

MINUTES
BROOKHAVEN BOROUGH COUNCIL
TUESDAY, FEBRUARY 4, 2014

The regularly scheduled February 3, 2014 meeting of Brookhaven Borough was postponed until Tuesday, February 4, 2014 because of bad weather. The meeting was called to order by Council President, Susan Truesdale, at 7:00 PM in the Brookhaven Municipal Center. Mrs. Truesdale led in the Pledge of Allegiance to the American Flag. Mayor Hess read the names of the Borough residents who passed away during the month of January. They are F. Clark (Sande) Walton, Mary Frank, Francis Savage, Theresa Rennard, Mary Ann Watkins, Edna McClellan, Marie Corradetti and Jean L. O'Connor. A moment of silence was held in their memory.

The record shows the following people seated at the Council Table: Ms. Sawicki, Mrs. Fooks, Secretary McKinley, Mrs. Truesdale, Solicitor Maddren, Ms. Leslie, Mayor Hess, Mr. Linowski and Engineer Catania. Mr. McCray is absent because of illness and Mr. Wilwert is absent because of his employment.

Presentation from Council – Mayor Hess

Mayor Hess read a Resolution of Brookhaven Borough Council honoring Nicholas and Eleanor Ferrara, 332 Creekside Drive. January 6, 2014 marked 52 years of marriage for Mr. and Mrs. Ferrara. Because they don't drive at night, Mayor Hess will deliver the Resolution to them. Mr. Linowski made the motion and Ms. Sawicki the second to adopt the Resolution. Motion carried by unanimous vote.

Public Discussion

David Schlott, 3551 Edgewater Lane, thanked Council for the wonderful job the Borough Maintenance Employees did with the snow, especially in the area where he lives. He spoke about the problem of our plows having to go around vehicles left parked on the street. He feels they are the ones who complain about plowing. He also spoke about the proposed new Animal Control Ordinance advertised for adoption this evening. He spoke about licensing in Pennsylvania—only 23% of dog owners obtain a license. He said the chipping requirement in the proposed ordinance might be difficult to enforce due to the above mentioned licensing fact. He suggested the word “encouraged” be used for the chipping requirement. Solicitor Maddren said that when dogs become impounded then it should be mandatory that they be micro-chipped but there is no law to back that up. It was mentioned that the Delaware County SPCA is having A Vaccine and Micro Chipping Clinic at the Brookhaven Municipal Center on Tuesday, April 15 from 4:00-6:00 0PM. \$35 per microchip. Lifetime dog licenses will also be available. Vaccines range from \$7.00-\$20.00. Flyers are available on the audio stand in the back of the Council Room. Police Chief McGoldrick explained how stray dog situations are handled in our Police Department. He said the dogs are kept in the Police Department until 6:00 PM—allowing the owner to get home from work and claim their pet. The animal control problem in the County is not going away. They are just “recycling” the dogs. He suggested challenging the Animal Control Board. Chief McGoldrick met with them. They will not be involved with them after 2016. It is just a “quick fix”—they want the municipalities to come up with a solution.

Bob Nedbalski, 4945 Grant Drive, thanked the Borough Maintenance Employees for the great job they did plowing the snow. He said he lives on the corner of Grant and DiMaio. There is a handicapped ramp at that corner. The snow is up to his waist with plowed snow. Could we please clear it on either side of the handicapped ramp. His request will be passed on to Mr. Wilwert and Mr. Thompson. He continued thanking Fire Chief Montella for “letting him join the Fire Company”. It has caused him to want to be healthier. So far he has lost 26 pounds. He was congratulated for his weight loss.

School Board Report – Mrs. Truesdale for Mr. Kuminka

February has several enjoyable school community events. February 2st was their Annual Variety Show at 7:00 PM. It was held at Sun Valley High School allowing the students to show off their many talents. February 5 will be Coubourn's Math Night starting at 6:00 PM at Northley Middle School. Teacher, Mrs. Roe organizes this event and it is well attended by teachers and families. On February 21st there will be the PTL Bingo Night. It starts at 7:00 PM at Northley Middle School. This is a fun social family event. Mr. Kuminka said he is very pleased with the construction progress of the new Coebourn Elementary School. Even with the challenging weather, construction continues to move forward. He suggested that people take a drive by Coebourn Boulevard to see the gains. He gave a “Drop-Off Safety Reminder” to the few parents to drive their vehicles in the bus lane to drop off their child near the school building. He said they must use the parent car entrance and designated parking area during arrival and dismissal.

