

MINUTES
JUNE 3, 2019
BROOKHAVEN BOROUGH COUNCIL MEETING

At 7:00 PM, Council President, Vawn Donaway, called the regularly scheduled meeting of Brookhaven Borough Council to order. He led in the Pledge of Allegiance to The American Flag. Mr. Pappas read the names of the Borough residents who passed away during the month of May—Helen Udovich and Margaret Karman.

The record shows the meeting was held in Council Chambers at the Brookhaven Municipal Center, 2 Cambridge Road, Suite 100, Brookhaven, PA 19015. The record also shows all members of Council except Mrs. Fooks who was absent because of a previous engagement seated at the Council table and on time. Also seated at the Council Table and on time were Solicitor Stone, Engineer Mulvena and Secretary McKinley.

Mr. Donaway said that Council will meet in an Executive Session immediately following this meeting to discuss personnel matters.

PRESENTATION TO COUNCIL – Stephen Sarazin, Director of Aston Library

Mr. Sarazin gave a nice report on what is new at Aston Library as well as programs and services to which library members can avail themselves. He also explained how to get a free library card. He also displayed some of the items or devices the members can borrow. For people who can't get to the library, they have a delivery and pickup service for books or other things the homebound and/or blind can take advantage of.

SCHOOL BOARD REPORT – Mrs. Ford

Mrs. Ford congratulated the following Coebourn Elementary School students for “Embracing the Challenge” by setting a reading goal of 1,000,000 words and working toward that goal to achieve it: David Godun – 1,327,463; Tyler Hudson 1,006,292; Reagan Will – 1,033,901; Mahnoor Khan – 1,043,452; Brian Kulakowski – 1,033,762; Gabe Nyce – 1,012,700; Carter Ruggeri – 1,019,166; Emily Cahill – 1,154,063; McKenzie Burgos – 1,017,078 and Maddie Carroll – 1,236,276. Mrs. Ford said not only is she proud of the million word readers but so is Brookhaven Borough Council. Note- The first six were given at the May Council Meeting and the last 3 will be given to the students on their Pride Day at the Municipal Center on June 7.

First Annual Garden Festival – Coebourn Elementary School is a National Green Ribbon School and with that honor comes the responsibility of teaching the children to become the next generation of environmental stewards. Over the past year, Coebourn Elementary has written and received combined grant money of over \$8,000 from our local 3M Company (Aston) and Lowes (Brookhaven) to develop the Children’s Garden at Coebourn. The garden is a tool for the children to become actively engaged with nature, take action and realize the positive impact of that action. On May 17, the entire school participated in the first annual Coebourn Elementary Garden Festival. Students in every grade level got their hands in the dirt and planted flowers and vegetables. During the festival, the children also learned about health and wellness and participated indoor yoga and then created individual plantings to take home. This summer students will maintain the gardens by watering and weeding as well as harvesting fresh vegetables that will be donated to food shelters. Coebourn Elementary is committed to fostering the next generation of environmental stewards. Mrs. Mulvena asked for more information on the garden. Mrs. Ford will provide that.

The Acme Teacher of the Month is Andrea Fulginiti, who was nominated and awarded Acme Teacher of the Month. This is a well-deserved honor for one of Coebourn Elementary’s finest.

PUBLIC DISCUSSION

Laird Shively from 421 Sir Galahad Drive said the property at 4590 Marianne Drive “has been hurting for a while”. The asbestos shingles are falling off the shed in the back is always open. What’s up with it Mr. Heller said he will look into it. Mr. Shively said he’s “not condemning anyone”.

