

MINUTES  
SEPTEMBER 9, 2019  
BROOKHAVEN BOROUGH COUNCIL MEETING

At 7:00 PM Vice President of Council, Jim LaPera, called the regularly scheduled meeting of Brookhaven Borough Council to order. He welcomed all present and thanked them for coming. He led in the Pledge of Allegiance to the American Flag. Mayor Hess read the names of the borough residents who passed away during the month of August—James Clark, Sophie LaPera (mother of Jim LaPera) and Sister Nancy Bonshock. A moment of silence was held in their memory.

The record shows all members of Council except Mr. Donaway who is on vacation, on time and seated at the Council Table. Also seated at the Council Table were Solicitor Stone, Mayor Hess, Erin Porter from NDI Engineering and Secretary McKinley. Chief Matthew Kurten was seated at the Inspectors' Table.

PRESENTATION FROM COUNCIL – Mayor Hess and Mr. LaPera

Mayor Hess and Mr. LaPera called out newspaper reporter, Loretta Rodgers, forward. They presented her with an acrylic plaque honoring her for more than 20 years of accurate reporting of council meetings and workshops. She was very surprised and said thank you for the honor. This is the first time she has been honored by any of the municipalities she covers.

PUBLIC DISCUSSION

Mr. Subers from S and S Home Improvement said S and S Home Improvement has been in business since 1953. They started out in Havertown. Now they need a warehouse and a bigger showroom. They are currently at 4401 Edgmont Avenue and it is for sale. They also own 4 West Maple Avenue where there are rentals. One is a home health care agency and the other is a dental office. Both are good professional businesses.

Mr. and Mrs. Pierdomenico, 4949 Jackson Drive, spoke about The Arts in Delaware County. There are lots of events and programs in which to participate. They are especially interested in the music area and they wanted to share information on that too. The program is called Keep Music Alive.

BROOKHAVEN BUSINESS & PROFESSIONAL ASSN. REPORT – Mr. Sredenschek from Bryn Mawr Trust Bank was not present.

SCHOOL BOARD REPORT – Mrs. Ford

Mrs. Ford's report said that the first student day at Coebourn was Tuesday, September 3. They had a fantastic first week and start to the new school year.

The summer events included the Children's Garden. As a National Green Ribbon School, Coebourn Elementary has an ongoing commitment to the value of environmental stewardship through the infusion of real world experiences. An ongoing goal is the expansion of the Children's Garden at Coebourn Elementary School. The garden is a powerful interdisciplinary educational tool where the students are able to participate in green efforts by planting maintaining, and harvesting vegetables. All harvested vegetables are donated to a local food shelter, which instills a sense of accountability and community. Coebourn Elementary is committed to helping their children understand the important role they play in preserving and respecting the environment. This summer's harvest included tomatoes, peppers, cucumbers, eggplant, beans and corn. They are also growing pumpkins and sunflowers along with other perennials.

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The Reading Counts Report shows that the Coebourn Elementary School library was open this summer for any students who wished to take out books and take reading counts quizzes. The library was busy all summer long with enthusiastic readers and she is looking forward to honoring million word readers in the months ahead. They did have a summer reader who hit the million word mark who will be recognized at a future board meeting.

Summer Events were Dot Day—Make your mark on September 13, Back to School Night on September 27 and Pinwheels for Peace—International Day of Peace on September 20. An update on these events will be reported at the October meeting. Twitter – Follow Coebourn Elementary School on twitter@CoebournES to receive daily updates on school events.

**BROOKHAVEN BUSINESS & PROFESSIONAL ASSN. REPORT** – Mr. Sredneschek from Bryn Mawr Trust Bank was not present.

### **POLICE CHIEF’S REPORT** – Chief Matthew Kurten

Chief Kurten’s Crime Report shows that the police department investigated 20 thefts \$4,739 11 of which were retail thefts and 4 from unlocked motor vehicles and 1 motor vehicle theft. There was \$24,739 reported stolen and \$20,407 was recovered including the stolen vehicle. There were 26 persons (24 adults/2 juveniles) charged with various offenses including narcotics, theft, weapons, DUI, disorderly conduct and underage drinking. There was 1 municipal ordinance warning and 3 citations issued during the month.

