

MINUTES  
FEBRUARY 5, 2018  
BROOKHAVEN BOROUGH COUNCIL MEETING

At 7:03 PM, Council President, Vawn Donaway, called the regularly scheduled meeting of Brookhaven Borough Council to order. He welcomed everyone and 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 2018—Nancy ward, Harry Swayngim, Sr. (Harry Swayngim’s father), Joyce D’Amico, Michael Trovatore, Jean Burke, Richard Loynds and Richard Denmon.

The record shows the meeting was held in Council Chambers at the Brookhaven Municipal Center, 2 Cambridge Road, Brookhaven, PA 19015. The following people were seated at the Council Table: Mr. Donaway, Mrs. Fooks, Mr. Heller, Mr. Pappas, Ms. Sawicki. Mr. LaPera, Mayor Hess, Solicitor Stone, Engineer Mulvena and Mrs. McKinley were also seated at the Council Table. Ms. Leslie was absent because she is recovering from surgery.

PUBLIC DISCUSSION

SCHOOL BOARD REPORT – Mrs. Ford

Prior to giving her report, Mrs. Ford, Mr. Donaway and Mayor Hess gave Million Word Reader Certificates to the following children: Kosta Antonis, Elizabeth Barnhart, Benjamin DiPasquale who has read 8 million words, , Owen Gallagher, Lucas Habich, Dakotah Hermann, Arielle Mims, Robert Neumann, Jeremy Palamore, Stephen Shaw who has read 2 million words, Anderson John Stone, Kayley Sycz and Emily Thompson. All were present except Dakotah Hermann and Jeremy Palamore. Their certificates will be presented to them at the school.

Mrs. Ford said that Coubourn Student Council Members collected tons of trinkets and treasures for Fair Acres Geriatric Center to be given for BINGO prizes. The trinkets were packed and shipped off to Fair Acres.

The Franklin Mint Federal Credit Union visited Coebourn Elementary with one of their mascots, Sister Bear, and donated a large sum of money to cover the shipping cost for over 30 boxes of books that Coebourn Elementary shipped to Lemm Elementary School in Texas after Hurricane Harvey.

She said Coebourn Elementary is excited to announce there are currently 13 students who have read at least one million words since the start of the school year. Congratulation on reading One Million words so far this year! Everyone at Coebourn Elementary School is very proud of the Million Word Readers for choosing to “Embrace the Challenge” by setting a reading goal of one million words and working toward that goal to achieve it. Brookhaven borough Council is also proud of the effort you have demonstrated in achieving your goal and have honored you tonight.

FIRE CHIEF’S REPORT – Chief Montella

For the month of January, 2018, Chief Montella reported the following statistics:

2 Fire Incidents , 26 Non-Fire Incidents, 22 Mutual Aids and 4 Drills for a total of 54. On the 54 calls there was an average of 18 persons participating for a total of 717 hours. On the 4 training sessions, an average of 29 individuals participated for a total of 246 hours.

Brookhaven Volunteer Fire Company responded to the following incidents in Brookhaven: building fire at in the J Building of Trimble Run Condos which are at 280 Bridgewater Road, Vehicle fire at 15 Upland Road,

## Minutes February 5, 2018 Brookhaven Borough Council Meeting

Assisted public One Main Financial and State Farm Buildings with water pipe break and gas leak, accidents at Chandler Drive/Coebourn Boulevard, 3520 Edgmont Avenue, 3700 Edgmont Avenue and 2 at the intersection of Coebourn Boulevard at Edgmont Avenue. Assisted Middletown Township Fire Company on a building fire at 2 Maryanne Drive, assisted Chester Fire Department on an accident I-95 at Highland Avenue, Covered up the City of Chester with Rescue 52, assisted Garden City Fire Company on a building fire at Putnam Village Condominiums on Saybrooke Lane, assisted Boothwyn Fire Company on a 2<sup>nd</sup> alarm building fire at 3105 Rodney Avenue, and assisted Morton/Rutledge Fire Company on a building fire at 75 Morton Avenue.