Fire Chief's Report – Chief Montella

For the month of January, 2014, the following statistics were reported:

0 Fire Incidents, 22 Non-Fire Incidents, 34 Mutual Aids and 4 Drills for a total of 60 events. There were no losses to structures,

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Contents, vehicles, properties nor was there any property endangered. No firefighter or civilian deaths or injuries. The Manpower Report breaks down as follows: 60 fire calls with an average of 14 persons responding for 630 hours. 4 Training Sessions with an average of 29 people participating for a total of 196 hours. There were 6 gas leaks in Brookhaven for the month. They assisted Chester Fire Department on two 2nd alarm fires. They assisted Chester Township, Aston and Concordville on working building fires. He reported that Mayor Hess had received a letter thanking him, Chief Montella and Mr. Gray for their cooperation during their recent Public Protection Classification (PPC) survey. The letter continued saying that ISO has completed its analysis of the structural fire suppression delivery system provided in Brookhaven Borough. The resulting classification is now "Public Protection Classification: 4" effective May 14, 2014. The ISO Public Classification Program plays an important role in the underwriting process at insurance companies. This new Class 4 should make insurance rates for homeowners and businesses better. Chief Montella said all of the new truck and equipment purchase has led up to this Class 4 designation—especially since the Quint was purchased. Quint is a tremendous help because of the 3 story buildings in Brookhaven. It's the lowest Brookhaven Volunteer Fire Company has ever been. He said "we are an elite group of people" and thanked Council for their support in the purchase of equipment that has been made. Out of 48,000 fire companies, there are only 5,019 who have the Class 4 rating.

Second Presentation from Council

Mrs. Truesdale read Resolution 2014-03—a Resolution of Brookhaven Borough Council declaring the week of February 16 through 22 2014 National Engineer's Week with the theme "Engineers—Let's Make a Difference". Ms. Sawicki made the motion and Mrs. Fooks the second to adopt the Resolution. Motion carried by unanimous vote. A duplicate original was presented to our Engineer, Charles J. Catania, Jr.

Solicitor's Report – Mr. Maddren

Mr. Maddren announced that Council had met in Executive Session immediately prior to the meeting to discuss personnel, real estate and litigation matters.

Mr. Maddren thanked the Ordinance Committee for the great job they did on the proposed Animal Control Ordinance. It has been properly advertised for adoption last evening but can be adopted tonight because of the weather related postponement from last night. Mr. Linowski made the motion and Ms. Leslie the second to adopt this Ordinance. Motion carried by unanimous vote. This is Ordinance 775.

Minutes Approval

Ms. Leslie made the motion and Mrs. Fooks the second to approve the Minutes from the December 16, 2013 Council Workshop. Motion carried by unanimous vote.

Ms. Leslie made the motion and Mr. Linowski the second to approve the Minutes from the January 6, 2014 Reorganization Meeting of Council. Motion carried by unanimous vote.

Mrs. Fooks made the motion and Mr. Linowski the second to approve the Minutes from the January 7, 2014 Council Meeting. Motion carried by unanimous vote.

Finance Committee Chair, Chair Zoning Hearing Board, Insurance Committee, Chair Long Range Development Committee, Civil Service Liaison, Chair Condo Association Committee – Mr. Linowski

Mr. Linowski presented the Bills for Approval dated 02/03/14 rescheduled February 4, 2014. He explained the new format of the Bill List. It will now be broken out by various funds. The General Fund total is \$28,829.41. The Road Fund total is \$7,005.07. The Sewer Plant total is \$2,801.49 and the Sewer Fund total is \$39,203.16. He made the motion to approve the bills for payment. Ms. Leslie made the second. Motion carried by unanimous vote.

The Civil Service Commission met last evening. He said he was sorry he couldn't attend due to a prior commitment. Anthony Pino is Chairman, Dan McCray is Vice Chairman and Tom Furman is Secretary.

The Zoning Hearing Board will be meeting on Tuesday, February 11 at 7:00 PM to hear the appeal of Michael Majcher, 4941 Jefferson. Mr. Majcher would like to erect a garage on his property. The Zoning Hearing Board has changed its meeting night from the 2nd Monday of the month to the 2nd Tuesday of the Month at 700 PM. Mrs. McKinley has properly advertised this change.