The Security Report shows that the police responded to 17 false alarms during the month. Officers discovered 1 security violation—an unlocked door—while recording 517 security checks. Security checks were also provided for 5 homes of residents in the borough that requested vacation checks. Police responded to nine 9.1.1. hang-up calls. There were 3 citations and 1 warning issued for false alarms.

Chief said that Brookhaven Townwatch is an integral part of the community and does an excellent job patrolling the borough.

The Traffic Safety Enforcement Report shows that officers conducted traffic details on Chandler Drive on August 9 and August 19. A total of 10 citations were issued for speeding and 4 stop sign violations. Police issued a total of 117 citations, 21 parking tickets and 16 warnings. Police responded to 21 car crashes—2 reportable and 19 non reportable. There were 29 hazard complaints, 24 assists rendered to motorists and 13 vehicles impounded.

Chief Kurten said that the Fire Police are always available to assist with road closures and traffic control as needed.

The crossing guards have not started to work yet because school has not started.

The youth Aid Panel heard 1 new case this month involving 2 juveniles.

The Training Report shows that Officer Wetten attended SWAT training on August 15 and Chief Kurten and Officer Barth attended the monthly Workplace Safety Meeting on August 26<sup>th</sup>.

Vehicles – The 27-5 car had a new door panel installed on August 5. On August 20, the 27-6 car was involved in a minor accident. The vehicle is currently being repaired. All other vehicles are operational.

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The Personnel Report shows that Officer Kyler remained out IOD. He is recovering from a lower leg injury.

The Appreciation Report shows that the Tharp family from Edgewater Lane brought soft pretzels for the officers for providing security checks on their home when they were on vacation.

Communications shows all radios are operational.

The August Crime Report shows 20 thefts, 1 auto theft, 1 vandalism, 1 fraud, 3 weapons offenses, 2 DUIs, 1 liquor law violation, 6 narcotics violations, 10 animal complaints, 6 other animal complaints, 4 solicitation complaints, 5 noise complaints, 3 open burning complaints and 1 dumping complaint. There were 24 adults arrested and 2 juveniles arrested, \$20,407 worth of property was recovered and \$24,739 worth of property was stolen. The youth Aid Panel heard 1 case involving 2 juveniles. The Types of Crime Report shows 30 suspicious conditions, 2 harassments, 13 disturbances, 14 domestic disputes and 3 juvenile complaints. Civil Matters show 14, 50 medical and 4 302's. There was 5,100 miles driven, 898 hours on patrol, 1 escort, 71 assists to other departments, 2 public relations and 9 9.1.1. calls. There were 17 alarms violations, 517 security checks, 1 security violation 1 alarm warning and 2 alarm citations. There were a total of 117 citation issued, 21 parking tickets, 16 warnings, 21 accidents and 29 hazardous vehicle complaints. There were 24 assists to motorists and 13 impounds.

### **FIRE CHIEF'S REPORT – Chief Montella**

For the month of August, 2019 Chief Montella reported the following figures:

3 Fire Incidents, 13 Non-Fire Incidents, 34 Mutual Aids and 4 Drills for a total of 54 events. The Loss Report shows No losses to structures or contents, \$500 for vehicles and no property endangered. There were no firefighter or civilian injuries or deaths. Manpower on the 54 fire calls shows an average of 13 firefighters participating for 453 hours. The 4 training Sessions show that there was an average of 25 firefighters participating for 129 hours. Brookhaven Fire Company responded to the following incidents in Brookhaven Borough: Building fire at 5200 Hilltop Drive-Building 1, accident with entrapment and fire at Bridgewater Road at Albert Road, accident with entrapment and overturned vehicle at Mount Vernon Avenue and W. Brookhaven Road, Accident in the 4000 block of Edgmont Avenue, Vehicle fire at 4026 Edgmont Avenue, gas leaks at 3298 Edgmont Avenue and 13 East Maple Avenue with PECO response, Wires fire at Dutton Mill Road at the intersection of Creek Road with PECO response; Assisted Chester Township Fire Company on a building fire in the 1300 block of Rainer Road (Toby Farms), assisted Upland Fire Company on a building fire on Race Street, assisted Chester Fire Department on a second alarm building fire on Lehman Street. Brookhaven Fire Company's monthly training involved engine company line advancement and deployment, forcible entry class, foam operations with foam paks.

