

MINUTES
BROOKHAVEN BOROUGH COUNCIL MEETING
MONDAY, NOVEMBER 10, 2014
7:00 PM

Mrs. Truesdale, President of Council, called the meeting of Brookhaven Borough Council to order at 7:00 PM. The meeting was originally advertised for November 3, but because of Election Day the change was made to November 10 and was properly advertised in the Delaware County Daily Times. The meeting was held in Council Chambers at the Brookhaven Municipal Center. Mrs. Truesdale led in the Pledge of Allegiance to the American Flag and Mayor Hess read the name of the Borough residents who passed away in October—Brandy Woolsey and Pauline Harper. A few moments of silence was held in their memory.

The record shows the following people were seated at the Council Table: Mr. Camma, Ms. Sawicki, Mr. Wilwert, Mrs. Truesdale, Mr. Halligan for Solicitor Maddren, Mrs. Fooks, Ms. Leslie, Mr. Linowski, Mayor Hess, Engineer Catania and Borough Secretary McKinley.

Public Discussion

Harry Seth, 3633 North Clearwater Lane spoke about portable basketball standards at a location off of Trimble Boulevard and another on Ridgewood Lane. He said the poles are hard to see and there are children playing at them at dusk. He feels this is a public safety issue. Mr. Wilwert said he and Mr. Thompson would check both locations to see what can be done to correct these situations.

Tom Dykes, 305 West Brookhaven Road said he assumes everyone has read the new proposal for the proposed development of a portion of the Chester Water Authority property. Among other things, he spoke about the proposed 1265 (3)(e)—the different type of shops now allowed in a unified shopping center, a miniature golf course—why would one not be allowed in Brookhaven? He talked about front and back setbacks and said it appears there is no setback for buildings along Coebourn Boulevard. It is his opinion the open space agreement should be modified. He also spoke about Page 13 where lighting designs are explained. He feels that there should be 20' lights exception the center of the shopping center where they should be 25' high.

Dan Gallo, 4390 Marianne Drive asked about the policies for public hearings and voting date. At the public hearing in August, the proposed developer and his professional staff made their presentation from 6:00 – 8:15 PM, causing some senior citizens and people with children present to have to leave. Mr. Maddren explained why there was a need for another public hearing and the reason the advertisement was worded the way it was. Mr. Maddren said he envisions Mr. Hill and his professional staff would speak first and then public comment would be received. The public will always have a chance to respond. Only the new proposed changes should be addressed and things that Council has already taken under advisement. Mrs. Truesdale suggested informing Mr. Hill that he and his staff have up to an hour and then the public comment will be received. Mr. Maddren said it is up to Council when to vote. He said he does not envision a vote the night of the public hearing. It depends on what we learn that night and the vote would be at a date yet to be determined. It could be as early as the Workshop on November 24.

John Franz, 4952 Madison Drive, said that there was a fitness center on Chester Creek Road and it did not work out. Why does anyone think an L. A. Fitness would work? He held up a flyer that showed people can go to Aston and pay \$10 a month to join the fitness center over there where the old Acme was. He expressed his concern about water problems—there's a stream on the Coebourn School property now that has caused problems in the past. With the addition of a shopping center across the street, it is more than likely going to cause more problems. He asked if anyone knew how many signed contracts the proposed developer already has.

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No one knew. He also spoke about the amount of taxes that will be taken in and has heard a rumor that there is a possibility of someone buying the land and putting in Section 8 housing. He also feels that Granite Run Mall development will be “big competition” to what is being proposed in Brookhaven.

School Board Report – Mr. Kuminka contacted us saying he was unable to attend the meeting tonight. He’ll give a report at the December Council Meeting.

Police Chief’s Report – Chief McGoldrick

Chief McGoldrick said that on October 28, George Young Company brought a big generator through the Borough. This oversized only ripped out one pole and wires. This happened at noon during a normally busy lunch time. Officers Barth and Hughes as well as the fire police did traffic control. Gary Thompson and the maintenance crew helped too. Originally the time to correct the damage done was 8 hours. What a Crock was concerned about their electricity being out and the possibility of their food spoiling. Tom Jones Family Restaurant, whose generator was keeping their electricity on, allowed What A Crock to put their food in their refrigerators and freezer. This is a good example of people working together in the best interest of one another.