Brookhaven Volunteer Fire Company members' monthly training involved Self Contained Breathing Apparatus a.k.a Airpak Training, Victim Search and Rescue, Hose Line Advance while searching for victims, Buddy Breathing Operations.

The Ambulance Report for January shows 89 transports, 32 refusals and 24 assists for a total of 145 plus 11 2<sup>nd</sup> Emergencies. Brookhaven Ambulance assisted 17 – Aston Township –5 times , 100/82/83/81 Chester City 10 times 5/47 – Chester Township – 1 time, 108 Havertown – 1 time.39/40 Lower Chichester – 2 times, 23 Media Ambulance 11 times, 50 Middletown Township – 4 times 65/51 Nether Providence Township – 7 times,45 – Parkside 4 times, 46 – Rocky Run 3 times, 57 – Upland 5 times,.

### BROOKHAVEN BUSINESS & PROFESSIONAL ASSN. REPORT – Mr. Sredenschek from Bryn Mawr Trust Bank

Mr. Sredenschek said he was happy to be coming to the council meetings representing the Brookhaven Business and Professional Association. He said they meet at 8:00 AM the second Wednesday of the month. Their mission is to become more involved with the community. Please come to their next meeting on February 14. He and Mayor Hess said “buy Brookhaven”.

### SOLICITOR’S REPORT – Mr. Stone

Mr. Stone recommended a motion to authorize him to advertise the New Noise Ordinance. Mrs. Fooks so moved and Ms. Sawicki made the second. Motion carried by unanimous vote.

Mr. Stone updated Council on the Comcast Cable Franchise Agreement saying we have the final draft and we have to have a Public Hearing. Ms. Sawicki made the motion and Mrs. Fooks the second to authorize so Mrs. McKinley can properly advertise it in the Delaware County Daily Times. Motion carried by unanimous vote. Mr. LaPera asked if the borough has talked about the parks as part of the agreement. Mr. Stone said it is a service we can seek but it is not in the franchise agreement. The borough gets a percentage of the fee. Let them know what service we need. Mr. LaPera will look into that. The police department, fire department and elementary school do get Comcast.

### MINUTES APPROVAL

Ms. Sawicki made the motion and Mrs. Fooks the second to approve the Minutes from the December 18, 2017 Special Meeting. Motion carried by unanimous vote.

Ms. Sawicki made the motion and Mr. LaPera the second to approve the Minutes from the December 18, 2017 Workshop. Motion carried by unanimous vote.

Ms. Sawicki made the motion and Mrs. Fooks the second to approve the Minutes from the January 2, 2018 Reorganization Meeting of Council. Motion carried by unanimous vote.

Minutes February 5, 2018 Brookhaven Borough Council Meeting

MAYOR'S REPORT – Mayor Hess

Mayor Hess said a letter was sent to PennDOT asking that a study be done in the area of West Brookhaven Road and Mount Vernon avenue. We should have the results of that study by the end of January.

Mayor Hess said he performed a wedding a week or so ago for which he does not charge a fee; however, the bride and groom gave him a check for \$50 which he gave to Chief Montella for the fire company.

COUNCIL REPORTS

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. LaPera

Mr. LaPera said there is nothing on the agenda for the Zoning Hearing Board nor is there anything on the horizon.

The Brookhaven Recreation Committee reorganized on January 28. Dawn Jones is President, Dave Duplicki is Vice Chairman, Lynn McMonagle is Secretary and Denise McGowan is Treasurer.

The next Recreation Committee Meeting is on January 22 at 7:30 PM.

Mr. LaPera said he talked to Mrs. Mulvena about poles in Durkin Field.

