

MINUTES
BROOKHAVEN BOROUGH COUNCIL MEETING
MONDAY, JUNE 1, 2020

At 7:00 PM Council President Terry Heller called the regularly scheduled Brookhaven Borough Council Meeting to Order. Mr. Heller led in the Pledge of Allegiance to the American Flag.

The record shows the meeting was held by Virtual Teleconference and the following people participated in the meeting by Zoom: Council President Mr. Heller, Councilpersons Ms. Sawicki, Mrs. Heller, Mr. Vazquez, Mrs. Fooks, Ms. Leslie, Mayor Hess, Mr. Pappas, Engineer Mr. Catania and Solicitor Mr. Wills. The minutes were recorded from the Zoom Teleconference by Planning Commission Secretary Mrs. Boyle.

Mayor Hess read the names of the Brookhaven residents who passed away recently: Kathy Essaf, Edward Connor, Angelo Marsella, Marian Mirigliani, Nicholas Spildener and Mary Jane Wrzesniewski.

PUBLIC DISCUSSION

There was none.

SOLICITOR'S REPORT – MR. JAY WILLS

Mr. Wills said that he hoped everyone was safe and staying safe during these challenging times. He reported the following:

3607 Victor Avenue – Regarding the state of the Delaware County Judicial System: June 1st was the date that the Emergency Judicial Order was scheduled to be rescinded. However, last week, Judge Kevin Kelly extended the Judicial Emergency through July 31, 2020. This means that most of the Court Systems, the Delaware Court of Common Pleas and Magisterial District Courts including the Brookhaven District Court will continue to be closed to the public, except for certain limited exceptions. We were scheduled for a preliminary injunction hearing on the property at 3607 Victor Avenue for June 18th. This has already been continued for two times. Mr. Wills said that he suspects this case will get continued for a third time.

Brookhaven Glen Development – This is the age 55 restricted development off of Edgmont Avenue. The Land Development plans have all been signed off by the Council President, the Brookhaven Engineer and the Chairperson of the Brookhaven Planning Commission. The Developer will next be required to have the plans recorded at the Delaware County Court House.

This may be a problem for the Developer since the Court House will be closed for a time. Mr. Wills will continue to draft a Developer's Agreement, Improvement Security Agreement as well as an Agreement for Escrow and Payment of Professional Fees. Mr. Wills will have these available later this month.

Subdivision/Land Development Application/Guidelines – This is for protocols when we receive a Land Development and Subdivision Application. We have not had a formal application on file at the Borough nor did we have any submission guidelines. During the last few weeks Mr. Wills has drafted and prepared a Formal Application and Submission Procedures for all Subdivision Land Development Applications. This will be a more orderly way of handling those particular applications. Mr. Wills has provided a copy to the Borough Assistant Secretary, Mr. Matt Copple, so in the event we have more applications, we will know precisely what to do.

Ms. Sawicki said that Mr. Hampton wanted to ask Solicitor Wills about submission procedures for Land Development. He wanted to know if we could add subdivisions and reverse subdivision on the form that Mr. Wills has put together. Mr. Wills said that for clarity he could add the word “reverse subdivisions” as well.

Carman’s – We received an order from the Court last month indicating that the Conservator has been granted approval to order sale of this property. That order was entered on May 8, 2020; technically the property owner has 30 days if he is dissatisfied with that order to file an appeal to the Appellate Courts of Pennsylvania. The timeline for this is June 8, 2020. If no appeal is filed by this date, the property will be listed for sale.

Pedestrian Slip And Fall Accident On Edgmont Avenue –

We were given notice last week of this accident. Edgmont Avenue is a State Road and owned, operated and maintained by PennDOT. The Borough has little if any responsibility for maintenance of State Highways. Mr. Wills has put our insurance carrier on notice of a potential claim. Mr. Wills said he suspects that if there is any fault of responsibility for this accident it will fall under the responsibility of the Commonwealth of Pennsylvania and specifically, PennDOT. Mr. Wills has corresponded with the Police Chief and the Fire Chief and they have no reports about this accident, which occurred in December, 2019.

