

MINUTES
BROOKHAVEN BOROUGH COUNCIL WORKSHOP MEETING
MONDAY, DECEMBER 16, 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. Heller, Mr. LaPera, Mrs. Fooks, Ms. Leslie, Mayor Hess, Mr. Pappas, Engineer Mrs. Mulvena and Solicitor Mr. Stone. Planning Commission Secretary Mrs. Boyle recorded the minutes.

Mr. Donaway said that tonight's meeting will be both a Workshop and Budget Meeting. Ms. Sawicki will report on the budget at the end of the Workshop Meeting.

PUBLIC DISCUSSION

Ms. Lynn Delgott wanted to thank everyone on Council for all they do. She ran for a seat on Council in the recent election on the Democratic ticket and said that she was a Republican three years ago. At the end of the day, we all live in Brookhaven and we all want what is best for the Borough, regardless of party affiliation. When we do things to improve the Borough, such as putting up the flags honoring the veterans, it makes our Borough stand out. Ms. Delgott said that she hopes when the new Council members are sworn in at the January meeting and others remain on Council, she would like everyone to be on the same page. We need to keep the people that live in Brookhaven first, and not involve politics. She said that she is willing to do anything she can to help in the Borough. She wanted to thank Mr. Donaway and Mr. LaPera for all they have done as Council members.

Ms. Ginnie McKee, Mt. Vernon Avenue, said that she has lived in Brookhaven for 16 years and her husband has lived in the Borough for 30 years. She said that has volunteered to work on Committees to get involved in Brookhaven. She wanted to thank Mr. Donaway and Mr. LaPera for their dedication to the Borough and for all the work they have done. She told them that she hopes they will both still be involved in the Borough when they leave Council.

SOLICITOR REPORT

Mr. Stone reported that he wanted to update Council on the legal action that was taken on a property on Victor Avenue. There was a pending Municipal Citation scheduled for this month but it was postponed to January 7, 2020. Mr. Stone said he does not anticipate any legal action being taken until January. Mr. Stone wished everyone a Merry Christmas.

MAYOR HESS

Mayor Hess said that he wanted to “piggyback” on what Mr. Stone just reported. He received a call from a resident on Victor Avenue asking what was taking place about the property. Mayor Hess said he will call the resident informing him of the postponement of the hearing until January.

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

Mrs. Fooks reported that instead of having an Ordinance Committee meeting on December 19th, we will have a holiday get together with the Historical and Tech Committees.

The Tech Committee is waiting for the Welcome Packet to be finalized. Once it is submitted to Mrs. Fooks, it will be turned over to the company for uploading and then the website will get turned over to us.

The Providence Animal Center will be at the Municipal Building on May 19, 2020 for the Chip/Vaccination Clinic.

Mrs. Fooks discussed the purchase of a new police car. She said that when we purchased a new car a few years ago, she thought we used a grant to purchase it. She thinks that we should try this year to get some grant money. She will contact Senator Killion’s office to inquire about any grants that will be available.

Mrs. Fooks said that she would like to thank Mr. LaPera and Mr. Donaway for their service as Council members. She said that it is not an easy job sitting on Council and she appreciates all their hard work these past few years.

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

Mr. LaPera reported the following:

~ The Zoning Board met on December 10th. They approved the Zoning on East Brookhaven Road for the extra space Storage Units (the old Harvin Property). The Zoning Board gave them 90 days to file for Land Development Plans instead of the required 45 days. We are also looking for alternate members for the Zoning Board. If anyone is interested, please send a resume to Mrs. McKinley.

~ The Rec Board finished their year with three events on December 8th. We had 280 residents at the Senior Luncheon, which was the most we have ever had. We had over 200 people at the tree lighting in the evening. We had 30 people making Gingerbread houses and cookies. The Horse and Carriage rides were available in the evening.