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 began his report by saying he would like to set up an ad-hoc Communication/Technology Committee consisting of John Wilwert, Sean McKenna, Tom Dykes, Chelsey and Brian Barrish, Jim Cadden, Stevie G., and Sherry Heller. Mrs. Fooks made the motion and Mr. LaPera the second that the term of office for the above named people will expire the first Monday in January, 2019. Motion carried by unanimous vote.

Historical Committee Members are John Coleman, Tom Dykes, Josie Magnanti and Sean McKenna.

Mrs. Fooks made the motion and Mr. LaPera the second that the term of office for the above named people will expire the first Monday in January, 2019. Motion carried by unanimous vote.

Mr. Heller said the Communications Committee will meet sometime during the second week in February and the Historical Committee will meet sometime during the third week in February.

Ms. Sawicki made the motion and Mr. LaPera the second to appoint John Jay Wills, 4124 Chichester Avenue, Boothwyn, PA 19061 as the Solicitor for the Civil Service Commission at an hourly fee of \$125.00. Motion carried by unanimous vote.

CHAIR EMERGENCY MANAGEMENT ADMINISTRATION, CHAIR RECYCLING/TRASH COMMITTEE, CHAIR FIRE COMMITTEE AND CHAIR POLICE COMMITTEE – Ms. Leslie

Ms. Leslie was absent. She is recovering from surgery.

Minutes February 5, 2018 Brookhaven Borough Council Meeting

BUSINESS AND REVITALIZATION COORDINATOR, CHAIR ORDINANCE COMMITTEE, MEMBER CONDO ASSOCIATION, SCHOOL BOARD LIAISON, CHAIR TECHNOLOGY COMMITTEE, CO-CHAIR GRANT COMMITTEE AND MEMBER POLICE COMMITTEE – Mrs. Fooks

Mrs. Fooks said the Ordinance Committee will meet on Thursday, February 15 at 6:30 PM but that may be cancelled because they do not have any ordinance items to discuss.

Under Business Revitalization she said ALDI Supermarket is moving into ½ of the old Giant Supermarket but will be sub-leasing part of their square footage to another business, said other business unknown to us. ALDI is currently hiring. Interested applicants must go to the 48 West Baltimore Avenue, Lansdowne, PA store on either February 12, 28 or March 3, 8, 15 or 22 or 4/5 between 2:00-5:00 PM. Wages begin at \$12.35 per hour and \$16.00 per hour for shift managers.

The Tech Committee is happy to have Jim Cadden come to help anyone having a problem with their gmail account. Please let Mr. Heller or Mrs. Fooks know when you would like Mr. Cadden to help you and they will coordinate it.

PRESIDENT PRO-TEM, CHAIR FINANCE AND INSURANCE COMMITTEE, MEMBER LONG RANGE DEVELOPMENT AND COMPREHENSIVE PLANS, MEMBER FIRE COMMITTEE AND CO-CHAIR GRANT COMMITTEE – Ms. Sawicki

Ms. Sawicki made the motion and Mr. LaPera the second to approve the Bills for Approval List. Motion carried by unanimous vote. The total of the bill list is \$76,329.13.

PLANNING COMMISSION LIAISON, CHAIR CONDO ASSOCIATION, MEMBER FIRE COMMITTEE, MEMBER HISTORICAL COMMITTEE – Mr. Pappas

Mr. Pappas said he has a phone call in to CAMCO. There seems to be some movement up there. Appliances are coming out of Building C units. There is a guard up there. Mayor Hess said our police have been up there also to protect the area.

Mr. Pappas said our Planning Commission will be meeting this month on the property at 315 West Brookhaven Road.

ENGINEER'S REPORT – Mrs. Mulvena

Ms. Sawicki made the motion and Mr. LaPera the second to adopt Resolution 2018-03—Application for County Aid. Motion carried by unanimous vote.

