

MINUTES  
BROOKHAVEN BOROUGH COUNCIL MEETING  
MONDAY, JULY 14, 2014  
7:00 PM

Council President, Susan Truesdale, called the meeting to order at 7:00 PM. She welcomed everyone and spoke about the passing of Councilman Daniel M. McCray. She said he will be missed. He leaves behind to cherish his memory his wife, Molly, daughter, Kayleigh other family members and friends. Mrs. Truesdale continued saying everyone including herself have their little stories about Mr. McCray. She chose to keep her stories to herself tonight. Mrs. Truesdale asked for a moment of silence in Mr. McCray's memory. She asked for a motion to set aside a page in the Minutes in memory of Mr. McCray. Mrs. Fooks so moved and Mr. Linowski made the second. Motion carried by unanimous vote.

Mrs. Truesdale led in the Pledge of Allegiance to the American Flag and Mayor Hess read the names of the Borough residents who passed away during the month of June—Daniel McCray, Philomena DiCarlo, Stella Ervin, Valma Zak, John Skolnicki, Sr., Lavinia Luke, Allan Quis and Anthony June. A moment of silence was held in their memory.

The record shows the following people seated at the Council Table: Ms. Sawicki, Mrs. Fooks, Mr. Wilwert, Borough Secretary McKinley, Mrs. Truesdale, Solicitor Maddren, Mayor Hess, Ms. Leslie, Mr. Linowski, and Engineer Catania. Mr. McCray passed away on June 29.

Presentations from Council – Mrs. Truesdale and Mayor Hess

Mayor Hess called Diane and Thomas Dougherty, 300 Coebourn Boulevard, forward. He read A Resolution of Brookhaven Borough Council honoring them on the occasion of their 55<sup>th</sup> Wedding Anniversary. Mr. and Mrs. Dougherty were married on January 31, 1959 at St. Michael's Church in Chester, Pennsylvania. They have resided in Brookhaven for 28 years. They are the parents of 5, grandparents of ten and great-grandparents of four. Mayor Hess said he will be married for 46 years on July 27 and asked for "words of wisdom" from Mr. and Mrs. Dougherty. Mrs. Dougherty said "just keep doing what you're doing" and Mr. Dougherty said "listen to your wife". Mr. Wilwert made the motion and Ms. Sawicki the second to adopt the Resolution. Motion carried by unanimous vote.

Public Discussion

Ms. Kimberly Scheck, 4918 Jackson Drive spoke to Council about a problem in her back yard. She said that in 2009 Messrs. Walton, Feindt and Seth had come to her home to look at an erosion issue. Mr. Walton told her the problem could be resolved by putting rip-rap in the area as had been done in another area of the Borough but it would take time because money had to be placed in the budget for the work. She said on her behalf, Dennis Colgan told Messrs. Walton, Feindt and Seth that if the Borough supplied the plans and materials, he would assume the labor responsibilities to achieve the plan. In April, 2014 Chuck Catania went to the property and recommended a geotechnical investigation be done. The investigation would cost \$2,820. After discussion at the May 5, 2014 Council Meeting, the geotechnical investigation was tabled.

Minutes July 14, 2014 Brookhaven Borough Council Meeting

Mr. Linowski said everyone on Jackson Drive has a similar problem. When this area was developed, the developer buried a lot of things and that is shifting or breaking down. If we take care of one property, we'll have to take care of every property that has a sinkhole.

Mrs. McKinley will go back in the records to see what she can find about the Walton, Feindt, Seth visit to the property back in 2009. Ms. Scheck gave Mrs. McKinley her phone number so she could be kept updated on any progress.

Fire Chief's Report – Chief Montella

For the month of June, 2014, Chief Montella reported the following figures:

| <u>Type</u>        | <u>Month</u> | <u>Year to Date</u> |
|--------------------|--------------|---------------------|
| Fire Incidents     | 4            | 20                  |
| Non-Fire Incidents | 17           | 88                  |
| Mutual Aid         | 15           | 149                 |
| Drills             | 3            | 24                  |

| <u>Loss</u>         | <u>Month</u> | <u>Year to Date</u> |
|---------------------|--------------|---------------------|
| Structure           | \$ 0         | \$ 32,000           |
| Contents            | \$ 0         | \$ 51,000           |
| Vehicles            | \$ 0         | \$ 6,000            |
| Loss Total          | \$ 0         | \$ 85,000           |
| Property Endangered | \$ 0         | \$3,314,000         |

Injury Report – The Injury Report shows no firefighter or civilian injuries or deaths for the month and year to date.

| <u>Manpower</u> | <u>Calls</u> | <u>Average Participating</u> | <u>Month Hours</u> | <u>Year to Date</u> |
|-----------------|--------------|------------------------------|--------------------|---------------------|
| Fires           | 39           | 14                           | 270                | 3,401               |
| Training        | 3            | 27                           | 162                | 1,420               |

Ambulance subscriptions are in the mail.