Dunkin Donuts – 4580 Edgmont Avenue - This is a minor Land Development Application on Edgmont Avenue. The property was initially an old WAWA store. Mr. Wills has spoken with the owner and he has to have his plans recorded with the Delaware County Court House. Mr. Wills will be preparing a Developer’s Agreement and an Improvement Security Agreement for that particular land development process so that they can move forward.

Mr. Wills said that in speaking with Council President Mr. Heller, the Borough is going to consider recalling a number of our furloughed employees beginning Monday, June 8, 2020. This would be subsequent with moving into the Yellow Phase as proposed by Governor Wolf which will occur on Friday, June 5, 2020. Mr. Wills will be preparing various Furlough Recall Notifications and will issue letters that will be going out on behalf of the Mayor and the Council President.

Mr. Heller asked about our remote meetings during the Yellow Phase. Mr. Wills said that we need clarification as to how many people may be able to be in a public room altogether. Mr. Wills said that it is his understanding that it is limited to 25 people. Mr. Wills said that unless this number is expanded, he would not be comfortable with having meetings in the Council Room. Mr. Wills said that in his opinion, this would be insufficient to hold a Council Meeting that is open to the general public. Based on past meetings, we would exceed that number of 25 people so we will continue to hold our Borough Council Meetings, via teleconference, via Zoom. If the number was expanded, we would still need to do the safety protocols of everyone wearing a mask and for everyone to be required to sit a minimum of six feet for social distancing. Mr. Heller said that we would have to assume that we would have to go off the capacity of the Council Room; we will probably not go back to having in person meetings until we are in the Green Phase. Mr. Wills said if we had a meeting in Borough Council Chambers during the Yellow Phase, we would have to do square footage to see how many people we could fit by doing six feet social distancing as required by CDC guidelines and the Pennsylvania Department of Health. Mr. Leslie said that the Occupancy Number is posted in the Council Room.

MAYOR’S REPORT

Mayor Hess reminded everyone that the Primary Election will be tomorrow, June 2nd, from 7 am to 8 pm. All voting will be done at Coebourn School for all six precincts. If you have already sent in a mail-in ballot, you do not need to vote tomorrow. If you receive your mail-in ballot by tomorrow and did not mail it, you can drop it off at Coebourn School tomorrow and drop it in the ballot box that will be available. Mr. Heller asked the question that if you signed up for a mail-in ballot, can you still vote in person tomorrow if you did not mail it back. Mayor Hess said yes, as long as you did not mail it back to the Court House.

Mayor Hess wanted to give another reminder about the 2020 Census. If you have not done so, please go on to website [2020census.gov](https://www.census.gov). It only takes about five minutes to get it done and it does a lot for Brookhaven. It gets us funding for our schools, funding for hospitals, fire department and gives us the number of seats in the House of Representatives.

Mayor Hess said that when we go to the Yellow Phase on June 5th, we still need everyone’s help to stop the spread of the COVID-19 virus. Mayor Hess said that he sees so many people not wearing a mask and standing shoulder to shoulder.

FIRE CHIEF – ROBERT MONTELLA

Chief Montella said he forwarded his report to Council for the month of May and reported the following for May:

- ~ 5 fire incidents
 - ~ 12 non fire incidents
 - ~ 19 calls for mutual aid
 - ~ 4 drills
- Total calls of 40 for May and 225 for the year
- ~ no loss of structure or contents for the month
 - ~ no fire fighter or civilian injuries for the month

Manpower

- ~ 40 calls for the month
- ~ average of 14 fire fighters per call for month
- ~ 461 hours of service for the month
- ~ 2,786 hours for the year
- ~ 4 drills for the month
- ~ average of 26 fire fighters
- ~ 126 hours of training for the month
- ~ 1,008 hours of training for the year

We responded to the following fire incidents:

- ~ 532 W. Brookhaven Road, Stonehill Apartments. It was an oven fire.
- ~ 5200 Hilltop Drive, Building B – an electrical problem
- ~ Three auto accidents; one at Bridgewater and Creek Road; 3600 block of Edgmont Avenue and one at Edgmont Avenue and Brookhaven Road.
- ~ Assisted Chester Township Fire Company on a building fire at 2500 Concord Road which is the Haven Memorial Funeral Home and another building fire at 9th and Townsend Street.

