

MINUTES
BROOKHAVEN BOROUGH WORKSHOP MEETING
MONDAY, SEPTEMBER 28, 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 Hess, Council President Mr. Heller, Councilpersons Ms. Sawicki, Mrs. Heller, Mrs. Fooks, Ms. Leslie, 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.

There was none.

SOLICITOR'S REPORT – MR. JAY WILLS

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

Carman's– This is a property on Edgmont Avenue that went to settlement on September 21, 2020. The new owner has several businesses in Delaware County and is a local Delaware County guy and intends to utilize the property in compliance with the present commercial Zoning Ordinance along the Edgmont Avenue business corridor. Mr. Wills said that the Borough did recoup all the legal fees and court costs that it incurred over the past years.

Arbor Development Sub Division Plan – This is the Sub Division Application off of Zoar Street. The applicant did receive certain zoning relief required before the Hearing Officer, Mr. Matt Stone. Mr. Stone was designated by the Zoning Board to hear this particular application because of certain COVID concerns by the members of the Zoning Board. The Zoning Relief was granted and this is currently scheduled for review before the Brookhaven Planning Commission at their meeting on Tuesday, October 20, 2020. Mr. Wills and Mr. Catania will also be present for this meeting.

Mr. Wills talked about the two real estate parcels that are behind the LA Fitness and the Giant Supermarket Store. The Council President had raised some concerns about the ownership of these parcels. Mr. Wills did research and can confirm that those two vacant parcels, one measuring 5.2 acres and one measuring 5.3 acres both belong to the Borough of Brookhaven. Mr. Wills forwarded the deeds to the Borough Office Manager. One was deeded to Brookhaven from the Chester Water Authority and one was deeded from Brookhaven Acquisition (the owner of the property that developed the Shopping Center along Edgmont Avenue). Mr. Heller said that one lot is the Durkin Field and the other parcel is the open space next to it. Mr. Heller said that Public Works had a question about it since Brookhaven Baseball wanted to put up a batting cage on the lot and we wanted to make sure we had ownership of the property.

701 Marshall Road – Mr. Heller said that he asked Mr. Wills to proceed with the next step to have the rest of the property cleaned up. They have been given more than enough time to do this.

MAYOR'S REPORT

Mayor Hess said that he did not have a final report but said that all good things come to an end but memories will last forever. Mayor Hess said that during his 27 years on Borough Council, as Mayor and being involved in so many committees, he has a "boatload of special memories" that he will always cherish. He and his wife find it hard to leave Brookhaven after 41 years but Brookhaven will always be in their hearts. Mayor Hess said that he leaves Brookhaven in good hands but he asked that Council always continues to keep the best interests of their residents in mind because they are the reason that we are in our positions today. Mayor Hess said that he would be remiss if he didn't mention the great job that our Fire Department and Police Department does for our community. He asked everyone to continue to support them. Mayor Hess thanked everyone again for their support and friendship over the years. He said that it has been a great ride but it is time to slow down. Mayor Hess said that he has had a number of sayings over the years but one that he wants to mention is "Brookhaven Community is a Community with Unity" and to "Stay Brookhaven Strong". He asked for God to Bless everyone and he hopes that "our paths will cross again".

FIRE CHIEF – MR. MONTELLA

Chief Montella said that he gave his report to Brookhaven Council on the update of COVID. Since the last meeting they have transported two positives. We have notified our EMT crew of the two positives and everyone is healthy here. The positives were transported out of Brookhaven to long term facilities which has been the standard. We are ongoing with the PPE.

Chief Montella said that we had a catastrophic failure on one of our fire trucks. We lost the transmission enroute to a call and we had the transmission guys here just to verify that there was nothing we could do to save the transmission. We are in the stages of trying to get it fixed so it can get back into service for the Borough. Mr. Vazquez asked what truck lost the transmission and Chief Montella said that it was the Squad Truck.