It's been a busy beginning of July too. Since Saturday, July 6 until Monday, July 14, there have been 29 fire calls with 4 fire incidents. A working house fire at 4:00 AM on Sunday, July 6 on Camelot Drive; a small electrical fire at Stone Hill Apartments on East Brookhaven Road; a small kitchen fire on Janney Avenue where two people were treated at the scene for smoke inhalation; and baby bottles left on the stove on Brookhaven Road with a seven week old infant and parents with brand new smoke detectors sitting on a table with no batteries.

Chief Montella said make sure the batteries are in and in good working order in your smoke and carbon monoxide detectors.

## Minutes July 14, 2014 Brookhaven Borough Council Meeting

Mrs. Fooks asked Chief Montella if they see very many mulch fires. Chief Montella said yes, they do because people throw their cigarette butts into the mulch causing it to catch fire.

### Police Chief's Report – Chief McGoldrick

Chief McGoldrick read letters that have been sent to Officers Jonathan Zebley, Greg Martin and Matt Hughes for life saving recognition. They were sent on behalf of Mayor Hess and Chief McGoldrick. On June 1, officers Zebley, Martin and Hughes responded to the Brookhaven Giant for a medical of “cardiac arrest”. They were the first officers to arrive and located the victim laying face down in one of isles. The victim was not currently being attended to and had no signs of life. Without hesitation, these officers began CPR on the victim. Officers Martin and Hughes prepared the AED to assist. Emergency Medical Services personnel eventually took over the life-saving efforts and the victim was transported to Crozer Chester Medical Center. Although still in the hospital, the victim has survived this heart attack. In another letter from Mayor Hess and Chief McGoldrick, Officer Matthew Hughes was recognized for life saving actions. Marple Township Police reported that there was a female suffering from heat stroke near the intersection of Marpit Drive and Sussex Boulevard in Broomall. The young lady was unconscious, lying in the grass. Although he was not working and this was not his town, Officer Hughes immediately stopped to render assistance. He started life saving measures and the young lady was then turned over to responding Emergency Medical Services. Thanks to his life saving efforts, the young lady is doing well. Chief McGoldrick said he would like Council to recognize these three officers at a future Council Meeting.

School Board Report – Mr. Kuminka will return in September.

### Solicitor's Report – Mr. Maddren

Mr. Maddren said he had four things to address tonight. The first one was authorization for him to advertise the vacancy on council caused by the passing of Councilman Daniel McCray. The ad will also say interested individuals should provide a resume to the Borough Secretary at the Municipal Center prior to 4:00 PM on Monday, July 21. Mr. Wilwert so moved and Mr. Linowski made the second. Motion carried by unanimous vote.

The second item is authorization to advertise for adoption the proposed Group Home Ordinance that the Ordinance Committee has been working on. Mr. Maddren will be reviewing it prior to placing the advertisement. Mrs. Fooks made the motion and Mr. Linowski the second to authorize Mr. Maddren to properly advertise the above proposed Group Home Ordinance for adoption. Motion carried by unanimous vote.

The third item is authorization to advertise for adoption the proposed Rental Yearly Inspection Ordinance. This is another proposed ordinance the Ordinance Committee has been working on. Mr. Maddren will review this prior to placing the advertisement. Mrs. Fooks made the motion and Mr. Linowski the second to authorize Mr. Maddren to properly advertise the proposed Rental Yearly Inspection ordinance for adoption. Motion carried by unanimous vote.

## Minutes July 14, 2014 Brookhaven Borough Council Meeting

The fourth item is authorization for him to properly advertise a Public Hearing on August 28, for the zoning request and land development plan for the Chester Water Authority property to begin at 6:00 PM at the Municipal Center. Mr. Linowski made the motion and Ms. Leslie made the second. Motion carried by unanimous vote.

Regarding a question about the status of the Walker property at 133 Charles Avenue, the County Uniform Construction Code Board set a series of milestones. The owner has missed the first milestone. He is trying to hit the second milestone.

### Minutes Approval

Ms. Leslie made the motion and Mr. Linowski the second to approve the Minutes from the May 19, 2014 Council Workshop. Motion carried by unanimous vote.

Ms. Leslie made the motion and Mr. Linowski the second to approve the Minutes from the June 2, 2014 Council Meeting. Motion carried by unanimous vote.

