

**MINUTES  
BROOKHAVEN BOROUGH BUDGET MEETING  
MONDAY, DECEMBER 21, 2020**

At 7:00 PM Council President Terry Heller called the regularly scheduled Brookhaven Borough Council Budget 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: Mayor Leslie, Council President Mr. Heller, Councilpersons Ms. Sawicki, Mrs. Heller, Mrs. Fooks, Mr. Gilroy, Mr. Pappas, Mr. Vazquez, Engineer Mr. Catania, Solicitor Mr. Wills and Office Manager Mr. Wilwert. The minutes were recorded from the Zoom Teleconference by Planning Commission Secretary Mrs. Boyle.

**PUBLIC DISCUSSION.**

There was none.

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

Mr. Wills did not have a formal report this evening but he did report general progress. Mr. Wills did have a Resolution for Council's consideration this evening. It would be a Resolution filling the vacancy in the office of the Secretary. The proposed Resolution reads as follows:

**A RESOLUTION OF THE BOROUGH OF BROOKHAVEN, DELAWARE COUNTY,  
PENNSYLVANIA FILLING THE VACANCY IN THE OFFICE OF BOROUGH  
SECRETARY**

**WHEREAS**, after a lengthy and distinguished career of public service to the Borough of Brookhaven and its residents, Borough Secretary Mary Ellen McKinley shall be enjoying a well-deserved retirement; and

**WHEREAS**, said Ms. McKinley's retirement shall become effective December 31, 2020; and

**WHEREAS**, Section 1005(1) of the Borough code entitled "Powers of Council" authorizes the Borough Council to appoint a Borough Secretary by resolution; and

**WHEREAS**, the Borough Council has determined that Assistant Borough Secretary, JOHN WILWERT, is the most qualified candidate for the position.

**NOW THEREFORE BE IT RESOLVED** this 21<sup>st</sup> day of December, 2020, that the Brookhaven Borough Council hereby appoints JOHN WILWERT to fill the position of Brookhaven Borough Secretary, who shall serve for an indefinite term at the pleasure of the Borough Council commencing on January 1, 2021.

**RESOLVED** this 21<sup>st</sup> day of December, 2020.

Mr. Wills said that if it is the pleasure of Borough Council to adopt this Resolution, a motion would be in order. Mr. Heller asked for a motion. A motion was made by Mr. Vazquez to adopt this Resolution and it was seconded by Mrs. Fooks. The motion was unanimous.

Mr. Heller said that he wanted to thank Mr. Wilwert for his hard work this year. He has been an incredible addition to the Borough's Front Office. It has not been easy on Mr. Wilwert. There was a lot of work to be done and a lot of catching up to do. He was the most qualified person for the job. Mr. Wilwert thanked everyone for their support.

Mr. Wills wanted to wish Borough Council, the Mayor, the Borough employees and most importantly, our residents a Merry Christmas, and a Happy and Healthy New Year as we go into 2021. The Borough has had some unprecedented challenges this year but Borough Council has been up to the task and hopefully 2021 will be a little less precedential than this year has been. Mr. Heller said that the public does not realize how much Council relies on the guidance of the Solicitor. We were fortunate to have been able to appoint Mr. Wills last January. It has been a difficult year for everyone on Council, the Police Department, the Fire Department, Public Works and the office staff and we appreciate the advice we have received from Mr. Wills.

#### ACTING POLICE CHIEF ZEBLEY

Chief Zebley reported that he wanted to take this time to express his gratitude to the following:

- ~ To Lowe's and Mrs. Heller for facilitating a donation of N95 masks for our Officers so we have extra masks to keep us safer as we work through this Pandemic.
- ~ to thank the residents of Brookhaven for their donations of Holiday cards and the treats; they are much appreciated.
- ~ to thank Officer Wetten for his assistance with training and qualifications. He has come in on his days off to make sure our Officers are qualified and trained at the range.
- ~ to note that Officer Martin has perfect attendance for the 2020 year; he is at least 15 minutes early for his shift and he is always thorough with his paperwork.
- ~ to thank Officer Subers for working extra hours while we struggled with Covid issues. He has taken the most overtime to ensure shifts are covered. He is also enthusiastic about attending training programs.
- ~ to thank Detective Habich for assisting in investigations and doing background checks for new hires.
- ~ to thank Officer Barth for assisting with the Fleet Maintenance and thorough research with equipment for the vehicles to save money.