- ~ Assisted Chester Fire Department on a 5-Alarm Church Fire at 906 W. 9th Street and also covered the city of Chester for seven hours and handled all 911 emergencies for them as well.
- ~ we had a COVID-19 incident involving 12 firefighters at the Haven Memorial Funeral Home . All personnel had proper PPE donned and no exposures did occur. All of the incident activities were logged with the people involved.
- ~ transported 14 COVID-19 positive patients to the hospital for May. EMS has only transported one COVID-19 patient in the last two weeks which is a really good sign. This was not in the Borough. This has really dropped off for us.
- ~ our monthly training was vehicle extrication, pump operations and hose deployment.

Ambulance Report

- ~ 113 ambulance calls
- ~ 64 transports
- ~ 75 were dispatch ALS calls
- ~ 35 were dispatch BLS
- ~ 77 local calls in Brookhaven
- ~ 36 mutual aides
- ~ we have responded to 643 ambulance calls this year

POLICE CHIEF REPORT – CHIEF KURTEN

Chief Kurten gave the following report for May:

- ~ 7 arrests; 6 adults and one juvenile for a total of 18 charges.
- ~ 2 referrals to the Youth Aid Panel
- ~ 5 thefts total; 2 were retail and 3 from property
- ~ two DUI arrests

Significant incidents/arrests

- ~ Officer Subers was at Trimble Run Condo on May 11th for a drug complaint. His investigation led to the seizure of heroin, marijuana and crack cocaine. We took over \$2,000 in drugs and a vehicle were seized.
- ~ We went to a residence on May 12th on W. Brookhaven Road where we have had ongoing calls about domestic complaints. The offender was taken into custody, booked and upon release returned back to the house against the Judge's orders. He was booked again on various charges including the non-compliance with bail. The officers are very diligent in doing their job.
- ~ we had 301 business security checks for the month for a total of over 1,500 for the year.

Traffic Enforcement:

- ~ 6 motor vehicle citations issued
- ~ 6 parking warnings
- ~ 18 motor vehicle collisions were investigated

Chief Kurten said there was no training this month. The officers are doing their high visibility control to decrease criminal incidents. We are still engaged in doing various drive-by celebrations for the residents.

Officer Kyler is still on injury leave from the incident last year. We are still undertaking our protective measures for COVID-19 and the furloughed police officers will be back on duty very shortly.

Mayor Hess asked about the Walgreen's robbery. He asked if the sentencing would be delayed because of the closure of courts. Chief Kurten said that it is scheduled for June 5, 2020. It will not be open to the general public. Chief Kurten will be attending.

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 asked for a motion to approve the April 6, 2020 Brookhaven Council Meeting Minutes. A motion was made by Ms. Leslie and seconded by Mrs. Fooks. The motion was unanimous.

Mr. Heller asked for a motion to approve the April 27, 2020 Brookhaven Council Workshop Meeting Minutes. A motion was made by Mrs. Fooks and seconded by Ms. Leslie. The motion was unanimous.

Mr. Heller asked for a motion to approve the May 4, 2020 Brookhaven Council Meeting Minutes. A motion was made by Ms. Leslie and seconded by Mrs. Heller. The motion was unanimous.

Mr. Heller asked for a motion to approve the May 18, 2020 Brookhaven Council Workshop Meeting Minutes. A motion was made by Ms. Leslie and seconded by Mr. Vazquez. The motion was unanimous.