Ms. Sawicki made the motion and Mrs. Fooks the second to adopt Resolution 2018-04—A resolution of Brookhaven Borough Council requesting grant funding in the amount of \$425,00 from the Pennsylvania Small Water and Sewer Program administered by the Commonwealth Financing Authority. The Borough will be matching 15% of that amount which is \$75,000. The grant funds will be utilized to replace a portion of the sanitary sewer main on West Brookhaven Road as this has been identified by the Public Works Department as the source of significant I?I at the wastewater treatment plant. Further resolved that the applicant designates Borough Secretary Mary Ellen McKinley and Borough Council President, Vawn Donaway as the officials To execute all documents and agreements between the Borough of Brookhaven and the Commonwealth

## Minutes February 5, 2018 Brookhaven Borough Council Meeting

Financing Authority to facilitate and assist in obtaining the required grant. Motion carried by unanimous vote.

Other matters on Mrs. Mulvena's written report dated January 31, 2018 include she is working with the Borough Office to obtain copies of records, contracts, etc.

The Delaware River Basin Commission Annual Effluent Monitoring Report for 2017 was submitted electronically on January 31, 2018.

Traffic Control report says concern issued regarding Coebourn/Edgmont Avenue signal. She said the Chief of Police should have copies of traffic incident reports at the intersection. These can be sent to PennDOT who in turn will assign the development engineer to review and redesign signal, as required, PennDOT requires development engineers to take responsibility for traffic control for a 5 year period, post-development.

Regarding Ordinary Street and Sewer Maintenance, NDI suggests the Borough have Street Maintenance, Sanitary Sewer Maintenance and Storm Sewer Maintenance contracts in place for work that exceeds the limits for prevailing wages provided for with the current contracts. These contracts will be indefinite quality contracts, meaning there is no work guaranteed to the contractors. As needs arise, NDI will utilize these contracts to perform the work.

Stormwater projects – JMC Contractors will be starting the storm sewer replacement project in the North Gray/West Brookhaven Road area. Their start date is 2/5/18 and they anticipate the work will last two weeks.

For the Shepherd Street project, the drawing was modified after the award of the contract and results in both labor and material increases. The Solicitor opines we need to reject this contract and authorize a rebid. At this point, the work that would have been completed under this contract can be completed under the Ordinary Street and Sewer Maintenance contract.

If contracts are not located for the Victor/Trimble work area, NDI will prepare new contracts based on information received from the contractor. The Borough is contacting Catania Engineering Associates to determine if they have the originals.

The Public Works Department was unable to TV the full length of the line on West Brookhaven Road as described in the Small Water and Sewer Grant Program. Mrs. Mulvena recommends authorizing A to U Services to TV the line following the Borough's cleaning. If the Borough is unable to clean the line, NDI would also be asking A to U Services to do that as well. The charge for a full day is approximately \$3,200. Ms. Sawicki made the motion and Mr. LaPara the second to have A to U Services to clean and TV the section from Chandler Drive to the end of West Brookhaven Road. Motion carried by unanimous vote.

Mrs. Fooks made the motion and Mr. LaPera the second to void the contract with MOR Services for the project they are working on in the borough. Motion carried by unanimous vote.

Solicitor Stone talked about pipe size, e.g., 6" but we may need a 12" or bigger. A change of this size we must give updated specifications for bidders. This is in regard to the Shepherd Street project.

Mr. Donaway thanked Mrs. Mulvena and Solicitor Stone for working so well together.

ADA Compliance – For the Borough's information, the Pennsylvania Local Technical Assistance Program (LTAP) sponsored a webinar on December 12, 2017 and discussed the requirements for an ADA transition plan

Minutes February 5, 2018 Brookhaven Borough Council Meeting

for municipalities. A plan is required for any municipality with more than 50 employees (full and part-time).  
Minutes February 5, 2018 Brookhaven Borough Council Meeting

If the Borough has fewer employees, this plan is encouraged but not required. The webinar shared that municipalities should have a plan in place showing good faith efforts working toward improving infrastructure items (sidewalks, ramps, streets, street lights, etc.) in order to bring them into ADA compliance. Tool-kits are available on-line to help get the borough started.

