

MINUTES
BROOKHAVEN BOROUGH WORKSHOP MEETING
MONDAY, OCTOBER 26 2020

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

The record shows the meeting was held by Virtual Teleconference and the following people participated in the meeting by Zoom: Mayor Leslie, Council President Mr. Heller, Councilpersons Ms. Sawicki, Mrs. Heller, Mrs. Fooks, Mr. Pappas, Mr. Vazquez, Engineer Mr. Catania, Solicitor Mr. Wills and Office Manager Mr. Wilwert. The minutes were recorded from the Zoom Teleconference by Planning Commission Secretary Mrs. Boyle.

PUBLIC DISCUSSION.

Mr. Jason Bush, Trimble Blvd., said that he had a sewage backup from the August storms and that he has not heard anymore from the Insurance Company or the Borough. Mr. Wilwert said that he received a call last week from the Claim's Director who was going to talk to the Claim's Adjuster. Mr. Wilwert received an email today from the Insurance Company advising him that their letter of recommendation was going before another group and they will be sending a letter to Mr. Bush this week about the decision. Mr. Wilwert said that he did not know which way the decision was going to go. Mr. Bush asked that if the claim is denied, what is the Borough's position on handling the situation. Mr. Heller said that a decision could not be made this evening but he doesn't see a problem with the Borough paying for it. Mr. Bush said that another issue he has is with the back flow valve that is to be put on the outside of his home. When will it be installed. Mr. Wilwert said that because there was no resolution to this claim and nothing has been done. Mr. Heller said that they would look into it this week.

Mr. Vawn Donaway, John Drive, asked Mr. Catania about the sewer plant. He said that at the last meeting Mr. Catania was talking about having Dukes looking at the plant for an estimate of \$40,000 for the sewer system and \$25,000 for the collection system. Mr. Donaway said he wonders if the problem is from storm sewers that are leaking and he asked if we could have our employees from Public Works do this in cooperation with the Engineer's office. We could do this for a lot less than \$40,000. He feels that if we get a rainy day we can open the manholes and see which one is getting more water and see where the high flows are. Mr. Donaway said that Mr. Gary Thompson knows where every line is buried and he may be willing to come back as a Consultant to take a look at these things and we could do it for a lot less than \$40,000. Mr. Donaway said that we have to know where the problems are in order to fix it. Mr. Catania replied that the problem with the excess flows at the treatment plant is not necessarily a new problem. We have been having issues with this for a long time. When we start to resolve where the peak flow issues are, there are a lot of tools that can be used. There are a lot of things that we can do but Mr. Catania recommends using Dukes because it is a comprehensive approach to the problem. Mr. Catania has a high level of confidence that once Dukes does their initial screening we will have a better idea of what steps need to be taken in order to finally address the problem. Mr. Donaway said that he was wondering if we really needed that kind of sophisticated approach. He was looking for some way to save some money. Mr. Donaway said that on the organic problem, he suspects that someone was illegally dumping into that system. Mr. Heller said that we have full faith in our Engineer, Mr. Catania. Mr. Donaway said that he also has faith in Mr. Catania but if there is a better way to do this without spending as much money as estimated, he thinks we should do it.

SOLICITOR’S REPORT – MR. JAY WILLS

Mr. Wills gave a written report to the Council members this morning and reported the following issues:

Zoar Street Subdivision – This is basically a subdivision application filed by Arbor Development for two residential single family homes. The Planning Commission met on October 20, 2020 and Mr. Wills was in attendance. The Planning Commission has recommended certain changes in the application and they were communicated to the Developer. The Developer will be submitting revised plans to the Planning Commission and they will undertake further review of this application at their meeting on November 17, 2020.

Verizon Cellular Communication Tower – As Council is aware, we have an existing lease agreement on the cell tower on Bridgewater Road. American Tower and Verizon had suggested making some recommended changes of the lease agreement that would in fact result in a reduction of the annual and monthly lease payments that the Borough would be receiving. Mr. Will said that after getting the consensus of Borough Council, he has drafted correspondence both to Verizon and American Tower advising them of the Borough’s opposition to the proposed lease agreements as submitted.

