

MINUTES
BROOKHAVEN BOROUGH COUNCIL MEETING
MARCH 7, 2016
7:00 PM

At 7:00 PM, Council President Wilwert called the regularly scheduled meeting of Brookhaven Borough to order. He welcomed all present and led in the Pledge of Allegiance to the American Flag. Mr. Wilwert read the names of the Borough residents who passed away during the month of February—Christopher Delacy, Frances (Jean) Torelli, Joseph Crilly, William Callaway and Eugenia Korchynsky. A moment of silence was held in their memory.

The record shows that the meeting was held in Council Chambers at the Brookhaven Municipal Center and the following people were seated at the Council Table: Ms. Sawicki, Mr. Linowski, Mr. LaPera, Mrs. Fooks, Mr. Wilwert, Ms. Leslie, Mr. Donaway, Solicitor Maddren, Engineer Catania and Secretary McKinley.

PRESENTATIONS FROM COUNCIL

Mr. Wilwert, Mayor Hess and Mr. Kuminka presented the following Coebourn Elementary School students with Certificates for reading 1,000,000 words in the Reading Counts Program: Suhaib Bhatti, Adyson McClellan, Alaina Cummings, Maren McGinley, Matilyn Stone and Madelyn Trout.

Mayor Hess and Mr. Wilwert asked Steve Yancey, Dave Avicolti and Jason Nasino from Ro-Lynn Deli, 3407 Edgmont Avenue, to come forward. Mayor Hess read Resolution 2016-03 honoring Ro-Lynn Deli for 50 years in business. Ro-Lynn Deli was established in 1965. Mayor Hess and Mr. Wilwert spoke about the delicious sandwiches and other food prepared at Ro-Lynn Deli and thanked them for their generosity in times of emergencies when Ro-Lynn Deli prepared food and brought here to help out. Ms. Sawicki made the motion and Mrs. Fooks the second to adopt the Resolution. Motion carried by unanimous vote.

PRESENTATIONS TO COUNCIL

Mr. Phil Solomon from Johnson Controls explained the Preliminary Audit Report for Brookhaven in partnership with the Regional Street Light Procurement Program (RSLPP) in which the Delaware Valley Regional Planning Commission is involved. The project would be to replace existing street and traffic light bulbs with LED bulbs. He explained the 39 page report that had been distributed to Council prior to tonight's meeting. Does Council want to move on to the engineering stage? Mayor Hess aside if it would take us 12 years to break even? Messrs. Solomon and Catania said we would break even in year 9. Mr. Wilwert asked Mr. Catania what he thought of the program. Mr. Catania said there is a guaranteed savings agreement that will fund the program. The Borough would not have any payout. These fixtures are guaranteed for 10 years. Mr. Wilwert said that for the first 8 ½ years we are not going to see any savings. Right? We will be "budget neutral". Mr. Wilwert asked if we decide to go through with this and decide to stop, will we lose our \$10,000 participation fee. No one knew the answer but Mr. Solomon will check. Mr. Maddren asked how the operational budget is developed. Mr. Linowski said that the Borough has saved \$8,000 with the LED bulbs that have been installed by Mr. Swayngim at the Municipal Center. Delaware Valley Regional Planning Commission will go out and get the total number of communities that are going to participate. This will enable them to get the final figures. Mr. Maddren said to meet the deadline, Council must vote at the Workshop on March 28. Mr. Wilwert asked if anyone in the audience has questions. Mr. Hampton from 4433 Houston Street said there are 49 municipalities in Delaware County. Of the 49 municipalities, how many have opted in. Mr. Solomon said there were 13 that showed interest but so far only 4 of the 13 have "said yes for sure". Mr. Coleman from 714 Adams Drive asked if there are a number of

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different style poles available? Mr. Soloman said we can get whatever style we want through Phillips. Unidentified member of the audience #1 asked if Johnson Controls is the only company offering this program. Who are the competitors? Does the Borough have the right to go out to get other companies? It was that person's opinion that we should look into a "stronger program". What is ESCO? Mr. Maddren said they are an Energy Services Company specializing in energy efficiency. Savings can be "stretched out" 10-20 years. Unidentified member of the audience #2 asked Mr. Catania to look into the program deeper—group purchasing. Unidentified audience member #3 said the community is old and asked what is the "cone" of the light.

Mr. Solomon said that the LED lights are a lot more controllable. The light goes directly on the road. There is more even distribution. Factors include how far apart the lights are, etc. Mr. Linowski asked that this whole matter be tabled until the March 28 Workshop.