Chief McGoldrick said that Black Thursday is now the norm—not Black Friday any more. Now it is targeted theft. He advised everyone not to leave anything in view of anyone in your vehicle. Put it in your trunk out of sight.

Thanks were given to Town Watch members. They patrolled on Mischief Night and Halloween. There were no incidents.

Fire Chief’s Report – Chief Montella

For the month of October, Chief Montella reported the following statistics:

<u>Type</u>	<u>Month</u>	<u>Year</u>
Fire Incidents	7	42
Non-Fire Incidents	14	147
Mutual Aid	18	421
Drills	4	41
Total	43	462

<u>Loss</u>	<u>Month</u>	<u>Year</u>
Structure	\$0	\$ 52,000
Contents	\$0	\$ 61,000
Vehicles	\$4,000	\$ 10,000
Loss Total	\$4,000	\$ 119,000
Property Endangered	\$0	\$1,760,000

<u>Injury Report</u>		
Firefighter Injury	0	0
Firefighter Death	0	0
Civilian Injury	0	2
Civilian Death	0	0

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(Fire Chief's Report – Continued)

<u>Manpower</u>	<u>Calls</u>	<u>Average Persons</u>	<u>Hours</u>	<u>Hours Year-to-Date</u>
Fire	43	16	464	5,485
Training	4	30	180	2,340

Brookhaven Fire Company responded to 3 building fires in Brookhaven, the Elwyn House on School Lane for a fire in a kitchen exhaust fan; Victor Avenue for an electrical fire in a wall outlet and Trimble Run Condominiums for careless smoking in the laundry room.

They responded to two working car fires—200 block of Dutton Mill Road and 5005 Edgmont Avenue in the K-Mart parking lot.

They responded to 3 motor vehicle accidents with injuries in the Borough—two at West Brookhaven Road at Mount Vernon Avenue and one in the 4500 block of Edgmont Avenue.

Brookhaven Volunteer Fire Company located and pin-pointed a gas leak in the 3500 block of Edgmont Avenue for PECO Energy. PECO Energy addressed the leak.

Brookhaven Volunteer Fire Company assisted Middletown Township on a working fire at Elwyn's campus. There was a loss of life in this fire.

Fire Prevention Week Visits by the Fire Company were as follows: 321 students at Coebourn Elementary, 130 students at The Christian Academy, 33 children at Kinder Care, 19 children at the childcare facility in Full Gospel Assembly and 12 children at Education Station located at Slavic Evangelical Baptist Church. This is a total of 515 children.

In October the ambulance answered 98 calls with 66 of them transports and of the 66, 52 were local. They responded to 32 mutual aids, 4 second emergencies. October year-to-date ambulance responses are 938.

Brookhaven Fire Company participated in K-Mart's Fire Safety Day. 50 people learned about fire prevention.

This past Saturday, Brookhaven Fire Company participated in Pathmark's Hometown Day where 100 visitors learned about fire prevention.

On September 29, Brookhaven's Family Day, over 150 people visited the Fire Company's display and were given various items, e.g., fire hats for the children, potholders and other helpful things for the adults as well as printed information for fire safety.

Chief Montella commended Ms. Leslie and the others involved with the Veterans' Day Service on Saturday, November 8. He said it was "a great thing for Brookhaven".

Turkey Raffle Tickets have been mailed out. Please support this important fire company fund raising event.

Solicitor's Report – Mr. Halligan for Mr. Maddren

Mr. Halligan said that there will be a Public Hearing at 6:00 PM on Wednesday, November 12 to receive public input on the proposed development on the Chester Water Authority property. This will be followed by a Special Meeting of Council. All has been properly advertised in the Delaware County Daily Times. Mr. Halligan has

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the proof of publication. He said he will try to get questions asked tonight answered tomorrow.

Minutes Approval

Ms. Leslie made the motion and Mr. Linowski the second to approve the Minutes from the September 22, 2014 Council Workshop. Motion carried unanimously.

Ms. Leslie made the motion and Mr. Wilwert the second to approve the Minutes from the October 6, 2014 Council Meeting. Motion carried unanimously.

