls in Brookhaven
- ~ 52 mutual aides
- ~ we have responded to 908 ambulance calls this year

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 asked for a motion to approve the July 27, 2020 Brookhaven Council Workshop Meeting Minutes. A motion was made by Mrs. Fooks and seconded by Mr. Vazquez The motion was unanimous.

Mr. Heller said that it was discussed at the Workshop that Family Day for 2020 is cancelled.

Mr. Heller said that we have one employee that is getting a Medical Benefit of \$100 weekly reimbursement in place of the employee going on the Borough's Medical Plan. There was an issue with a new hire and a question came up if that new hire was entitled to this benefit. Mr. Heller said that he wants to Grandfather this benefit. We can continue paying it to the employee already receiving it for the past 19 years. That employee is the only one receiving this benefit. Mr. Heller said that he cannot see paying someone \$5,000 per year for not going on our Medical Plan. Mr. Heller said that we do not have to take action on this tonight but to discuss it and take action on it at a later meeting.

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 was on Vacation and had no report.

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 everyone should have the Bill List for August and it should say "Final" at the top. The General Fund Total is \$45,529.06; the Sewer Fund is \$23,610.15; the Trash Fund is \$250.46 for a total Bill List for August of \$69,389.67. Ms. Sawicki made a motion to approve the Bill List so we can pay the bills and it was seconded by Mrs. Heller. The motion was unanimous.

Ms. Sawicki said that Flu Shots will be given on Thursday, September 24<sup>th</sup> from 10 am to 12 noon in the Brookhaven Community Room. She said if you cannot attend, it would be a good idea to contact your doctor or local pharmacy to get the Flu Shot.

Ms. Sawicki said we are working on the Budget and should have it ready for the September meeting.

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 that the Ordinance Committee met in the Council Room on Thursday, July 16<sup>th</sup>. The topic of discussion was the creation of a Food Truck Ordinance. The committee is evaluating a new Ordinance. Mr. Wills provided us with a copy of another town's Food Truck Ordinance and we will work from that. We will keep everyone updated about the progress.

The Technology Committee (Mrs. Fooks, Mrs. Heller and Mr. Vazquez) will meet on a Zoom Meeting on Thursday, August 13<sup>th</sup> regarding E-Code.

As mentioned previously, Family Day is cancelled for this year. The reason for our decision is more than 250 people would be present, six foot distancing, masks would be required and it is felt that many senior citizens would be afraid to attend. We do not want to have an event that many of our residents would be afraid to attend.

The Chip Vaccination Clinic is scheduled for May 18, 2021 in the gym.

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 reported that there was a Workplace Safety Meeting in July. We discussed Child Safety Verification Reports for all Borough Employees. We also discussed the checking of the Driver Licenses for all employees that are operating Borough Vehicles. We also discussed safety of buildings. One of our new employees was a former locksmith and he is going to start a program where we can rekey and provide more security to our Borough property that we have in the various fields. We will have the cameras replaced in the fields.

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

Mr. Vazquez echoed what Mr. Pappas said about our new employee in Public Works. He has been valuable in replacing some of the things that are needed.

Mr. Vazquez reported the following report for July:

- ~ three sewer backup calls -one at 4900 Edgmont Avenue at the LA Fitness. The issue was on the Shopping Center and Mr. Bob Grant notified Mr. Catania's office and the sanitary sewer issued was filed with the DEP by Mr. Catania.
- ~ one at 4313 Mt. Vernon Avenue and the issue was on the homeowner.
- ~ one at 3436 Janney Avenue and the issue was on the homeowner.
- ~ we went through the parks and all of the security cameras are now up to date and functional
- ~ new security camera was installed at Durkin Field
- ~ one security camera was replaced at Eaton Park
- ~ we went through all the buildings at Memorial and Samson Parks and all the parks to make sure there was no vandalism or issues
- ~ flagpole was fixed at Memorial Park
- ~ we redid backstop at Durkin Field
- ~ RJ Tree Service came in and removed a dead tree from Eaton Park
- ~ Public Works raised all the flags
- ~ Public Works repainted the word "Stop" at 14 intersections
- ~ there was an inlet damaged by the CVS Pharmacy that we will have to take care of and be responsible for paying for the work
- ~ some trees were pruned at Cambridge and Spring Street; they were covering the stop signs
- ~ some trees were pruned at Trimble and Edwards which were covering the stop signs
- ~ grass cutting has been continuing as usual as well as trash removal in all the parks

- ~ there was a downed telephone pole at Whiteley and Scola; we were called out at night and it was taken care of
- ~ we checked on a damaged telephone pole on Brookhaven Road by the traffic light at Brookhaven and Waterville
- ~ we have 500 PA1 tickets answered and 39 in the month of July

Mr. Vazquez said that we had a call out to the Delaware County Solid Waste Authority about leaf collection. We were told that there will be no leaf collections to be received by the County. We are looking at taking measures in case we are not able to dispose of the leaves in our normal manner. Mr. Wilwert had reached out to the County; they will take bags of leaves but only if they are put into the trash which will increase our trash costs. We are going to meet with Linvilla Orchards to see if we can dump our leaves there so they can use it as compost. We are trying to be proactive with this issue.