~ We would like to thank Wawa, Star Bucks of Brookhaven, Andrew from Sinfully Delicious Bakery, Dunkin Donuts of Parkside, Giant and ShopRite Food stores, our Public Works employees for their help, Mr. Swaygnim for setting up the tree, our Fire Department for escorting Santa to the event and the Recreation Board for all their work. The Recreation Board puts on about 12 events a year.

Mr. LaPera wanted to thank everyone on Council for the past four years he has been on Council. He said that it has been fun and he has enjoyed working with everyone. We all had the Borough's best interests when we did things. Mr. LaPera said he has been involved in the Borough for about 25 years. He said he will be around; he hears there is an opening on the Zoning Board. Mr. LaPera also wanted to thank the Zoning Officers and the Code Enforcement Officials for the work they have done. He wanted to wish everyone a Merry Christmas, Happy Holidays and Happy New Year.

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

Ms. Leslie reported that the trash schedule for the holidays is as follows:. Trash will be picked up on Thursday, December 26 and Thursday, January 2. There will be no trash pick up on Christmas Day and New Year's Day. Recyclables will be picked up on Saturday, December 28 and Saturday, January 4, 2020.

Ms. Leslie wanted to thank everyone who sent in donations of food, clothing, money and hygiene products for the Hancock Manor Homeless Shelter for the Veterans in need. She said that it was very heartwarming when she took the donations to the Veterans; they were very grateful and thankful.

Ms. Leslie wanted to thank Mr. LaPera and Mr. Donaway for their time given to the Borough for the last four years. She also wanted to thank everyone that has helped with the Borough over the year. She wished everyone a Merry Christmas and a Happy New Year.

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

Ms. Sawicki reported that the bill list was given to Council in their packets. Ms. Sawicki made a motion to adopt the final bill list for December so we can make sure that everyone is paid by the end of the year. The motion was seconded by Ms. Leslie and passed unanimously.

PLANNING COMMISSION LIAISON, CONDO ASSOCIATION CHAIR, MEMBER FIRE COMMITTEE AND MEMBER HISTORICAL COMMITTEE – MR. PAPPAS
Mr. Pappas said that the Planning Commission did not meet so he had no report.

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 reported the following:

~ We had a Civil Service meeting regarding the eligibility of part time officers to go from two years to one year and we will bring this subject up to Council in January.

~ All the commercial and food inspections are completed as per Mr. Bob Grant and Mr. Joe Bynum.

~ The Tech Committee met last month and discussed the complaints from the resident about the ticket system. This will be discussed next month.

~ The Historical Committee met on November 15 and discussed a maintenance plan for the Heroes Banners. We are not happy with the installation and are losing the banners. We are looking for another installer and it looks like we are going to use fund raising for the cost of the bucket trucks for this. All of the banners from Round 2 have been installed and we are currently taking orders until March, 2020 for Round 3.

~ Dan Burke, a 10 year plus resident, has asked to be added to the Historical Committee. Mr. Heller asked for a motion to add Dan Burke to the Historical Committee and it was seconded by Ms. Leslie. Motion was carried unanimously.

ENGINEER'S REPORT – MRS. MULVENA

Mrs. Mulvena reported the following:

~ There was a letter that came from PennDOT regarding the Cambridge Road and Edgmont Avenue intersection. One of the things they said is that they cannot adjust the preeminent timing at this time. One of the things they offered was to change the ped buttons to audio buttons. This would speak and say that the Pedestrian time begins in so many minutes. If after all this, Council can ask for a timing change, which is what we have already done. This has already been checked.

PennDOT also denied a request from a resident on Chandler Drive to make changes at the intersection They have agreed to make the striping more visible.