Chief Zebley said that there have been two big incidents since the summer time. The first one involved a fire incident in August with Officer Tuttle and Officer Teofilak. On Sunday, August 23, 2020 at 3:42 am, Officers Tuttle and Teofilak and the Fire Department were dispatched to 716 Cambridge Road for a report of a residential building fire with possible entrapment. Without delay Officers Tuttle and Teofilak responded and quickly arrived. Officers Teofilak and Tuttle immediately determined that smoke was coming from the second floor bedroom window.

Material was found burning outside the yard. From the same window, a male guest in the home was leaning out and yelling. Officer Tuttle immediately took action before the arrival of the Fire Company and forced open the front entrance door with a strong kick. Upon entering the residence, Officer Tuttle was met with smoke conditions as he entered the second floor. Officer Tuttle located the male inside the second floor bedroom and that male was experiencing changing mental status and was suffering from the effects of smoke inhalation. As the fire was burning in an incipient phase Officer Tuttle assisted him to safety with the help of the Fire Chief. The male was transported to the hospital for treatment for smoke inhalation and burns. The resident was located in the lower level and she was alerted of the danger and was escorted from the building as the Fire Company began extinguishing the fire. The quick and decisive actions of the Officers undoubtedly mitigated the dire circumstances. Officers Teofilak and Tuttle are to be commended.

The second incident involved Officer Jenkins. On November 14, 2020 at 5:58 am the Brookhaven Police were dispatched to 6125 Hilltop Drive for a burglary in progress. The homeowner came home from work to discover that his entrance door had been forced open and that the offender was still inside and had already threatened and attacked him with a pipe before the homeowner was able to escape the attack. Officer Jenkins arrived and determined that the offender was still inside. Officer Jenkins summoned back-up units and waited for their arrival. Upon the arrival the assisting units, which consisted of Officer McCann from Upland Police Department, Officer McNeill from Parkside Police Department and Sergeant Montgomery from Nether Providence Police Department, all met at the residence to find the offender pacing back and forth in the living room. The offender appeared in an altered mental status and was not compliant with commands from uniformed officers to get on the ground. Instead, he decided to pick up a pipe and attacked the officers. The offender was Tased but it did not have an effect on him. The offender continued in his advance toward the officers. The offender then began to swing the pipe toward Officer Jenkins and kept striking him. Officer Jenkins began to fight off the offender and a second attempt was made with the Taser from another officer which was then successful in controlling the offender and allowing officers to subdue him. A scenario existed where full force would have been justified and could have been used but due to Officer Jenkins being tactful by waiting for and utilizing uniformed officers and all officers acting with restraint, there were no serious injuries or loss of life. An investigation of the scene showed that the offender was inside the residence for an extended period of time and drug paraphernalia was found. Officer Jenkins is to be commended for his actions.

Mr. Heller said that the Council wanted to thank these Officers for their great work.

#### MAYOR'S REPORT - MAYOR LESLIE

Mayor Leslie wanted to reiterate what the Police Chief said in thanking the Officers for their heroic efforts. Officers Tuttle, Teofilak and Jenkins and all of our Officers and the Fire Department for all their hard work this year under the circumstances we have had.

Mayor Leslie also wanted to thank everyone who participated in collecting for the families from Coebourn and Parkside Schools. We were able to give these families a very nice Christmas. Mayor Leslie wished everyone a Happy and Healthy Holiday Season.

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

Bill List - Ms. Sawicki made a motion to approve the Bill List so we can pay the December bills and it was seconded by Mrs. Heller. The motion was unanimous.

Budget for 2021 – Mrs. Sawicki made a motion to approve the Budget for 2021. The mileage is 2.72; the budget has been advertised and we have had public inspection. Mrs. Fooks seconded the motion. The motion was unanimous.

Ordinance For The Tax Rate – The mileage is 2.72 and this is a reduction from the 4.85 mileage we have this year because of the assessment that was changed in Delaware County. Ms. Sawicki made a motion to adopt the Budget's Ordinance for 2.72 mills for 2021 and it was seconded by Mr. Pappas. The motion was unanimous.