Please note: The Brookhaven Council Workshop Meeting scheduled for March 23, 2020 was cancelled due to the COVID-19 Pandemic. There are no minutes for the March, 2020 Workshop Meeting.

Mr. Heller said that at the May Workshop Meeting, Council voted to advertise for the position of Office Manager. We received nine or ten applications and everyone will be notified by tomorrow of their interviews which will be held on Tuesday, Wednesday and Thursday of this week. Due to the urgent need for this position since the Borough Secretary duties will be attached to the Office Manager role, Council will meet in an Executive Session at Noon on June 6, 2020 via Zoom to make a decision on which applicant we will hire for this position. The meeting was advertised in the Delaware County Daily Times. We will attempt to get that individual started to work as soon as possible.

Mr. Heller said that the parks were opened on May 26, 2020. Assuming the COVID-19 cases for the last three weeks are accurate, Brookhaven has 12 current active cases. Our total of positive cases is 53 to date. We have had three deaths and all three deaths occurred in one house which was institutionally owned.

Mrs. Fooks asked about Coebourn School fields. Mr. Heller said all group sports are out. Mrs. Fooks asked about people just going onto the fields. Mrs. Fooks asked about residents playing Basketball on the grounds. Mr. Heller said that Basketball is one of the last sports to play at this time. It is a contact sport and he would advise against it. Mr. Heller said that the barricades will be taken down; this was probably a miscommunication. Mrs. Heller asked if Coebourn fields are the responsibility of the Penn Delco School District. Mr. Heller said that we asked them if we could close Coebourn fields during the Pandemic because there were too many multi families using the fields.

Borough Hall will be open on June 8, 2020 for in person business. All patrons must wear masks and the only area that will be open is from the vestibule to the window only. We will have hand sanitizer available.

No contact is to be made from the contact other than at the window. The Inspector's Office is off limits. Mr. Matt Copple will handle all permits and they will only be handled at the window; you must make arrangement by email or phone for this. Rentals for the Borough Hall are down for the foreseeable future.

Mr. Heller wanted to add that the pump at Borough Hall is going and is affecting the air conditioning. The original estimate was \$1,600 but the cost ended up being close to \$8,600. We did go ahead and order that pump and we are going to rebuild the old pump to have as a spare for a cost of \$500 to \$600. This should be completed by the end of the week.

VICE PRESIDENT OF COUNCIL, CHAIR EMERGENCY MANAGEMENT ADMINISTRATION, CHAIR RECYCLING/TRASH COMMITTEE, MEMBER FIRE COMMITTEE, CO-CHAIR VETERANS' COMMITTEE, AND MEMBER POLICE COMMITTEE – MS. LESLIE

Ms. Leslie said that she wanted to give a Thank You to the Mayor, the Council, the Fire Department and the Police Department for participating in the Brookhaven Memorial Parade around the Borough. The Parade was very well received.

Ms. Leslie said that we have had many complaints about mixing trash with the recyclables. Everyone is home and cleaning out their homes, garages and attics. Please be mindful of not putting trash into recyclables. We have pictures showing trash being put into the recyclable cans. Also, if you bag up your trash, it cannot be more than 30 pounds.

Ms. Leslie commented to the Police Department and the Fire Department to keep up the good job of keeping up with the COVID-19 virus and doing the drive by celebrations.

Regarding Emergency Management, Mr. Steve Schultz is keeping up to date with everything with COVID-19 supplies. Initial projects are being summed up with COVID-19 in the grant portals as the incidents continue. Mr. Schultz had two meetings with FEMA and he is reaching out to other repetitive loss property owners on the list in the section of Chester Creek Road to see if they are interested in going into the Mitigation Program to sell their homes. Mr. Schultz plans to have a meeting during the third week of June if all goes as planned.