Chief Montella wanted to thank Mayor Hess for his years of service and his partnership with the Fire Department and the Police Department and the fine job that he has done in working with us and the community. He thanked Mayor Hess for his service.

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

Mr. Vazquez reported the following:

He has met with Mr. Jim Rhinehart from the Sewer Jet Company about the sewer machine replacement. It was confirmed today that we will have the sewer machine by the end of this week or next week. Then we can get our Public Works Department trained on the machine and we will be able to provide the services to the Borough that we were not able to do before. We are looking forward to having the machine back in service and being able to do things ourselves without calling in an outside contractor.

Chipping has started this week in the Borough. If anyone needs the services of the chipper, please call the office and give your name and address.

There is no Zoning Report.

Mr. Heller said that he watched the Bucket Drop Demonstration at the Public Works Garage. We are in the process of taking that to Council and possibly purchasing a truck.

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 they have received a Road Salt Request from Parkside Borough and she will make a motion to approve this at the October Council Meeting. We always do this as a courtesy for Parkside to allow them to come and get salt when they need it and then we bill them for whatever they used. Ms. Sawicki said that the Bill List for the end of the month is in the packets this evening. She and Mrs. McDade are working on the Preliminary Budget for 2021. When it is completed, she will circulate it; it is only a Preliminary Budget.

VICE PRESIDENT OF COUNCIL, CHAIR EMERGENCY MANAGEMENT ADMINISTRATION, CHAIR RECYCLING/TRASH COMMITTEE, MEMBER FIRE COMMITTEE, CO-CHAIR VETERANS' COMMITTEE, AND MEMBER POLICE COMMITTEE – MS. LESLIE

Ms. Leslie reported that there will be a Shredding Event on Saturday, October 24, 2020 at the Brookhaven Municipal Building Parking Lot from 9 am to 12 noon. They will not be able to take any electronic equipment at this time.

Ms. Leslie said that she received a letter from B&L Disposal and the Delaware County Solid Waste Authority and she wanted to read it. It is as follows:

B&L DISPOSAL

1 September 2020

Attached please find the DCSWA HOT LOAD Policy and Procedures.

This is very important to each Municipality because it could impact your Trash Invoice.

If you are not already aware, every truck that dumps Municipal solid waste in Delaware County goes through a radiation detector before it is permitted to be dumped. In the past, if a truck tested "hot" it was pulled out of line and waited for an inspector who would hand scan the truck to locate the "hot" items and pull the bag of trash to try to find out where exactly the contamination came from so the resident could be made aware that their items contaminated with body secretions should be separated and set aside for several days in a separate can to allow the contamination to dissipate. Items that test "hot" are from those who are currently receiving radiation therapy for cancer.

The NEW (this was introduced in 2018 but there may be some who are unaware of this change from previous procedures) policy holds the truck at the dump until necessary paperwork is issued from DEP. When the paperwork is issued the truck must be taken to the landfill in Tullytown, PA where it is dumped and immediately covered.

What this means to you is that:

1 – WE lose the use of the truck and a driver for a full day.

2 – YOU will be billed \$1500.00 PLUS the dump fee (\$66.50 per ton) to cover this loss.

3 – Please inform your residents that if they or a family member are receiving cancer treatment, they should separate any trash containing body fluids of any kind from the rest of the household trash and hold it outdoors in a separate can for several days before putting it out for pickup. This is the best information I can give after discussion with DCSWA.

Thank you for your cooperation.

This information is on the website and will be on the Brookhaven Sign.

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 had no report.

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 the following:

We are getting quotes for the batting cages and we will give them to Ms. Sawicki as soon as they come in.

Mrs. Heller wanted to thank the Softball Organization for recognizing the hard work that Public Works did for the Scoreboard. They sent an appreciative letter to Public Works and they are also taking the Public Works' employees out to lunch during the Christmas holidays.

Mrs. Heller wanted to thank Mayor Hess and to wish him the best of luck and she hopes that he will come back to visit us.

