

MINUTES
BROOKHAVEN BOROUGH COUNCIL MEETING
MONDAY, JANUARY 4, 2021

At 7:00 PM Council President Heller called the regularly scheduled meeting of Brookhaven Borough Council to Order. He welcomed all present. The meeting was held in the Brookhaven Municipal Center Council Chambers. Mr. Heller asked everyone to stand and recite the Pledge of Allegiance.

Mayor Leslie read the names of the Brookhaven residents that were recently deceased: Donald Logan, Dorothy Rohanna, Cynthia Sykes, Ernest Purcell, John Howat, Barbara Kearney and Dolores O'Malley. A moment of silence was observed in their memory.

Mr. Wilwert took a Roll Call and the following were present: Council President Mayor Leslie, Council President Mr. Heller, Councilpersons Mrs. Fooks, Mr. Gilroy, Mrs. Heller, Mr. Pappas, Ms. Sawicki, Mr. Vazquez, Solicitor Mr. Wills, Engineer Mr. Catania and Office Manager Mr. Wilwert. The minutes were recorded from the Zoom Teleconference by Planning Commission Secretary Mrs. Boyle.

SCHOOL BOARD REPORT - COEBOURN SCHOOL PRINCIPAL – THERESA FORD

Mrs. Ford wished everyone a Happy New Year and reported the following:

Mrs. Ford wanted to thank Brookhaven Borough and everyone who contributed to the Coebourn Elementary Families for Christmas. The families are so grateful for all that you do for them each year and thankful that they could have a nice Christmas for their families this year. A special thank you to Mayor Leslie who coordinated this project, as well as the Coebourn Counselor who gave so much support.

In December the students participated on line in a Christmas concert with the Chorus and Band; this is available to view on the website. We had an on line holiday shop and a sing along. We are trying to keep things moving along. The children enjoyed everything we did in December. The Penn Delco School District opened today and all of our students are virtual for today and tomorrow. Wednesday is a normal virtual day. Penn Delco is back in hybrid in person on Thursday, January 7 for Cohort A and on Friday, January 8 for Cohort B. An erroneous headline came out the day after the December Council Meeting regarding our break. The Delaware County Daily Times ran a news headline that read, "Penn Delco is to take a short all virtual pause to evaluate the outbreak". Mrs. Ford said to be very clear there was no outbreak in Penn Delco. We were closed for two days coming back and we will be back in our regular hybrid schedule. Total known positive cases in our schools is less than 1% for staff and students. The new state order requires schools to return to all virtual learning if the school hit a minimum of positive cases. We have been successfully able to do that; that threshold is two students. That has happened but we have been able to close and clean in a day and get the school back open again. The data used to count for the threshold is listed on the district Covid dashboard. Our students and staff continue to work very hard to demonstrate resiliency during these times and families continue to be supportive. We are looking to a positive year in 2021.

POLICE DEPARTMENT – ACTING CHIEF JONATHAN ZEBLEY

Acting Chief Zebley reported the following for December 2020;

We were assigned 462 CAD assignments through DELCOM. The noteworthy incidents are as follows: 1 armed robbery at Walgreens that ended up with 2 arrests. It is still under investigation and the FBI is involved. Since it is under investigation, there are no further comments on it but there will be commendations issued for the 2 officers involved; 3 assault incidents with 3 arrests; 3 death investigations; 12 theft incidents - 5 were retail thefts; 2 fraud reports; 1 criminal mischief report; 4 harassment complaints; 1 terroristic threat; 1 narcotics complaint; 3 arrests for DUI's; 2 public intoxications; 1 disorderly person; 19 suspicious conditions/persons were investigated; 30 disturbances/domestic disputes were resolved; investigated 11 alarms; responded to 25 hazardous conditions/Fire company calls; 19 vehicle accidents; we assisted 19 times with outside agencies; 14 adults were arrested; 17 citations were issued or filed; 5 warnings were issued. Total loss to victims amounts to approximately \$7,681. Recovered property amounts are approximately \$1,111.

In December there was one Officer out for quarantine for COVID-19. A stringent COVID mitigation plan and order remains in effect. One personnel issue was addressed in December. For hiring new officers, a background is completed for one remaining applicant and a conditional offer was made pending further testing. The candidate qualified at the range on duty weapon and is expected to be sworn-in and begin training in January 2021. Two other applicants were in the background phase and they both have withdrawn due to full time job offers at other departments. Resumes are now being accepted and advertising for part-time officers will begin for more applicants. Officer Teofilak resigned as a probationary part-time police officer from the Brookhaven Police Department.