Mr. Hill, Mrs. Konstantinidis, Mr. Nester and Mr. Royer – Shoppes at Brookhaven

Mr. Hill said in general, the project is going very well. They want to have as many stores open by this Thanksgiving as possible. They are looking to start Giant at the end of March and LA Fitness at the end of May. There has been a lot of clearing done on the entire property and they are working on the storm water basins as well as the utilities. The back property line was surveyed. They showed a diagram to Council and the audience that showed a blue line which was the back property survey line. The orange line is the actual clearing line. They said that evergreen trees will be placed as a buffer at the baseball field. They will be 6' to 7' tall and will have a circumference ranging from 10" up. They showed a photograph that was taken last week looking into the property with Coebourn Boulevard at your back. Surveyors have determined all property lines. Mr. Hill said when they closed Council got title to the 5 acres. When the baseball field is finished, it will be given to the Borough for \$1. The field will be finished in the fall. It will be seeded and it is recommended that the field not be played on until the grass is very well established. The sewer line for the concession stand and rest rooms will run down Coebourn Boulevard to Shepherd Street. They have tried to stay as far away from the back property lines of the Shepherd Street properties as possible. Mayor Hess asked about the warranty on the trees. Mr. Hill said one year but there is an 18 months letter of credit. Mr. Wilwert asked if anyone in the audience had questions. Mr. Dykes from West Brookhaven Road spoke about all of the trees that were removed, some of which were 100 years old and other clearing issues he had. Mr. Hill said the trees were surveyed. Some of the trees were not healthy. There was an area that was cleared between the foul line and 1st base. It was approved to be cleared because new drainage had to be put in via a swale. Mr. Dykes said the clearing is like a "zig zag". Mr. Wilwert suggested that Mrs. Konstantinidis go into the vestibule so she could explain the exhibit to him.

Mr. Burns from Shop-Rite was unable to make his presentation. He cancelled because of illness. He will be on the March 28 Workshop Agenda.

Public Discussion

George Scarino, 4112 North Gray, thanked Council for the work that is being done on the storm sewers in his neighborhood. He said he lives a corner and the side of his property runs along Melvin Drive. He had 9 pine trees. The contractor removed 5 of them to get their equipment into the back yard—3 at the front of the property line and 2 at the back. Now there's a 30'-40' gap in between the trees. Have any provisions been made to replace the trees that were removed with small shrubs or trees. Mr. Catania said one of Catania Engineering's employees would stop at Mr. Scarino's home tomorrow. Mr. Wilwert told Mr. Scarino we missed him and asked him how his recovery is going from the motorcycle accident he was in is. Mr. Scarino said he is feeling much better.

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SCHOOL BOARD REPORT – Mr. Kuminka

Mr. Kuminka began his report by saying Coebourn’s February’s Jump Rope for Heart was a huge success again this year. The Coebourn School Community raised \$3,999.95 for the American Heart Association. Over the past 5 years, the four Elementary Schools of Coebourn, Aston, Parkside and Pennell raised over \$120,000 for the American Heart Association. He said this is an “amazing” accomplishment.

For March Coebourn will join the district service project with supporting the Down Syndrome Association and sell Crazy Socks to raise money for this excellent organization. The Down Syndrome Association calls this Rock Your Socks. Students can buy crazy socks for \$1 and will wear them on March 11.

The Student Council is leading Coebourn Elementary School in another service project called Pennies for Patients. All money raised will benefit the Leukemia & Lymphoma Society.

Service learning continues to be an important component of Coebourn’s school community.

FIRE CHIEF’S REPORT – Chief Montella

Chief Montella reported the following statistics for the month of February:

Type	Month
Fire Incidents	0
Non-Fire Incidents	20
Mutual Aid	28
Drills	4
Total	52

Losses – There were no losses to structures, contents and vehicles. There was also no property endangered. There were no firefighter or civilian injuries nor were there any firefighter or civilian deaths.

Under Manpower on the 52 calls there was an average of 16 persons responding for a total of 562 hours. On the 4 training sessions there was an average of 28 participants for a total of 350 hours.

Brookhaven Volunteer Fire Company responded to a carbon monoxide leak with a high reading on Meadowbrook Lane; responded to a propane leak at Giant during the cold weather streak; responded to 2 motor vehicle accidents with injuries at Route 352/Edgmont and 352 at Edwards Drive. BFC hosted a Drive to Survive Class with FDIC. BFC assisted Middletown Fire Company on 2 building fires at Springhouse Lane and Levis Avenue; assisted Rocky Run Fire Company on 2 building fires at Sears Department Store in Granite Run Mall and Hebron Drive; assisted Upland Fire Company on a working car fire on Griffith Street; assisted Chester Township on a building fire at Smurfitt Container Research and assisted Chester City Fire Companies on 2 second alarms at 7th and Highland Avenues and 1110 Central Avenue.