Mayor's Report – Mayor Hess had nothing to report.

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

Mr. Linowski presented the bill list marked 4:13 PM 07/14/14 which totaled \$232,150.96. There is one addition to the list \$1,965 to Craig Grant to replace a junction box, conduct to shed and holiday tree in the back of the Municipal Center. This brings the total to \$234,115.96. Mr. Linowski explained that the reason the cost of the 2014 Road Resurfacing Program which was \$151,895.98 is included on the list. He also noted that under the General Recreation, Inc. amount of \$4,580 that is 50% of the total. The other 50% is coming from the Green Grant the Borough received. 3 benches and 2 ash urns were purchased. Mr. Linowski made the motion and Mr. Wilwert the second to approve the bill list as amended. Motion carried by unanimous vote.

Mr. Linowski continued his report by saying that American Legal Service has presented the Borough with figures to have a legal review done on our Codified Ordinances and a recodification. Our ordinances have not been legally reviewed since 1977. When this review is completed we will be able to get our ordinances on line. The financial end of this project will be spread out over several years. The total cost is \$9,320. There will be no major financial impact. Mr. Linowski made the motion and Ms. Sawicki the second to authorize Mr. Linowski to sign the agreement with American Legal Services. Motion carried by unanimous vote.

### Council Reports

Minutes July 14, 2014 Brookhaven Borough Council Meeting  
Chair Veterans Groups, Chair Emergency Management Administration, Chair Recycling/Trash  
Committee, Chair Fire Committee, Chair Police Committee, Member of Personnel  
Committee – Ms. Leslie

Ms. Leslie thanked everyone who participated or attended the Memorial Day Service on May 24. She also thanked Brookhaven's American Legion Post #94 for honoring our Police Officer Robert Barth back in June. Officer Barth came in 2<sup>nd</sup> in the State for American Legion Police Officer of the Year.

When power outages occur in the Borough, residents are welcome to come to the Municipal Center to cool off, recharge their cell phones, etc. Members of the Emergency Management Team will be glad to help in any way they can.

Ms. Leslie asked Chief Montella if it would be acceptable to have a Fire Committee Meeting on Monday evening, July 21.

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

Mrs. Fooks announced that there will be no Ordinance Committee Meeting on July 16 or August 20. Right now there is nothing on their agenda. If anyone has suggestions for new ordinances or revisions of existing ones, please contact her.

As Liaison to the School Board, Mrs. Fooks will be attending the School Board Meeting on July 16.

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

Ms. Sawicki said the Planning Commission will meet on July 17 to discuss the Chester Water Authority property and will be finishing up on Auto Zone proposed in the Brookhaven Shopping Center. The meeting will begin at 7:30 PM. She made the motion and Mr. Wilwert the second to accept the Planning Commission's recommendation to approve the Catholic Social Services Home on the Our Lady of Charity property. Motion carried unanimously.

She continued her report speaking about the 70<sup>th</sup> Anniversary Celebration—May 30 and 31, 2015 and the LOGO Contest for the anniversary. All of the necessary information and forms are available in the vestibule of the Municipal Center as well as on our Website. Deadline for entries is September 5. The winner will be announced at Family Day on September 27.

Ms. Sawicki said West Nile Virus is active in our area. There is a lot of information on this subject on the internet.

Chair Public Works, Chair Inspectors and Fire Marshal, Member of Fire Committee, Deputy Emergency Management, Chair Building/Rental Committee and Member of Police Committee – Mr. Wilwert

## Minutes July 14, 2014 Brookhaven Borough Council Meeting

Mr. Wilwert said that the Public Works Department Employees have replanted all of the street islands with summer plants, have worked with a contractor on Scola Road because of sinkholes, replaced the No

Outlet Sign on Williamson Avenue, power washed and repainted the wall at TD Bank near Eaton Park, constructed and installed a park bench in Eaton Park, did normal grass cutting and trash pickup in parks, cut two vacant properties—one on Chandler Drive and one on Upland Road. There were no sewer calls.

Mrs. McKinley was asked to write a letter to the Manager of TD Bank informing them that our employee repainted their wall and applied anti-graffiti solution on which graffiti had been painted. Since this is not our responsibility, the Borough will not repaint the wall any more.

Mr. Wilwert said when the siren at the fire house sounds three short blasts it means life and limb is in danger. When it sounds three long blasts there is something weather related and/or emergency management related coming our way.

Mr. Linowski said that because Auto Zone was granted a variance for the landscaping at their proposed store at the CVS end of Brookhaven Shopping Center, they will be donating the money they would have spent for the trees to the Borough to use as we see fit. It will be turned over to the Arbor Committee.