Officer Wetten conducted firearms training and qualifications at the fire range. He also attended 8 hours of training with Swat. Officers Subers and Zebley attended Field Training Officer School and are now FTO certified. Detective Habich attended 8 hours at the District Attorney's Office relevant to child abuse and child exploitation. Act 180 in-service training was conducted by officers. De-escalation training is being pushed back because of COVID. In total, approximately 136 man-hours of training were received by our officers. The beanbag rounds have arrived and training will be scheduled. The fire range had to close for maintenance and updating. Once implemented, another layer of less-than-lethal force option will be available to officers. The Brookhaven Police Department is grateful for the outpouring of gratitude and well wishes from the community during the holiday season.

FIRE CHIEF – ROBERT MONTELLA

Chief Montella said he forwarded his report to Council and reported the following for December 2020:

4 fire incidents; 35 total for the year; 18 non-fire incidents; 245 for the year; 30 calls for mutual aid and 332 for the year; 4 drills and 49 for the year. Total of 56 fire calls for December and 661 for the year.

We had \$0 for structure and \$33,000 for the year; \$0 loss on contents and \$30,000 for the year; loss total for the year was \$63,000; property endangered for the month was \$0 and for the year was \$1,050,000. We had one firefighter injury for the month and 2 for the year; one civilian injury for the year. Our manpower was 56 calls for the month with an average of 16 firefighters and 672 hours. The total hours for the year was 7,437. There were 4 training calls with an average of 27 firefighters and 216 hours. The total hours for the year was 2,630.

Brookhaven Fire Company responded to the following for the month; 2 fire incidents – 2 building fires at 8 W. Brookhaven Road and 280 Bridgewater Building F; 2 accidents at 3400 Edgmont Ave and 352/Edwards Drive; 1 gas leak at 280 Bridgewater Building H. Assisted Chester Township Fire Company on 2 building fires – 3704 Powell Road and 1247 Elson Road. Assisted Upland Fire Company on accident at Upland Ave/Kerlin Street. Assisted Parkside Fire Company on a building fire at 12 W.Chelton Road, and an accident at 352/Elbon Road. Assisted Middletown Fire Company on a building fire at 7 Bryn Mawr Place. Assisted Rocky Run Fire Company on a 2 alarm building fire on Christmas morning at Rampart East. Our monthly training was hose line advancement, ladder and truck Company operations. Covid-19 update reports were submitted to Council and the Mayor. We are experiencing steady increase in positive Covid-19 transports. We submitted active Fire/EMS personnel roster to Crozer Hospital for Covid-19 vaccinations. Dates for the personnel to be vaccinated are still unknown at this time.

EMS report was 205 ambulance calls for the month; we transported 120 people to the hospital; we had 132 ALS dispatches and 73 BLS dispatches. Our total calls for the year were 1, 805 ambulance calls; we transported 1,137 people to the hospital and for the year we had 1,059 dispatches and 774 BLS dispatches.

PUBLIC DISCUSSION

Maureen Bail, 3512 Williamson Avenue, asked about the development on Edgmont Avenue behind Wendy's Restaurant. She has left a message for the Brookhaven Inspector and has not heard back yet. She found plans for this development on line and are wondering if they are still accurate and are the ones that were approved years ago by Brookhaven Council. She had a question about the construction fence that was put up behind her property. It looks like, from the plans, that the construction fence should be 20 feet before they start the drive for their parking. The construction fence is only a few feet behind her property. Ms. Bail said that she did not see any landscaping on the plans she found on line and she wants to confirm that there will be some landscaping in that buffer zone. Ms. Bail said that it also looks like there is a dumpster against her property in the buffer zone; she did not think anything would be in that area. Mr. Catania said that we have to make sure that the plans she saw on line are the plans we have at Borough Hall. He will get with Mr. Wilwert and will make sure that they will get the plans to Ms. Bail to review. Mr. Catania asked Ms. Bail to contact Mr. Wilwert and give him all her contact information and they will get in touch with her to answer all her questions about the correct plans. Ms. Bail said that her biggest concern is the dumpster that is in the buffer area and also any drainage issues that might result from them being too close to her property line. Her property is one of the few that have no trees in that area. Mr. Heller said they would follow up with her and Ms. Bail thanked them.

