

MINUTES
BROOKHAVEN BOROUGH COUNCIL MEETING
MONDAY, JULY 1, 2013

At 7:00 PM, Council Vice President, Ben Linowski, called the regularly scheduled meeting of Brookhaven Borough Council to order. He led in the Pledge of Allegiance to the American Flag. Mayor Hess read the names of Brookhaven residents who passed away during the months of May and June. Mr. Linowski asked that the 19 firefighters who were killed fighting the wild fires in Arizona be remembered too. A moment of silence was held for everyone mentioned.

The record shows the meeting was held in Council Chambers at the Brookhaven Municipal Center. All seats in the Council Room were occupied with some people standing in the back of the room. The following people were seated at the Council Table (from my right to left): Ms. Leslie, Mr. Wilwert, Mrs. Fooks, Mr. Linowski, Secretary McKinley, Solicitor Maddren, Ms. Truesdale, Mayor Hess, Mrs. Erickson and Engineer Catania. Mr. McCray was absent. He is recuperating from surgery.

PRESENTATIONS FROM COUNCIL

Mayor Hess read an Anniversary Resolution honoring Anthony and Marie Corradetti, 4912 Shepherd Street. Mr. and Mrs. Corradetti were married on September 21, 1946 at Immaculate Conception Church in Marcus Hook, Pennsylvania. September 21, 2013 will mark 67 years of marriage. They have two sons and four grandchildren. Mr. and Mrs. Corradetti were unable to attend the meeting to receive their Resolution. Mayor Hess will deliver it to them. Mr. Wilwert made the motion and Mr. Linowski the second to adopt the Resolution. Motion carried by unanimous vote.

Mayor Hess read a resolution honoring Anna-Colette Haynes, 4617 Sir Galahad Drive, a member of Cadette Troop 4285, for earning the Girls Scouts of America Silver Award. Her Silver Project was organizing a team to clean, paint, and build shelves for Holy Trinity Lutheran Church, Wallingford, PA for the "Homeless Mean Closet". By repurposing the closet space it let church members know about the closet and helped get supplies. Completing this task also allowed the "Crossroads" Closet to be used effectively. He will be presenting it to her tomorrow night at a special ceremony in Aston. Ms. Leslie made the motion and Ms. Truesdale the second to adopt the Resolution. Motion carried by unanimous vote.

PRESENTATION TO COUNCIL - Middletown Township's – Act 537 Plan – Timothy Sullivan, Chairman of Middletown Township Sewer Authority, Robert Scholz, Vice Chairman, John Ibach, Infiltration and Inflow Program Coordinator and Walt Fazler, Engineer from Bradford Engineering were all present to present their plan to Council. Mr. Sullivan explained that every municipality in Pennsylvania is required to adopt a Sewerage Facilities Plan, aka, Act 537 Plan. Middletown Township is proposing to revise their plan in that the conveyancer will change. Treatment will be changed from Southwest Delaware County Municipal Authority (SWDCMA) to DELCORA. There will be two phases to this project. As part of Phase 2, the line will pass through Brookhaven. The Chester Creek Interceptor starts at Knowlton Road, crosses Duttons Mill Road, goes down Chester Creek Road and then to Bridgewater Road. It will "traverse the Chester Creek". He explained that on Chester Creek Road it will go past 10 or 15 homes, past the Brookhaven Swim Club and the vacant building (Blast Fitness). They will be staying on the shoulder of the road on the creek side of the road. Mr. Linowski said he is one of the 12 homes on the other side of the street. He asked if they would be putting the line on top of the existing pipe. Mr. Sullivan said no, it will be put parallel to it. Is there any intention to upgrade or enhance the creek bank. No improvements to that—only what PennDOT would require. Mr. Linowski said there have never been any improvements to the creek bank since the original improvements were made many years ago. He is bringing up these issues both as a resident

Minutes July 1, 2013 Brookhaven Borough Council Meeting

and Councilman. Mr. Wilwert asked about things being disturbed. Mr. Sullivan said anything that is disturbed will be put back. It was suggested that Middletown's engineer and our engineer go over the project. What action must this Council take? Mr. Sullivan said nothing. All of the work being done is being done in the public right of way.