Caitlin Binck, 4512 Chandler Drive and her neighbor at 4509 Chandler Drive spoke to Council about speeding on Chandler Drive. It’s still happening. She asked about having speed humps installed. This was discussed in great length with Mrs. Mulvena saying it would be necessary to do a PennDOT traffic study; however, there are 9 different things that must be looked at in order to do it. Fire Marshal Leslie said we should put a police officer on the street to issue tickets to the offenders. Mrs. Mulvena said speed humps only reduce the speed by 3 miles per hour. Mrs. Mulvena said we did a traffic study back in 2009 and we did not meet the requirements. Mr. LaPera asked what times are particularly bad. Ms. Binck said rush hours. Solicitor Stone said the borough could do a traffic study and that should be authorized by a motion of council. Mayor Hess said he and Acting Chief Martin will get together and “brainstorm but we definitely will take some kind of action”. Mr. Donaway spoke about the speeding problem on Trimble Boulevard where we painted a yellow line in one section which did work but we are not allowed to do that now. The line has to be white. Ms. Binck said all she and her neighbors want is safety. Another resident from Chandler Drive asked if a police car could be parked in front of someone’s house on the street. Mr. Donaway said council will put something together. Ms. Sawicki made the motion and Mr. Heller the second to authorize the engineer to conduct a Traffic Study on the North side of Chandler Drive. Motion carried by unanimous vote. We have to look to see if the borough still has the equipment. Mr. LaPera asked how long the study is. Mrs. Mulvena said 3 days. Mr. Stone said when the study is being done no little green men with flags can be put in the street to signal that there are children playing in the area. It will alter the results because people will slow down in the area. Mrs. Mulvena estimated that a speed machine will cost \$3,000.

BROOKHAVEN BUSINESS & PROFESSIONAL ASSN. REPORT – Mr. Sredenschek from Bryn Mawr Trust Bank was unable but left a report to be read.

FIRE CHIEF’S REPORT – Chief Montella

For the month of May, Chief Montella reported there were 3 fire incidents, 24 non-fire incidents, 24 mutual aids and 4 drills for a total of 55. The loss report shows \$1,000 to structures, \$4,000 to contents, None to vehicles for a total loss of \$5,000. There was \$100,000,000 worth of property endangered. There were no firefighter or civilian injuries or deaths. The manpower report shows on the 55 calls there was an average number of 14 participants for 777 hours. In the 4 training sessions there was an average number of 38 participants for 190 hours. Brookhaven Volunteer Fire Company responded to a building fire at 833 Creekside Drive, a gas leak at 911 Creekside Drive, accidents in the 4700 block of Edgmont Avenue, another at Edgmont Avenue at Whitely Road, the 4600 block of Chandler Drive, the 200 block of Duttons Mill Road with a PECO pole down; assisted Chester Township Fire Company on a building fire at 1331 Harshaw Road and Building 5 on North Commerce Drive; assisted Upland Fire Company on a building fire at 801 Upland Avenue and a building fire at 3433 John F. Kennedy Drive; assisted Chester Fire Department on covering the city while they operated at a hazmat/building fire; assisted Rocky Run Fire Company on a building fire at 251 West Forge Road at Sleighton School; assisted Middletown Fire Company on a building fire at Briarwood Lane; assisted Media Fire Company on a building fire at 440 Orange Street; assisted Prospect Park Fire Company on a building fire at National Furniture, 509 Chester Pike. Monthly fire training involved driver recertification on coarse and driver training for new drivers on all fire company vehicles, pump operations class, hose line advancement class. Also gave life guard fire company training at Brookhaven Swim Club. The May Ambulance Report shows 92 transports, 28 medical refusals, 0 Dead on Arrivals and 3 Lift Assists. There were 7 call-backs in route which means they

Minutes June 3, 2019 Brookhaven Borough Council Meeting

were no longer needed. There were 12 Fire Company assists for a total number of calls 142. Broken down Brookhaven 52 – 69; Aston 17 – 5; Chester City 81/82/100 – 16; Chester Township 47 – 4; Media 23 – 19; Middletown 50 – 7; Nether Providence 51/65 – 5; Parkside 45 – 11; Rocky Run 46 – 2 and Upland 57 – 2.

