

MINUTES
BROOKHAVEN BOROUGH COUNCIL WORKSHOP MEETING
MONDAY, NOVEMBER 26, 2018

At 7:00 PM Council President Vawn Donaway called the regularly scheduled Workshop Session of Brookhaven Borough Council to Order. Mr. Donaway led in the Pledge of Allegiance to the American Flag.

The record shows the meeting was held in Council Chambers at the Brookhaven Municipal Center, 2 Cambridge Road, Brookhaven, PA 19015 and the following people were seated at the Council Table. Councilpersons Mr. Donaway, Ms. Sawicki, Mr. Heller, Mr. LaPera, Mrs. Fooks, Mayor Hess, Ms. Leslie, Mr. Pappas, Ms. Straguzzi (sitting in for Borough Engineer, Mrs. Mulvena) and Solicitor Stone. (*Mrs. Joan Boyle, Brookhaven Planning Commission Secretary, recorded the minutes*).

PRESENTATION TO COUNCIL – STEVEN WASYLYSZYN FOR DUNKIN DONUTS

Mr. Wasylyszyn from G. D. Houtman & Son, Inc. was present to give a presentation for the proposed Dunkin Donut Store at 4580 Edgmont Avenue, which was formerly a convenience store and was zoned C2. The applicant is proposing a one-story building with the present roof to be removed and replaced with a flat roof. The previous owner went before the Brookhaven Zoning Board in 2017 and received a variance to change the zoning to allow a donut store with a drive-thru window and a restaurant. The variance was granted subject to the following three conditions: (1) – three parking spaces should be removed and replaced with a green area which the current plan represents; (2) – the island in the middle of the property was to remain; (3) – the exit driveway was to become a right turn only.

Mr. Wasylyszyn said that the plans were presented to the Brookhaven Planning Commission in October and they had several questions and minor additions. They asked us to extend the existing sidewalk in front of the building further west. They had a question as to where the dumpsters would be located. Mr. Wasylyszyn showed the Council their location on the plans, which would be in the back of the store. There was a question about the handicap ramps and Mr. Wasylyszyn showed the location of the ramps on the plans. There was a question about the signs exiting onto Edgmont Avenue; the Planning Commission asked if there could be one sign that would include a Stop Sign and a Do Not Enter Sign. The Planning Commission also asked if we could extend the existing island further west which would be an additional green area. The Delaware County Planning Commission reviewed the plans and recommended approval at their last month's meeting.

Mr. Wasylyszyn said that he received comments from the Borough Engineer that he wanted to discuss. One was the location of fire hydrants. There are two hydrants in the area that are within the required 800 feet of the building. Mr. Wasylyszyn presented the plans to the Fire Marshall in September and he approved the plans regarding the Fire Department issues.

The other item on the Engineer's review letter was asking the owner to get a revised permit from PennDot. Mr. Wasylyszyn said that he is not aware that there is an existing PennDot permit and that all of the changes and modifications that we made to the building are internal. To go to PennDot would be very expensive for the owner and more importantly it could take up to six months to get a permit.

They are anxious to move forward with this project. They are not proposing any modifications to the curb or the sidewalk. Ms. Straguzzi said that they would have an answer about this next week. Mr. Donaway commented that he liked that there would be more greens on the property.

The client and Dunkin Donuts are spending much money to have the building look modern. That is why as part of the improvements they want to take off the current A-Frame roof and replace it with a flat roof. The colors of the building will be very nice. There were no further questions from the Council members or from the public. Mr. Donaway thanked Mr. Wasylyszyn for coming tonight and giving the presentation to Council.

Solicitor Stone asked Mr. Wasylyszyn if he was asking Council for anything this evening. Mr. Wasylyszyn said that he would like to have a final decision. He said that there is nothing in the review letter from the Engineer that would alter the way the plan looks now. Everything will be done according to the Engineer's review letter. Solicitor Stone said that the question he had was with the issue with sanitary conditions, such as sewer capacity, etc. if a secondary tenant comes into the building. Ms. Straguzzi said that Mrs. Mulvena's letter specifically states that the items are for Dunkin Donuts only and not for the restaurant that is proposed. Solicitor Stone asked Mr. Wasylyszyn if he wanted final approval based on the approval of any outstanding comments from the Engineer.