Mr. Vazquez said that he eventually wanted to get an ad out for temporary help for Public Works. We are looking for two candidates for temporary help from November 9 to December 18.

Mr. Heller said that he would suggest using a Labor Service. Mr. Vazquez said that we now have it addressed for using temporary help in the Borough with designated time slots so there should be no issues.

Mr. Vazquez said he is reaching out to a possible candidate for the Zoning Hearing Board. We will be distributing our new Zoning Hearing books at the next meeting.

Mr. Heller said that he talked to Public Works about a Lantern Fly Eradication Program but that has bailed out on us because of COVID. They were going to remove some trees which were infested with the Lantern Flies. Public Works is going to identify as many trees as possible on Borough property and they will slowly remove those trees. It will take approximately a few years to complete.

Mr. Vazquez said that Public Works has cleaned out all the trash on the storm water grate inlets along Edgmont Avenue and took care especially of the problem areas around the shopping centers. Mr. Heller said that he did call State Representative Kruegar regarding PennDOT's responsibility for the sewers and anything under the state roads. She was unaware of any change with PennDOT but we will follow up on it.

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 that the Police Committee met on Tuesday, July 21<sup>st</sup> via Zoom. Chief Zebley and Mrs. Heller met with Roseanne McGrath on Wednesday, July 29<sup>th</sup> to discuss programs and training for the police staff.

The summer concerts scheduled for August have been cancelled due to COVID. The Rec Board also discussed the 2021 budgets for baseball and softball projects that would require any monetary numbers to be submitted ASAP so we can submit it to the Budget Committee for their review and approval.

ENGINEER'S REPORT – MR. CATANIA

Mr. Catania submitted his written report but wanted to discuss the following:

- ~ The 2020 Street Resurfacing Contract was awarded to A. F. Damon Co. and the tentative start date is August 17<sup>th</sup>

~ Street Light Maintenance – Around two years ago the Borough participated in the DVRCP Program to update all LED's,  
The audit was performed recently and shows that the cost saving goals were slightly exceeded (\$21,578) for 2019. That is going back to them to cover the costs of the lights themselves. We did find out that there is a 10 year equipment warranty that is set to expire in 2028.

~ Act 537 Plan – the Borough received a copy of the Act 537 Update. This is for the DELCORA sale to Aqua. More information will be provided at the Brookhaven Planning Meeting.

The Annual Sewer and Street Contract is set to expire at the end of August and the current contract has a three month extension. Mr. Catania asked Council to authorize a three month extension and also authorize bids for new contracts. Ms. Sawicki asked what is the time period for those bids. Mr. Catania said that if we grant the extension it will expire November 24, 2020. The new contract will expire December 31, 2021 with no optional extensions in that contract. Ms. Sawicki made a motion to extend the present contract for three months and to authorize bids for new contracts and it was seconded by Mr. Vazquez. The motion was unanimous.

The next item is the storm sewer inlet at Cambridge and Edgmont. A small sinkhole has developed at that intersection and it was inspected by Public Works and it was determined that the inlet has partially collapsed. Mr. Catania asked for authorization to repair that storm sewer inlet. A motion was made by Mr. Vazquez and it was seconded by Ms. Sawicki. The motion was unanimous.

The next item is at Edgmont Avenue and Upland Road. The storm sewer is damaged and Public Works inspected it and it needs to be repaired. Mr. Catania said we do have some parts available from the Shepherd Street project that we are going to use at that inlet. The cost of the project, minus the parts we can use from Shepherd Street, is going to be \$2,000 to \$2,500. Mr. Catania asked for authorization to repair that storm sewer inlet. A motion was made by Mr. Vazquez and it was seconded by Mrs. Heller. The motion was unanimous.