Keith Glebocki, 4941 Chester Creek Road, said that over the past six months they have been getting flooding on Chester Creek Road. We had a phone call in August with Steve Schultz and FEMA; they were going to try to get our flood insurance rates down. Mr. Glebocki has not heard anything about it and wanted to know if anyone has heard about it. Mr. Heller said that he spoke to Mr. Schultz and Mr. Catania today; the communication with PEMA (Pennsylvania Emergency Management Agency) is not that great. Mr. Catania said that the information they received on the phone call was very disjointed. Mr. Catania said that the program they were talking about was a voluntary buy out program. Mr. Catania said that in order to qualify for this program based on cost basis analysis of the properties, none of the programs on Chester Creek Road qualify for the program. Potentially these properties could be joined in with other properties in the County that meet those qualifications. We may try to work with the County to put another program into FEMA (Federal Emergency Management Agency) to see what we could do. Mr. Schultz is going to try to get a site together after the residents put in their claims to see what they can do. Mr. Glebocki said that the creek has been rising recently and is becoming problematic. Mr. Catania talked about the insurance rate through Community Rating System and Mr. Schultz has been in touch with that organization in order to file with the Community Rating System. As you get to certain levels with the CRS, the rates go down as you receive a new level. Mr. Catania said also Mr. Heller was going to get in touch with State Representative Leigh Ann Kruger to come out to meet with the residents on Creek Road. Mr. Glebocki said some of the residents on the street are paying over \$5,000 in flood insurance. Mr. Glebocki said that in 2007 the area was remapped and now they are a flood zone with higher insurance rates. Mr. Glebocki said that he talked to someone recently who said that in the flood of 1971, the water came over the garage doors of the houses. Mr. Heller told Mr. Glebocki that they are working on this and Mr. Glebocki said he appreciates it.

SOLICITOR'S REPORT – MR. JAY WILLS

Mr. Wills reported that he submitted a report to Council but wanted to discuss the following:

Police Matter - The first matter concerns a full time Police Officer who was injured in the line of duty. He has been out on injury for one year and it appears that based on the medical reports we have received the likelihood of him returning to full time duties as a Police Officer are slim. As a result, Mr. Wills has spoken to the FOP attorney, Skip Miller, and we are in agreement that this Officer will be applying for a disability pension that probably will be before Council at the March Meeting. Some ancillary medical reports will be forwarded to Mr. Wills concerning this officer. Mr. Wills also consulted with the Police Pension Officer and he will be arriving at various figures as to the proposed pension settlement for this Officer. Unfortunately, this Officer's injuries are severe and it does not appear that he will be returning to active full time service.

Pando Property – This is a development on Brookhaven Road. This is a development of seven single family homes. The developer is in the midst of completing this development. As part of the Land Development Approval Process, he was required to deed a certain amount of open space to the Borough for recreational purposes. As of last week, the developer has forwarded to Mr. Wills a proposed Deed of Dedication, which is Lot #8 on this Land Development Plan. It appears to be in order but Mr. Wills is going to defer filing the Deed of Dedication until he receives confirmation from the Borough Engineer that the lot has been properly graded and restored. Once Mr. Catania signs off on the condition of the lot, that Deed of Dedication will be filed with the Delaware County Recorder of Deeds Office. Mr. Wills said that this development is coming to an end and all looks good.

Tax Assessment Appeal Cases – The next issue concerns Tax Assessment Appeal Cases that were referred to Mr. Wills recently. These are tax assessment appeals regarding the 2021 new tax assessments, and specifically the property at 4417 Edgmont Avenue, commonly referred to as ‘Tom Jones Restaurant’. There are a total of four tax parcels that have been appealed. The restaurant sits on one parcel which is the largest tax appeal case but we have two parcels that are used as a parking lot and there is another parcel immediately behind the Tom Jones Restaurant that is a 1-1/2 story Cape Cod that was used as the commercial space. The property owner owns all four of those tax parcels. As is traditionally done in Delaware County, the Solicitor for the School District will take the lead in mitigating this matter in the Delaware County Court of Common Pleas. The largest tax bill that we receive is generally the school tax bill so the school district is the largest affected during these tax assessment appeals. Mr. Wills will be working in conjunction with Michael Puppio, the Solicitor for Penn Delco School District as we attempt to resolve this case in the year 2021. Mr. Wills will keep Council apprised of this issue.