~ Brookhaven Glen (which was formerly called Brookhaven Green Estates) has been sending us drawings and asking us to approve their permits so they can get started. According to their plans, they have changed the footprint of the building, removed part of the parking area and made it a dog park; we have no details on what it will look like. Mrs. Mulvena said that she does not know if it will still meet current zoning with the changes they have made. Mr. Stone told Council that the property changed hands with a new owner last Spring. They realized after they changed hands that the model home they originally had does not meet with the current plans. Mr. Stone said that they wanted to tweak the plans to match the model and they went to Zoning to get some relief. They did get the relief but they have not come back to Council with the new plans nor did they go to the Planning Commission. Mr. Stone said that he did communicate with the owner's attorney about all the things that they needed to do and we have heard nothing. Mr. Stone said they are a far way off from getting permits from the Borough. Ms. Sawicki said that this project has been going on for at least 15 years with various owners. Mrs. Mulvena asked Council if the Solicitor could send a letter to the owners stating the process to be followed and what has to be done before they receive any permits to start the work. Ms. Sawicki made a motion for Mr. Stone to send a letter to the owners stating this and it was seconded by Mrs. Fooks. Motion was unanimous.

~ We submitted the application for the Pennsylvania Small Water Grant on December 13th. The State Senator also sent his letter of support for this application. It takes approximately one year after the letter is submitted to receive the monies. Their budget begins on July 1st; Mrs. Mulvena said that she thinks they will not make a decision before that date.

~ There are two inlet repairs to be made on Edgmont Avenue; we are hoping to get them done by the end of the year if the weather cooperates.

~ The sewer repair at 141 Trimble Blvd was done. We have one left on the books at 3908 Nathan Avenue. This is the last one that was told their trap would be replaced. After this one, no one else will have their traps repaired by the Borough. We have a number of storm sewer repairs that have not been done. Mrs. Mulvena will make a list of these and pass them on.

~ Shepherd Street Drainage Project – The residents are very concerned with this; they have been living with this for 30 years. Mrs. Mulvena suggested to Council that it would be in the best interest of the residents if Council would write a letter to them, restating their commitment to have the project done. The project has been started but the weather has caused the delay. Mrs. Mulvena thought that if Council could indulge the residents, they would have confidence that the project will be completed.

A motion was made by Mr. Pappas to communicate to the residents of Shepherd Street the commitment by Council to complete this project. Mr. Heller made the second motion. Motion was unanimous.

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

Mr. Donaway requested permission from Council to work with Mr. Dykes and Mrs. Donaway to work on the plaques from Coebourn School. He wants to make them creative and to look nice. Council had no objection to this.

Council had a Personnel Meeting on December 11th and will have another one tonight after the Workshop Meeting.

The two lights went up this morning on Coebourn Blvd.

Mr. Gary Thompson will be retiring on January 1st. He has decided to step down due to health reasons. Mr. Donaway has been working with Mr. Thompson on Public Works for about 30 years.

We are still picking up leaves. The place where we take our leaves did not get the contract renewed for the leaves and he asked our men what we are going to do with our leaves next year. This is something that we will have to look into.

Mr. Donaway thanked Mrs. Boyle for stepping up to take minutes when Mrs. McKinley said that she could not do two-night meetings a month. Ms. Sawicki contacted Mrs. Boyle (Planning Commission Secretary) to take the Workshop minutes and Mrs. Boyle has been at every Workshop since then. Mr. Donaway said that he appreciates her filling in.

Mr. Donaway said that he was in the Borough Building on December 3rd and noticed that there was a meeting taking place with about 40 people with Mr. Hill from Retail Sites. Mr. Donaway said that he did not know about the meeting; he called Mr. LaPera and Ms. Sawicki and they said that they also did not know anything about the meeting. Mr. Donaway said that there were visual aids and drawings at the meeting and that the problem that can occur is if the meeting is not public, people do not know what is going on. Mr. Donaway said that he thinks that going forward, all meetings should be out in the open. Mr. Heller said that he did not think the intent was to meet in secret. Mr. Heller said he told 40 people (from phone calls) about the meeting. Mrs. Fooks said that she found out the day before about the meeting and Ms. Leslie did not know anything about the meeting. Mrs. Fooks said that she just wanted to make it known that this was not “a party thing”. Mr. Heller thought that the Council members knew about it.