Trash Fee – Ms. Sawicki said it is still \$250 a year per residence. Ms. Sawicki made the motion to adopt the Ordinance for the Trash Fee for 2021 and it was seconded by Mrs. Fooks. The motion was unanimous.

Sewer Rental Charges for 2021 - Ms. Sawicki said the rate for Zone 1 is \$430 per year; Zone 2 is \$430 per year; Zone 3 is \$430 per year; Zone 4 (houses that are in the Borough Sewer Plant) is \$474.69 and Hilltop area is \$428 per year. Ms. Sawicki made the motion to pass the Ordinance for Sewer Rental Charges for 2021 and it was seconded by Mr. Vazquez. The motion was unanimous. Mr. Heller asked which Zone had the increase. Ms. Sawicki said the increase was for homes inside the Borough Sewer Plant; it was a 14% increase.

Ms. Sawicki said that we have some Resolutions.

The first Resolution was dealing with the salary increases for 2021. Council was given the lists of the employees and the raises for 2021. Ms. Sawicki made a motion to approve the Resolution 2020-021 which states all of the salary increases for 2021 and it was seconded by Mr. Gilroy. The motion was unanimous.

The next Resolution was to appoint the Bank who is our depository for Borough funds. We have been using Bryn Mawr Trust and its predecessor bank since the Borough was incorporated in 1945. The Resolution is to appoint them and Mrs. Delilah McDade, the Treasurer of Brookhaven, to handle all the paperwork that goes through them.

Ms. Sawicki made the motion to adopt the Resolution 2020-022 to appoint Bryn Mawr Trust as the Borough Bank and it was seconded by Mr. Vazquez. The motion was unanimous.

The next Resolution 2020-023 is resolving to pay certain bills upon receipt. This is our automatic payment Resolution which lists all of the businesses which send us invoices that we pay immediately to prevent us paying surcharges or interest. Council was given a copy of this Resolution. Ms. Sawicki made a motion to adopt Resolution 2020-023 and it was seconded by Mr. Gilroy. The motion was unanimous.

The next Resolution 2020-024 is the Trash Rebate. This rebate is very limited; you have to be a Senior Citizen living in your house and is restricted regarding income. It is \$25,000 total income per household for a 50% rebate and it is \$12,500 total income for one resident for 100% rebate. Ms. Sawicki made the motion to adopt Resolution 2020-024 for 2021 and it was seconded by Mrs. Heller. The motion was unanimous.

Mr. Heller commented that it was great work to Ms. Sawicki, Mrs. McDade, Budget Committee and the former and present Mayor. Mr. Heller said we didn't know what we would be facing with the Pandemic and the fact that we came out without a tax increase shows a great effort from all involved.

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

Mrs. Fooks reported there was no Ordinance Meeting this month. Mrs. Fooks wanted to thank all involved with making a zero tax increase and she knows the residents appreciate it. Mrs. Fooks wanted to wish everyone a Merry Christmas and a Happy and Healthy 2021.

MEMBER POLICE COMMITTEE, MEMBER VETERAN'S COMMITTEE, MEMBER TECHNOLOGY COMMITTEE – MICHAEL GILROY

Mr. Gilroy wanted to thank everyone in our Community who took extra efforts during the Pandemic to help keep everyone safe. He wanted to wish everyone a Merry Christmas and Happy Holidays – Council, our Mayor, Police Department, Fire Department and our Office Staff.

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 wanted to wish Happy Holidays to our residents, Council and our employees.

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

Mrs. Heller wanted to thank Public Works and our Emergency Responders for their efforts during the snow storm this past week. Public Works spent much time prepping the roads and clearing the streets and thanks to Steve Schultz, our Emergency Coordinator, for updating us ahead of the storm, during the storm and after the storm. Mrs. Heller wanted to wish everyone Happy Holidays and hopes they start the New Year safe and healthy.