PRESIDENT PRO-TEM, 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 asked about having Flu Shots during the Flu Season (in September). She asked if we can schedule this in the Municipal Center for the Seniors. She said that there are about 50 people that normally come for the Flu Shots and it only takes a few hours. She feels this will give the Seniors some peace of mind about not getting the regular flu and this will make it easier for them to come here. Ms. Sawicki will check with the Borough Office about scheduling this or to see if it is already scheduled. Mr. Heller said that this is one thing we can make an exception for using the building.

Ms. Sawicki reported that she has the bill list for June. The General Fund is \$33,239.56; the Sewer Fund is \$4,241; the Grand Total is \$37,480.56. Ms. Sawicki made a motion to pass the Bill List so we can pay the bills for June. Ms. Leslie seconded the motion. The motion was unanimous.

BUSINESS AND REVITALIZATION COORDINATOR, MEMBER FINANCE AND ADMINISTRATION, MEMBER GRANT COMMITTEE, MEMBER HOLIDAY PARADE COMMITTEE, MEMBER LONG TERM AND COMPREHENSIVE PLAN COMMITTEE, ORDINANCE COMMITTEE, MEMBER RECREATION BOARD, SCHOOL BOARD LIAISON, MEMBER CONDO, TECHNOLOGY AND COMMUNICATIONS COMMITTEE – MRS. FOOKS

Mrs. Fooks reported the following:

The Ordinance Committee met via Zoom on May 21st and discussed the Welcome Packet, the Animal Control Ordinance and the Garbage Ordinance. Mrs. Fooks will email the members a copy of the Animal Control Ordinance and hopes to pass it at the next Council Meeting. We also will have some changes to the Garbage Ordinance. The Welcome Packet is a great packet for new residents and will be very helpful to them. Mrs. Fooks will email a copy to the Council members.

The Chip Vaccination Clinic is scheduled for May, 2021.

Mayor Hess asked Mrs. Fooks about open fire pits. Mrs. Fooks said that they will be talking about that at the Ordinance Meeting. It is an open Ordinance right now and does not talk about fire pits at all. It needs to be modified. Mayor Hess said that he has received complaints during the last several weeks about open fire pits and asked if we need a screen on them, not a screen, if they are allowed in the driveways, wooden decks, etc. Mrs. Fooks said that we are working on this. Mr. Heller said he thinks you do not need screens if you know how to control the fire. Mrs. Fooks said that in her opinion the portable ones need to have screens. She said we have major work to do on this Ordinance.

Mr. Vazquez asked if we have made any progress with the E-Code. Mrs. Fooks said we had to cancel the meeting because at the time we were not doing Zoom meetings but now we can schedule a Zoom meeting.

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.

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

Mr. Vazquez reported the following:

There is nothing new with Zoning other than the request Mr. Hampton made to Mr. Wills earlier in the meeting about the request for reverse subdivision.

The Waste Water Treatment Plant had a pump go down. We got a new pump to replace that and ordered a spare one. This is needed for the plant.

Mr. Vazquez said that we talked about the Sewer Jetter Machine at the Workshop Meeting. He said that after speaking to the lender, we would be paying roughly around \$6,000 in interest. After talking to Ms. Sawicki, we have budgeted \$80,000 for the machine. The excess will come out of the Capital Reserve Fund. Mr. Vazquez said it is his recommendation to purchase the machine. Mr. Vazquez made a motion to approve purchasing the Sewer Jetter Machine so we can get back to the cleaning of the lines that are jammed up. Ms. Sawicki seconded the motion. The motion was unanimous.

