

MINUTES
BROOKHAVEN BOROUGH COUNCIL
WORKSHOP
FEBRUARY 22, 2016

At 7:03 PM Council President, John Wilwert, called the meeting to order. He welcomed all present and led in the Pledge of Allegiance to the American Flag.

The record shows the meeting was held in Council Chambers at the Municipal Center. The following people were seated at the Council Table: Ms. Sawicki, Mr. LaPera, Mr. Linowski, Mr. Wilwert, Solicitor Maddren, Ms. Leslie, Mayor Hess, Mr. Rodo from Catania Engineering and Secretary McKinley. Mr. Donaway had a previous commitment and Mrs. Fooks was sick.

SERVICE AWARD PRESENTATION FROM COUNCIL

Mr. Wilwert and Mayor Hess called Borough Clerk, Mary Jo Ruth, forward. To get her to the meeting she was told Council would like her to take photographs of a person getting an award from Council. They asked her to face the audience to get the first photo of the person as they were called forward. In the meantime, Mayor Hess read the inscription on a beautiful plaque honoring her for 20 years of dedicated service to the Borough. She was extremely surprised. Mr. Wilwert thanked her for all of the lives she has touched over the past 20 years.

PRESENTATIONS TO COUNCIL

Dean Carr, P.E. from McMahon Associates, Inc., came forward. On behalf of Brookhaven MZL, LP for Plaza 352, presented their plan to close off the entrance from Edgmont Avenue at Whitely Road near the Citizens Bank and modify the entrance at Edgmont Avenue across from Dutton Mill Road. The record shows that supporting documents for this project were provided to Council, Solicitor and Engineer for their review on Friday, February 19. Mr. Carr had display boards showing these modifications which he showed to Council as well as the audience. For the Dutton Mill Road/Edgmont Avenue modification they would like to shift the access into the median to the south so it lines up better with Dutton Mill Road. PennDOT wants Brookhaven to grant an easement. PennDOT's TE-160—Application for Traffic Signal Approval forms were completed and Council had a copy of them also. There is a Resolution at the end of the form Council needs to adopt if they approve the project. Mr. Linowski asked if there was going to be any cost to the Borough. Mr. Carr said no. Mr. Wilwert asked if they were going to put any trees and not just grass in the area that was being closed. Mr. Carr said they are working with Catania Engineering on that. Mr. Wilwert asked if they were taking down the "ugly sign" in that area. Mr. Carr said that's coming down. Mr. Linowski asked if the change at the intersection of Edgmont Avenue and Dutton Mill Road will line up with the timing of the signals. Mr. Carr said Messrs. Catania and Maddren are working on that to be incorporated. Mr. Wilwert asked if there were any questions from the audience. Charles Leslie asked if his understand that one won't be able to go Northbound at the bank is correct. Mr. Carr said it is. Mr. Leslie asked if the big hill entrance and exit in to Plaza 352 on Whitely Road will be gone. Mr. Wilwert said Lowes will be reducing the steepness of that as part of their plans for the parking lot.

Jonathon Penders was asked to come forward and make his presentation on Grady Collier Lane. Mr. Penders said that the original proposed development was called Society Hill in Brookhaven. It was approved back in 2006. Last year the property changed hands and the new owner is working on permits from PennDOT and the State. The new owner is working toward an agreement of sale. Rouse Chamberlain Homes who are building the Kedron Station homes in Morton would like to build the same home on Grady Collier Lane. The homes have 3 stories, 3 bedrooms, 2 ½ baths and are 1,402 square feet. The price will be between \$250,000-\$280,000. Under the Society Hill in Brookhaven plans, the homes would be in a cluster of 5, 6 and 7 homes for a total of 18. The