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 wanted to thank Chief Montella, Chief Zebley, Public Works, and all the Office Staff for toughing it out this year. The Police Department had eight Officers that were quarantined. The Fire Department had a couple positive Covid cases and they are recovering. We had an employee in Public Works that tested positive. All departments have been affected but everyone has recovered. Mr. Heller wanted to give a special thanks to Public Works for their work during last week's snowstorm. They worked 28-30 hours doing the plowing. The roads looked great; we only had one minor complaint and that was taken care of the next day.

Mr. Heller wanted to give a Covid update. Brookhaven is up to 317 total cases with seven deaths. In the last thirty days we had 129 cases with 2 deaths (this includes the total of 317 cases). 41% of our cases have come within the last thirty days. 29% of the deaths have come in the last 30 days. We had a super spike after Thanksgiving; we are worried about the Christmas holidays. Chief Montella has received a request to list all the fire fighters that can receive the vaccine; Chief Zebley also received the same request. The roster of names is to be sent to the County.

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

Mr. Vazquez reported that Public Works did a great job with this past snow storm. The leaf collection will continue on; if anyone had their house missed, please call the Borough Office. This also applies to anyone who have had their leaves pushed into the storm sewers due to the snow storm and snow removal. Mr. Vazquez was very impressed with our new employees with the work they did with the plows. This was a tough year with the Budget and hopefully nothing major pops up. Mr. Vazquez said he wanted to thank Ms. Sawicki, Mrs. McDade and the Budget Committee with the work they did on the budget along with everyone else involved with this.

Mr. Vazquez said that everyone should appreciate all the time they have spent with their families during this Pandemic. He wished everyone Merry Christmas and Happy Holidays and wishes for a better 2021.

#### ENGINEER’S REPORT – MR. CATANIA

Mr. Catania asked for authorization to purchase a spare pump for the sewer treatment plant at a cost of \$1,038.50. Mr. Heller said that he is authorized to purchase it. Mr. Catania said he wanted to thank everyone for all they did during the past year and to enjoy the Holidays and have a Happy New Year.

#### PUBLIC DISCUSSION

Mr. Tom Dykes, W. Brookhaven Road, said he has six people that are interested in joining the Recreation Board, either as members or alternates. We will be working on this in January. We will be working on the Easter Egg Hunt. Hopefully we will be able to have one this year. We will plan to be working with the sports teams and are working on some new programs for the summer for families and children.

#### FIRE CHIEF – MR. MONTELLA

Chief Montella wanted to thank Council for their support of the Fire Department all year long. It has been a tough year for everyone. We are getting through this and Chief Montella wanted to wish everyone a Merry Christmas and Happy Holidays. Mr. Heller thanked Chief Montella and said he was glad that all his people have gotten through this so far.

#### NEW BUSINESS

Mr. Wills said that he wanted to remind Council that we need to place a legal notice in a newspaper of general circulation advertising our meetings in bulk for 2021 so that we are in compliance with the Pennsylvania Sunshine Act. Mr. Wilwert has already taken care of this and it will be published in the newspaper on December 23, 2020.

Mr. Wills said he wanted to comment that the mileage tax that the Borough enacted this evening of 2.72 mills is a Revenue Neutral Budget. This means that the revenue that we are raising from the property tax in 2021 equals the revenue tax that we raised in 2020. Mr. Wills said that this is a significant accomplishment given all the financial stresses that were on the budget as a result of the Covid19 Pandemic. Mr. Wills said he knows from personal knowledge that only a handful of municipalities in Delaware County are adopting a Revenue Neutral Budget in 2021 and Brookhaven Borough is one of those few that are doing it. This is certainly an accomplishment for all of Borough Council and the Mayor that have been excellent stewards of the taxpayer’s dollars.

Mr. Heller wished everyone a Merry Christmas and Happy Holidays.

INSPECTORS' REPORTS

FIRE MARSHAL – MR. LESLIE

Mr. Leslie was not present and had no report.

BOARD OF HEALTH –

There was no report.

ZONING OFFICER – MR. HAMPTON

There was no report.

ADJOURNMENT

There was no other business to come before Council. A motion to adjourn the meeting was made by Ms. Sawicki and it was seconded by Mr. Vazquez. The motion was unanimous. The meeting was adjourned at 7:42 pm.

Respectfully Submitted,

Mrs. Joan Boyle  
Brookhaven Planning Commission Secretary