Mr. Vazquez talked about the Shepherd Street Project. After reviewing everything, we now owe \$84,000 to the project. The rental of the steel plates is almost \$20,000; this is just something for the equipment to sit on and this money has been going to waste. We could possibly recoup around \$24,000 in materials. Either the contractor will take them back and we will get a credit or we can find a use for them. Mr. Vazquez wanted to make a motion to cancel the project and get the equipment off of the property and if we need to, we can move forward with a different project. Mr. Heller said the cost of the project now is \$370,000 and when it was first voted on it was \$240,000. Mr. Heller said when it was originally spoken of to him the cost was \$180,000. This project affects three homes. Mr. Heller said that it is nothing against these fine residents and individual families. Mr. Heller said that the way it was sold to him was that the lower part of Shepherd Street was affected. He said that three homes does not make up the entire lower part of Shepherd Street. Mr. Heller said that he was also told that there was structural damage to the homes; he recently was told that there is no water in the basements from this project unless there is a loss of power from the sump pump. This can be said for many homes in the Borough that have a sump pump. Mr. Heller said that it is unfortunate but we did not ask for a potential shortfall in our budget due to COVID-19 but \$370,000 for three homes is ripping off our tax base in his opinion. Ms. Sawicki said that based on COVID-19 and the state of our budget, she thinks that in all good conscience we cannot continue with the project this year. We just do not have the money in General Funds. Mrs. Fooks said that it is a good decision not to move forward at this time. Mr. Heller said that it is unfortunate that we have to eat this money. He said that it was said at a recorded meeting that we would not be paying rental for the equipment until the project started. A good lawyer might say that once the equipment is on the property, the project has started. Mr. Heller said that if we had known we were paying rental on the equipment, there is no way that Council would have agreed to this. Mr. Heller said that the last Council and the present Council was misled by this. Mr. Heller said that he would never have voted for this project if he knew all of this. Mrs. Fooks asked if we will fix the property once the equipment is removed. Mr. Vazquez said that we would. *(Before the motion could be voted on, it was discovered that Ms. Leslie's computer crashed and she was not present for the discussion about the Shepherd Street Project. It will be continued when she is able to rejoin the meeting.)*

When Ms. Leslie was able to rejoin the Zoom Meeting, Mr. Vazquez went over the facts of the Shepherd Street Project as recorded above. Mr. Vazquez said that it is his recommendation that we cancel the project for this year. We do not have the funds. The project will total \$370,000. Mr. Vazquez said that he wanted to make a motion to move forward and cancel this project for this year. Mrs. Fooks seconded the motion. The motion was unanimous. Mr. Vazquez said that Mr. Catania might have a cheaper solution down the road for the project.

Public Works

- ~ Sewer call on 4104 Mt. Vernon Avenue. The problem was on the homeowner and the main was cleared.
- ~ Regarding the sewer cleaning on Swiftwater Lane that Mr. Donaway had previously mentioned, from Victor to Patton, everything was fine. There are no major issues to report.
- ~ We dye tested and inspected 632 Kenney Lane. Everything is good now.
- ~ We took care of the stormwater on 642 Kenney Lane. Our Public Works was able to take care of this instead of going out to a contractor.
- ~ we have opened up all of the parks and have checked all of the security cameras in the parks to make sure they are in working order due to the closure.
- ~ the four swing sets in Garzia Park have been installed.
- ~ the frame for the scoreboard in Samson Park has been installed.

~ two benches were taken out of service and we are looking at either replacing them or to have Public Works repair them.

Mr. Heller asked if Swiftwater Lane is now able to be paved. Mr. Vazquez said yes. Mr. Catania has the list of streets to be paved. Ms. Sawicki reported that the rule now is that if there is any sewer problem on the street, there can be no paving before we spend money. Ms. Sawicki said that she just wants the residents to know that we are being fiscally prudent before we spend money. Mr. Vazquez said that we can only check so much underground and sometimes incidents are going to pop up. We can only see so much underground.

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 will meet on Thursday, June 11th, via Zoom. She said that we can bring up the E-Code at the meeting.

The Backstop work will begin the week of June 13th; they will be partnering with Public Works to finalize that project.

Mr. Heller wanted to announce that Baseball has shut down their season and he expects an announcement from Softball that they will be shut down also. This is the first time in our history that we have not had a Baseball season.

Mr. Heller said that the installation of the Banners was done. We have 10 or 12 banners that have to be moved. The installer will be called back to correct this. We had a list of where they were to be placed but it was not followed.