Mr. Heller said that Mr. Hill wants a 200-unit apartment complex on the Chester Water Authority's Reservoir, with a 175 unit assisted living facility. Mr. Hill purchased Mattress Firm and he wants to move that down to the entrance of the shopping center and he wants a five-acre commercial area along Edgmont Avenue. Mr. Stone said that the problem would be the center of the property. Currently the property is zoned RS and the way it is currently written, it allows four units per acre. This would be unreasonable for apartments; Mr. Stone said that Mr. Hill's attorneys feel this is unreasonable and could get the zoning changed in court. Their attorneys will say that this zoning was designed to keep apartments from being built on the space. Mr. Hill's contention is that this was zoned this way purposely to keep any apartments from being constructed. Mr. Heller said that he has made multiple phone calls to obtain grants to enable Brookhaven to purchase that property. Representative Kruger has said that we would need 10 to 12 million dollars to purchase the property and to remediate the clean land fill. Mr. Heller said that he has spoken to 40 people about this and no one likes the idea of apartments being on that property. The rent for these apartments would be \$2,200 per month and up. Mr. Heller said that Mr. Hill wants to gift the remaining five acres to the Borough. We would be entitled to two acres because of Open Space Act, but we would be getting five acres. The positive is that we would not be losing any trees on these five acres, but the negative is that with these apartments, it puts more pressure on our police department, fire department, traffic on Dutton Mill Road, sewers, etc. Mr. Heller and Ms. Sawicki said that the traffic on Dutton Mill Road now is backed up in the morning and from 4 pm later in the day. Mr. Heller said that Mr. Hill's representatives have been talking to Chester Water Authority about this property for two years and Brookhaven Borough never knew anything about it. Mr. Hampton said that he was never approached about this. Mr. Heller said that all members of the new Council in January should listen to the wishes of the public about this. Part of this property is located on a landfill and it will take much money to clean it up. Mrs. Mulvena said that DEP would be involved before anything can be done. Mr. Heller said that the point is that Council needs to listen to the public about what goes on this property. There was a lengthy discussion from some members of the audience and the Council members regarding how the meeting on December 3rd came about. Mayor Hess said that Mr. Hill contacted him and Mayor Hess told him that he should wait until January until the new Council takes place. After much discussion back and forth, there was no resolution as to how the meeting took place. Mrs. Fooks said that there should have been a letter in writing sent to the Council members requesting a meeting and that no meeting should ever be set up by the office personnel unless someone on Council has approved the meeting.

Mr. Donaway said that it was not a bad thing that Mr. Hill requested a meeting, but it should have been a public meeting. Mr. Heller said that he does not think this was a secret meeting at all. Mr. Heller said that he demanded at the meeting we have a public meeting about this proposed project in the new year and it will be held in the gym and the public will know about the meeting. Nothing came out of the meeting that was held in December.

Mr. Heller said that he thought that Mr. Donaway and Mr. LaPera were invited to the meeting. He said that they should have been invited to the December meeting out of respect. Again, there was much discussion and there was no resolution of how the meeting came about.

It was determined that this meeting was not a violation of the Sunshine Law because only two Council members were at the meeting; therefore, it did not have to be a public meeting. Some of the members in the audience feel that Council needs to let the residents know everything that is going on in the Borough. Everyone on Council agreed and that is the way it will be.

INSPECTORS' REPORTS

BOARD OF HEALTH – MR. BOB GRANT

There was no report.

ELECTRICAL – MR. JON GRANT

There was no report,

FIRE MARSHAL – MR. LESLIE

There was no report.

ZONING OFFICER – MR. HAMPTON

Mr. Hampton reported that we will put an alternate on the Zoning Committee. Mr. Hampton said he would like to have Mr. LaPera to come on board as an alternate member of the Zoning Committee. Mr. Hampton thanked Mr. LaPera for all the work he has done as the Council liaison to the Zoning Committee.