Brookhaven Volunteer Fire Company’s second mailing will be going out for memberships. Please support this very worthwhile cause.

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The Emergency Services Report for February shows 59 transports, 11 refusals and 23 Fire/Standby. Call Totals for Boroughs for February shows Brookhaven-52 – 73; Media 23 – 9; Rocky Run 46 – 1; Parkside 45 – 1; Middletown 50 – 3; Chester Township 47 – 0; Nether Providence 65/51 – 1; Aston 17 -1; Upland 57 – 1; Rose Tree 73 – 1; Springfield 44 – 0; Lower Chichester 3-/40 – 0; Chester City 100/82/83/81 – 2; Swarthmore 14 – 0; Darby – 0 and Concordville – 1. There were two 2nd Emergencies.

POLICE CHIEF'S REPORT – Chief McGoldrick

Chief McGoldrick said that when your carbon monoxide detector sounds, get out of the house and call 9.1.1. immediately. Two of our officers went in but carbon monoxide is odorless. Please make sure you change the batteries in your carbon monoxide and smoke detectors when you adjust your clocks for daylight savings time.

He continued his report saying April 15 is IRS Day and the scam calls are coming in “fast and furious”. Do not give any information. The IRS does not call you on the phone.

On February 9 The Christian Academy got a bomb scare. Officers Fuller and Matthews were the first to respond. Our ambulance was standing by with Dave Haley and Charles Zamonski in command. Chief McGoldrick said he wrote a letter of appreciation to these 4 gentlemen. A thank you letter was also received from TCA's Headmaster Sierer. In the letter Headmaster Sierer also expressed his and Custodian Joel Schupp's appreciation for the good working relationship they enjoy with both the Police and Fire Departments of Brookhaven. They feel quite secure knowing that these local departments are watching over them and their facility.

Chief McGoldrick said beware of the Felony Lane Gang. Several of their members have recently been arrested in our area recently but there are lots more out there. Their newest thing is they are hitting day care centers. Don't leave your car running when dropping off or picking up children. They get in and steal anything in sight, including your vehicle. Mrs. Fuller only lost \$532 in a month.

SOLICITOR'S REPORT – Mr. Maddren

Mr. Maddren recommended signing the Easement Agreement with MZL, L.P. which was explained in detail at the February 22, 2016 Workshop. Ms. Sawicki so moved and Mr. Linowski made the second. Motion carried by unanimous vote.

Mr. Maddren recommended approval of the PennDOT Traffic Signal Approval Resolutions which were also discussed in detail at the February 22, 2016 Workshop. Ms. Sawicki made the motion and Mr. Linowski the second to approve the Resolution for the intersection of Route 352 at Dutton Mill Road. Motion carried by unanimous vote. This is Resolution 2016-04. Mrs. Fooks made the motion and Mr. Linowski the second to approve the Resolution for the intersection of Route 352 at Whitely Road. Motion carried by unanimous vote. This is Resolution 2016-05.

Mr. Maddren recommended adoption of the amendments to the Shed Ordinance. This has been a work in progress for over a year. It has been before Delaware County Planning, Brookhaven Planning and a Public Hearing was held immediately prior to this meeting. Mrs. Fooks made the motion and Mr. Linowski the second to adopt the amendments to the Shed Ordinance. Motion carried by unanimous vote. This is Ordinance 790.

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Mr. Maddren recommended adoption of an Ordinance of Brookhaven Borough adopting the 2015 Edition of the International Property Maintenance Code. Mrs. Fooks so moved and Ms. Sawicki made the second. Motion carried by unanimous vote. This is Ordinance 791.

Retail Sites has requested elimination of the cistern from their plan. The cistern was to be installed in front of the LA Fitness store to capture and reuse stormwater for plant irrigation. They had originally proposed this because their initial soil testing showed no infiltration. Further evaluation of the site found a few areas with infiltration. Infiltration and groundwater recharge are required by the Borough ordinance. A cistern for stormwater runoff capture and reuse is not required by Borough ordinance. Retail Sites has received approval from the State under their stormwater permit to remove the cistern. Messrs. Catania and Maddren recommend approval of the cistern. Removal would be a change to the approved plans. Mr. Linowski made the motion and Ms. Leslie the second to approve the removal of the cistern and application for revised NPDES Permit. Motion carried by unanimous vote.