POLICE CHIEF'S REPORT – Chief McGoldrick said that we sent three of our police officers to assist with the recent PGA Tournament at Merion Golf Club. Not only did the PGA pay their salaries, they paid administrative fees and other expenses. Chief McGoldrick spoke about the Municipal Training Act and said this program is now on line so the officers don't have to travel to go to the training. His safety tip for this month concerned alarm companies. He said the little signs they give you are good but there have been people coming around saying they are from an alarm company and they want to change your key pad. Don't fall for that. Tell the person you were not aware of the fact it needed to be changed and you will handle it yourself with the alarm company. Then call 9.1.1. to report the incident.

SCHOOL BOARD REPORT – Mr. Linowski for Mr. Kuminka – Mr. Kuminka is on vacation but e-mailed his report to be read into the record. It said on June 20, Coebourn held an Open House for alumni and staff to have an opportunity to conduct a final walkthrough prior to demolition. He thanked Mr. Coleman for providing a historical slide show and Coebourn's PTL for supporting the evening with refreshments and support. Demolition of the building will be conducted over the summer and may begin on July 20. The Office Staff have officially moved to Our Lady of Charity. Contact phone numbers, mail and webpage have not changed.

FIRE CHIEF'S REPORT – Chief Montella reported the following figures:

<u>Type</u>	<u>Month</u>	<u>Year to Date</u>	
Fire Incidents	3	18	
Non-Fire Incidents	13	72	
Mutual Aid	17	114	
Drills	5	27	
Total	39	232	
<u>Loss</u>			
Structure	\$15,000	\$38,000	
Contents	0	13,000	
Vehicles	3,000	5,000	
Loss Total	18,000	51,000	
Property Endangered	\$1,000,000	\$4,700,000	
<u>Injury Report</u>			
Firefighter Injury	3	3	
Firefighter Death, Civilian Injury, Death	0	0	
<u>Manpower</u>	<u>Calls</u>	<u>Avg. Pers.</u>	<u>Hours</u>
Fire	39	15	3,054
Training	5	26	1.461

There were building fires at CVS in Brookhaven Shopping Center and AMF on the corner of Edgmont Avenue at Edwards Avenue.

The Fire Committee and Council Members can now participate in "ride alongs" with the fire company.

The fire company received a \$200 donation from Haven Camp c/o Dawn Jones. The camp was held at the Municipal Center.

Minutes July 1, 2013 Brookhaven Borough Council Meeting

Chief Montella reminded Council that they are in need of a new fire truck which takes two years to build a truck. Two of the existing trucks have seen or will be seeing soon their useful purpose.

The parking situation on Shepherd Street was discussed by Chief Montella. It is his opinion that parking only on one side of the street will create more of a problem than already exists. The problem is only at the Dutton's Mill corner and Coebourn Boulevard corner. Traffic on Shepherd Street is four times as heavy as that on Greenwood Street which already has parking only on one side. Mr. Wilwert said he would like to try no parking 20 feet from a stop sign and will get a line painted on the street making the 20 feet from the stop signs. We will do whatever is best for the emergency services people. It was suggested that a letter about parking sent a few years ago to every home on Shepherd Street be updated and sent out again.

PUBLIC DISCUSSION

Before Mr. Linowski opened the meeting to Public Discussion he spoke about the Chester Water Authority (CWA) Property. To the best of our knowledge, there have been no negotiations between them and any developer. Anything anyone has heard to the contrary is "entirely preclusive". This Council, the Brookhaven Planning Commission, Delaware County Planning Commission and other entities would have to be involved in any lease or sale or development of property. This Council has invited Chester Water Authority Officials and officials from Retail Sites to Workshop on July 22 at 7:00 PM to bring us up to date on what may or may not be going on. This Council has no knowledge of what they propose. There is "nothing solid" coming through at this time. Mr. Wilwert asked if the meeting on the 22nd could be held in a bigger room. Mr. Linowski said the meeting could be held in the gym.

Robert Rosati, 4807 Shepherd Street asked if Middletown Township's line into DELCORA lines would stop at our Wastewater Treatment Plant. Mr. Wilwert said this has nothing to do with our WWTP. Mr. Rosati asked "as of right now, who is the owner of the Water Company property." Mr. Linowski said Chester Water Authority. Mr. Rosati spoke about a foul odor and toilet paper in the woods near where our WWTP water goes into Chester Creek. Mrs. McKinley said our WWTP is not always the culprit. SWDCMA also has a release in the same general area on the Chester Township side of the creek too. Mr. Wilwert said that sometimes, but not often, when there has been a lot of rain we have overflow problems. These are properly handled by the contractor who takes care of the plant.