homes had a 2 car garage and 2 car driveway. The proposed new owner would like to have 3 clusters of 6 homes with a 1 car garage and a 1 car driveway. There would be guest parking spaces within the development. They want to try to increase the guest/overflow parking spaces to 10. This plan also adds to the open space. Mr. Linowski asked why the entrance and egress is through Radio Park Lane. Mr. Penders said that PennDOT didn't want stacking problems on East Brookhaven Road. Mr. Wilwert asked if anyone in the audience had any questions. Mr. Danielle and Ms. Raftovich spoke about access and egress via East Brookhaven Road. Mr. Dykes, 305 West Brookhaven Road asked what kind of "site divider" was planned. Mr. Penders said that the original plans were approved with a sidewalk along East Brookhaven Road. There was also a trail and berm. Mr. Maddren thanked Mr. Penders for the presentation and said he thinks that the Conditional Use Application needs to be reopened. Mr. Maddren also asked if they have had any contact with Mr. Catania. Mr. Penders said not yet. Mr. Maddren asked Mr. Penders to reach out to him and Mr. Catania. Mr. Wilwert asked Mr. Penders if he came here tonight to ask for Council's approval. Mr. Maddren said he and Mr. Catania will sit down with the sketch. Charles Leslie asked if the homes will have sprinkler systems. Yes, all three stories. Mayor Hess asked if it is possible to go to the Kedron Station Homes to check them out. Mr. Penders said yes. The sample home is open Thursday – Monday from 11:00 AM to 5:00 PM.

Joanne Rosenbaum presented Solarize Greater Media's program. She explained that the program is a joint effort between Transition Town Media, Delaware Valley Regional Planning Commission and the Delaware County Planning Commission. Under this program one can get solar panels on their rooftop, earn bulk discounts and tax breaks. This will lead to a cleaner, more sustainable energy future. Participating municipalities must be within a 5 mile radius of Media. This is a 4 month initiative. Mr. Wilwert asked if there were any questions from Council or the public. Chief Montella asked how the Fire Company and first responders will know solar panels are there. Will there be a sign on the house? Ms. Rosenbaum didn't know but said she will find out. Mr. Maddren said he and Mr. Catania "are floating a solar panel ordinance". Mr. Wilwert asked if Solarize Greater Media would be willing to hold a public information session here at the municipal center. Ms. Rosenbaum said yes. Chief Montella said he would like to have a vendor from the National Fire Protection Association come to the firehouse to give a presentation on how to disconnect the panels. Mr. Wilwert asked for a cost projection. 5-10 kilowatts would save \$1,500; 14-29 kilowatts would save \$3,000 and 30 or more would save \$3,750 off one's taxes. How much would solar panels cost? Ms. Rosenbaum said it would depend upon the size of the house, its location, etc. The cost would be anywhere between \$12,000 to \$25,000. Mrs. Ruth from Patton Avenue said there is a house on Patton Avenue that has had solar panels installed. This was done just last week.

PUBLIC DISCUSSION

Ms. Tenaglia, 148 Meadowbrook Lane, said it has come to her attention and that of Ms. Costello and Mr. Pirrotta that some of the duplexes on Meadowbrook Lane have been converted to triplexes. The record shows that Ms. Costello and Mr. Pirrotta chose Ms. Tenaglia to be the spokesperson because they were all at the meeting to speak about the same issues. She asked if the Borough knew this was happening. When was the last time a certificate of occupancy was done on them? At 157 there are people living in the basement. Building Inspector Grant said at 153 there is no one living in the basement, at 155 there is someone living in the basement and this was approved by the former Zoning Officer two years ago. 157 has not complied with the Borough's annual rental inspection ordinance. Ms. Tenaglia said that there is a rental advertisement for 155 and that will be forwarded to the Borough. She asked what the Borough is doing to stop this. Mr. Pirrotta spoke about parking problems because of the duplexes as well as mail delivery problems. Mr. Grant said 155 does have egress from the basement. Mr. Maddren said the Borough will get an administrative order to gain access. The neighbors also think there is drug traffic. Mayor Hess said call the police via 9.1.1. immediately when that is suspected. Ms. Tenaglia spoke about her experience as a realtor and had to have get a certificate of occupancy