Mayor's Report – Mayor Hess

Mayor Hess congratulated and thanked Ms. Leslie and all others who were involved with the Veterans Day Ceremony on Saturday. It was a wonderful tribute to Mr. Hilton, the veterans and those currently serving. Mayor Hess said for all who have served or are serving now, thank you for your service.

Liaison to Zoning Hearing Board, Chair Finance and Insurance Committee, Chair Long Range Development Committee, Member Civil Service Commission and Chair Condo Association Committee – Mr. Linowski

Mr. Linowski presented the Bills for Approval List dated 4:15 PM 11/10/14. The total is \$429,553.72, \$363,480 of which was the 2014 Minimum Municipal Obligation for the Police Pension Plan. He made the motion and Mr. Camma the second to approve the bills for payment. Motion carried unanimously.

Mr. Linowski continued his report by reading the proposed 2014 Budget by sub-total. He read the following amounts:

General Fund Income– Opening Balance \$1,500,000; Local (Act 511) Taxes \$3,135,432; Licenses and Permits \$191,800; Fines and Forfeits \$37,000; Interest & Rents \$76,500; Intergovernmental Revenues \$185,558; Departmental Earnings \$190,100; Reimbursements and Contributions \$55,800; Miscellaneous \$1,000; Police Grants \$40,000. General Fund Revenue \$3,913,109 plus Opening Balance \$1,500,000. General Fund Annual Balance \$5,413,190.

General Fund Expenditures – General Government Administration \$78,750; General Government Salaries \$136,530; Financial Administration \$53,717; Tax Collection \$58,100; Legal Services \$85,500; Engineering Services \$30,000; Buildings – General Government \$377,700; Police-Public Safety \$1,669,980; Fire Safety \$353,400; Public Safety \$29,300; Code Enforcement & Inspection \$149,270; Zoning \$23,250; Health & Welfare \$23,500; Public Works \$863,586; Recreation \$143,800; Debt Service \$196,835; Insurance Premiums \$917,972; Act 205 MMO's \$154,000, ER Taxes \$68,000. Total General Fund Expenditures \$5,413,190. This is a balanced budget.

Trash Fund Revenues – Opening Balance \$165,000; Trash Fund Revenue \$403,710; Trash Fund Annual Balance \$568,710. Mr. Linowski said that the Trash Fee for 2015 would be \$121.00 per unit plus the Delaware County Solid Waste Fee of \$41.00 for a total of \$162.00 per unit.

Trash Fund Expenditures – Engineering \$2,000; Residential Trash \$534,210; Supplies \$5,000; Leaf Collection \$27,500. Total Trash fund Expenses \$568,710. This is a balanced budget.

Road Maintenance Fund Revenues – Opening Balance \$40,000; Earnings on Investments and Liquid Fuel Money \$168,500. Total Road Fund Revenue \$168,500 plus Opening Balance of \$40,000 = \$208,500.

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Road Maintenance Fund Expenditures – General \$43,000; Lighting \$82,500; Road Repair \$83,000; Total Road Fund Expenditures \$208,500. This is a balanced budget.

Sewer Fund System Revenues – Opening Balance \$370,000; Income \$172,332; Sewer System Annual Balance \$542,332.

Total Sewer Fund System Expenditures - \$542,332. This is a balanced budget.

Brookhaven Wastewater Treatment Plant Fund Revenue – Opening Balance \$43,000; Income \$286,617 for a total of \$329,617, including the Opening Balance.

Brookhaven Wastewater Treatment Plan Fund Expenditures – \$221,617; Debt Service – Plant -\$108,000. Total Plant Expenditures - \$329,617. This is a balanced budget.

DELCORA Income \$601,500 (collect in 2015, pay in 2016).

DELCORA Expense \$551,599

Infrastructure Capital Fund - Existing Income \$25,000.00. Total Capital Fund Revenue \$594,955.

Infrastructure Capital Fund Expense \$0.

Mr. Linowski said the 2015 Sewer Fees will be as follows: Zones 1, 2 and 3 \$290.00; Zone 4 (our Wastewater Treatment Plant \$424.68 and Zone 5 (Hilltop) \$288.00. This is a total of 3,544 units for a Zone Total of \$1,134,268.07.