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 met on Thursday, September 17, 2020. The Welcome Packet will be finalized by the end of the month or in October when the new Mayor is appointed so that information can be included in the packet. We are working on the Food Truck Ordinance and are getting closer to finalizing that. We have to work on some other things before finalizing, such as the Permit Ordinances.

The Technology Committee will meet on Thursday, October 8, 2020. Mr. Heller signed the ecode360 contract today so we will be moving forward with that. Mr. Vazquez asked if we have a timeline when ecode will be up and running. Ms. Sawicki questioned when we made a motion to approve ecode. Mr. Heller said that it was approved by a motion at the September 14, 2020 Council Meeting and the costs for this were discussed at that meeting. Mr. Heller said that ecode agreed to start working on the process so it will be up and running on January 1, 2021.

The Trunk or Treat Event will be held on Halloween Day, October 31, 2020 from 3 pm to 5 pm at Cobourn Elementary School Parking Lot. This is for Brookhaven Borough Children ages 12 and under. This will be a drive through this year. Please send registration forms to Mike Garvey via email at web 19013@aol.com. Please include the full name of the adult, the child(ren), the address, the make and model of the car and the license number of the car. Only one car per household. The registration for this ends on Friday, October 16, 2020. Children should be in costumes. Mrs. Fooks said that because we are not having trunks this year, candy donations are critical. Mrs. Heller asked if there are any issues with COVID at that time, will they re-visit doing it. Mrs. Fooks said that if there are any issues, they will address them. Mr. Pappas asked where can the donations of candy be placed. There is a bin at Borough Hall in the lobby. Ms. Leslie asked if the residents would be donating the candy since Borough Council is donating money for Mr. Garvey to purchase candy. Mr. Heller said that the Borough gave them \$500 in gift cards but that is not enough to purchase all the candy that is needed. Mrs. Fooks said that we do not have any trunks this year to provide candy. Mr. Heller said that we sent out letters to 180 businesses asking for donations of candy for this event.

The Recreational Board will reorganize at their next meeting. The meeting will be on Thursday, October 29, 2020.

The Holiday Parade will be held on Saturday, November 21, 2020 and it will be scaled back this year due to COVID-19.

Mrs. Fooks thanked Mayor Hess for his hard work and dedication to the Borough and said that we will miss him and hopes that he comes often for a visit.

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 were two executive Council Meetings. One was held on Tuesday, September 15, 2020 from 6:30 pm to 8:30 pm and one was held on Tuesday, September 22, 2020 from 6:30 pm to 8:30 pm via Zoom. The topic for both meetings was Personnel.

The deadline for submitting resumes to apply for the position for the Mayor Vacancy is Wednesday, September 30, 2020. Please send all letters of interest along with the resumes to the Borough Office Manager, Mr. John Wilwert at john.wilwert@brookhavenboro.org. The requirements are to have lived in Brookhaven for one consecutive year, to be a registered voter and to have no felony convictions. The position for the vacancy has to be filled within 30 days from September 30, 2020. Interviews for the candidates are tentatively scheduled to be conducted on Sunday, October 11, 2020. We have two applicants so far.

Mr. Vazquez asked about the posting of the temporary positions in Public Works. Mr. Heller said that it has been posted and put on the website but he will refresh and repost it.

Mr. Heller thanked Mayor Hess for everything and said that we will miss him. He wished the Mayor the best of luck and to have “a lot of relaxing”.

ENGINEER’S REPORT – MR. CATANIA

Mr. Catania reported the following:

Mr. Catania wanted to thank Mayor Hess for everything he has done for him personally and for the Borough; he said it was a pleasure to have met the Mayor and to work with him.

~ Brookhaven Storage – We received the second set of revised plans and we are still working on two issues with the Developer and the Engineer.

~ The paving has started and should be done by October 2, 2020 and he may even finish earlier.