each time the owner or tenant changed in a property. Mr. Maddren said there is a new process for rental inspections. We have a Rental Inspection Ordinance. We also do annual rental inspections. These are set up by Mrs. Jones and he will talk to her to see how she schedules them. He will work with Mrs. Jones on this. The Borough is not going to let it drop. Mr. Maddren said we can't knock on every door of the duplexes across the street from Ms. Tenaglia, Mr. Pirrotta and Ms. Costello. Mr. Maddren said we are asking for an opportunity for Mr. Grant and himself to do their job. Mr. Wilwert said we will keep them updated. Mr. Pirrotta thanked Council, the Mayor, Mr. Grant and Mr. Maddren for looking into the situation. Some of the houses do not have bathrooms in the basement and the occupants are dumping sewage into the creek behind the homes. Mr. Wilwert said when they see this happening, call 9.1.1. so the offenders can be caught. There was also discussion about one of the homes being Section 8 and rented to low income individuals. Mr. Grant said that there are only 2 Section 8 homes in Brookhaven and neither of them is on Meadowbrook Lane. Ms. Tenaglia disagreed.

Mr. Dykes from 305 West Brookhaven Road spoke about the "development mud slide" at the Shoppes at Brookhaven. He said it does not look like the buffer zone is there. In the proposed ball field area, an additional 5 acres was granted. The trees are down. Mr. Rodo said he will check with Mr. Catania to see what is going on. Mr. Dykes said the big concern is that the 5 acres be kept natural. The whole area is "deforested". Mr. Maddren said the 5 acres was gifted to the Borough. He is working with the title insurance company. It is the Borough's property. Mr. Wilwert said it looks like it is too late. Mr. Dykes continued saying that the traffic is getting worse on West Brookhaven Road. The speeding is horrible. He gave permission for the police to use his driveway to observe this speeding so they can issue citations.

Ms. Sawicki whose home backs up to the proposed ball field said all of the trees were being taken down. She said that she can look from her driveway and see the whole Cambridge Square Shopping Center. Now there are skunks and reindeer in her front yard. The reindeer are eating her azalea bushes. Her neighbor has a whole herd of reindeer in her yard. The reindeer aren't little either—they are big. Her neighbor is upset because the reindeer are leaving their droppings all over. Can't Mr. Hill get rid of the reindeer and other wildlife that has been displaced? Mayor Hess said he will talk with Chief McGoldrick. Ms. Raftovich from 109 East Garrison Road said it's not the animals' fault. They have been displaced. Maybe Mr. Hill can relocate them. Ms. Sawicki said that the construction noise begins at 7:00 AM and it is terrible. Mr. Wilwert said he is hoping it is not going to be permanent. Mr. Rodo said this might only be a temporary situation. Mr. Wilwert said he will go to Cambridge Square Shopping Center and see if he can look through to Ms. Sawicki's driveway.

Mr. Danielle, 316 East Brookhaven Road said there is a "waterway or pond" between his property and the Ohev Shalom Cemetery. Are they responsible for that? Mr. Rodo said if it is a "still pond" yes but he's not sure about the waterway. Mr. Danielle said in the early 1990's a fence was erected on the side between his property and the cemetery. 10-12 years later the fence fell into the creek. The cemetery people do not have access except through his property. His property is being washed away because of erosion. Mayor Hess said that 10 years ago it was a small problem but now it is a big one. Mr. Danielle said the cemetery driveway is in jeopardy. Mr. Danielle wants to know where the water is coming from. He said he has never had water issues in his home. Mayor Hess said that under the former engineer's direction, additional storm drains were put in on Ridge Boulevard.

Charles Leslie, 503 Cambridge Road asked if the State can push the remains of the fallen trees off the guide rail near the last house on West Brookhaven Road. Mrs. McKinley will contact PennDOT, explain the situation and see if they can help correct this.

SOLICITOR'S REPORT – Mr. Maddren

Mr. Maddren said that there were two matters to be considered for action at the March 7 Council Meeting.