POLICE CHIEF’S REPORT – Matthew Kurten

Chief Kurten’s written report shows the police department investigated 7 thefts (\$2,735). There was \$2,735 reported stolen and \$765 was recovered. There were 11 adults and no juveniles charged with various offenses including theft, DUI, terroristic threats, harassment, simple assault, disorderly conduct and public drunkenness. There were 6 municipal ordinance warnings and no citations issued during the month. The police responded to 20 false alarms during the month. Officers discovered 2 security violations—unlocked doors while recording 482 security checks. Security checks were also provided for the homes of residents in the borough that requested vacation checks. Police responded to 11 9.1.1. call hang-ups. There were no citations and 6 warnings issued for false alarms. Traffic details were scheduled during the month. The police issued a total of 54 citations, 24 parking tickets and 17 warnings. Police responded to 15 car crashes (3 reportable/12 non reportable). The bicycle patrol was also implemented during the month. There were 25 hazard complaints, 24 assists rendered to motorists and 12 vehicles impounded. Under Training Detective Habich attended MIRT training on May 2 and he attended ALERRT Training (FBI) on May 6 and 7. Officer Kyler attended Inter County Detective School from May 13 through May 17. Detective Habich attended Intermediate Digital Forensic Analysis Seminar hosted by the National White Crime Center from May 20 through May 23. On May 29, Detective Habich and Officer Matin attended a seminar entitled “PFA Gun Entry Procedure”. Officer Wetten qualified Detective Habich, Officers Kyler, Hughes, Zebley and Barth at the range on May 28. Detective Habich and Sandra Fuller attended the monthly Workplace Safety Meeting on May 28. Under Public Relations Officer Hughes and Eastman participated in the Annual Hero Bowl Scholarship on May 30.

SOLICITOR’S REPORT – Mr. Stone

Solicitor Stone said the proposed Solar Panel Ordinance had been properly advertise and Proof of Publication was provided. He recommended a motion to approve it. Ms. Sawicki so moved and Ms. Leslie made the second. Motion carried by unanimous vote. This is Ordinance 815.

Solicitor Stone discussed the need for an amendment to the Employee Handbook because of the installation of a time clock to be used by all borough employees except for the Police Department. He recommended a motion be made. Ms. Sawicki made the motion and Mr. Heller the second. Motion carried by unanimous vote. This is Resolution 2019-05.

Solicitor Stone recommended council take action on 3 financial security issues. The first one is at the Brookhaven Shopping Center which has changed hands and the list of necessary improvements has been completed. Ms. Sawicki made the motion and Mr. LaPera the second. Ms. Sawicki asked if Treasurer, Delilah McDade has the paperwork. If she doesn’t it needs to be provided to her. Motion carried by unanimous vote.

His next recommendation was the financial security matter at Traditions at Ridley Creek on East Brookhaven Road. Ms. Sawicki made the motion and Mr. Heller the second to release the funds. Solicitor Stone will get the paperwork to Ms. Sawicki. Motion carried by unanimous vote.

Mr. Stone said that 47% of the site improvements by the owners of Plaza 352 have been completed. They have asked for 47% of the financial security back. Solicitor Stone said this would be contingent upon providing a list of improvements to Mrs. Mulvena for approval. Ms. Sawicki made the motion and Mr. LaPera the second. Motion carried by unanimous vote. This is the area on which Freddy’s will be built.

Minutes June 3, 2019 Brookhaven Borough Council Meeting

MINUTES APPROVAL

Ms. Leslie made the motion and Mr. LaPera the second to approve the Minutes from the April 22, 2019 Council Workshop. Motion approved by unanimous vote.

Ms. Leslie made the motion and Mr. LaPera the second to approve the Minutes from the May 3, 2019 Council Meeting. Motion approved by unanimous vote.

MAYOR'S REPORT – Mayor Hess

Regarding the borough's search for a new chief of police, Mayor Hess said we had 90+ applicants. It was narrowed down to 14 and then to 4 then to 2. Then it was "pared down to 1"—Matthew Kurten. Mayor Hess gave some background information on him. Chief Kurten has provided a medical background check, credit check, psychological check, met with Civil Service Commission and met with 3 chiefs of police from outside of the Brookhaven area. The Civil Service Commission certifies Mr. Kurten as Brookhaven Borough Chief of Police. Mayor Hess said he would swear him in on Monday, June 17. Chief Kurten has informed us there will be several television stations covering this.