~ PECO Green Region Grant – this is an annual grant that PECO gives out and the deadline to apply is October 31, 2020. It is a 50% match up to \$10,000 and it is for recreational activities, in particular passive activities. They are looking for trails and observation platforms and those kind of things. Mr. Catania said that before the next meeting, if anyone has any ideas for this grant that we would have to pass a resolution for it at the Council Meeting. Mr. Catania said that it might be used for the open space behind the new shopping center to maybe looking to put a trail there.

~ Mr. Catania said that the Borough received a letter on September 2, 2020 from the Pennsylvania Environment Agency advising us that the Sewage Treatment Plant had experienced hydraulic and organic overloads in the previous years. The hydraulic is caused by things getting in from storm waters. In 2018 we had three consecutive months and for one month going into 2019 which exceeded the capacity at the plant. The organic overload is an oddity which we wouldn’t expect because the area that the treatment plant serves is primarily residential. We are going to need to have someone look into that and to see what is going on. One possibility is that our sampling equipment is not operating properly or it could be that someone is illegally dumping. We need to get a consultant to look at the organic overload. On the hydraulic side there is a company called Dukes Technology which rolls out a 360 program which is a comprehensive look at the system. This program does a comprehensive look using tools to come up with a cost effective solution to the problem. Mr. Catania is waiting for a proposal from Dukes and this will not be a small budget item. Mr. Catania estimates that it will cost in the \$40,000 range. The organic overload system will probably be in the \$25,000 range and that is only the assessment. It does not include any of the remediation that may be required to address the issues. We are required to submit an Action Plan to the DEP within 90 days of September 2, 2020. Mr. Wills suggested to have the Budget Committee aware of this for next year’s budget. Mr. Vazquez said that right now we received the friendly version from the DEP. We have to make sure we are pro-active with our response and maybe get a whole evaluation of the plant from Miller. Mr. Catania said we have a meeting set up with them on October 8, 2020 to go over these issues and to take a look at the plant. We know that when the sewage enters the plant we have an old grinder system that has created a problem with pipes clogging. Keystone Engineering was going to design a new system to remove “ragging” out of the waste water.

Mr. Catania said that alone is a \$125,000 to \$150,000 ticket. It may make sense to have a comprehensive look at the plant to see what the needs may be in the next 5 to 25 years. Mr. Vazquez said we have to be aware of what may happen to the plant down the road. This is eventually going to turn into a big ticket item if it is not a simple problem. Mr. Wills said that responding to DEP and simply saying that we do not have the money to fix the problem is generally not a sufficient answer to the people in Harrisburg.

INSPECTORS' REPORTS

FIRE MARSHAL – MR. LESLIE

Mr. Leslie was present at the beginning of the meeting but was called out on a fire call.

BOARD OF HEALTH –

There was no report.

ZONING OFFICER – MR. HAMPTON

There was no report.

PUBLIC DISCUSSION

Mr. Tom Dykes, W. Brookhaven Road, asked about the PECO Grant. He asked Mr. Catania if we could use it for the new park at Arlington Avenue. Mr. Catania said the Grant was for passive recreation so that would qualify.

Mr. Dykes said that we are looking for new members for the Recreation Committee, either as Alternates or Volunteers. If anyone is interested, please let us know.

OTHER NEWS

Mr. Vazquez thanked Mayor Hess for everything he has done for the community of Brookhaven and for all the help he has given to Mr. Vazquez when he came on Council. Mr. Vazquez said that he appreciates all that Mayor Hess has done for him and that he will be missed.

Ms. Sawicki thanked Mayor Hess for everything he has done and to wish him and his wife the best of everything and that if there is anything that we can do for him to please let us know. She wished Mayor Hess a wonderful life in his new home.

Mr. Wilwert thanked the Mayor for everything he has done over the years.

Mr. Heller asked all the Council members to give Mayor Hess a round of applause.

ADJOURNMENT

There was no other business to come before Council. Mr. Vazquez made the motion and Mrs. Heller made the second motion to adjourn. Motion carried by unanimous vote. The meeting was adjourned at 7:42 pm.

Respectfully Submitted,

Mrs. Joan Boyle
Brookhaven Planning Commission Secretary