The Ambulance Report shows 74 transports. Refusals show 27 medical, 3 dead on arrivals and 4 lift assists. Total calls 114. There were 4 second emergency calls. Assists broken down shows Brookhaven 52 – 49; Aston 17 – 5; Chester City 81/82/100 13; Chester Township 47 – 3; Marcus Hook 68 – 1; Nether Providence 51/65 – 4; Parkside 45 – 5; Rocky Run 46 – 1; Rosetree 73- 1; and Upland 57 – 5

### **SOLICITOR'S REPORT – Mr. Stone**

The Borough's Complaint in Equity for 123 East Brookhaven Road has been filed with the Court of Common Pleas, and the property owners were served by the Sheriff's Office on August 19. The owners have until September 9<sup>th</sup> to file a response to the Complaint. If no response is filed, Solicitor Stone will

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send the property owners a Notice to Enter Judgment and subsequently file a Motion seeking a Judgement.

4209-4213 Edgmont Avenue (Carman's) Solicitor Stone asked for a motion from council to permit him to file a petition for Appointment of Conservator and to propose Bastogne Development Partners as Conservator for the property. Mrs. Fooks so moved and Mr. Heller made the second. Motion carried by unanimous vote.

Solicitor Stone said he is still waiting for the signed copy of Developer's Agreement for 315 West Brookhaven Road proposed homes. The owner is in the process of securing the required financial security for the borough.

Solicitor Stone recommended a motion to permit him to properly advertise the proposed ordinance which has been reviewed and recommended by the Ordinance Committee setting forth the standards for the design, construction, maintenance and operation of waste disposal and/or cooking oil storage containers for consideration of this Ordinance at the October 7 Council Meeting. Ms. Sawicki made the motion and Mrs. Fooks the second. Motion carried by unanimous vote.

MIINUTES APPROVAL

Ms. Leslie made the motion and Mr. Heller the second to approve the minutes from the August 5, 2019 Brookhaven Borough Council Meeting. Motion carried by unanimous vote.

Ms. Leslie made the motion and Ms. Sawicki the second to approve the minutes from the July 22, 2019 Brookhaven Borough Council Workshop. Motion carried by unanimous vote.

MAYOR'S REPORT – Mayor Hess had no report.

COUNCIL REPORTS

VICE PRESIDENT OF COUNCIL, CHAIR LONG RANGE AND COMPREHENSIVE PLANS, MEMBER GRANT COMMITTEE, LIAISON TO ZONING HEARING BOARD, LIAISON TO RECREATION COMMITTEE AND CHAIR INSPECTORS – Mr. LaPera

Mr. LaPera asked that we advertise for Alternates on the Zoning Hearing Board. Send a letter of interest or a resume.

On the horizon for Recreation Committee activities are Family Day from Noon until 4:00 PM on Saturday August 28. Golf Outing at Wilmington Golf Club on September 29 with a shotgun start 12:00 Noon \$90 per player; Annual Senior Luncheon 1:00 PM on December 6; Tree Lighting Ceremony at 6:00 PM on December 6 and Build Gingerbread Houses at 6:00 PM on December 6.

