

MINUTES
BROOKHAVEN BOROUGH COUNCIL WORKSHOP
MONDAY, JUNE 24, 2013

Council Vice President, Ben Linowski, called the regularly scheduled Workshop Session of Brookhaven Borough Council to order at 7:09 PM. He announced that prior to this meeting Council had met in Executive Session with the Borough Solicitor to discuss personnel, real estate and legal matters immediately prior to Workshop.

The record shows the following people seated at the Council Table (from my right to left): Mr. Wilwert, Mr. Linowski, Mrs. McKinley, Solicitor Maddren, Mayor Hess, Ms. Truesdale, Mrs. Erickson and Engineer Catania. Mr. McCray was absent because of his recent surgery, Ms. Leslie is on vacation and Mrs. Fooks was absent because of a family commitment; however, she was able to attend the Executive Session.

PUBLIC DISCUSSION

George Scarino, 4112 North Gray Street said he was looking for an update on grant money for storm sewer repairs. Mr. Wilwert said the Grant Committee did meet with State Representative Hackett and the committee is putting together a list where grant money could be used. He said the Committee also met with the Fire Company Officers to see what their needs are. Mr. Catania said that the Growing Greener Plus Application period has opened. The deadline to file an application to receive some of this grant money is August 16. We may be able to have a "creative design" to get some money by adding some water quality things which is what this grant money is all about. Mr. Scarino said that during the heavy rain on Friday, the manhole cover on Melvin Drive was overflowing. He's concerned about pollution. Mr. Wilwert said we did some repairs in that area and now we would like to look upstream. We are continuing to try to get money to help resolve the water problem in that area. The problem Mr. Scarino has brought to our attention over the past years will be at the top of our list that is being prepared for State Representative Hackett and State Senator Pileggi. They have advised us that only 1/4th of the money that was available in the past is available now. Lots of people will be applying for it. Mr. Scarino asked that the "funnel" be fixed where we go from a small pipe to a bigger pipe but the bigger pipe still is not big enough. Mr. Catania said even with the big pipe it is still too small. It was suggested that Mr. Scarino go to the state representatives mentioned and advise them of the problem and the need for the Borough to receive grant money to help correct the 25 year old water situation. Mr. Scarino said he'd see us next month and he will continue to pursue getting this problem solved at the very highest level possible.

SOLICITOR'S REPORT – Mr. Maddren began his report by saying that the proposed Zoning Ordinance pertains to the Liquor Referendum. He expects that it will be advertised for a public hearing and adoption soon. In the meantime, it will be reviewed by Delaware County Planning at a date not mentioned and by Brookhaven Planning Commission on July 17.

Regarding the proposed amended Animal Ordinance, he and Mrs. Fooks will be meeting to discuss it prior to the July 1 Council Meeting.

At the last Council Meeting Matt Stone was appointed Hearing Officer for the Taxpayers Bill of Rights appeal that has been received. Actually Matt Stone should be a member of the Hearing Board and we need to appoint two other members. That should be taken care of at the July 1 Council Meeting.

Mr. Maddren spoke about the Chester Water Authority property. The developer does not have that under agreement. The Chester Water Authority's attorney has contacted Mr. Maddren and said they spoke about an overlay district on the property. Representatives from Chester Water Authority and the proposed developer would like to come to the Workshop on July 22 and present to Council and the public what they are proposing.

Minutes June 24, 2013 Brookhaven Borough Council Workshop

FINANCE COMMITTEE, CO-CHAIR VACANCY REVIEW COMMITTEE, POLICE COMMITTEE CHAIR AND CIVIL SERVICE LIAISON – Mr. Linowski said there will be a more complete bill list prepared for adoption at the July 1, 2013 Council Meeting.

He announced that the Eligibility List for Full-Time Police Officers expired on June 16, 2013. The Committee is working on a revised list.

Mr. Maddren, since he is the County's Solicitor, asked that a copy of the 10 Year Lease Agreement (July 1, 2013 through December 31, 2023) with the County for District Court 32-2-39 be sent to him for review by his associate, Kelly Sullivan before it is ratified on July 1. Mrs. McKinley will e-mail that to Mr. Maddren tomorrow morning.