Mrs. Fooks said the above sewer fee figures do not included those homes on the Southwest Delaware County Municipal Authority lines. Mr. Linowski said that's right.

Chief McGoldrick and others were thanked for his input for the Proposed 2015 Budget.

Mr. Linowski made the motion and Mr. Wilwert the second to change our current payroll company to The Payroll Factory, effective January 1, 2015. This will be a \$2,000 savings. Motion carried by unanimous vote.

Mr. Linowski made the motion and Mr. Wilwert the second to adopt the Sexual Abuse Policy and Procedures Resolution for Insurance Liability Purposes. Motion carried by unanimous vote. This is Resolution 2014-12.

The Zoning Hearing Board will meet on November 11 at 7:00 PM for a variance for vacant land on Shepherd Street. Mrs. McKinley explained that the owner of the vacant land has a proposed buyer and the buyer wants assurance that a house can be built on the vacant land.

The Budget Schedule is as follows: 11/10/14 – First Reading; 11/12-11/25 Public Inspection of Budget; 12/01/14 Second Reading at Council Meeting; 12/15/14 Workshop-Special Meeting – Adoption of Budget and related ordinances and resolutions.

Council Reports

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Chair Arbor/Shade Tree Committee, Liaison to Board of Health Committee/Public Safety Committee, Member of Grant Committee, Liaison to Planning Commission and Member Long Range Development Committee – Ms. Sawicki

Ms. Sawicki announced that the Logo for the 70th Anniversary of the Borough is the gazebo. Mrs. Fooks asked why we having a 70th Anniversary celebration and not waiting for the 75th. Ms. Sawicki said it has been in increments of 10 years in the past—50th, 60th and now 70th. New time-line flyers have been made up. More volunteers are needed and welcome to join the committee. Either send an e-mail to Mrs. McKinley or stop at the Borough Office to give your contact information. The Committee will be selling some very nice souvenirs at the Craft Fair on November 29.

Ms. Sawicki announced that the Planning Commission met on October 21 to discuss the proposed Revised R-S to C-5 zoning change for a portion of the Chester Water Authority property.

Chair Historical Society, Liaison to Holiday Parade Committee, Traffic Calming/Speed Humps Assignor, Chair Comprehensive Plans, Chair Inspectors and Fire Marshal– Mr. Camma

Mr. Camma made the motion and Mr. Wilwert the second to waive the permit fee for the Holiday Parade on November 22. Mr. Camma said that the parade participants begin lining up at Our Lady of Charity’s Parking Lot about 12:30 PM. The parade steps off at 2:00 PM. Motion to waive the permit fee carried by unanimous vote. Mr. Camma said they need 7 belts to hold the flags being carried in the parade. Mr. Linowski said he can lend them 3 new ones. Now they only need 4 more. Is there possibility they can be borrowed from Sun Valley’s ROTC?

Mr. Camma said he, Ms. Sawicki and Mr. Linowski attended the Murder Mystery Night. It was a very nice event. The Recreation Committee did a great job and the food was very good too.

He continued his report by thanking Charles Leslie and Mr. Linowski for getting him to the right spot to purchase a new Santa suit.

Mr. Camma spoke about Memorial Park and his wish and that of some others of renaming it the Daniel M. McCray Memorial Park. This has been discussed at a previous meeting. Mr. Camma made the motion and Mrs. Fooks the second to re-name the park. Ms. Sawicki said the park was informally named to honor the veterans and Daniel M. McCray was a Marine—a veteran. It just doesn’t seem right to re-name the park. Mayor Hess he has nothing against it and said that when the name was changed from Scott Park to Memorial Park, it was done informally years ago at Opening Day of Baseball. There was no resolution or motion of Council. That’s why one can’t be found. Mr. Wilwert suggested naming one of the ball fields after Mr. McCray instead of the whole park. Mr. Camma’s motion carried by a 5-2 Roll Call Vote as follows: Mrs. Fooks – Yes; Ms. Leslie – Yes; Mr. Linowski – Yes; Mr. Camma – Yes; Ms. Sawicki – No; Mr. Wilwert – No; Mrs. Truesdale – Yes.