Solicitor Stone asked for a motion to approve the Final Plan for the Dunkin Donuts based on the approval of any comments from the Borough Engineer. Mr. LaPera made the motion and Mr. Heller seconded the motion. The motion was passed unanimously.

PUBLIC DISCUSSION

Mr. Donaway said that Ms. Sawicki would be reviewing the proposed budget for 2019 after the Committee Reports. He asked if anyone had any questions about the budget, they wait until after the review to ask them since they might be answered during the review.

Christina Johnson, Adams Drive, said that she wanted to invite everyone to attend the annual light celebration on Saturday, December 8th. They light up Adams Drive with candles. Mrs. Fooks said that Grant Drive is also doing it. The rain date is December 15th. Mrs. Johnson requested this information be put on the electric sign.

Tom Dykes, W. Brookhaven Road, said that there is a gravel pit on Mt. Vernon Avenue (on the 3400 block). It has been there since Spring and is still not paved. Mrs. Fooks said that at the intersection of Brookhaven Road and Edgmont Avenue there is a big dip from where they were working on it last month. These will be looked into.

Sean McKenna, Madison Drive, asked if there is a Budget Committee. Mr. Donaway said we would put a committee together. Mr. McKenna asked why there was no committee before putting the budget together. Mr. Heller said that it has been done in the past with no committee. Mr. McKenna said that the generator does not need to be replaced. He said that the generator panels need to be rewired. He said that the present generator would be running for a long time. The cost to have the panels rewired would be \$1500 to \$2000 versus \$125,000 for a new generator.

SOLICITOR'S REPORT

Solicitor Stone wanted to remind the Council that we have four Ordinances that need to be adopted at the December 3rd Council Meeting. They are for the International Energy Conservation Code, the International Fuel Gas Code, and the International Mechanical Code. We also have a new Ordinance relating to Fireworks. We want to get this adopted in December so we can enforce it at New Year's Eve.

Solicitor Stone said that we need to extend the Lease Renewal for the State Representative's office. A motion to extend the lease term for the State Representative's office for two years was made by Mr. Heller and Ms. Leslie seconded it. The motion was unanimous.

Solicitor Stone said that we have prepared a development agreement for the owner of the Shopping Center where Freddy's is going for the owner to prepare a pad site. This is just for the owner; once the pad site is developed they turn it over to the Freddy's lessee. Solicitor Stone asked for a motion to approve the pad site. Ms. Sawicki made a motion and Mr. Heller seconded it. The motion was unanimous.

Solicitor Stone said that they received a request from a company that leases ground space for a cell tower by the sewer plant. Solicitor Stone said that the lease was just renewed for five years so we are under no obligation to change anything. Solicitor Stone thinks the company wants to lock us into something as far as a permanent easement. Ms. Sawicki said that she does not want to do anything until 2023 when the lease expires. We will continue to explore this further.

MAYOR'S REPORT

Mayor Hess had no report.

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 had no report.

PRESIDENT PRO-TEM, CHAIR ARBOR/SHADE TREE COMMISSION, CHAIR FINANCE AND INSURANCE, COMMITTEE, MEMBER LONG RANGE DEVELOPMENT AND COMPREHENSIVE PLANS, MEMBER FIRE COMMITTEE AND CHAIRMAN GRANT COMMITTEE – MS. SAWICKI

Ms. Sawicki reported that we have bills to pay. She asked for a motion to pay the bills. Mr. Heller made the motion and Ms. Leslie seconded it. The motion was unanimous. Ms. Sawicki will go over the budget at the end of the meeting.

PLANNING COMMISSION LIAISON, CONDO ASSOCIATION CHAIR, MEMBER FIRE COMMITTEE AND MEMBER HISTORICAL COMMITTEE – MR. PAPPAS

Mr. Pappas reported that there was a Planning Commission meeting on November 20, 2018 but no new business was discussed. He had no further report.

BUSINESS AND REVITALIZATION COORDINATOR, CHAIR ORDINANCE COMMITTEE, MEMBER CONDO ASSOCIATION, MEMBER LONG TERM AND COMPREHENSIVE PLANS, SCHOOL BOARD LIAISON, CHAIR TECHNOLOGY COMMITTEE, CHAIR GRANT COMMITTEE – MRS. FOOKS

Mrs. Fooks reported that the Ordinance Committee did not meet this month. The next meeting will be in December. Mrs. Fooks said that on the website there is a notice to subscribe to notification. This is only for the newsletter. The next Chip/Vaccination clinic will be held on April 2nd. More details will be provided closer to the event.