John Coleman, 714 Adams Drive thanked the former and current residents, students, faculty and everyone else who took time to attend Coebourn School's final walkthrough. More than 500 people participated. There is consideration being given to having an "All Year Reunion" next year.

Karen Jablonski, 4802 Shepherd Street, asked what role Borough has in the sale of the Chester Water Authority property. Mr. Maddren said, among other committees/commissions, our Planning Commission would have a role in that. He said that he expects that on July 22 they will come out with a plan. They previously sent a plan in to him and he rejected it because Chester Water Authority did not have a plan. Representatives from Giant might also be in attendance on July 22. If they make application for a change it would involve Zoning, our Planning, Delaware County Planning and all three engineers. There would have to be a Public Hearing either concurrent to a change or subsequent to a change. A sub-division would go to the Planning Commission then to Council. All meetings would be open to the public. A court reporter would be present so there would be a transcript of the hearing. The Planning Commission is an advisor to Council but Council has the final say. This is a "by right plan". We can't say no. The CWA property is currently zoned RS.

Josephine Szostek, 340 Trimble Boulevard asked if the Borough can buy land from Chester Water Authority.

Minutes July 1, 2013 Brookhaven Borough Council Meeting

Has it ever been offered to us? Mr. Maddren said they can not just give the Borough land. He also said that he did not think CWA sought out buyers.

Rob Nelson, 820 Lincoln Drive, spoke about the Signs at two intersections—Lincoln at Adams and Lincoln at Jackson. People just don't pay attention to them. Can Watch Children signs be put on the Stop Signs? Mr. Wilwert said they can't be put on the Stop Signs. Mr. Catania will review the areas and determine where a Watch Children sign or signs can be installed. Mr. Wilwert said PennDOT has strict guidelines on the placement of signs. Mr. Nelson also asked if the website could be used to get important information out to the public.

Kim Rosati, 4807 Shepherd Street, said that back in the 1990's when there was proposed development of CWA property by Giant, after a public meeting to discuss the subject, Mayor Garzia sent out a questionnaire to get public input. Mr. Maddren said he thought that could be done again but Council would have to make that decision.

Mr. Linowski said his wife was trying to get information from Channel 10 and the channel is broken. Mr. Wilwert said Comcast "is messing with our channel". They will be contacted to correct the situation.

SOLICITOR'S REPORT – Mr. Maddren said that the Proposed Zoning Ordinance Amendment addresses the liquor license being brought into the Borough. Among other things, it defines uses. There will be a public Hearing at 7:00 PM on August 5.

Regarding the Animal Ordinance Amendment he and the Ordinance Committee are still working on that to fine tune it.

Mrs. Fooks made the motion and Ms. Leslie the second to ratify Matthew Stone as Chairman and also to appoint Joseph Petka and William Platt to the Taxpayers Bill of Rights Appeals Board. Motion carried by unanimous vote.

Mr. Maddren said he and the Ordinance Committee are fine-tuning the proposed Animal Ordinance Revisions.

Mr. Maddren said that Retail Sites did post something on line about the Water Company property. Mr. Maddren asked them for a current copy of the plan so we can get it up for review. He has also asked Chester Water Authority to come to the Workshop on July 22 along with Retail Sites.

FINANCE COMMITTEE, CO-CHAIR VACANCY REVIEW COMMITTEE, POLICE COMMITTEE CHAIR AND CIVIL SERVICE LIAISON – Mr. Linowski

Mr. Linowski asked for a motion to approve the bill list marked final and dated July 1, 2013. The total is \$137,778.16. Mr. Wilwert made the motion and Ms. Leslie the second. Motion carried by unanimous vote.

Mr. Linowski continued his report speaking about the fact that the eligibility list for full-time police officers expired on June 16, 2013. He said he has spoken to the members of the Civil Service Commission and they are working on the situation.

The proposed Resolution concerning full-time police officers was tabled until the August 5 Council Meeting.