**POLICE CHIEF REPORT – ACTING CHIEF ZEBLEY**

Acting Chief Zebley reported the following for July:

- ~ 585 calls
- ~ three burglary incidents which were domestic related and all three ended in an arrest
- ~ four thefts from unlocked vehicles in Hilltop
- ~ one retail theft incident
- ~ two other theft incidents
- ~ one attempted theft
- ~ three fraud incidents
- ~ two unauthorized use of automobiles
- ~ four criminal mischiefs
- ~ two narcotic arrests
- ~ one DUI arrest
- ~ three public drunk arrests
- ~ officers investigated 23 suspicious conditions
- ~ officers answered 22 disturbances which included domestics
- ~ 19 vehicle accident reports
- ~ 18 assists with other Departments

- ~ 6 arrest warrants were served
- ~ 15 adults arrested
- ~ 2 juveniles arrested
- ~ 26 citations were issued
- ~ 12 warnings were issued
- ~ we did surveillance on a property that had complaints received against it

Acting Chief Zebley wanted to extend a good job to Officers Barth and Habich for an assault incident on Meadowbrook Lane and a thank you to Officer Teofilak for coming in on a moment's notice to assist with a prisoner who ended up in the hospital because of the incident and he was arrested. Acting Chief Zebley wanted to say a good job to Officers August and Eastman for their thoroughness in the arrest of another person involved in the domestic incident which was for burglary where the suspect was arrested for assault and stalking.

Acting Chief Zebley said he wanted to apologize for not attending the July Council Meeting because he was working with another Officer on a shift. We were overwhelmed with fireworks complaints. We had dozens of complaints within a 45 minute period regarding fireworks. Chief Zebley wanted to remind people about the fireworks laws. Only a person 18 years and older and not under the influence of alcohol can use fireworks; they have to be consumer grade fireworks; must be 150 feet away from any occupied building and must have the permission of the owner. They cannot be used on public property such as streets and parks. Chief Zebley said to be considerate of our veterans that have PTSD and of the dogs that are bothered by the noise.

The Officers are using their personal protective equipment such as masks and are staying healthy during the COVID-19 pandemic. Acting Chief Zebley wanted to extend a thank you to Vince, the owner of Summit Health Pharmacy, 3400 Edgmont Avenue for his donation of masks and hand sanitizers to help protect our officers.

Acting Chief Zebley said that our Officers will have a new look soon; our uniform vendor is going to fulfill our uniform order that we made last fall and we were able to get most of our uniforms. With part of that new look, the Officers are allowed to have facial hair. It will be neatly trimmed; the goal of this is to get away from the sterile and stern look of a Police Officer so our Officers are more approachable and relatable by humanizing the Officer.

Acting Chief Zebley is reviewing policies and working with our Consultant on our Mission Statement. We are also working with our Consultant to develop a written standard to hire part time Officers. Acting Chief Zebley developed an Action Plan that came up with protesters and civil arrests. There was a protest incident last week and it was peaceful and no issues. Acting Chief Zebley wanted to thank Officers for coming in and making sure all went well. We purchased flash lights and are working on getting our duty gear up to par. Officer Wetten conducted training for Officers Barth and Habich for certifications to enhance the training of the Department. Acting Chief Zebley said to look for us in the next week or so, depending on the weather. We will be out in the evening doing something fun for the community so come out and get your treat when you hear us coming around.

#### FIRE MARSHALL – MR. LESLIE

Mr. Leslie reported that the trucks and tires are gone from the Aldi Shopping Center.

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Mr. Leslie asked Mr. Wills about a “Right to Know”. Can they go to settlement or property transfer on a “Right to Know” on a commercial property. Mr. Leslie talked about Walgreens; they are asking for a “Right to Know” and Mr. Leslie wonders if they are trying to circumvent our Inspector for inspections. Mr. Wills told Mr. Leslie to forward to him any “Right to Know” requests as well as any underlying emails concerning the situation. Mr. Wills will render a legal opinion on this shortly. Mr. Catania said that whenever a property is transferred, they do need an inspection to make sure that it is up to code, regardless of when it was last inspected. An inspection is only valid on the day it was inspected.

**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**

There was no report.

**DEPUTY MANAGEMENT EMERGENCY COORDINATOR – MR. SCHULTZ**

There was no report.

**PUBLIC DISCUSSION**

Mr. Dan Murphy, Bradbury Road, wanted to thank the Council for passing the Resolution regarding the Food Trucks. He asked if he could receive a copy of the Resolution when it is revised. Mr. Heller said he would email him a copy.

**OTHER BUSINESS**

Mrs. Fooks said that some residents reported to her that there were a few dead trees around the walking trail. Mr. Vazquez said that with some of the dead trees, if they are not blocking any paths or endangering anyone’s safety, we will let nature take its course in order to save money. We have been doing this for a while now. Mr. Heller said he will take a look into this and if they are not too big, Public Works can take them down with a chainsaw.

**ADJOURMENT**

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

Respectfully Submitted,

Mrs. Joan Boyle  
Brookhaven Planning Commission Secretary