VICE PRESIDENT OF COUNCIL, CAIR LONG RANGE AND COMPREHENSIVE PLANS, MEMBER GRANT COMMITTEE, LIAISON TO ZONING EARING BOARD, LIAISON TO RECREATION COMMITTEE AND CHAIR INSPECTORS – MR. LA PERA

Mr. LaPera reported that the Zoning Committee would meet on December 11th about the proposed signage for Freddy's. The Recreation Board will meet on November 29th. Some events coming are the Senior Luncheon on December 2nd; the Tree Lighting on December 2nd at 6 pm. Sunday, December 9th is the Gingerbread House Event. The cost is \$15 and sign-ups are required.

CHAIR EMERGENCY MANAGEMENT ADMINISTRATION, CHAIR RECYCLING/TRASH COMMITTEE, CHAIR FIRE COMMITTEE, CHAIR VETERANS' COMMITTEE AND CHAIR POLICE COMMITTEE – MS. LESLIE

Ms. Leslie reported that the Delco Cruisers would be coming through the Borough on Sunday, December 2nd between 11:45 am and 12 noon. Everyone is invited to line up on Edgmont Avenue to look at the antique cars and Santa Claus while they are on their way to deliver toys to Crozer Hospital.

ENGINEER'S REPORT

Ms. Straguzzi, sitting in for Mrs. Mulvena, reported the following:

~ We are going out for bid for the Wastewater Treatment Plant. It may be necessary to extend the contract for 30 days at the next Legislative meeting.

~ The paving contractor is continuing to do patching/pothole projects during November-December. The weather has been an issue in completing the work.

~ The counts have been done for the Coebourn/Cambridge/Edgmont left turn signal heads and PennDOT is working on modifying the traffic signal plan.

~ The Storm water tip is to look at your house and yard as you prepare for the winter season. Have you removed leaves and branches from the street; check your downspouts to your lawn and garden area.

Mrs. Fooks asked about obtaining a grant for the traffic signal for Coebourn/Cambridge/Edgmont. She thought that the paper work had to be submitted. Ms. Straguzzi said that she would look into this.

PRESIDENT OF COUNCIL, CHAIRMAN PUBLIC WORKS AND BUILDING, HOLIDAY PARADE LIAISON, MEMBER POLICE COMMITTEE – MR. DONAWAY

Mr. Donaway said there have been questions on Face book about shutting down the Sewer Plant in the Borough. We can't shut it down. The only people paying for this Plant are the people that use it. Southwest and Delcora users do not pay for the Brookhaven Plant. The Borough does not set the fee. We are told what to charge. Mr. Donaway said that it would not be prudent to shut this plant down. Back in the 1990's, Delcora wanted to get the plant. We had to bring the plant up to EPA standards. There was a loan taken out to upgrade the plant; the loan has to be paid off.

During the last year we have been trying to figure out the best way to handle the operating costs and keep them under control. If we shut down the plan, the 700 to 800 people that use the Plant would have to pay off the loan.

Regarding Police Cars, we only have seven Police Cars. The Police sell off the oldest car they have.

Regarding Leaf Collection, the Borough is in the Leaf Collection to stay. We made the upgrade to the equipment. Most of the upgrades to the machinery were done in house. The question about the leaves is if the County would take them. Now for the short term the County will take the leaves.

Regarding Budget Committee, Mr. Donaway said that he feels there should be one. It has been a difficult year to get things back to where they were. We can't compare one town to another regarding the budget. Some towns don't have a Police Force. Brookhaven gives things away to their residents, such as Family Day. This is no cost to the residents. The Police wanted a new Police Vehicle and it was rejected because of the funding. There was a follow up meeting between the Police and some Council members and it was agreed that it is off the table for now.

Regarding the Fire Marshall, we do need one. Some of the Fire Department members took a hit from the comments on Face book. Mr. Donaway said that he would back up the Fire Department 100%. Mrs. Fooks said that if we see incorrect facts on Face book, we should set the record straight.

Mr. Donaway said that the Borough has a lot of problems with the infrastructure. Most of the money in the budget relates to sewers and street paving and fixing the roads.