COUNCIL REPORTS

BUSINESS AND REVITALIZATION COORDINATOR, CHAIR ORDINANCE COMMITTEE, MEMBER CONDO ASSOCIATION, SCHOOL BOARD LIAISON, CHAIR TECHNOLOGY COMMITTEE, CHAIR GRANT COMMITTEE AND MEMBER POLICE COMMITTEE – Mrs. Fooks was absent and Mr. Donaway read her report as follows. Mrs. Fooks said she is sorry she couldn't be present. She is attending Sun Valley's Sports Banquet where her son is being honored.

The Ordinance Committee will meet on Thursday, June 20. As discussed at the workshop, it was decided revisions/additions for the building material/dumpster ordinance were not needed. It was also decided that we are not legally permitted to create a No Smoking Ordinance for our parks. Instead, a recommendation of additional signage and smoking areas be established. Last year the borough adopted the International Fire Code which will supersede Section 1604.06. Mrs. Fooks reminded everyone that we do have a Fireworks Ordinance which was adopted in December of 2018. Fireworks are not permitted within 150 feet of an occupied structure. She requested that the police monitor and have copies of the new ordinance with them to supply to those who violate it. Repeat offenders will be fined.

The Tech Committee is still planning the website.

Under Community News, just a reminder to please stop when you see a school bus with flashing red lights. That also means if you are traveling on Route 352 no matter which side of the road you're on you must stop. There are steep fines for those who disregard the safety of our children.

It's now pool season and the Brookhaven pool is open. Please yield to pedestrians crossing Chester Creek Road. (Secretary's Note: The Brookhaven Swim Club is a private pool and is not owned by the borough).

VICE PRESIDENT OF COUNCIL, CHAIR LONG RANGE AND COMPREHENSIVE PLANS, MEMBER GRANT COMMITTEE, LIAISON TO ZONING HEARING BOARD, LIAISON TO RECREATION COMMITTEE AND CHAIR INSPECTORS – Mr. LaPera

Minutes June 3, 2019 Brookhaven Borough Council Meeting

Mr. LaPera said the Zoning Hearing Board will meet on June 11 at 7:00 PM to hear the variance request from Brookhaven Green Estates for setbacks. Mrs. Mulvena reviewed the plan. A copy of the application will be made by Mr. Hampton for Mrs. Mulvena.

Mr. LaPera continued his report by saying, among other things, cameras are being installed in Sampson Park, they are looking for electricity there. On the horizon are the following events: Theatre in the Park behind the Municipal Center along the Walking/Bike Trail (weather permitting; otherwise it will be inside the gym) where The Commonwealth Classic Theatre Company will present William Shakespeare's Measure for Measure. This is on Tuesday, July 16 at 7:00 PM. It's free to all who attend. Refreshments may be sold by the Recreation Committee. Family Day will be on September 28 from noon until 4:00 PM, the Annual Golf Outing will be at the Ed Oliver Golf Course in Wilmington, Delaware on September 29, Senior Luncheon on December 8 and if there are enough people signed up, building a Gingerbread House event in December.

CHAIR EMERGENCY MANAGEMENT ADMINISTRATION, CHAIR RECYCLING/TRASH COMMITTEE, CHAIR FIRE COMMITTEE AND CHAIR POLICE COMMITTEE – Ms. Leslie

Ms. Leslie said the June 8 Electronics Event is cancelled. The next Recycle event will be on Saturday, October 12 from 9 AM until Noon.

Nothing new to report on Veterans or Police Committee.

The Fire Committee will meet on June 6 at 7:00 PM at the Fire House.