MINUTES APPROVAL

Ms. Leslie made the motion and Mrs. Fooks the second to approve the Minutes from the January 25, 2016 Council Workshop. Motion approved by unanimous vote.

Ms. Leslie made the motion and Mrs. Fooks the second to approve the Minutes from the February 1, 2016 Council Meeting. Motion approved by unanimous vote.

MAYOR'S REPORT – Mayor Hess had no report.

COUNCIL REPORTS

Chair Emergency Management Administration, Chair Recycling/Trash Committee, Chair Fire Committee and Chair Police Committee – Ms. Leslie

Ms. Leslie said that there will be an E-Waste and Shredding Event here at the Municipal Center Parking Lot on Saturday, April 2 from 9:00 AM until noon. This is for Borough residents only.

There will be a Fire Committee Meeting on March 16 at 7:00 PM.

Chair Public Works and Buildings, Liaison to Holiday Parade Committee, Chair Comprehensive Plans, Member Traffic Calming Committee and Member Police Committee – Mr. Donaway

Mr. Donaway said that among other things the Borough Public Works crew handled 6 snow/ice events, removed graffiti in the parks, did routine maintenance on the mowers and responded to 2 sewer backups in January. The 1995 pickup truck has worn out its useful life and we will not be able to keep it running. Should we go out for bids in the 3rd quarter? We should see if we can use the new stainless steel bed on the 1995 truck on a new truck.

Part-time employee, Jeff Stewart, has worked out well as part of the Public Works crew. He is an “excellent worker”. Mr. Donaway made the motion and Mr. Linowski the second to bring Mr. Stewart on as a full-time employee at an hourly wage of \$10.50 plus benefits that full-time employees are entitled to effective today, March 7, 2016. Motion carried by unanimous vote.

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Mr. Donaway said phone calls were received in the office from residents on Victor Avenue that there were men with hard hats on and coveralls lifting the lids on manholes in the area. One resident went out and asked the men what they were doing and for whom. They told him they were working for the township. The office staff asked our maintenance crew to go check it out and when they arrived, the men were gone. Mr. Donaway said if one sees anyone or anything that looks strange, not only in this area but all over the Borough, call 9.1.1. immediately.

Mixer #2 at the wastewater treatment plant needs to be repaired. The cost is \$2,400. M & B Environmental will do the work. Mr. Donaway made the motion and Ms. Sawicki the second to have the repair done. Motion carried unanimously.

Liaison to Zoning Hearing Board, Liaison to Recreation Committee, Member Grant Committee, Member Long Range Development, Member Condo Association – Mr. LaPera

Mr. LaPera said that Diamond-Tex is going to be delivered to both Sampson and Memorial Parks today.

In Memorial Park the door locks need to be looked at. This includes the storage room too. Before the season starts, baseball will be putting a temporary fence in the outfield. It will be anchored. The retaining wall color was chosen today.

For Eaton Park, Mr. Catania will put together a design development drawing. We are looking for grants. Mr. Catania said there may be a couple of State grants for which we can apply.

Mr. LaPera said the Zoning Officer normally gets \$100 in gasoline money each month. He made the motion and Mr. Donaway the second to give Mr. Hampton this money retroactive to January, 2016. Motion carried unanimously.

Mr. LaPera continued his report saying that the roll up door for the concession stand in Sampson Park should be delivered tomorrow. It will be installed within a week. If it doesn't arrive tomorrow, it will be here in another week and installed promptly.

Chief McGoldrick said that the Baseball Parade will take place on April 9. It will step off from Faith Community Church at 9:00 AM. It will split up—some going to Sampson Park and others continuing on to Memorial Park. Mr. Linowski made the motion and Ms. Sawicki the second to waive the permit fee for the parade. Motion carried by unanimous vote.

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

Mrs. Fooks said the Ordinance Committee met in February and discussed sections of the 2015 International Property Maintenance Code. She will have a discussion with Council President Wilwert about how we can incorporate these into inspections of businesses, specifically those that are vacant and in need of repair. The Ordinance Committee's next meeting will be on March 17 at 6:30 PM. It was requested the Committee evaluate a new solar ordinance since solar panels are becoming more popular here in the Borough. Mr. Maddren will provide Bethel Township's ordinance for our Committee's review.

Mayor Hess, President Wilwert, Jim Cadden and Mrs. Fooks will meet this Thursday to discuss our website

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and how we can make major improvements without major expense. Also Mr. Cadden has updated our website calendar with Borough Meetings. Any other events will be in the main section of the website, e.g., shred it days.