REVIEW OF 2019 BUDGET

Ms. Sawicki said that she wanted to clarify that from 1975 to 1985, from 1995 to 2011 and just recently she has been in charge of the finances. She has had many meetings with all the departments involved in the budget and has received their input. There was discussion among some of the Council members that they do not receive input about some of the finance items until before the Council meetings.

The 2019 Budget will be available in the Borough Business Office for review for ten business days, beginning December 3rd. It was clarified that \$2.2 million of the budget goes to the Police Department. We do not have big businesses that generate a lot of tax money. Ms. Sawicki said that she tries to be very conservative when she is working on the budget. Ms. Sawicki noted that when you advertise the budget, you can go down with the figures but you can never go up with the figures. Ms. Sawicki said that she feels the taxes should go up every year so it is not a big increase when they do go up. Ms. Sawicki said that she has had 40 years of experience in working with budgets and she had to come in to try to straighten it out. Mr. Heller commented that he feels we should have a Borough Business Manager and that it would save us money.

Ms. Sawicki then went over the budget line by line and explained every item.

After the budget was reviewed, there was discussion about cutting some things from the budget. Ms. Sawicki said that this was the hand she was dealt. It was her job to put the Budget together and it is the Council's job to decide to accept it.

PUBLIC DISCUSSION

Ginnie McKee, Mt. Vernon Avenue, said that she wanted to thank Ms. Sawicki for all she has done on the Budget and she feels the taxes should have been raised before.

Josie Szotek, Trimble Blvd., said she also wanted to thank Ms. Sawicki for all she has done. She asked when County Reassessment would increase. It will increase in 2020. She asked about the Trash Contract. Do we pay more to have a big trash pick-up every week instead of having it just once a month. Heavy trash pick-up once a month was included in the contract. It would not have made a difference in the amount of the contract.

Mr. Vasquez, Shepherd Street asked if the new shopping center gave us money. Ms. Sawicki said they did and it was used for the ball field and for reimbursement of Chandler and Coebourn repaving. He asked if we have a warranty for the LED street lights. Ms. Straguzzi asked anyone to call the Borough when they see that a light is out.

Christina Johnson, Adams Drive, asked what is the Mariner East Grant. It is money given from the state because Brookhaven, although they do not have the Sunoco line running through the Borough, sustained damage when there was seepage from Aston onto Brookhaven's property. That is why we received the Grant.

Sean McKenna, Madison Drive, said that he appreciated what Ms. Sawicki did for the Budget. He asked if Council has considered having employees paying more into their Medical Coverage. Ms. Sawicki said that when the employee's were hired they were given their package for medical. Is it a legal question that we make them pay more Mr. McKenna we could save money by doing that. He also said we need to look at the Public Work's employees. We have three employees and Mr. McKenna said that he doesn't feel we need that many employees for the size of our Borough. Mr. McKenna said that we should think about subletting some of the work, such as cutting the grass, etc. He said that we should look at making cuts to making the taxes more manageable for residents.

Mike Amoroso, Bradbury Road, said that he feels the employees should pay for some of their health insurance. Mr. Donaway said that there is a problem with that; when we have suggested that, the FOP is very strong and we have to go to arbitration and we end up losing. He asked if Delcora is a Public Utility? There was no answer. He asked about the charges for the Animal Control. Mayor Hess said that when Delaware County went to "no kill" they take all of the stray animals but we have to pay \$325 per animal. It was suggested that if the owner is found, then they get billed for the \$325 but otherwise the Borough has to pay it. He asked if there was a Mercantile Tax on wholesalers and retailers. Yes there is. He asked if we could do a Local Service Tax. It could be a head tax or to tax someone who makes more than a certain amount of money. Some of Council members said they would be against this.

There was no other public discussion.

Ms. Sawicki said the Budget needs to be published according to State Law. Ms. Sawicki made a motion to advertise that the Preliminary 2019 Budget to be available for inspection beginning December 3rd until December 17th. It has to be published seven days before it is available for review. Mr. Heller seconded the motion.

INSPECTORS' REPORTS

There were no Inspector's Reports at this meeting.

ADJOURMENT

There was no other business to come before Council. Mr. Fooks made the motion and Ms. Leslie made the second motion to adjourn. Motion carried by unanimous vote. The meeting was adjourned at 9:15 PM.

Respectfully Submitted,

Mrs. Joan Boyle
Brookhaven Planning Commission Secretary