Under Emergency Management she said that Steve Schultz, our Emergency Management Coordinator, is working closely with State Grant Writers in an effort to get a new generator for use of the Borough Municipal Center as an emergency shelter. A proposal is being put together to replace the storm level marker for Chester Creek at Dutton Mill Road. Paper plans of the updated Emergency Management Plan will be distributed to the police department, fire department, the emergency management service and the borough office this week. Harry Swayngim would like to install an antenna to help with emergency management radio communication. This would be utilized if we were to lose phone and cell phone reception as we did when the June 23 straight line winds came through last year on June 23. Mr. Swayngim has all of the supplies and would not need to spend any more than \$50 to complete the project. The Emergency Management Team is upgrading their certifications by completing FEMA and PEMA training on line. This will be an ongoing process over the next year.

CHAIR ARBOR/SHADE TREE COMMITTEE, MEMBER LONG RANGE DEVELOPMENT AND COMPREHENSIVE PLANS, MEMBER FIRE COMMITTEE AND CHAIR GRANT COMMITTEE – Ms. Sawicki

Ms. Sawicki made the motion and Mr. Heller to approve the bill list with the following additions: \$132.50 to Multi-Copy for the Memorial Day Service Programs and \$6,000 for two generators plus \$1,000 labor to install them. Motion carried by unanimous vote. Ms. Sawicki spoke at length about Keystone Collections Group who are the Earned Income Tax collectors for Delaware County. Ms. Sawicki talked to Keystone Collections Agency last year and they agreed to add Brookhaven as their client. They also have the ability to go to data to make sure the borough is getting what we deserve. She wants to make sure businesses are paying what they should and we are getting everything we should. Mr. Donaway asked Ms. Sawicki if she wants the same company to collect both the Mercantile and Earned Income Taxes. She said yes. Mrs. McKinley asked if that includes rentals. Ms. Sawicki made the motion and Mr. Heller the second to switch from Municipal Resource Recovery to Keystone Collections Group effective September 1, 2019. Motion carried by

Minutes June 3, 2019 Brookhaven Borough Council Meeting

unanimous vote. Mr. Heller spoke about a bad experience his wife had with her Earned Income Tax collection. Ms. Sawicki said the building inspector must e-mail rental property addresses to Keystone Collections effective September 1, 2019. Ms. Sawicki made the motion and Mr. Heller the second to have the building inspector e-mail rental property addresses to Keystone Collections effective September 1, 2019. Motion carried by unanimous vote. A member of the audience who did not identify himself asked if there was a difference in cost. Ms. Sawicki said no and explained the procedure again.

Ms. Sawicki made the motion and Mr. LaPera the second to waive the permit fee for the Parkside Performing Arts Company c/o Pam Adams to hold a tag day in front of Shop-Rite on June 15 and 16. Motion carried by unanimous vote.

CHAIR TECHNOLOGY AND COMMUNICATION COMMITTEE, CHAIR BOARD OF HEALTH, LIAISON TO CIVIL SERVICE COMMISSION, CHAIR HISTORICAL COMMITTEE AND MEMBER POLICE COMMITTEE – Mr. Heller

Mr. Heller said the Technology and Communications Committee cancelled its May meeting—too many schedule conflicts. Their next meeting is Thursday, June 13 at 7:00 PM.

Under Board of Health Joe Bynum decided to stay on as Commercial Food Grade Inspector, so interviews to the three applicants were not granted. There is no update on the Spotted Lantern Fly treatment.

Historical Committee – The Hometown Hero Banner program started last week, with a goal of 50 banners for the first round. Once ordered, we are told that they will be ready with four weeks from the order date, ready to hang. As a reminder, you may download the app on the Borough Facebook Page, the Brookhaven Politics Page or Brookhaven 19015. Apps are also available at the front office. The next round will be announced early next year with the goal of hanging any additional banners by late spring.

Civil Service – The Civil Service Commission confirmed Matthew Kurten on Thursday, May 30. Matthew Kurten will be our Chief of Police.

PLANNING COMMISSION LIAISON, CHAIR CONDO ASSOCIATION, MEMBER FIRE COMMITTEE, MEMBER HISTORICAL COMMITTEE – Mr. Pappas

Mr. Pappas said the Planning Commission will not meet this month. There is nothing on their schedule. Other than that he had nothing else to report.