Mr. Linowski said he was at the Borough Garage earlier today checking out our new front end loader which was purchased through the COSTARS Program, saving the Borough quite a bit of money. In addition, we received a \$20,000 trade in on our old loader. Mr. Wilwert explained the equipment and noted that there is a claw-type device of the back of the loader that allows us to pick up trees or debris rather than trying to scoop it up or push it out of the way.

MAYOR'S REPORT – Mayor Hess thanked everyone for their cards, phone calls, letters, e-mails and other forms of well wishes for a speedy recovery from his recent heart attack. He said it must have been "the stress of the job" that caused the problem.

On July 1, we will be adopting a Resolution honoring a Brookhaven Girl Scout for achieving the Silver Award. He will present the Resolution to her on Tuesday, July 2 at 7:00 during the Silver Award Ceremony being held at St. James Episcopal Church in Aston.

Mayor Hess spoke about the proposed Civil Service Resolution and the one year requirement. He wants to make sure "everyone is in the same boat". Mr. Linowski said he has already looked at the one year requirement and it has been turned over to the Civil Service Commission.

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 said there appears to be nothing on the Agenda for a July Zoning Hearing Board Meeting.

The Holiday Parade Committee will be holding a Tag Day at the intersection of Brookhaven Roads and Edgmont Avenue on Saturday, July 29.

CHAIR PUBLIC WORKS, CHAIR BUILDING COMMITTEE, MEMBER FIRE COMMITTEE, DEPUTY EMERGENCY MANAGEMENT, CHAIR GRANT COMMITTEE AND MEMBER LONG RANGE DEVELOPMENT – Mr. Wilwert said that the roof repair at the Borough Maintenance Facility is schedule to begin this week or next week. Ron Jackson is the contractor doing the work. The roof was damaged by a storm.

The Public Works Department has been working in the parks. The drainage issues in Samson Park and pumps that were not functioning properly continues to be addressed and corrected

Town Watch stays busy and new members are always welcome. Leave your name and phone number at the office if

Minutes June 24, 2013 Brookhaven Borough Council Workshop

you would like to be a Town Watch Member.

CHAIR VETERANS GROUPS, CHAIR EMERGENCY MANAGEMENT ADMINISTRATION, CHAIR RECYCLING, CHAIR FIRE COMMITTEE AND MEMBER POLICE COMMITTEE – Ms. Leslie is on vacation.

BUSINESS AND REVITALIZATION COORDINATOR, CHAIR ORDINANCE COMMITTEE, MEMBER CONDO ASSOCIATION, SCHOOL BOARD LIAISON AND LIAISON CLOCK COMMITTEE – Mr. Linowski for Mrs. Fooks. The Ordinance Committee met on June 19 to discuss the proposed new Rental Inspection Ordinance. She said she has provided Council with the preliminary ordinance and the forms that go along with it. It's a multi-step process, the first locating the rental units throughout the borough and locating their owners. The Ordinance Committee will continue to work together over the next few months with the hope of finalizing the proposed ordinance in October with adoption at the January 2014 Council Meeting. Due to vacations, the Ordinance Committee will not meet again until September 18.

She reminded everyone about the SPCA/Brookhaven Animal Chip and Inoculation Clinic for all cats and dogs that will be held on July 16 at the Municipal Center from 4:00 to 6:00 PM. This has been discussed at previous meetings.

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 Planning Commission did meet on June 19 and continued the meeting until June 20 to discuss the Skulski (203 Upland Road) Subdivision. The Planning Commission is waiting for the review comments from Delaware County Planning and our engineer. The Planning Commission has asked Mr. Skulski to make some revisions to the plan. Also heard was the Middletown Township Act 537 Plan. The Planning Commission will meet on July 17 at 7:00 to review the proposed Zoning Ordinance.