701 Marshall Road – This is a long standing property that has multiple violations of the International Maintenance Code. The Borough took steps to communicate to the property owner and see if he would voluntarily abate those nuisance and property maintenance violations. Unfortunately, we were not successful in this regard and based on Borough Council’s authorization, Mr. Wills has filed a complaint in equity and a petition for a Preliminary Injunction against the property owner in the Delaware County Court of Common Pleas. A hearing has been scheduled before Judge Barry Dozer on November 18, 2020. Mr. Wills has communicated with our Code Enforcer, Mr. John Grant, to advise him that his attendance will be mandatory and he will be expected to present some relevant testimony to the Court on the current conditions of that property.

Pando Property – This is a seven lot subdivision on West Brookhaven Road. As Borough Council may be aware, under the approved development plan with Pando Property, they are required to deed some open space to the Borough, specifically Lot 8 on the development plans. Mr. Wills has communicated to the Developer as to the status of that Deed of Dedication. This will be dedicated open space and park land to be used at the discretion of the Borough. Mr. Wills will follow up with the Developer that it is recorded with the Recorder at Delaware County Deed’s Office.

MAYOR’S REPORT

Mayor Leslie said that she will have a full report at the November Council Meeting. She said that the shredding event that was held on October 24, 2020 had a good turnout. Everyone practiced social distancing, wore masks and gloves and used hand sanitizers.

FIRE CHIEF – MR. MONTELLA

Chief Montella reported that they transported three patients that were COVID positive to hospitals. The six personnel involved in these transports were notified and everyone is healthy.

We are doing Fire Prevention in the schools. We are showing video presentations and we are not interacting with the school children. Everything is done outside.

The Fire Department is in the process of sending RMP's out for our AFG Grant that the Fire Department was awarded from the Federal Government for all new SCVA's for our Fire Fighters at a cost from the Federal Government that we were able to get the award of \$245,000 and the Fire Department's input would be \$12,800 as well. We have to decide what way we are going to go with these SCVA's.

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

Ms. Sawicki reported that the bill list for the end of October was in everyone's packet. She is working with Mrs. McDade in finalizing the Preliminary Budget. She will give a copy of this to all the Councilpersons by next week.

FINANCE AND INSURANCE COMMITTEE, PUBLIC WORKS COMMITTEE AND LIAISON TO ZONING HEARING BOARD – MR. VAZQUEZ

Mr. Vazquez reported the following:

We finally have our sewer jet trailer and the men will receive training on this by the end of the week from the company we purchased it from.

We have gone through the first round of interviews for the temporary help needed for Public Works on October 22, 2020. There will be a second round and we have potential candidates. They will be announced at the November Council Meeting.

MEMBER CONDO ASSOCIATION COMMITTEE, PLANNING COMMISSION LIAISON, MEMBER PERSONNEL COMMITTEE, COUNCIL LIAISON TO CIVIL SERVICE COMMISSION, MEMBER POLICE COMMITTEE, MEMBER PUBLIC WORKS COMMITTEE, CO-LIAISON TO ZONING – MR. PAPPAS

Mr. Pappas reported that there was a Workplace Safety Meeting held on October 23, 2020. The meeting was held in a Zoom format which represented the Workplace Training Seminar. The Seminar was closed to any type of participation. The guest speakers promoted their expertise in the field of insurance protection.

The Planning Commission has a vacancy. Any interested parties should have the necessary skills in reading drawings and specifications related to blue prints, being able to interpret codes such as building codes, knowledge of construction, knowledge of the planning process and any overall appearance to improve Brookhaven Borough. A Civil Engineer or an Architectural Degree is preferred.

MEMBER PERSONNEL COMMITTEE, MEMBER BUSINESS REVITALIZATION COMMITTEE, MEMBER EMERGENCY MANAGEMENT COMMITTEE, HOLIDAY PARADE COMMITTEE, MEMBER POLICE COMMITTEE AND MEMBER RECREATION BOARD AND MEMBER TECHNOLOGY AND COMMUNICATIONS COMMITTEE – MRS. HELLER

Mrs. Heller reported that the Trunk or Treat will be held this Saturday, October 31, 2020 from 3 to 5 pm at the Coebourn School parking lot. It will be a drive-by and many residents have already registered. The residents will drive up and receive a pre-packaged bag of treats.

The participants must be in costume and also wearing a mask. They will be asked to remember to practice social distancing.