ENGINEER'S REPORT – Mrs. Mulvena

Mrs. Mulvena recommended a motion to authorize the sink-hole repair on West Brookhaven Road near Trimble Run Condominiums. Ms. Sawicki so moved and Mr. LaPera made the second. Motion carried by unanimous vote.

COUNCIL PRESIDENT, CHAIR PUBLIC WORKS AND BUILDINGS, LIAISON TO HOLIDAY PARADE COMMITTEE, CHAIR COMPREHENSIVE PLANS, MEMBER TRAFFIC CALMING COMMITTEE AND MEMBER POLICE COMMITTEE – Mr. Donaway

The Public Works Report for May shows there were no sewer calls; lateral repair on Washington Avenue done by Gargule Contractors; Dye tested large sinkhole on Mount Vernon Avenue at Edwards Drive. The engineer and contractor notified of broken lateral under the street; filled potholes; planted flowers on Cambridge Island

Minutes June 3, 2019 Brookhaven Borough Council Meeting

and Borough Hall for Memorial Day Services; two more street islands will be planted soon; received and unloaded 3,000 recycling containers at garage. They will start to be delivered to homes shortly. This will be a very time consuming process; two Public Works Employees attended an MS-4 training class; televised storm sewer on Creek Road and engineer notified of the results; finished the chipping for the second quarter. The chipper had two electronic issues on sensors that had to go back to the service center; removed dead tree from the walking trail; trying to keep up with the grass cutting in between rain storms; installed sign at the entrance to Durkin Field; removed tree from the middle of Chandler Drive and pushed it up on owner's property. The tree was struck by a car and knocked down; There was an idea of putting signs on Hilltop Drive coming out of Hilltop to try to limit truck traffic from hitting the guiderail. Talked to Chief Martin and we came up with a no truck sign and under that a sign that says all trucks must use Whitely Road and another no trucks sign with no left turn sign coming out of the shopping center. If that meets Council's approval, let Gary know and he will order and install the signs. Ms. Sawicki made the motion and Mr. LaPera the second to authorize the signs discussed above. Motion carried by unanimous vote. Mr. Donaway explained what MS-4 is and said he, Gary Thompson and Dave Evans, Jr. will continue to attend these meetings.

The swim club on Chester Creek Road wanted Pedestrian Crossing signs replaced. They are \$335 and it is a private swim club. Mrs. Mulvena asked if we knew if PennDOT approved the old ones. No one knew. Mr. Heller said put them up with PennDOT approval. "Kids dart across the street all the time."

The Tanglewood letter went out to residents on Camelot Drive about that company painting the light poles on that street.

Harry Swayngim is having trouble covering Sunday events. David Liberty already has a resume on file. Ms. Sawicki made the motion and Mr. LaPera the second to employ David Liberty at a hourly wage of \$12.00 and then after 3 months \$12.50. This is effective immediately. Motion carried by unanimous vote.

Mr. Heller made the motion and Ms. Sawicki the second to accept Matthew Kurten's Memorandum of Understanding. Motion carried by unanimous vote. Chief Kurten's starting salary is \$100,000 a year. There's going to be a News Conference on June 17 around 10:30 AM. Loretta Rodgers will be there along with the television stations coming. There will be a reception afterwards.

INSPECTORS' REPORTS

FIRE MARSHAL – Mr. Leslie

Mr. Leslie said there is no open burning in the borough. If you see someone doing it call 9.1.1. and the fire department will respond.

At 5200 Hilltop Drive Building C they are building on the 3rd floor now.

PUBLIC SAFETY – Chief Montella and/or Mr. Bynum – No report

BOARD OF HEALTH- Mr. Bynum was absent.

ZONING – Mr. Hampton

Mr. Hampton said he would give the information he has on Brookhaven Green Estates to Mr. LaPera.

Mr. Hampton said he had 149 phone calls in May. Lots of sheds, fences, pools going up. .

Minutes June 3, 2019 Brookhaven Borough Council Meeting

PUBLIC DISCUSSION

None

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

Respectfully Submitted,

Mary Ellen McKinley,
Borough Secretary