Chair Arbor/Shade Tree Committee, Liaison to Health Inspectors and Health Officer, Member of Grant Committee, Liaison to Planning Commission, Member Long Range Development Committee and Member Fire Committee – Ms. Sawicki

Ms. Sawicki said our Planning Commission did meet in January and approved the amended Shed Ordinance. She said that our Planning Commission will not meet in March because they have nothing on their agenda. They are, however, anxious to review the plans for Shop-Rite in Plaza 352.

Chair Finance and Insurance Committee, Chair Long Range Development, Member Fire Committee, Member Civil Service Commission and Chair Condo Association Committee – Mr. Linowski

Mr. Linowski made the motion to approve the bill list dated 03/07/16. The total is \$53,431.11. Mrs. Fooks made the second. Motion carried unanimously.

Mr. Linowski said that last trash day was very windy. He rode through the Dutton Mill area. He saw about half of the cans of trash and recycling placed in the street. Where they had blown away from where they had been placed, he put them back on the curb where they belong. They are already on the street to start with and need to be on the curb.

Chair Inspectors and Fire Marshal, Deputy Emergency Management Coordinator, Chair Traffic Calming, Member Technology Committee and Member Historical Society Committee – Mr. Wilwert

Mr. Wilwert said that Council did meet in an Executive Session earlier this evening to discuss possible legal action.

The Historical Society Committee will be meeting in about two weeks. They will be making some field trips throughout the Borough.

Town Watch is still patrolling and doing “a heck of a job”.

ENGINEER’S REPORT – Mr. Catania

Mr. Catania spoke about the request from Shoppes at Brookhaven for Escrow Release #1 (Phase 1-3 \$211,035.55, Phase 4-6 \$0.00 and Ballfield \$26,934.30) and #2 (Phase 1-3 \$94,697.08, Phase 4-6 \$0.00 and Ballfield \$54,969.50). He recommended approval of both. Mr. Linowski made the motion and Mr. LaPera the second to approve both of these releases. Motion carried by unanimous vote.

Regarding the Interior Handicap Accessible Door System, quotations were received and it is Mr. Catania’s recommendation that the award be given to L. J. Paoletta Construction at a cost of \$12,773.00. Mr. Linowski made the motion and Mr. Donaway the second. Motion carried by Roll Call Vote of Council as follows: Mr. Donaway – Yes; Mrs. Fooks – Yes; Mr. LaPera – Abstained because the business he is in does work for Paoletta Construction also; Ms. Leslie – Yes; Mr. Linowski – Yes; Ms. Sawicki – Yes; Mr. Wilwert – Yes.

Mr. Catania spoke about the Street Resurfacing Program and recommended the bid award to go Innovative

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Construction Services. Their bid was \$313,188.00. Mr. Linowski so moved and Ms. Sawicki made the second. Motion carried unanimously.

Mr. Catania asked for authorization to design and advertise the Trimble Boulevard Drainage Improvements project. This is at 340 Trimble Boulevard. Mr. Linowski said this is a budgeted problem correction. Mr. Catania said it involves a pipe in the street and grading. Mr. Donaway aside if this project is going to affect anyone else—specifically the Victor Avenue neighbors. Mr. Catania said no. Mr. Linowski made the motion and Ms. Sawicki the second to approve the authorization requested. Motion carried by unanimous vote.

The Borough has been working with FEMA for several years to get a reduction in flood plain insurance premiums for the homes on Creek Road. The Borough has received notice that it has been approved and there will be a 5% reduction. The area is now Class 9. This needs Department of Homeland Security and the Federal Emergency Management Agency's approval.

The drainage improvements at North Gray Street and Melvin Drive are underway with Ridley Excavating doing the work.

The Memorial Park seating job is scheduled to begin on or about March 10.

INSPECTORS' REPORTS

Messrs. Jon and Robert Grant had no report. Neither did Mrs. Warfield.

Fire Marshal Leslie said that Shop-Rite is moving right along with demolition. Lowes will be upgrading. Both of these businesses are in Plaza 352.

There was an incident at Coebourn Elementary School where the Fire Company went for a fire alarm and found gasoline being stored by the kitchen—just feet away from a gas stove. Mr. Leslie notified Dr. Steinhoff about this situation. He also discovered that they were shutting off the fire alarm system during school hours to work on it. On neither level of the school were fire watchers kept.

PUBLIC DISCUSSION – None

Ms. Leslie made the motion and Mr. Linowski the second to adjourn since there was no more business to come before Council. Motion carried by unanimous vote.

Respectfully Submitted,

Mary Ellen McKinley
Borough Secretary