ENGINEER’S REPORT – MR. CATANIA

Mr. Catania submitted his full report to Council but reported the following:

~ There is a list of streets for repaving. We took the list of streets that we received from Public Works and divided them into two phases. The first phase includes sections of Edwards, Conley, Brookwood, N. Gray, Sir Galahad, Patton and Swiftwater. Mr. Catania would like to ask that Council recommend advertising of Phase 1 Street Repaving List. Mr. Vazquez made the motion and it was seconded by Mrs. Heller. The motion was unanimous.

~ As mentioned by Mr. Vazquez we had a pump at the Treatment Plant that went down. It was one of the sledge pumps and they had to purchase a new pump at the cost of \$711. They ordered a second spare pump because these pumps seem to be a problem with clogging. When they clog they burn out. This is a necessity to run the plant according to permit requirements. Mr. Catania asked for a motion for Council to ratify this purchase. Mr. Vazquez made the motion and it was seconded by Ms. Sawicki. The motion was unanimous.

~ Mr. Catania said that there is a storm sewer issue under Whiteley Road. It is an old pipe and the bottom of the pipe is corroded out. Mr. Catania feels we can nurse it through the rest of this year but he wanted to ask Council to consider authorizing him to complete a design for the replacement. This way we will have a new design on the shelf in case we run into problems and need to replace the pipe.

We would have to close Whiteley Road to do this work. Mr. Catania asked for a motion to complete a new design for this. Ms. Sawicki made the motion and it was seconded by Mrs. Fooks. The motion was unanimous.

~ Sanitary Sewer Root Treatment – The Borough has been using a company called Duke’s Root Control to place a root inhibitor in various sections of the sanitary sewer. We have been using this for a long time and find it very effective in preventing roots from blocking the sewers. It needs to be done every three years under their warranty system. There is a list of lines that need to be replaced and the cost is \$4,361. Mr. Catania would like to ask Council to authorize this treatment for this year. A motion for this was made by Ms. Sawicki and it was seconded by Mr. Vazquez. The motion was unanimous. Mr. Vazquez said that also includes a warranty. If there is a problem, they will come back and fix it.

~ There is a stormwater repair at 4112 N. Gray Street. This is a stormwater inlet that is leaking and causing some settlement on the sidewalk area. Mr. Catania had originally authorized Council for repair and now would ask that they do that contingent that Public Works is not able to complete the work. He will meet with Mr. Evans from Public Works to see if they can do the work. If not, Mr. Catania will get a contractor to come in and do the work. A motion was made by Ms. Sawicki and seconded by Mr. Vazquez. The motion was unanimous.

~ We have a sanitary street lateral at 30 Trimble Blvd. This is a sinkhole that developed along the curb line. The Public Works department went out and dye tested it and determined that the cause was a street lateral. Mr. Catania asked for authorization to repair the sinkhole here. A motion was made by Mrs. Fooks and seconded by Ms. Sawicki. The motion was unanimous.

~ We had a request for a release of escrow for Pando Properties at 315 W. Brookhaven Road. We are going to recommend that Council consider the release of the escrow in the amount of \$102,220.80. This is subject to the testing of the storm and sanitary sewer. Mr. Catania wanted to advise Council that his submitted report had a different number for the escrow release. The \$102,220.80 is the correct number. A motion for this was made by Ms. Sawicki and it was seconded by Mr. Vazquez. The motion was unanimous.

Ms. Sawicki asked that when we do this we do it in a form of resolution so we can have a memorialized form that can be attached with a copy of the check. This way we will have some paper work that shows why we are doing this. She said that we are trying to improve our paper work and asked Mr. Wills if he could put something together. We just need a one-page copy to attach to the check. By doing this, we will have paper work to show when we are audited by the State. Mr. Wills said that he feels this is a prudent thing to do and he will put something together. He said that we can approve the release of the escrow tonight and then we will ratify it in a resolution that he will prepare and forward it to the Borough Treasurer.