The Workplace Committee has been meeting on a monthly basis. One of the topics discussed was steel-tipped and/or safety boots/shoes. Mr. Wilwert made the motion and Mr. Linowski the second to permit eligible employees including Public Works and Building Maintenance employees to purchase a pair of safety boots/shoes ever two years for an amount not to exceed \$135 per pair. Should the boots/shoes become damaged or worn out from borough related use, they can be replaced before two years expires. Motion carried by unanimous vote.

Chair Historical Society, Liaison to Holiday Parade Committee, Traffic Calming/Speed Humps Assignor, Chair Comprehensive Plans, Member of Civil Service Commission – Rest in Peace Councilman McCray

Engineer's Report – Mr. Catania

Mr. Catania began his report and said 4 bids were received for the Melvin Drive and North Gray Street storm sewer improvement. Catania Engineering tallied the bids and recommended the award to JMC Contractors in the low bid amount of \$57,000. Mr. Wilwert so moved and Mr. Linowski made the second. Motion carried by unanimous vote.

He continued his report speaking about the AQUA Contract at the Borough's Wastewater Treatment Plant. It has been in effect since 2010. Does the Borough want to go out for bids on this? We have received a new Pennsylvania Department of Environmental Protection Permit for the wastewater treatment plant. There is an automatic renewal clause in the existing AQUA Agreement unless written notice of intent to cancel is given within 90 days. Mr. Linowski made the motion and Mr. Wilwert the second to authorize Mr. Catania prepare bid specifications and properly advertise their availability.

## Minutes July 14, 2014 Brookhaven Borough Council Meeting

Motion carried by unanimous vote.

The 2014 Street Resurfacing Program is complete. If anyone has any issues or complaints, kindly contact him and he will have them taken care of.

Mr. Catania said that periodic inspections are being performed at the new Coebourn School.

There was street settlement on Scola Road. The area was excavated and found to be long-term settlement.

At the Wastewater Treatment Plant we needed to purchase an Influent Sampler. The cost of this Sampler is \$5,225.10. Mr. Linowski made the motion and Mr. Wilwert the second to ratify this expense. Motion carried by unanimous vote.

Mr. Catania continued his report by saying that at 15 Trimble Boulevard and 4601 Spring Street there was a sinkhole over the street lateral. Mr. Linowski made the motion and Mr. Wilwert the second to make the repairs. Motion carried by unanimous vote.

Mr. Wilwert made the motion and Ms. Sawicki the second to authorize Mr. Catania to obtain Road Salt Quotations for the 2014/2015 season. Motion carried by unanimous vote.

### Inspectors' Reports

Board of Health – Mrs. Warfield said she had no report.

Fire Marshal – Mr. Leslie

Mr. Leslie said that 5 years ago, PECO Energy was supposed to do transformer work on Swiftwater Lane and on Cambridge—behind Tom Jones Family Restaurant. Mr. Catania will handle this matter.

Just a reminder in light of the fire on Camelot Drive, charcoal briquettes stay hot for 18 to 24 hours.

Mr. Leslie said he is contacted by companies who want to come into the Borough to sell fireworks. So far he has been able to keep them out but they make all kinds of threats, e.g., they'll sue us, etc. Fireworks are very dangerous, can cause bodily harm and can become an accidental explosive situation. Please notify Mr. Leslie of illegal sales.

Liaison to Recreation Committee, Chair Personnel Committee, Member of Police Committee, Member of Fire Committee and Member Finance Committee— Mrs. Truesdale

Mrs. Truesdale announced Council met in Executive Session immediately prior to this meeting to discuss potential litigation matters.

Minutes July 14, 2014 Brookhaven Borough Council Meeting

The Recreation Board will meet on July 31 at 7:00 PM.

On July 18, rain or shine, the Recreation Board is sponsoring the Theatre in the Park. In addition to events announced at previous meetings, on September 13 there will be Coach Bag Bingo.

Discount tickets to amusement parks and other interesting places are available at the Borough Office during normal business hours. Cash sales only.

With no other business to come before Council, Mr. Linowski made the motion and Ms. Leslie the second to adjourn the meeting. Motion carried by unanimous vote.

Respectfully Submitted,

Mary Ellen McKinley  
Borough Secretary

Minutes July 14, 2014 Brookhaven Borough Council Meeting

By order of Brookhaven Borough Council, this page in the Official Minutes is being set aside in loving memory of Councilman Daniel M. McCray (Danny) who passed away on June 29, 2014 at the age of 49. He was a lifetime resident of Brookhaven; a United States Marine; a loving husband to his wife, Molly; loving father to their daughter, Kayleigh and a friend. He will be missed.