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First is the updated version of the Property Maintenance Code Ordinance. The second is the Shed Ordinance. He said we should have a Public Hearing prior to adoption. He recommended 6:45 PM on March 7. Council agreed. Mr. Maddren will advertise the Public Hearing.

MAYOR'S REPORT – Mayor Hess

Mayor Hess had no report.

COUNCIL REPORTS

Chair Emergency Management Administration, Chair Recycling/Trash Committee, Chair Fire Committee and Chair Police Committee – Ms. Leslie

At the Police Committee Meeting on February 2, the Committee discussed with Chief McGoldrick new handguns. Our current ones are 20 years old. They have served the police officers well and were very well maintained; however, malfunction issues are starting to emerge. Therefore, it is necessary to upgrade. The police department currently has 21 hand guns. There are 16 police officers and the 5 remaining guns are for spares or if the number of officers increases. The purchase will be for “Brand New” Generation 4 Glock .40 caliber semi automatic hand guns. The original estimate was for \$10,500.00. The price was able to be negotiated down to \$8,589.00. In addition, the vendor agreed to offer us \$5,460.00 for our current guns, reducing the price to \$3,129.00. Permission was given at the Police Committee Meeting for the vendor to purchase for \$1,620.00 the antiquated guns that were purchased years ago for the Citizens Police Academy . This reduced the cost of the new guns to \$1,509.00. This is a savings to the taxpayers of \$8,991.00 from the originally quoted prices. In addition, support gear, e.g., holsters, etc., remains the same because the guns are the same model. Ms. Leslie made the motion and Mr. Linowski the second to go ahead with the purchase of 21 “Brand New” Generation 4 Glock .40 caliber semi automatic hand guns at an estimated cost of \$10,500.00 with the price negotiated down to \$8,589.00 and the vendor agreeing to offer the Borough \$5,460.00 for our current guns and also agreeing to purchase for \$1,620.00 the antiquated guns that were purchased years ago for the Citizens Police Academy which brings the total purchase price of the 21 brand new guns to \$1,509.00. Motion carried by unanimous vote.

The Police Committee has asked permission to hold interviews for the purpose of hiring 3 part-time officers on an as needed basis.

Chair Public Works and Buildings, Liaison to Holiday Parade Committee, Chair Comprehensive Plans, Member Traffic Calming Committee and Member Police Committee – Mr. Donaway

Mr. Donaway was absent because of a previously scheduled appointment

Liaison to Zoning Hearing Board, Liaison to Recreation Committee, Member Grant Committee, Member Long Range Development, and Member Condo Association – Mr. LaPera

Mr. LaPera reported that the Zoning Hearing Board will meet on March 8 to hear 2 cases—4401 Edgmont Avenue and 20 Trimble Boulevard.

The Recreation Committee's Easter Egg Hunt will be held on Saturday, March 19. Photos with the Easter Bunny will be from Noon-1:00 PM. The Egg Hunt starts at 1:00 PM and is over 3 minutes later. Photos with the Easter Bunny will be taken for those who were unable to be photographed before the hunt.

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Mr. LaPera has obtained 1 quote on for cameras at both parks. He's waiting for at least one more. He's also waiting for Comcast to give him a quote so that the cameras can be monitored at the police station.

Mr. Catania is working with Mr. LaPera on a PECO Green Grant.

Business and Revitalization Coordinator, Chair Ordinance Committee, Member Condo Association, School Board Liaison, Chair Technology Committee, Chair Grant Committee and Member Police Committee – Mrs. Fooks

Mrs. Fooks became ill and had to leave before the meeting started.

Chair Arbor/Shade Tree Committee, Liaison to Health Inspectors and Health Officer, Member of Grant Committee, Liaison to Planning Commission, Member Long Range Development Committee and Member Fire Committee – Ms. Sawicki

The Planning Commission did meet on January 19, 2016 and recommends approval of the amended Shed Ordinance.

The Planning Commission is anxiously awaiting the plans to come in for Shop-Rite in Plaza 352.