The Lease for the District Court 32-2-39 expired 06/30/13. The new 10 year lease with the County which begins 07/01/13 through 07/01/23 is ready for approval. Ms. Leslie made the motion and Mrs. Fooks the second to approve the lease. The 2013 yearly amount is \$44,022.00 with a \$0.25 per square foot increase annually throughout the length of the lease. The lease is for 3,036 square feet. Motion carried by unanimous vote. Mr. Linowski thanked

Minutes July 1, 2013 Brookhaven Borough Council Meeting

Council for approving the lease and said we are all neighbors and must work together.

MAYOR'S REPORT – Mayor Hess did not have a report this evening.

MINUTES APPROVAL

Ms. Leslie made the motion and Mr. Wilwert the second to approve the Minutes from the May 20, 2013 Workshop. Motion approved by unanimous vote.

Mr. Wilwert made the motion and Mrs. Fooks the second to approve the Minutes from the June 3, 2013 Council Meeting. Motion approved by unanimous vote.

COUNCIL REPORTS

CHAIR ZONING HEARING BOARD, CHAIR COMPREHENSIVE PLANS, CHAIR HOLIDAY PARADE COMMITTEE, CHAIR LONG RANGE DEVELOPMENT, MEMBER POLICE COMMITTEE, MEMBER FIRE COMMITTEE AND ASSISTANT CHAIR ARBOR/SHADE TREE COMMITTEE – Ms. Truesdale reported that the Long Range Development Committee has not met recently because of scheduling problems.

She continued her report by saying that the Fire Company responded to a vehicle fire across the street from her home. Their response was quick and they did a great job.

The Zoning Hearing Board did not meet on May 13 because there were no matters that needed to come before them.

CHAIR PUBLIC WORKS, CHAIR BUILDING COMMITTEE, MEMBER FIRE COMMITTEE, DEPUTY EMERGENCY MANAGEMENT, GRANT COMMITTEE AND MEMBER LONG RANGE DEVELOPMENT – Mr. Wilwert reported that the Public Works Department has added two large flower pots at the entrance to the Municipal Center. He also reported that the pumps at Sampson Park's retention pond stopped working after a heavy round of rain early in the month. The pond was kept pumped down by using a large gasoline pump. It was discovered that a large tree limb had burned through the electric supply line to the pump panel. The pumps were removed and were taken to Deckman Electric in Bridgeport, Pennsylvania to have them checked for damage due to the low voltage. No damage was found and they will be reinstalled when enough dry weather allows the Public Works employees to get into the pump pit. There were 5 potholes reported by residents via the Borough Office and the potholes were filled on a timely basis. Speed humps and signs were installed at various locations in the Borough. More have been ordered. Steel poles at the Dutton's Mill sign on Lincoln Drive were removed at the request of Council President McCray. 35 cubic yards of certified playground mulch was purchased and delivered to Garzia Park. This material was spread by the Maintenance Department employees. The Maintenance Department employees responded to one sewer back up call which turned out to be the homeowner's problem, not the Borough's. Sinkholes were checked in the lawns of homes on West Brookhaven Road and also DiMaio Drive. Both are the problem of the homeowners. One is caused by a rotted out tree stump and the other is caused by an old septic tank that collapsed. Tennis court painting will continue as weather permits. Storm sewer inlets were cleaned numerous times both before and after all of the heavy rain. The procedure for obtaining a parking space for handicapped individuals at their home is being reviewed.

The Grant Committee has a rough list of projects. They are waiting for a couple more projects to be added to the list from other groups.

Minutes July 1, 2013 Brookhaven Borough Council Meeting

Town Watch continues to patrol and during the summer they helped with traffic control and pedestrian street crossing for the Junior Jumps and dances at the Brookhaven Swim Club.

CHAIR VETERANS GROUPS, CHAIR EMERGENCY MANAGEMENT ADMINISTRATION, CHAIR RECYCLING, CHAIR FIRE COMMITTEE AND MEMBER POLICE COMMITTEE – Ms. Leslie said that the Fire Committee will meet on July 18. Ms. Leslie said she and Ms. Truesdale and ready to go on the “ride alongs” mentioned earlier in the meeting.

The siren on the roof of the Fire Company is up but it still needs more wiring before it can be tested.

