

**MINUTES**  
**BROOKHAVEN BOROUGH COUNCIL WORKSHOP**  
**MONDAY, OCTOBER 28, 2013**

At 7:00 PM Mr. McCray called the regularly scheduled Workshop meeting of Brookhaven Borough Council to Order. He welcomed all present. The meeting was held in the Brookhaven Municipal Center Council Chambers.

The record shows the following people seated at the Council Table: Ms. Leslie, Mr. Wilwert, Mr. Linowski, Mrs. Boyle, Mr. McCray, Mr. Maddren, Mrs. Truesdale, Mayor Hess, Mrs. Erickson and Mr. Catania. Mrs. Fooks was absent

**PUBLIC DISCUSSION**

Mr. George Scarino, 4112 N. Gray Street asked if there was any update about fixing the sewer problems at Melvin Drive and Gray Street. Mr. Maddren said that they are waiting to hear from the state about a grant; they expect that it will be announced in January or February. Mr. Scarino said that it is getting tiresome to keep coming before Council for this particular reason. Mr. Scarino said that it has been almost a year now and that he is not going to let it stop here. If he does not get results from Council here, he is going to take the complaints to the EPA himself about the pollution that comes out of the sanitary sewers when the storm drains overflow. Mr. Scarino said that he has photographs and neighbors who have seen this. Mr. Scarino said that this problem has to be fixed, whether Council does it voluntarily or EPA will make Council fix it. Mr. Scarino said that for ten months he has been hearing that Council is looking into it and has had no results. Mr. Scarino said that he has talked to several realtors about selling his house and they have told him that he will not get anywhere near what it is worth with the sewer problem. If he has to hire an Environmental Lawyer to get the problem corrected, he will. Mr. Scarino said that he just wanted to let Council know where he stands on this problem.

Mr. Harry Seth, 3633 N. Clearwater Lane said that he saw there was a discussion about doing away with the workshop sessions. He feels that with what we have on the docket this next year (Water Company selling their field, possibly one or two group homes being constructed at Our Lady of Charity for Don Guanella School, and of course Coebourn School construction) he feels that there will be many people wanting to find out what is going on. Mr. Seth feels that with two meetings a month, the people will have more accessibility to the Council.

**SOLICITOR'S REPORT** – Mr. Maddren said that we have approved the staging of the Brookhaven Green Estates development. The documents are executed by the Brookhaven Borough and Mr. Maddren will get them to Mr. Lindsay's attorney tomorrow and then the bank will sign them. The next item for tonight is the Pulte Development. Mr. Maddren asked for authorization to place Pulte into default. Mr. McCray asked for a motion for this. Mrs. Erickson made a motion to approve this. Mr. Linowski made the second. Motion carried by unanimous vote.

Mr. Maddren explained that this means we have defaulted Pulte for their failure to build the gates at Traditions. The way the development agreement works is that we give Pulte 15 days notice to cure this; if they do not cure in 15 days, then the bonding company has 30 days to either do the work themselves or turn over the money within the financial agreement security. Hopefully within the next two months we will have the money to complete these gates if they have not already been completed.

FINANCE COMMITTEE, CO-CHAIR VACANCY REVIEW COMMITTEE, POLICE COMMITTEE, CHAIR AND CIVIL SERVICE LIAISON – Mr. Linowski wanted to make a motion to approve the Bill List at the November 6, 2013 Council Meeting. The second item is the hiring of a full time Police Officer. Officer Subers has been a part time police officer for over eight years in the borough and has been recommended to become our new full time police officer. Mr. McCray said that this is contingent on the physical that has to be completed. All of his background checks have been completed. Mr. Linowski made a motion to approve this. Mr. Wilwert made the second. Motion carried by unanimous vote.

Mr. Linowski said that the third item tonight is the Budget for 2014. We will not get any numbers from our broker for health benefits until sometime next week. Our broker told us to be very cautious and that the outcome could be very costly to the borough. Under the new Health Care Act, every employer will be assessed \$63 per employee. Our broker advised us not to put out any numbers until we got numbers from him. This is the only thing holding up the budget. The police contract should be resolved by the end of the year. We have already made the contingency plan for the salary increase they were promised in 2013. Mr. Maddren asked for authorization to advertise the budget schedule. Mr. Linowski made a motion to approve this. Mr. Wilwert made the second. Motion carried by unanimous vote.

MAYOR'S REPORT – Mayor Hess had no report.

#### COUNCIL REPORTS

CHAIR PUBLIC WORKS, CHAIR BUILDING COMMITTEE, MEMBER FIRE COMMITTEE, DEPUTY EMERGENCY MANAGEMENT AND MEMBER LONG RANGE DEVELOPMENT – Mr. Wilwert gave an update on the playground equipment. The contractor will be here next week to move it to Eaton Park. Eaton Park is ready to receive it. The leaf collections are starting the beginning of November. We are asking the residents to not rake their leaves into the street until the week of pick-up. The leaves should be on the street but on the curb.

CHAIR VETERANS GROUPS, CHAIR EMERGENCY MANAGEMENT ADMINISTRATION, CHAIR RECYCLING, CHAIR FIRE COMMITTEE AND MEMBER POLICE COMMITTEE – Ms. Leslie reported that the Shred-It Day is Saturday, November 2<sup>nd</sup> from 8:30 am to Noon at Borough Hall. Ms. Leslie commented that the groundbreaking ceremony for the new Coebourn School was held last week and went well.