Lease Agreement – The last matter to be brought before Council concerns the lease for State Representative Leigh Ann Kruger. She leases office space in the Brookhaven Municipal Building pursuant to a lease dated some years ago. That lease is generally for a two year interval which generally matches the election term. Representative Kruger was reelected for a two year period. Mr. Wills will be preparing a new lease extension since Representative Kruger wants to continue leasing the office. This is mutually beneficial to both the Borough and the tax payers to have the State Representative’s Office located here. Mr. Wills will prepare the lease tomorrow and have it ready for Mr. Heller and State Representative Kruger’s signature.

Mr. Wills wished everyone a Happy, Healthy and Safe New Year.

MAYOR REPORT – MAYOR LESLIE

Mayor Leslie said that on Christmas Eve, December 24th, she had the honor of marrying Sharon Larson and Joseph Greenhalgh. She wanted to congratulate them on their marriage. She donated \$100 to the Fire Department which was given to Chief Montella.

Mayor Leslie asked Council for a motion to accept the resignation of our part-time Officer, Kim Teofilak, and effective December 30, 2020. A motion was made by Mrs. Heller and it was seconded by Mr. Vazquez. The motion was unanimous.

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 reported that Council had an Executive Session on December 30, 2020 from 6 pm to 8 pm. The purpose was to interview three applicants for the position of Zoning Officer. One of the applicants had no qualifications; one applicant withdrew their application during the interview since they thought they were applying for the Zoning Board. We had one qualified applicant. Mr. Heller asked for a motion to appoint Bill Gavin as Brookhaven Borough’s Zoning Officer at a monthly salary of \$500. This is a bump from what the previous Zoning Officer, Howard Hampton, was making. This was at the request of the applicant and it was agreed upon with Council.

Mr. Heller asked for a motion to hire Mr. Gavin as the Brookhaven Borough Zoning Officer at a salary of \$500 per month. Mr. Vazquez made the motion and it was seconded by Mrs. Fooks. The motion was unanimous. Mr. Wills said that he has dealt with Mr. Gavin in other municipalities as a municipal solicitor and as a private attorney in Zoning issues in other municipalities and Mr. Wills said that Mr. Gavin is well qualified. Mr. Heller said that Mr. Gavin is well qualified, user friendly and easy to work with. Mr. Heller said that he will do a great job; Mr. Hampton is a tough person to replace. Mr. Heller said that we will honor Mr. Hampton for his 40 plus years of service at a ceremony when we can back to in-person meetings. His family and Council agreed with this. Mr. Heller said we will also honor some of our other employees who have retired at an in-person meeting.

Mr. Heller asked for a motion to approve the September 14, 2020 Council minutes. A motion was made by Mr. Pappas and it was seconded by Mrs. Fooks. The motion was unanimous.

Mr. Heller asked for a motion to approve the October 5, 2020 Council minutes. A motion was made by Mrs. Fooks and it was seconded by Mrs. Heller. The motion was unanimous.

Mr. Heller asked for a motion to approve the December 7, 2020 Council minutes. A motion was made by Mr. Vazquez and it was seconded by Mrs. Fooks. The motion was unanimous.

Mr. Heller asked for a motion to approve the December 21, 2020 Council Special Budget minutes. A motion was made by Mr. Vazquez and it was seconded by Mrs. Fooks. The motion was unanimous.

Mr. Heller gave an update on the Round 4 Hometown Hero Banners. We are opening this up again. Details will be posted on the Hometown Hero Facebook Page. There will be a slight increase in the cost because of the lack of fund raising due to COVID. The cost will be \$115 to \$125. For the individuals that have prepaid, the cost for them will remain at \$75. This will be the last round for the banners. We have 227 banners and the maintenance for our Public Works is straining. Mr. Heller expects to have 50 more banner requests. This does not mean that anyone will never be able to get a banner. We do not expect everyone to replace their banner once it falls into disrepair; they usually last around four years. This means that we will have some spots available in the future. The application for these banners is available at Borough Hall and also on the Facebook page. It will be open to March 1, 2021 and they will be installed around mid-April.

Mr. Heller wished everyone a Happy New Year and he thinks that 2021 will be much better. For our COVID update, unfortunately we had one more death in the month of December. Our general count for December is 379 cases and of these, 120 were in the month of December.