Chair Public Works Department, Co-Chair Inspectors and Fire Marshal, Member Fire Committee, Deputy Emergency Management, Chair Building/Rental Committee, Member Grant Committee and Member Police Committee – Mr. Wilwert

Mr. Wilwert said that the Veterans Day Service was “the nicest affair he has ever attended” and the way Mr. Hilton and the other veterans were honored was “amazing”. It was a privilege to be there.

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The Town Watch Craft Fair will be on November 29 from 9:00 AM to 3:00 PM. Crafters need to start setting up as early as 7:30 AM and be ready for business at 9:00 AM. Food, including chili, will be available. He complimented Ms. Leslie on the chili she made for the Delaware County Association of Boroughs Board of Directors Meeting that was held here last week. Craft Fair chili recipe will be his wife's.

Business and Revitalization Coordinator, Chair Ordinance Committee, Member Condo Association, School Board Liaison, Chair Technology Committee, Member Personnel Committee, Member Finance Committee and Chair and Council Liaison to Grant Committee – Mrs. Fooks

Mrs. Fooks thanked Ms. Leslie and those involved with celebrating our Veterans on Saturday. She did a great job organizing everything.

Mrs. Fooks said she continues to work with Mr. Catania, evaluating the soon to be adopted 2015 International Property Maintenance Code and how it relates to our current ordinances where commercial property maintenance applies. They will be evaluating and making changes where necessary.

The SPCA Clinic on October 21 was a success as were the previous SPCA Clinics held here at the Municipal Center. 63 pets were vaccinated and/or micro-chipped.

Under Business Revitalization, Mrs. Fooks said she was happy to report another new business is coming to Brookhaven. Our latest is Spoil'm, located at 4100 Edgmont Avenue. They are not open for business just yet; however, when ready, they will sell a variety of cell phone products, including cell phone cases which you can make from personal photos, custom shirts, clothes and a variety of other cool and different products. They are very excited to be in our Borough. The committee is also working with Phatso's Bakery. Phatso's has earned multiple victories in the Daily Times' Best of Delco competitions. Our hope is to find them an affordable Brookhaven storefront within the next few months. If anyone knows of a business that is interested in coming to Brookhaven, please let her know.

Our local Cub Scouts will be collecting canned goods and non-perishable items during the Holiday Parade on November 22. Please remember to bring your donations to the parade and the scouts will collect them from you. Let's help them help the less fortunate in our area.

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

Ms. Leslie said Shred It Day was cold and raining so we didn't have a big turnout. Approximately 50 residents participated and recycled 2,000 pounds of paper.

Our Veterans Day Ceremony was fantastic. A three-time Purple Heart recipient, Willie Hilton, was honored with a Resolution from Council and the Mayor. Willy had many tears of joy and was surrounded by many members of his family and friends. She thanked everyone that was able to attend and participate in the ceremony. Special thanks went to our Albert Merlino Memorial Post 94 members, Post Commander, Jim Burns, Harry Seth, George Fritzing, Jack Ruth and Mayor Hess for speaking. Thank you to the Warrior Watch Riders and A Hero's Welcome for providing a flag line and also doing a presentation to Willie. Thanks to Harry Swayngim for setting up and taking everything down, the Brookhaven Boy Scout Pack and Troop 493, the Sun Valley ROTC and Col. Ryman, Lyn Stauffer for playing the bugle, the St. James Choir and special guest speaker, Lt. Colonel Michael J. Rounds, Retired Army from Williamson Free School of Mechanical Trades. She said hopefully she has thanked everyone and apologized if she has accidentally omitted someone. She wished all veterans near and far a Happy Veterans Day and thanked them for their service.

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Ms. Leslie announced that Brookhaven will be having a veteran returning from Iraq on Monday, November 17. We are planning a big Welcoming Home to Marine Scott Camma, the son of Councilman Greg Camma. If anyone is in the neighborhood and would like to join in the Welcoming Home, please feel free to do so. At this time there isn't an exact time but as soon as we know it, the Borough Office will be notified. Mr. Camma thanked Ms. Leslie for coordinating this Welcome Home Celebration.