Mr. Linowski thanked the Borough Maintenance Employees for the hard work they have done during the snow events. God bless them! He continued saying the State comes along the State Highways in the Borough and they pack the snow in making it difficult for

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homeowners and businesses to clear their properties.

Mr. Linowski asked everyone to please contribute to the Fire Company and also to the Ambulance. They both need our support.

Mayor's Report – Mayor Hess said he did not have a report at this time. He may think of something later.

Chair Public Works, Chair Inspectors & Fire Marshal, Member of Fire Committee, Deputy Emergency Management, Chair Building/Rental Committee, Member of Grant Committee, Member of Police Committee – Mrs. Truesdale said Mr. Wilwert couldn't attend this evening because of his employment.

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

Ms. Leslie said the Fire Committee will meet on Saturday, February 8, 2014 at 9:30 AM. The Police Committee will also meet on the morning of the 8th.

Ms. Leslie thanked Health Inspector, Cathy Warfield, for always being ready and available if we have to open up in an emergency.

Business and Revitalization Coordinator, Chair Ordinance Committee, Member Condo Association, School board Liaison and Chair Technology Committee, Member of the Personnel Committee and Member of the Grants Committee – Mrs. Fooks

Mrs. Fooks said the Ordinance Committee will meet on February 19 at 7:00 PM.

She spoke about the SPCA Clinic being held here on April 15.

Mrs. Fooks made the motion to appoint Christine Raftovich to the Grant Committee and Technology Committee. Ms. Leslie made the second. Motion carried by unanimous vote.

Mrs. Fooks made the motion and Mr. Linowski the second to appoint Rob Nelson and Jim Cadden to the Technology Committee. Motion carried by unanimous vote.

The record shows that neither the Grant or Technology Committee have specified terms of office, e.g., 3 year term, etc. term to expire the first Monday in January of a corresponding year.

Early in January, an invitation from Council to businesses in Brookhaven was sent out for the 1st Annual Brookhaven Business Owner Luncheon. The luncheon took place on Thursday, January 23 at 12:00 Noon. The purpose was to collaborate on improving Brookhaven's Business District and to gather ideas on how to reinvigorate business to Edgmont Avenue. Minutes were taken by Mrs. Jones at this luncheon. It was fairly well attended by businesses and several Council people were present. Ms. Leslie said it was a very nice event and she appreciated having the opportunity to meet with some of the business owners. Mrs. Fooks said there will be another luncheon in a few months. Mr. Linowski asked where the funding is coming from for these luncheons.

Chair Board of Health/Public Safety, Chair Grant Committee, Chair Planning Commission, Chair Arbor/Shade Tree, Member of Long Range Development Committee – Ms. Sawicki

Ms. Sawicki made the motion and Ms. Leslie the second to appoint Laird Shively to the Arbor/Shade Tree Committee. Motion carried by unanimous vote.

Ms. Sawicki made the motion and Mr. Linowski the second to appoint Robert Grant as Deputy Health Officer. Motion carried by unanimous vote. Mr. Grant's compensation will be 50% of the inspection fee said fee determined by the square footage of the building being inspected.

The Brookhaven Planning Commission will be meeting on February 18 at 7:30 PM. The proposed Auto Zone in the Brookhaven Shopping Center will be coming before them. The Planning Commission has changed its meeting night from the 3rd Wednesday of the month to the 3rd Tuesday of the month at 7:30 PM.

Ms. Sawicki said she hopes to get together with the members of the Arbor Committee in March. Volunteers are always welcome to help. Mrs. Fooks said she would put that on the web-site and Ms. Leslie said the scouts are always willing to help out too.

There was some discussion about "break-ins" in the Borough and this was put on the web-site. Chief McGoldrick said there were a lot

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of them but since the information was put on the web-site and a lot of people saw it, the break-ins have slowed down.

Engineer's Report – Mr. Catania

Mr. Catania discussed the PA Call One System and our need to be a part of it. Mr. Linowski made the motion and Ms. Sawicki the second to make application and pay the necessary membership fee to join the PA Call One System. Motion carried by unanimous vote. Mr. Catania will take care of this.