Mrs. Mulvena's Stormwater Tip is though everyone is thinking Spring, winter weather is still with us. When shoveling, dispose of shoveled snow in vegetated areas; never dump it into streets or streams. The more water can be absorbed by plants or sink into the ground, the less water will run off, carrying pollutants into streams. A rain garden or other planted area is the perfect place for shoveled snow.

We need a 35' pole and must get three quotes either via telephone or written for this pole. Mr. LaPera made the motion and Mrs. Fooks the second to authorize NDI to get the quotes for the pole. Motion carried by unanimous vote.

COUNCIL PRESIDENT, 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 said that for the month of January there were no sewer calls. The Public Works Employees Filled numerous potholes using 1,600 pounds of cold patch. They picked up and chipped 409 Christmas Trees. They started removing the old playground equipment in Sommerville Park to make room for the new equipment coming from Our Lady of Charity.

The 15 Miles Per Hour sign at Coebourn School was brought up. The sign is scheduled to come on from 12:35 to 2:55 PM for the change of Kindergarten Class. No children walk to school alone. There are no crossing guards and no children leave school for lunch. We will have to have new signs made with the noon hours added. They will be in the area of \$50.00 to \$80.00 each or we could have those hours removed from the 15 miles per hour sign.

The Borough has an annual agreement for the HVAC System at the Municipal Center. The Agreement has been with Goshen Mechanical Contractors, inc., 640 Snyder Avenue, Unit A, West Chester, PA 19382 for many years. The contract price is \$8,300 for 2018 and it is for one year effective January 10, 2018. Ms. Sawicki made the motion and Mr. Heller the second to enter into this agreement. Motion carried by unanimous vote. Mr. LaPera abstained because he has done work there.

Mr. Donaway spoke about Resolution 2018-05—a Resolution of Brookhaven Borough Council setting the hourly wage for new Brookhaven Municipal Center Maintenance/Custodial Staff at 12.00 per hour and \$12.50 per hour after 90 days effective February 1, 2018. Ms. Sawicki made the motion and Mrs. Fooks the second to adopt the Resolution. Motion carried by unanimous vote.

Harry Swayngim has interviewed and is hiring two individuals for Municipal Center Maintenance/Custodial Duties—William Higginbotham and Christopher Vassallo. They will be paid \$12.00 per hour to start with an increase to \$12.50.

The Fire Marshal's car needs a lot of work—cost could be anywhere between \$3,000 and \$5,000. Mrs. Fooks

made the motion and Mr. LaPera made the second to retire the car and advertise it for sale. Motion carried by unanimous vote. Mrs. McKinley will place the necessary ad to sell the vehicle.

Mr. Donaway said we should think about whether or not we want to stay in the leaf collection business. Here is a report from Gary Thompson. The 2017 Leaf Report shows 142,980 pounds of leaves collected which converts to 71.49 tons. It was a very dry season—very little water weight. We paid \$1,718 in tipping fees and used 292 Gallons of fuel. 948.6 miles were traveled overall with 65 trips to the compost dump. Past figures were 2015 – 96 tons, 2016 103 tons and 2017 71 tons. In his report Mr. Thompson said this might be the time to think about going to bags for leaf pickup. The machine currently in use was purchased in 2003. If we continue with the machine for the pickup, it is going to need a power belt, 32” impeller, pickup hose, 2 bearings, 2 fenders on machine and two leaf boxes which are rusting away. The engine is not showing any signs of wearing out but has 1350 hours of running time which comes out to approximately 40 to 45 thousand miles on a car engine. Parts are \$3,414.00. two leaf boxes are \$5,577.45 each, parts plus two boxes would be \$14,568.00. A new machine the same as we are using now If we would go to bag pickup we would not need anything that we don’t already have. We would not need zone scheduling, we would just set a start date and end date, maybe like October 2 to December 20. Then just send two men and one truck out to pick up bags as we see them just like Christmas Tree pickup. Mr. Thompson thinks the tonnage will be down because people might not put out as many leaves. If it would snow we would not have to strip down the trucks to put spreaders on. Leaves would not freeze to the street and the bags are easy to spot in the snow. If we decide to try bag pickup we could keep the machine for a year and if it doesn’t work out we could put the parts in and continue the pickup with the machine. If we would go to bag pickup we would not need anything that we don’t already have. We would not need zone scheduling, we would just set a start date and end date, maybe like October 2 to December 20. Then just send two men and one truck out to pick up bags as we see them just like Christmas Tree pickup. Mr. Thompson thinks the tonnage will be down because people might not put out as many leaves. If it would snow we would not have to strip down the trucks to put spreaders on. Leaves would not freeze to the street and the bags are easy to spot in the snow. There are numerous town switching over to bags to save money—Aston Township, Upper Chichester, Darby Borough, Middletown Township has always picked up leaves in bags. If we decide to try bag pickup we could keep the machine for a year and if it doesn’t work out we could put the parts in and continue the pickup with the machine.