BUSINESS AND REVITALIZATION COORDINATOR, CHAIR ORDINANCE COMMITTEE, MEMBER CONDO ASSOCIATION, SCHOOL BOARD LIAISON AND LIAISON CLOCK COMMITTEE – Mrs. Fooks was absent.

CHAIR HEALTH INSPECTOR, CHAIR PLANNING COMMISSION, CHAIR ARBOR/SHADE TREE COMMITTEE, CHAIR TRAFFIC CALMING, SCHOOL BOARD LIAISON AND CHAIR INSPECTORS AND FIRE MARSHALL – Mrs. Erickson had no report.

CHAIR ZONING HEARING BOARD, CHAIR COMPREHENSIVE PLANS, CHAIR HOLIDAY PARADE COMMITTEE, CHAIR LONG RANGE DEVELOPMENT, MEMBER POLICE COMMITTEE, MEMBER FIRE COMMITTEE AND ASSISTANT CHAIR ARBOR/SHADE TREE COMMITTEE – Mrs. Truesdale had no report.

ENGINEER'S REPORT – Mr. Catania reported that they opened the bids for the rock salt contract. The lowest bidder was Mid-Atlantic Salt for \$58.61 per ton; the alternate was Oceanport at \$59.20 per ton. Mr. Wilwert made a motion to approve this. Mr. Linowski made the second. Motion carried by unanimous vote.

Mr. Catania reviewed Bid Tabulations for Street, Sanitary & Storm Sewer Repairs. The first bidder was A to U Services. The Bid Amount on Storm, Sanitary was \$87,620 with an Option of \$87,620. (The Option is to renew it for another year.) Street Maintenance was \$59,410 with an Option of \$59,410. The second bidder was J & J Concrete & Paving. The Bid Amount on Storm, Sanitary was \$79,524 with an Option of \$79,524; Street Maintenance was \$43,900 with an Option of \$43,900. They gave a \$200 cashier's check. The third bidder was Ridley Excavating Inc. The Bid Amount on Storm, Sanitary was \$67,922.50 with an Option of \$67,922.50; Street Maintenance was \$53,365 with an Option of \$53,365. They gave a \$200 cashier's check. We will tabulate these and have a recommendation for the next Council meeting.

## INSPECTOR'S REPORT

**BOARD OF HEALTH** – Mrs. Warfield had a question about the Shell Gas Station on Edgmont Avenue. They have requested to install a lunchmeat counter inside the building. Mr. Maddren said that this would be a zoning issue and they would have to go before zoning. Mrs. Warfield said that the owner explained they did go before zoning a few years ago and they had approval but it was withdrawn. The owner told Mrs. Warfield that he did not know why it was withdrawn. Mr. Maddren said that if there is an approval for this, the owner would not have to reapply but we will have to investigate this. We are looking at 16 properties that need to have grass cut by the Borough but we are down to cutting only two properties. The Flu Shot Clinic went well. There were 45 people that received flu shots. Mrs. Warfield requested a Master List of Businesses and their owners. Mr. McCray told Mrs. Warfield that we will get this list for her. The police department does have this list. Mr. McCray said that all Council members and all Inspectors should have this list.

**FIRE MARSHAL** – Mr. Leslie said that this was a slow month. We did inspect Camelot Court Apartments and they are working on their discrepancies. Regarding Pulte, Mr. Leslie asked about the installation of the gates. He said that the fire department would like to have about ten remote controls to open that gate so they can get in both ways. Mr. Maddren said that the key is what was budgeted for this and how it was budgeted in the original reports. He reported that we would have to work with the Tradition's Homeowner's Association. We will have to live with what is in the budget. Mr. Wilwert asked the Mr. Leslie about the installation of the Opticon Scanner on the gate.

Other inspectors were not present or did not have a report to give.

Mr. Wilwert thanked Mr. Jon Grant for taking care of some problems that we recently had. Some of our residents had a problem and Mr. Grant went out to explain things to them instead of sending a letter to them.


**CHAIR RECREATION COMMITTEE, CO-CHAIR VACANCY REVIEW COMMITTEE, CHAIR TRASH/RECYCLING PERFORMANCE COMMITTEE AND MEMBER CONDO ASSOCIATION** – Mr. McCray reported that the Dinner Mystery Theater held on October 12<sup>th</sup> was a great success. 48 people attended. Mr. McCray thanked Mr. Maddren and Mr. Catania for all the work they have done regarding Pulte. Also there was work being done today on the little strip mall on Brookhaven Road and Edgmont Avenue. They are starting to fix it up.

**PUBLIC DISCUSSION**

Ms. Jodine Mayberry, 934 Creekside Drive said that she is on the Traditions Board (Pulte homes) and she wanted to say thank you to Council for all they have done.

With no other business to be discussed, Mr. McCray asked for a motion to adjourn the meeting. Mr. Linowski made a motion and Ms. Leslie made the second. The meeting was adjourned at 7:25 PM.

Respectfully Submitted,



Mrs. Joan Boyle  
Brookhaven Planning Commission Secretary  
(Substituting for Mrs. McKinley)