BUSINESS AND REVITALIZATION COORDINATOR, MEMBER FINANCE AND ADMINISTRATION, MEMBER GRANT COMMITTEE, MEMBER HOLIDAY PARADE COMMITTEE, MEMBER LONG TERM AND COMPREHENSIVE PLAN COMMITTEE, ORDINANCE COMMITTEE, MEMBER RECREATION BOARD, SCHOOL BOARD LIAISON, MEMBER CONDO, TECHNOLOGY AND COMMUNICATIONS COMMITTEE – MRS. FOOKS

Mrs. Fooks reported that the Ordinance Committee did not meet in October but will meet again on November 19, 2020.

The Welcome Packet is finalized and is posted on the website and social media pages and everyone is very pleased with it. Because it is such a great document Mrs. Fooks was approached about creating one for the Business Owners. Mrs. Fooks will work with the Inspectors to get the information needed to put into the packet and copies will need to be made. They will be available in the office for anyone who is interested in opening a new business in the Borough.

Mrs. Fooks said they will be finalizing the Food Truck Ordinance.

There has been talk on social media about a new assessment for taxes for the Penn Delco School District. Mrs. Fooks requested Mr. Wills to reach out to the Penn Delco Solicitor to see what is actually happening with this and how it will affect residents. Mr. Wills said he would.

There was no Technical Meeting this month. There will be a meeting in November.

PRESIDENT OF COUNCIL, CHAIRMAN BOARD OF HEALTH, CHAIRMAN BUILDING COMMITTEE, MEMBER BUSINESS REVITALIZATION COMMITTEE, MEMBER GRANT COMMITTEE, HISTORICAL COMMITTEE, MEMBER LONG TERM COMPREHENSIVE PLAN COMMITTEE, MEMBER POLICE COMMITTEE AND MEMBER PUBLIC WORKS COMMITTEE – MR. HELLER

Mr. Heller reported that there was an Executive Council Meeting about Personnel on October 20, 2020 from 6:30 to 8:30 pm in person at Borough Hall. The November Council Meeting will be rescheduled from November 2, 2020 to November 9, 2020 to accommodate the setup for the voting which will take place on November 3, 2020. Due to the swearing-in of the new Councilperson, the meeting will take place in the gym. At that meeting we are going to reorganize some of the committees that were left vacant by Ms. Leslie.

Mr. Heller said that we have eight candidates for the Council vacancy. We will probably conduct all the interviews this Sunday, November 1, 2020. We will fill the Vice President of the Council at the November 9, 2020 meeting.

Mr. Heller asked for a motion to waive the permit for the Salvation Army. They will setup outside of the ShopRite from November 16 to December 24, 2020. Mrs. Fooks made the motion to waive the permit for the Salvation Army and it was seconded by Ms. Sawicki. The motion was unanimous.

ENGINEER'S REPORT – MR. CATANIA

Mr. Catania reported the following:

~ In 2018 the Borough received a Small Water and Sewer Grant. This is for sewer rehabilitation on Brookhaven Road. That Grant is set to expire in June, 2021. Mr. Catania is going to ask for authorization to prepare the documents for that work.

~ Mr. Catania will have more information on the Sanitary Sewer Collection Evaluation for the Sewer Treatment Plant at the November meeting and will ask for Council to consider that.

~ The Traffic Signal Maintenance Contract proposal contracts came in today. We will evaluate them and have recommendations for the award at the November Council Meeting

~ When we were replacing the carpeting in Borough Hall it was noticed that there was water on the floor in the break room. It appears that the cause is the pointing in the block work is being eroded away from the run-off on the roof. This needs to be repointed and we have a price of \$2,450 to repoint the brick.

INSPECTORS' REPORTS

FIRE MARSHAL – MR. LESLIE

Mr. Leslie had no report.

BOARD OF HEALTH –

There was no report.

ZONING OFFICER – MR. HAMPTON

There was no report.

PUBLIC DISCUSSION

There was none.

ADJOURNMENT

There was no other business to come before Council. Mr. Vazquez made the motion and Mrs. Fooks made the second motion to adjourn. Motion carried by unanimous vote. The meeting was adjourned at 7:30 pm.

Respectfully Submitted,

Mrs. Joan Boyle
Brookhaven Planning Commission Secretary