Mr. Linowski made the motion and Ms. Sawicki the second to authorize Mr. Catania to properly advertise the 2014 Street Resurfacing Program. Motion carried by unanimous vote.

There has been a problem with our failing HVAC System at the Municipal Center. The system needs to be upgraded. Quotations were received for this upgrade. The quotes were: Herman Goldner Co., \$17,900; Johnson Controls \$18,990; Goshen Mechanical Contractors \$22,140; CM3 Building Solutions, Inc. \$23,000. It is Mr. Catania's recommendation that Council accept the Herman Goldner Co., Inc. quotation for \$17,900. Mr. Linowski so moved and Mrs. Fooks made the second. Motion carried by unanimous vote.

Next on Mr. Catania's agenda was the MS4 Stormwater Management Report. He said that the Borough has a permit through the EPA Clean Water Act and PA DEP Clean Streams Law to discharge stormwater under the National Pollutant Discharge Elimination System (NPDES) General Permit for Discharges of Stormwater from Small MS4s (PAG-13). This permit regulates various stormwater related activities within the municipality. The information given at the meeting tonight is to satisfy the Public Involvement and Participation requirement.

- MCM #1 Public Education and Outreach on Stormwater Impacts
- MCM #3 Illicit Discharge Detention and Elimination
- MCM #4 Construction Site Storm Water Runoff Control
- MCM #5 Post-Construction Stormwater Management in New Development
- MCM #6 Pollution Prevention/Good Housekeeping

He announced the accomplishments within the program, highlighted the future opportunities for public involvement in the program and asked for feedback from the public for ways we can improve the program.

Re-establish the website's stormwater section for educational purposes.

The engineer's office has inspected 25% of the total outfalls in the Borough as part of the required screening process.

Inspectors monitor all ongoing construction to ensure storm water runoff controls are properly maintained.

The Borough maintains contact with all existing stormwater facility owners to ensure they are being maintained properly.

The Borough Public Works Department is trained to ensure that all work performed is conscious of the environment.

The Borough would like to keep residents updated of upcoming events hosted by our partners and encourage all to make it out to these events if they can. (See CRC Watershed Events). The Borough would also like feedback if there are any stormwater concerns that anyone feels need to be addressed. Kindly direct your comments, suggestions and concerns to the Borough Office Staff.

He thanked the people for their time and said their feedback is greatly appreciated.

There are 2 events coming up—one on February 23 from 1:00-3:30 PM at Penn State/Brandywine. The topic is How Each of Us Can Control Pests While Reducing Our Chemical Use and Improving Water Quality. The second is on February 26 at 10:30 AM at the Garrett Williamson Foundation in Newtown Square and it is about Controlling Invasive Vegetation.

The possibility of installing a manhole in the area of Brookhaven Road at Chandler Drive is still being evaluated. Ms. Sawicki made the motion and Mrs. Fooks the second to authorize the installation, if necessary. Motion carried by unanimous vote.

Mr. Linowski made the motion and Ms. Sawicki the second to authorize Mr. Catania to apply for a DCNR Grant, said application due date is April 16, 2014. Motion carried by unanimous vote.

On February 7, Mr. Catania and various Borough Officials will be meeting with the Federal Emergency Management Agency representative to discuss the Community Rating System in an effort to try to reduce Flood Insurance Rates in the Brookhaven Flood Zone. This is an all-day meeting and includes a tour of the Flood Zone. Mr. Linowski said he would go on the field visit. Messrs. Wilwert and Thompson may also go.

A chemical line at the wastewater treatment plant froze and is in need to be repaired. Ms. Sawicki made the motion and Mr. Linowski the second ratify the expense. Motion carried by unanimous vote.

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It's time to file for County Aid for 2014 via Resolution 2014-02. Mr. Linowski made the motion and Ms. Sawicki the second to adopt Resolution 2014-02. The Borough is applying for \$8,910 to help offset the cost of the 2014 Street Resurfacing Program. The estimated cost of this Program is \$100,000. Motion carried by unanimous vote.

Inspectors' Reports

Board of Health – Mrs. Warfield said that they are busy and moving forward.

Fire Marshal – Mr. Leslie said he would give his report at the February 24 Workshop.

There were no other inspectors present to give reports.