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, CO-CHAIR TECHNOLOGY AND COMMUNICATIONS COMMITTEE – MRS. FOOKS

Mrs. Fooks said that all the Council members received the Food Truck Ordinance in November. She asked everyone to get back to her with their input about the Ordinance. She said that she also needs to discuss the Daily Permit Fees for the Food Trucks.

She said she would like to wrap this up by the end of February; it will soon be Spring and warmer weather and people will be wanting to bring in Food Trucks.

Mrs. Fooks said that the next Ordinance Committee Meeting is planned on January 21, 2021; however, depending on what is going on with COVID and our availability to meet in the building, which may have to be cancelled. She will keep the Committee updated. The Ordinance Committee is a hardworking and rewarding committee that does require attending meetings, depending on what is currently being worked on. Mrs. Fooks asked that if anyone is interested in joining the Ordinance Committee to please contact her through our website or Facebook page or through the Borough Office. Please leave your name and number and she will get back with you.

Mrs. Fooks wanted to make a motion to accept Mike Johnson's resignation from the Recreation Board. Mr. Gilroy seconded the motion. The motion was unanimous. Mrs. Fooks said that on behalf on Council and the residents, she would like to thank Mr. Johnson for his hard work on the Recreation Board. There is a scheduled meeting for the Recreation Board on January 28, 2020 but it may have to be held via Zoom.

Mr. Dykes said that he has four names that are interested in joining the Rec Board. We had planned to have them come to the meeting and introduce themselves. We have two positions to fill and two alternates. We are planning to have our Easter Egg Hunt if possible and then we are planning for our Baseball/Softball Programs. Mr. Heller said that Mr. Dykes wants to hold the Rec Board Meeting in person; Mr. Heller said that we will be looking at the Covid numbers but we have three weeks to make the decision.

Mrs. Fooks is looking to work with our Website Company to get the E-Code on line; she wants to put the link on the Website. The Chip Vaccination Clinic is still planning to be at the Brookhaven Gym on May 19, 2021 for vaccinations.

MEMBER VETERANS COMMITTEE, MEMBER POLICE COMMITTEE, MEMBER TECHNOLOGY AND COMMUNICATIONS COMMITTEE – MR. GILROY

Mr. Gilroy had no report. He asked about an update on the Borough Calendars. Mr. Wilwert said that the calendars were mailed out last week and we are at the mercy of the postal system. There is nothing further that we can do. They did go by bulk mail and he is not certain of the priority of bulk mail. Mrs. Fooks asked if there will be extra copies in the Borough Building once we open up again. Mr. Wilwert said there will be some and we are planning on putting them into the Welcome Packets for new residents. Mr. Gilroy wished everyone a Happy and Healthy New Year.

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 had no report since his committees did not meet.

Mr. Pappas wanted to make motions for appointments to the Planning Commission. Mr. Pappas made a motion to reappoint Ronald Kerins as President of the Planning Commission through January 2025. Ms. Sawicki seconded the motion. The motion was unanimous. Mr. Pappas made a motion to reappoint Joan Boyle as Secretary to the Planning Commission through January 2025. Ms. Sawicki seconded the motion. The motion was unanimous.

Mr. Pappas wished everyone a Happy New Year.

Mr. Heller asked for a motion to reappoint Chuck Mathues to the Vacancy Board. A motion was made by Mrs. Fooks and it was seconded by Mr. Vazquez. The motion was unanimous.

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

Mrs. Heller reported that the Technology Committee did not meet in December but will meet on January 14, 2021 at 7 pm. Mayor Leslie declared a Snow Emergency on December 16, 2020 at 17:00 pm through December 17, 2020 at 17:00 pm. Mrs. Heller wanted to thank Steve Schultz, the Police Department and the Fire Department for making sure that everyone stayed safe during the snow storm. We had a few residents that were temporarily without power but the families were able to find lodging with other family members. We also had flooding and horrible winds on Christmas Eve. We had a disabled vehicle that was stuck on Creek Road during that flood. Mrs. Heller wanted to thank Officer Subers and Mr. Heller for removing a downed tree on Madison and Grant on Christmas Day. Mrs. Heller said that on December 26, 2020 we had residents that experienced power outages. There was one couple that refused to leave their home so Mrs. Heller wanted to thank Chief Montella, Mayor Leslie and Steve Schultz for providing wellness checks and for charging the couple's phone until power was restored. Mrs. Heller wanted to thank the two Officers involved in the robbery at Walgreens on December 29, 2020. She wished Happy New Year to everyone.