## INSPECTORS REPORTS

### FIRE MARSHAL – Mr. Leslie

Mr. Leslie said don’t believe everything you see on facebook, newspapers and other sources of information. The ATF and State Police are still investigating the fire at Building C in Hilltop and it is coming back undetermined at this time. The place is full of asbestos and they are clearing that out. They did apply for the permit and it takes ten days to come back from the state. Catania Engineering is on top of it. No one is getting away with anything. The firewalls in the other buildins that were built in 1968 pre-dated our fire wall ordinance.

Mr. Leslie said as soon as the weather breaks they will be training in summit and Hilltop.

Kentucky Fried Chicken is putting in a sprinkler system.

ALDI is on-going.

PAC-1’s work on Chester Creek Road has caused the road to be horrible to drive on. Make sure Mrs. Mulvena stays on top of this.

Minutes January 10, 2018 (Postponed from January 8, 2018 because of bad weather)

Mr. Leslie spoke about the Fire Marshal Car. The rear main seal cannot be fixed. It will cost more than the car is worth. The right window cable cannot be ordered. We have to find a door in a junk yard to be replace the window cable.

The air conditioner compressor has been broken for years and the heater core is also done. He could drive it but it loses 2 quarts of oil a week.

**PUBLIC FIRE SAFETY OFFICIALS – Chief Montella and/or Mr. Bynum**

Chief Montella said he deals with Chester Water Authority where there are breaks. He went to a dinner meeting with Chester Water Authority Officials. They are going to do a lot of work on West Brookhaven Road this year and next year.

**BOARD OF HEALTH – Mrs. Warfield**

Mrs. Warfield said we have finished with the distribution of funds from the many donations made to help residents of Building C at Hilltop.

There is litter all over the borough—CVS, Wawa, Plaza 352, Brookhaven Market. She has been notified that Whitely Road should be cleaned up by Wednesday.

Food establishment inspections are going on now.

**ZONING OFFICER – Mr. Hampton**

Mr. Hampton said he has no report but would like to meet with Mr. LaPera in his office after the meeting is Adjourned.

**PUBLIC DISCUSSION**

Sean McKenna, 4956 Madison Drive said his family moved here in 1963 and are on the Southwest Delaware County Municipal Authority System. For over 50 years the homeowners owned their sewer from the curb in. Six months ago he had an issue on the street side. The problem is in the main. Does the Borough have a liaison to their Board. We do not. Solicitor Stone came up with a couple of suggestions. Mr. McKenna feels that the Borough should get some kind of income from them. Mrs. Mulvena said Brookhaven still has the jetter. Mr. Donaway, Mrs. Mulvena and Solicitor Stone will look into the matter.

With nothing else to come before Council, Mrs. Fooks made the motion and Ms. Sawicki the second to adjourn. Motion carried by unanimous vote.

Respectfully Submitted,

Mary Ellen McKinley  
Borough Secretary