President's Report – Mrs. Truesdale

Mrs. Truesdale spoke about an "incident" at a Basketball game being played at the Municipal Center. Brookhaven Basketball has a "Conduct Policy". She read it into the Minutes as follows:

"BROOKHAVEN INVITES ALL POSITIVE CHEERING

BROOKHAVEN ASKS FOR GOOD SPORTSMANSHIP

BROOKHAVEN BASKETBALL AT ANY TIME CAN ASK A PLAYER/COACH/PARENT/SPECTATOR TO LEAVE AT ANY TIME AND ONCE THEY DO THEY ARE NOT INVITED BACK TO OUR LEAGUE—NO REFUND WILL BE ISSUED.

BROOKHAVEN BASKETBALL IS FOR THE CHILDREN

I hereby pledge to provide positive support, care and encouragement for my child, and other children, participating in youth sports by following this Parents' and Coaches' Code of Conduct. I also understand that this is a "Zero Tolerance" policy.

I will encourage good sportsmanship by demonstrating positive support for all players, coaches, and officials at every game, practice or other youth sports event.

I will not engage in any type of physical or verbal abuse of any official, player, coach or spectator at any time.

I will place the emotional and physical well being of my child, and other children, ahead of my personal desire to win, and keep in mind that the game is for our children-not for adults.

I will insist that y child, and other children, play in a safe and healthy environment.

I will support coaches and officials working with my child, in order to encourage a positive and enjoyable experience for all.

I will demand a sports environment for my child that is free of drugs, tobacco, and alcohol and will refrain from their use at all youth sports events.

Brookhaven Basketball League

Dawn Jones, President

Mr. Linowski said he wanted to remind everyone that there is a Beef and Beverage Fund Raiser for Basketball this Friday, February 7 from 7:00-11:00 PM.

Mrs. Truesdale said she met with the Recreation Committee on January 30. Great ideas were discussed from the Recreation Committee and residents.

Two organizations have asked that their permit fees be waived. Ms. Leslie made the motion and Mr. Linowski the second to waive the permit fee for the Veterans Support organization. Motion carried by unanimous vote.

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Mrs. Fooks made the motion and Mr. Linowski the second to waive the permit fee for the Girl Scouts Cookie Drive. Motion carried by unanimous vote.

Ms. Leslie made the motion and Mrs. Fooks the second to appoint Ms. Sawicki as Voting Delegate to the Tax Committee of Delaware County. Motion carried by unanimous vote.

Ms. Leslie made the motion and Mr. Linowski the second to appoint Ms. Sawicki Chairwoman of the Borough's 70th Anniversary Celebration. Motion carried by unanimous vote.

Mrs. Fooks said a Brookhaven resident is employed by PECO Energy and is looking into a PECO donation match.

Public Discussion

Christine Raftovich, 109 East Garrison Road, a member of the Business and Revitalization Committee/Task Force and Josephine Szostek, 340 Trimble Boulevard spoke about the Business Luncheon discussed earlier in the meeting. They said there were about 15 businesses represented. Some members of Council were also there. Everything went well and there was good dialogue. The business owners are very interested in improving the Route 352 (Edgmont Avenue) corridor. They would like to see consistent signs and Street-scape. They are looking at the Borough's Multi-Municipal Comprehensive Plan with Parkside and Upland as well as other means of improvement. They would like to see the "landlords" attend the next luncheon. The Brookhaven Business Association meets the 2nd Wednesday of the month. The Business and Revitalization Committee/Task Force members will try to attend their meeting. It usually starts at 7:00 PM and is most often held at the Brookhaven Municipal Center. Normajean Colby is their Secretary. Ms. Raftovich and Ms. Szostek thanked Mrs. Fooks for having the luncheon.

David Schlott, 3551 Edgewater Lane, said early last year he had brought Council's attention to the traffic light problem at Trimble Boulevard and Edgmont Avenue. Much too long of a wait to turn on to Edgmont Avenue. It seems that this situation was evaluated and corrected. He spoke about the traffic light at Cambridge Road/Coebourn Boulevard at Edgmont Avenue. Traffic gets backed up past the firehouse. That intersection needs to be re-evaluated. Mr. Catania will send a note to PennDOT.

There was no further business to come before Council. Mr. Linowski made the motion and Mrs. Fooks the second to adjourn. Motion carried by unanimous vote.

Respectfully Submitted,

Mary Ellen McKinley
Borough Secretary