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

Ms. Sawicki said that Council had the Bill List in their packet. The General Fund is \$28,141.84; the Road Fund is \$4,568.82 and the Trash Fund is \$450 for a total of \$33,150.66. Ms. Sawicki made a motion that we approve these bills and it was seconded by Mrs. Heller. The motion was unanimous.

Ms. Sawicki said that since this is an election year, every four years the Borough has to adopt a salary for the Tax Collector who was elected this year for the calendar year from 2022 through 2025. The amount is \$19,800. We need to make a motion for this so that whoever files the paperwork to be elected for this position knows the salary by state law. This is a set fee for the four years with no increase during these years.

Ms. Sawicki made a motion that whoever is elected Tax Collector for the term 2022 through 2025 will have the salary of \$19,800. Mrs. Fooks seconded the motion. The motion was unanimous. Mrs. Heller asked if this was an increase from the previous years. Ms. Sawicki said that it was \$18,900 for the last four years.

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

Mr. Vazquez reported about the Zoning Hearing Board. Paul Marra's term is expiring at the end of this month. Mr. Vazquez asked for a motion to reappoint Mr. Marra for a five year term to the Zoning Hearing Board. A motion was made by Mrs. Heller and it was seconded by Mrs. Fooks. The motion was unanimous.

Mr. Vazquez said that there are two alternate positions open on the Zoning Hearing Board and one full time member. If anyone is interested in these positions, please contact Mr. Vazquez.

Mr. Vazquez wanted to talk about Mr. Howard Hampton. He has served the Borough for over 40 years and he has been an encyclopedia of knowledge when it comes to the Zoning Code and what needs to be done. He will be greatly missed and it has not been easy to find someone to replace him. Mr. Vazquez said that he wanted to "tip his hat" to Mr. Hampton and thanked him for everything he has done for us. Mr. Vazquez wanted to thank Mr. Hampton for taking him under his wing and helping him to know what to do as his part as a Council member. Mr. Hampton joined in the meeting via Zoom and he sent a message to Mr. Vazquez and thanked him for all the kind words.

For the month of December, there were three sewer backups:

4105 Chandler Drive; 3428 Washington Avenue; and 306 Edwards Drive. All of these issues were on the homeowner. There was a smell at the sewer treatment plant and the wind direction was noted. The smell did not appear to be coming from the sewer plant itself; the smell is unknown at this time.

A video inspection was done at the sanitary sewer line at 3435 Victor Avenue. There is a small stream of water entering the sanitary sewer main. Mr. Catania, our Plumbing Inspector and the Chester Water Authority were involved and John's Reliable Plumbing remediated the situation. There is a water issue at Arlington Avenue. There were two emergency callouts for salt. The issue was created from a sump pump at a vacant home causing the area to ice up. The Public Works team assisted the Sewer Plant Operator with pumps and ladders during an inspection. The Leaf Collection for 2020 has been completed. We collected 325 yards of leaves and they were disposed at Linvilla Orchards. This is our new agreement; the leaves will be reused to grow crops. We had two downed trees. Public Works assisted the Police Department with some road barricades from flooding on Creek Road. They also assisted Code Enforcement with road barricades as well on Edgmont Avenue after an accident. Public Works assisted with putting up at least two banners which were put back up. Mr. Heller said we have 17 banners down right now. The cost to replace the banner is \$78.00. Mr. Heller thinks that the first banners were put up poorly due to a lack of experience. The third round of banners was put up by the company that sells and produces the banners. Public Works will be taking over the maintenance of the banners. We had 32 PA1 calls that were answered. There were 665 PA1 calls for 2020. There have been three salting events for 2020. Our year to date use of salt for 2020 was 63 tons.

We have one Public Works employee out on quarantine. All Christmas trees can be put on the curb and they will be picked up by Public Works. Mr. Vazquez mentioned that the E-Code is a searchable engine for all codes. You can use type in the word you want to research and everything about it will pop up.

ENGINEER’S REPORT – MR. CATANIA

Mr. Catania wished everyone a Happy New Year. He submitted his written report but wanted to discuss the following:

~ He received a letter from Acqu about the 537 Revision Plan. The revision is due by January 15th which is not possible. We will discuss this at the Workshop.