Mr. Heller asked about the Mariner 2 Grant. Mr. Catania said that it is for two rain gardens. Mr. Catania suggested that we send in a request to the State to change the scope to amend the work to be done on Whiteley Road. Mr. Heller asked when the funds have to be used. Mr. Catania said the Grant is extended for a period of time. Mr. Catania and Ms. Sawicki said the time frame is for three years and should be go into 2021.

FIRE MARSHALL – MR. LESLIE

Mr. Leslie reported that we do have something in writing about fire pits. He said that all fire pits, whether a bought one or a homemade one, has to have a screen to deflect the embers. He said that this is in writing and is in the Borough Secretary's computer. He was told by the Secretary that it came under the Recycling Ordinance. It is only permissible to burn sticks and twigs. Mr. Leslie said that he would like to be invited to the Ordinance Zoom meeting about this and to get something in writing. Mr. Heller said that he would also like to attend the meeting. Mr. Leslie said that our Fire Prevention in the Borough is outstanding.

BOARD OF HEALTH –

There was no report.

ZONING OFFICER – MR. HAMPTON

Mr. Hampton had no further report.

PUBLIC FIRE SAFETY OFFICIALS – CHIEF MONTELLA AND/OR MR. BYNUM

There was no report.

DEPUTY MANAGEMENT EMERGENCY COORDINATOR – MR. SCHULTZ

Mr. Schultz's report was given by Ms. Leslie.

PUBLIC DISCUSSION

Mrs. Mimi McGovern, Susan Lane, said she heard about a discussion about something planned for the Sun Valley Graduates. Ms. Sawicki said that they are planning to decorate a sign and put it in the middle of the Brookhaven Walking Trail. It will list the name of every Brookhaven resident that is graduating from Sun Valley High School. It would be available all summer and people can come and take pictures in front of the sign. This would be something special since they have not been able to be in school. Hopefully it will be erected by the end of the month. Mrs. McGovern asked if it is for all graduates or just Sun Valley Graduates. Ms. Sawicki said it was for Sun Valley Graduates that reside in Brookhaven. Mrs. McGovern asked about students from Brookhaven that may have graduated from a different high school. Why would we just have Sun Valley Graduates. Mr. Heller said that we could include students from private and Catholic schools. Ms. Sawicki said we can make it generic and get names from other schools. Ms. Sawicki said we can contact the schools, as long as we have a list of schools. Some of the schools mentioned were Cardinal O'Hara, and Monsignor Bonner and Archbishop Prendergast High Schools. Mayor Hess mentioned that there will be a parade this Sunday for Sun Valley Graduates.

Mr. Tom Dykes, W. Brookhaven Road, said that we should also include Christian Academy School when we list the names of the graduates from all the schools. Mr. Heller said we will attempt to get all the names.

Mr. Dykes wanted to thank Council for being fiscally responsible by cancelling the Shepherd Street Project. He said that regarding the money for the rain garden, we could possibly use it at Eaton Park by the playground.

Mr. Dykes said that it is his understanding that if anyone received a mail-in ballot and you cannot mail it back by the required date, you can vote with a provisional ballot. Ms. Sawicki said if you have an absentee ballot, you can take it to Coebourn. Mr. Heller said that if you have applied for a mail-in ballot and want to vote in person, you have to vote with a provisional ballot.

There was much discussion among Mr. Dykes, Ms. Sawicki, Mr. Heller, Mayor Hess and Mrs. Fooks about being able to vote in person if you have applied for a mail in ballot but have not sent it in to the Courthouse. It was decided that if anyone has a question about this, they should go to the poles tomorrow at Coebourn School and they will be able to answer all questions.

Mr. Dykes said the June Concert in the Park has been cancelled. We have six Concerts scheduled and this was the second one we had to cancel.

ADJOURMENT

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

Respectfully Submitted,

Mrs. Joan Boyle
Brookhaven Planning Commission Secretary