Mr. Hampton said he was not sure if the property on Edgmont Avenue owned by Carman's will have to be torn down.

The old Wawa store has their demolition permits.

Mr. Hampton said that there is a new person that is renting space in the back of "What A Crock". He is there two days a month and is not selling any food from there; he just prepares it. It is called "Joint Juices".

FIRE CHIEF – CHIEF MONTELLA.

Mr. Montella thanked Mr. Donaway and Mr. LaPera as well as the entire Council for all their support they have given to the Fire Department. He wished everyone a Merry Christmas.

Mr. Donaway commented that all the Inspectors have done a wonderful job. He said that other than the streets that did not get paved, due to other repairs that took preference, the Borough is in good shape. Mr. Donaway said it grieves him that the paving did not get done but the sanitary and sewer repairs had to be repaired.

PUBLIC DISCUSSION

There was none.

OTHER BUSINESS

ADOPTION OF 2020 BUDGET – MS. SAWICKI

Ms. Sawicki said we have to Adopt the 2020 Budget for General Fund which is 4.85 mills. Ms. Sawicki made a motion to adopt the General Fund Budget for 2020. Mr. Heller seconded the motion. The motion was unanimous.

Ms. Sawicki asked for a motion to approve the Road Fund Budget for 2020. The Road Fund Revenue comes from Harrisburg. Ms. Sawicki made the motion and Ms. Leslie seconded the motion. The motion was unanimous.

Ms. Sawicki asked for a motion to approve the Sewer Fund for 2020. Mrs. Fooks made the motion and Mr. LaPera seconded the motion. The motion was unanimous.

Ms. Sawicki made a motion to adopt the Trash Fund Budget for 2020. Ms. Leslie seconded the motion. The motion was unanimous.

Ms. Sawicki made a motion to pass a Resolution for the General Fund Budget. We have to use a Resolution since there is no tax increase. Mr. Heller seconded the motion. The motion was unanimous.

The 2020 Sewer Fund Ordinance includes: Zone 1 is \$394.00; Zone 2 is \$394.00; Zone 3 is \$394.00; Zone 4 is \$474.69; Zone 5 is \$392.00. Ms. Sawicki made a motion to adopt the Sewer Fund Ordinance. Mr. Heller seconded the motion. The motion was unanimous.

The Trash Ordinance to establish the Trash User Fees for Trash Fees for 2020 of \$250.00 for each unit. Ms. Sawicki made a motion to adopt the Trash Ordinance for 2020. Ms. Leslie seconded the motion. The motion was unanimous.

A Resolution for the Administrative Salaries for 2020 is an increase of 2%. The motion was made by Ms. Sawicki and Mr. LaPera seconded it. The motion was unanimous.

A Resolution for the automatic payment of certain Borough bills upon receipt. A motion was made by Ms. Sawicki and Mr. Heller seconded the motion. The motion was unanimous.

A Resolution naming Bryn Mawr Trust as the 2020 Depository for Brookhaven Borough Funds. Ms. Sawicki made a motion and Mrs. Fooks seconded the motion. The motion was unanimous.

The last Resolution was for the 2020 Trash Rebate Fee for senior citizens. Any senior citizen eligible (household income of \$25,000 or less) can complete the Rebate Form. Ms. Sawicki made the motion and Ms. Leslie seconded the motion. The motion was unanimous.

Mr. Donaway thanked Ms. Sawicki for all the work she did preparing the 2020 Budget. He wanted to compliment Ms. Sawicki for what she has accomplished and by keeping the budget with no tax increase.

Ms. Sawicki said she wanted to thank Mr. Donaway and Mr. LaPera for all that they have done while on Council.

ADJOURMENT

There was no other business to come before Council. Ms. LaPera made the motion and Ms. Leslie made the second motion to adjourn. Motion carried by unanimous vote. The meeting was adjourned at 8:25 PM.

Respectfully Submitted,

Mrs. Joan Boyle
Brookhaven Planning Commission Secretary