~ Sewage Treatment Plant – Everyone is aware that we have had a problem for some time with the pumps clogging. NDI had consulted with Keystone Plant Engineering to make plans to install a mechanical screen which would remove the rags where the sewage enters the plant. This is ready to go and we received a permit from the State. Mr. Catania asked Council for a motion to authorize that bid to obtain and install that mechanical screen. Mr. Vazquez made a motion and it was seconded by Mrs. Heller. The motion was unanimous. Mr. Vazquez said that this screen is really going to help us with the pump issues we have been having. We do have a spare pump and it has been used quite heavily with the clogging of the other pumps.

FIRE MARSHALL – MR. LESLIE

Mr. Leslie reported the following:

~ 532 W. Brookhaven Road – Stonehill Apartments. The Fire Company has been down there a number of time for a fire alarm. It has been discovered that one of the residents is disconnecting the fire alarms as they are going off and then vandalizing them. We are working with the management to get the problem resolved.

~ 4501 Edgmont Avenue – Swiss Farms – We have asked the owner to remove the drums that are piled up. We want to get them out of there.

~ Some residents of Ricks Circle have reached out about the cut through. We are going to put a lock there so the Fire Department can get through.

~ Pep Boys – We are still working with them to get rid of the tires and oil in the back of the building.

BOARD OF HEALTH

There was no report.

ZONING OFFICER –

There was no report.

PUBLIC DISCUSSION

Mr. Dykes, W. Brookhaven Road, asked about the dedicated property that is going at Arlington. In addition to grading it, are they going to do a demarcation such as trees or a small fence so the property owners will know what their property is and what the Borough’s property is. Mr. Heller thought that we agreed last year that the Borough was going to put a fence there. Mr. Catania said that we applied for a PECO Grant to be used for installing a fence and landscaping on that piece of property. Mr. Heller asked what is the status of the Grant; Mr. Catania said they will not announce it until the Spring. Mr. Dykes said that some of the neighbors on Brookhaven Road want to erect a fence; Mr. Vazquez said that before a fence is erected to go to the Borough.

Mr. Dykes asked about the property line on 311 W. Brookhaven Road. Mr. Catania said that the developer still has to complete everything.

Mr. Dykes asked if anyone on Council had an opportunity to look at the intersection of Mt. Vernon and Brookhaven Road and check out the bushes that are on the corner property. Mr. Heller said he looked at it and he does not think there is a problem. Mr. Dykes said that if the car stops behind the white line the bush is in the view of oncoming traffic. Mr. Heller said he does not feel it is enough of a safety issue to do something. He feels the landscape was already there before the painting of the lines. Mr. Gilroy said that it is definitely a bad intersection. Mr. Heller asked the other members of Council to drive by and look at it and discuss it at email.

OTHER BUSINESS

Mr. Will said that there is no requirement under the Pando Land Development Agreement that the Borough signed with the Developer that requires the Developer to install a fence around the perimeter of the property. Mr. Wills commented that regarding neighbor's putting up fences, he believes that the Borough may have a fence Ordinance that requires a permit be issued before a property owner can simply erect a fence. Generally, one of the requirements before we erect a fence is that we have drawings where the proposed fence will be located so we make sure there will not be a boundary dispute with the adjacent neighbor. Sometimes when a neighbor simply puts a fence up, we find out that it is an encroachment on their neighbor's property. Mr. Dykes said he told the neighbors that they had to check with the Borough first. Mr. Wills said that would be one of the first tasks with our new Zoning Officer is to make sure where the fences would be located and authorizations be given to the property owner to put up the fence.

Mr. Heller asked what size is the property of the Open Space that will be dedicated to the Borough. Ms. Sawicki said that it is Lot #8 and is the same size of all the other lots. Ms. Sawicki said that when this development first came in, Council agreed that we would put boxwoods around the perimeter of the Open Space lot. There will be shade trees, some bushes and a bench. This will be part of our passive recreation.

ADJOURNMENT

There was no other business to come before Council. Ms. Sawicki made the motion and it was seconded by Mr. Gilroy to adjourn. Motion carried by unanimous vote. The meeting was adjourned at 8:15 pm.

Respectfully Submitted,

Mrs. Joan Boyle
Brookhaven Planning Commission Secretary