The Butterfly Garden needs some weeding help. Mrs. Erickson said she would be in the garden on Friday and would appreciate any help she can get. Ms. Truesdale said she can get a crew from the County to help too. The two contests in which our garden has been entered have their judging in August. Right before the judging occurs, the garden will be weeded and mulched again. In the meantime, we have to stay ahead of the weeds. All this rain we have had lately isn't helping keep the weeds down.

ENGINEER'S REPORT – Mr. Catania began his report by discussing a sanitary sewer problem at 3436 Commerce Avenue. Ratification of the repair will be asked for at the July Council Meeting.

Drainage problems at 4918 Jackson Drive, 609 Hillside Avenue and 817 Lincoln Drive are being evaluated.

INSPECTORS' REPORTS –

HEALTH INSPECTOR – Mrs. Warfield said this is a busy season for the Board of Health.

She also said that an ice cream man was selling his product in the Borough and was doing so without a permit. He was asked to leave the Borough.

FIRE MARSHAL – Mr. Leslie mentioned about a flood plain issue along Chester Creek Road.

He continued his report saying that all the right keys are in all of the Knox Boxes in Traditions at Ridley Creek. The people on Commerce Avenue are no longer being bothered by the noise from the generator being used at CVS

Minutes June 24, 2013 Brookhaven Borough Council Workshop

while their electrical problem was being corrected.

Mr. Leslie did a Fire Marshal's Inspection at 130 East Brookhaven Road—the dental office of Dr. Jeffrey Smith—a residential property with permission to be used as a commercial establishment. "The place is a mess." Mr. Catania said since the use is commercial, a Commercial Certificate of Occupancy must be issued.

Bargain Warehouse in the Brookhaven Shopping Center is "jammed up with stuff all over". When the owner has been asked to move things out of the aisles for clear passage, he has done so but it only remains that way for a few days and then everything goes back to the same situation. Ms. Truesdale expressed concern about life safety issues—if one is in the back of the store, there is really no clear passage to get out the front. Everyone on Council agreed that the owner should be cited. Mr. Catania suggested that Mr. Leslie send the owner an abatement letter.

There was an issue at Hilltop Summit involving the dumpsters but that has been resolved.

Utility Line Services working on the PECO project in the Cambridge Road area have fallen behind in their time schedule. This was caused by five days of heavy rain.

Dr. Steinhoff, Superintendent of Penn Delco School District, will be allowing the Fire Company and police to use Coebourn Elementary School for training prior to demolishing the building.

All other inspectors were absent or did not have a report.

CHAIR RECREATION COMMITTEE, CO-CHAIR VACANCY REVIEW COMMITTEE, CHAIR TRASH/RECYCLING PERFORMANCE COMMITTEE AND MEMBER CONDO ASSOCIATION – Mr. McCray did not leave a report for Mr. Linowski to read.

PUBLIC DISCUSSION

Michael Greskoff, 3533 Swiftwater Lane, said he owns a hot dog cart and he would like to sell hot dogs, sodas, etc. throughout the Borough on private property with the permission of the owner. Mrs. McKinley said that the permit fee for one day, if she remembered right, is \$350 for one day. (The record shows it's actually \$300). He asked why such a high amount. Mr. Linowski said that among other reasons, the regular merchants in the Borough were concerned about these temporary businesses taking business away from them. Mr. Maddren said he would look into the matter and get back to Mr. Greskoff. Mr. Greskoff provided his phone number to Mr. Maddren. The Board of Health would have to inspect the cart and products, just as they would have had to do for any food vendor.

Mrs. Erickson spoke about a traffic situation along Edgmont Avenue that was brought to her attention. Mr. Wilwert said the matter has been referred to Higgins Electric. He said a lot of times the buttons on these new lights gets stuck and it causes problems with the whole cycle. Messrs. Wilwert and Catania will have a telephone conversation about the timing and light issues on Edgmont Avenue.

There was no other business to come before Council. Mrs. Erickson made a motion to adjourn. Mr. Wilwert made the second. Motion approved by unanimous vote.

Respectfully Submitted,

Mary Ellen McKinley
Borough Secretary