Chair Finance and Insurance Committee, Chair Long Range Development, Member Fire Committee, Member Civil Service Commission and Chair Condo Association Committee – Mr. Linowski

Mr. Linowski began his report by thanking everyone for their prayers, cards and well wishes as he recovers from neck/spine surgery.

He said that today the Treasurer transferred the last \$50,000 into the Fire Truck Fund. We are actually able to pay more than one-half of the cost.

Mr. Linowski said that the bill list presented tonight will be updated for approval at the March 7 Council Meeting.

He continued saying the funds for the purchase of the new guns for the Police Department was already in the budget and we may need to purchase a new dump truck for the Maintenance Department. We will revisit this during the third quarter of this year. They need it before snow season rolls around in 2017.

Chair Inspectors and Fire Marshal, Member Fire Committee, Deputy Emergency Management Coordinator Chair Traffic Calming, Member Technology Committee and Member Historical Society Committee – Mr. Wilwert

Mr. Wilwert reported that he attended a Storm Water Management Workshop. We are still in the “training mode” with storm water management.

ENGINEER'S REPORT – Mr. Rodo

Mr. Rodo opened the 4 bids 2016 Road Program. The first bid was from A. F. Damon in Upland, PA. Their bid was \$330,518. Gessler Construction from Media, PA bid \$401,840. Innovative Construction Services, Inc. from Folcroft PA bid \$313,188 and Jos. E. Sucher & Sons from Eddystone bid \$318,240. All bids were taken by the Engineer to be tabulated with recommendation for award at the March 7 Council Meeting.

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Quotes for the handicapped access interior doors in the front vestibule were received. LJ Paoella Construction quoted \$12,773.00, Delaware County Supply Co quoted \$14,895.00 and Twindows, Inc. quoted \$16,460.00. This will be voted on at the March 7 Council Meeting.

The mixer at the Wastewater Treatment Plant is in need of repair. The estimated cost is \$2,401. This will be voted on at the March 7 Council Meeting.

INSPECTORS' REPORTS

BUILDING AND PLUMBING – Mr. R. Grant had no report

BOARD OF HEALTH – Mrs. Warfield

Mrs. Warfield asked the public to continue to drop off used eye glasses in the box provided. The box is in the vestibule of the Municipal Center.

Notices about the Zeika Virus have been coming from the County. People need to start cleaning up their yard.

Restaurants are being inspected.

FIRE MARSHAL – Mr. Leslie

Mr. Leslie said that Lowes did a test dig to see what size feed pipe needs to go in. They are going to go back to Mr. Catania. Shop-Rite will have the same problem.

CVS is going to upgrade their sprinkler system.

Brookhaven Shopping Center was inspected by all inspectors.

Alice, the property manager from Hilltop, said they are going to upgrade their fire hydrants.

ZONING OFFICER – Mr. Hampton

Mr. Hampton said that he is having a problem with Verizon.

Mr. Hampton continued his report saying that the tax service and kick boxing businesses in Plaza 352 are open but it is difficult to see that. They put up temporary signs but too many of them. Mr. Hampton asked permission to allow them to put one sign up at the Whitely Road end of the center and one at the entrance near the cell tower without charging them the temporary sign fee. Council agreed this was OK.

FIRE SAFETY OFFICER AND FIRE CHIEF– Mr. Montella

Mr. Montella said the fire company recently had a problem getting emergency equipment down Grandview Avenue caused by side by side parking. This is a life safety issue and Mr. Montella asked permission from Council to send a letter about this all property owners on Grandview Avenue. The letter will be similar to the one sent to property owners on Shepherd Street a few years ago. Council agreed a letter should be sent.

PUBLIC DISCUSSION

Mrs. Warfield asked if all of our police officers had bulletproof vests. Mayor Hess said yes.

There was no other business to come before Council so Mr. Linowski made the motion and Ms. Leslie the second to adjourn. Motion carried unanimously.

Respectfully Submitted,

Mary Ellen McKinley
Borough Secretary