BUSINESS AND REVITALIZATION COORDINATOR, CHAIR ORDINANCE COMMITTEE, MEMBER CONDO ASSOCIATION, SCHOOL BOARD LIAISON AND LIAISON CLOCK COMMITTEE – Mrs. Fooks that the Ordinance Committee will not meeting during July and August due to vacation schedules. They will convene on September 18 and will work on finalizing the proposed Rental Inspection Ordinance so they can give it to Solicitor Maddren for review.

On July 16 from 4:00-6:00 PM the SPCA’s Annual Chip and Inoculation Clinic will be held at the Municipal Center. It will be held in the gymnasium. Interested individuals who would like the information on this event may pick up a flyer that has been placed on the audio stand in the back of Council Chambers.

CHAIR HEALTH INSPECTOR, CHAIR PLANNING COMMISSION, CHAIR ARBOR/SHADE TREE COMMITTEE, CHAIR TRAFFIC CALMING, SCHOOL BOARD LIAISON AND CHAIR INSPECTORS AND FIRE MARSHAL – Mrs. Erickson said that the Borough’s Planning Commission did meet on June 19 and their meeting was continued on June 20. They are reviewing the proposed Skulski Subdivision and Middletown Township’s Act 537 Plan. The Planning Commission will meet again on July 17 at 7:00 PM.

Mrs. Erickson spoke about West Nile Virus and ways to prevent attracting the mosquitoes that carry it. A flyer on this matter can be found in the information rack in the vestibule.

ENGINEER’S REPORT – Mr. Catania’s asked ratification of the expense to repair the sanitary sewer sinkhole in the street at 3436 Commerce Avenue. Mr. Wilwert so moved and Mrs. Erickson made the second. Motion carried by unanimous vote.

Storm drainage complaints were handled at the following locations: 4918 Jackson Drive for stream channel erosion; 609 Hillside Avenue regarding drainage from an adjacent property and our crew and a representative from Mr. Catania’s Office will review the complaint at 813 Lincoln Drive.

Unsafe deck construction in 2010 by a contractor at 4938 Jackson Drive was examined. The unsafe condition was repaired by the contractor who did the work back in 2010.

The sanitary sewer right of way clearing/line cleaning on the sewer line along Ridley Creek continues in an effort to locate buried manholes.

A Growing Greener Grant Application has been filed for watershed protection and improvements with priority given to the Chester Creek watershed and the possibility for storm water drainage in the area of North Gray at Melvin Drive.

More information on the Flood Insurance Community Rating System is being obtained and will be discussed next

Minutes July 1, 2013 Brookhaven Borough Council Meeting

month.

The new application period for the PECO Energy Conservation Grant has opened. Mr. Catania will be reviewing this to see if the Borough will qualify for any funds.

INSPECTORS REPORTS

FIRE MARSHAL – Mr. Leslie said he would give his report at the next Workshop.

ELECTRICAL, CODE ENFORCEMENT AND PLUMBING – Messrs. Grant – J. Grant said that the Borough looks a lot better since the letters he sent out to businesses who had temporary signs out. Most of the signs have been removed by the businesses or organizations involved.

HEALTH INSPECTOR – Mrs. Warfield spoke about individuals blowing their grass clippings and other yard waste into the street. This is in violation of a Borough Ordinance. She also said that the Jack and Jill Ice Cream man is back in the Borough and has been told about the need for a permit. He left town.

BUILDING INSPECTOR – Mr. N. Sanbe is on vacation and did not leave a report.

No other inspectors had reports.

CHAIR RECREATION COMMITTEE, CO-CHAIR VACANCY REVIEW COMMITTEE, CHAIR TRASH/RECYCLING PERFORMANCE COMMITTEE AND MEMBER CONDO ASSOCIATION – Mr. Linowski for Mr. McCray

Mr. Linowski asked for a motion to waive the permit fee for an Eagle Scout Candidate Food Drive at Pathmark on 6/8, 9, 21 and 22, 2013. Ms. Leslie so moved and Mrs. Fooks made the second. Motion carried by unanimous vote.

Mr. Linowski wished everyone a happy and safe Independence Day.

Mr. Linowski announced that there will be an Executive Session immediately following this meeting for the purpose of discussing legal and/or personnel matters.

PUBLIC DISCUSSION – None

There was no other business to come before Council. Mrs. Erickson made the motion and Ms. Leslie the second to adjourn the meeting. Motion carried by unanimous vote.

Respectfully Submitted,

Mary Ellen McKinley
Borough Secretary