Ms. Leslie will be attending the First Annual Freedom Medal Award Dinner sponsored by Delaware County Council and Delaware County Veterans Memorial Association at the Springfield Country Club.

The Fire Committee will be meeting to review the applications for the Public Fire Safety Officer position that was advertised a few weeks ago.

The Brookhaven Boy scouts Pack and Troop 493, along with Douglas Bull, will be donating and planting a tree along the Walking Trail as they do every year. She thanked them for this donation to the Borough.

Engineer's Report – Mr. Catania

Mr. Catania said that the bids for the Treatment Plan Operation & Maintenance Contract have been tabulated and it is Catania Engineer's recommendation that the award be given to the low bidder—M&B Environmental, Inc., 744 Harleysville Pike, Harleysville, PA 19438 in the low bid amount of \$74,400 for services from January 1, 2015 to December 31, 2016. Mr. Wilwert made the motion to accept the recommendation of Catania Engineering. Mr. Linowski made the second. Motion carried by unanimous vote.

Mr. Catania's written report to Council dated November 10, 2014 contained the following information:

Auto Zone – Construction has started.

Melvin & N. Gray Street Storm Sewer Project – Construction is set to start on November 17.

Chester Water Authority Property Development – Catania Engineering did a revised plan review.

Coebourn School – Catania Engineering performing periodic inspections.

600 Trimble Boulevard – Has a water problem in their crawl space. Chester Water Authority has tested the water.

132-136 Meadowbrook Lane – There are Spectra Energy restorations here. Mr. Catania contacted Spectra Representatives to address the problems. He is awaiting a response from them.

Inspectors' Reports

Electrical, Code Enforcement, Plumbing and Mechanical - Messrs. Jon and Robert Grant – No report

Board of Health – Mrs. Warfield

Mrs. Warfield reported that 60 people were immunized for the flu on October 21.

The Lions Club has taken over our used eyeglasses collection.

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(Health Inspector's Report – Continued)

There is a Cooking For Crowds Class going on this evening in the Community Room.

Mrs. Warfield said that so far the Borough has been reimbursed \$4,650 in grass cutting liens.

Fire Marshal – Mr. Leslie

Mr. Leslie said the new business opening at 4100 Edgmont Avenue will be calling for a final inspection. They aren't quite ready yet.

Mr. Leslie reported that dryer vents need to be cleaned out. They get clogged with lint. This is especially true at the condos at 5200 Hilltop Drive.

Mr. Leslie asked if anyone knew anything about the gun shop at 3303 Edgmont Avenue. Mrs. McKinley said she had heard about it and took a little ride to see where it is. There is no sign up for it but there is a business with outside cameras at the rear of the property. The front is occupied by the owner of the property. She is a physician.

All of the lights have been upgraded at Trimble Run Condominiums—280 Bridgewater Road.

Wing Hing Restaurant in the Brookhaven Shopping Center has a fire alarm. It went off and the fire company responded. They found out there is a new owner so they need a commercial certificate of occupancy.

Lots of work is going on at 3605 Edgmont Avenue—the new home of Optimal Health.

Liaison to Recreation Committee, Chair Personnel Committee, Member Finance Committee, Member Fire Committee and Member Police Committee – Mrs. Truesdale

Mrs. Truesdale reported that she and Mrs. McKinley had visited with Mrs. Stichter, a 102 year old Borough resident on her birthday which was October 6 . They presented her with flowers from Council and the Mayor and a card. Mrs. Strichter's daughter, Sister Margaret John, who cares for her mother, sent a beautiful thank you note.

Coming events include the Town Watch Craft Fair on November 29. Pictures with Santa are from 11:00 AM to 1:00 PM. The pictures are sponsored by the Recreation Committee.

The Annual Senior Luncheon will be at 1:00 PM on December 7. Tickets are a must. Later that day at 6:00 PM there will be the Holiday Tree Lighting Ceremony. The tree is now located out back along the Walking Trail.

There was no more business to come before Council so Mr. Linowski made the motion and Ms. Leslie the second to adjourn. Motion carried unanimously.

Respectfully Submitted,

Mary Ellen McKinley
Borough Secretary