BUSINESS AND REVITALIZATION COORDINATOR, CHAIR ORDINANCE COMMITTEE, MEMBER CONDO ASSOCIATION, MEMBER LONG TERM AND COMPREHENSIVE PLANS, SCHOOL BOARAD LIAISON, CHAIR TECHNOLOGY COMMITTEE, CHAIR GRANT COMMITTEE – Mrs. Fooks

Mrs. Fooks said the Ordinance Committee will meet on Thursday, September 19, 2019 at 6:30 PM.

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Mrs. Fooks continued her report saying Chili's is open for business. They had a very nice ribbon Cutting ceremony on Friday and ever since the restaurant has been very crowded. She wished them many successful years in Brookhaven.

The Tech Committee Report shows that she and Mr. Cadden met prior to this meeting to discuss storage, etc, for the website requirements.

There is no news for the Brookhaven Business & Community Association.

Community News shows Providence Animal Center will be here on May 19 for the chip/vaccination clinic. Flyers will be made up once the event gets closer.

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

Ms. Leslie said that the recycling event schedule for October 12 will be held at Coebourn School Parking Lot from 9:00 AM until Noon. Electronics recycling will cease effective immediately with B&L. Availability of centers willing to receive the products has dried up completely which makes doing the events impossible.

The Veterans: Day Service will take place on November 9 at 11:00 AM. The Veterans' Meetings will resume monthly on September 12 at 7:00 PM at the borough hall. They meet the second Thursday of the month from September to June.

Nothing to report on Police or Fire Committees.

Emergency Management – The PECO reliability analysis for the Knowlton\_004 circuit is from our regional engineering team for 150 East Dutton Mill Road and 4801 Edgmont Avenue. The July outages were due to equipment malfunctions and vegetation-related storm events. There are no new upgrades planned for the line, but it is due to have a circuit patrol and thermography done later this year which will help identify any areas that need additional tree trimming. Lastly, the circuit is currently not in its normal configuration so it is being supported by two other lines. We expect the line will perform much better once it is restored to normal configuration. Steve is working on finding out when we plan to restore it to normal configuration.

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

Ms. Sawicki made the motion and Mr. Heller the second to approve the bill list which totaled \$154,389.39. Motion carried by unanimous vote.

Ms. Sawicki introduced Mike Hill. Mr. Hill explained that his company was formed in 2010 to help municipalities see where money has been missed. Ms. Sawicki would like Council to retain Mr. Hill's Services for Business Privilege and Mercantile Taxes. Mr. Hill's compensation will be 1.8% of net collections. Solicitor Stone asked when Mr. Hill would start. Ms. Sawicki said January 1, 2020. Ms. Sawicki made the motion and Mr. Heller the second to retain the services of Mr. Hill for the above collection for 2 years beginning January 1, 2020. Motion carried by unanimous vote.

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Ms. Sawicki read the Financial Requirement and Minimum Municipal Obligation (MMO) Budget for 2020 as follows:

	Police	Non-Uniformed
Total Annual Payroll	\$ 890,000	\$ 593,474
Normal Cost As A Percentage of Payroll	16.88%	3.71%
Total Normal Cost	\$ 350,232	\$ 22,018
Amortization Requirement	\$ 158,348	\$ 0
Total Administrative Expenses	\$ 6,400	\$ 10,245
Financial Requirement	\$ 314,980	\$ 32,263
Total Member Contributions	\$ 44,500	\$ 0
Funding Adjustment	\$ 0	\$ 7,626
Minimum Municipal Obligation	\$ 270,480	\$ 24,637
Minimum Municipal Obligation Based Upon Market Value of Assets	\$ 319,008	\$ 31,630

Ms. Sawicki made the motion and Mr. Heller the second to approve the Police MMO for 2020. Motion carried by unanimous vote.

Ms. Sawicki made the motion and Mr. Heller the second to approve the Non-Uniformed MMO for 2020. Motion carried by unanimous vote.

A letter was received from Parkside Borough's Secretary asking if they can obtain their road salt from Brookhaven since they have no place to store road salt. They are a small borough and this arrangement has worked well in the past. Ms. Sawicki made the motion and Mrs. Fooks the second to allow this arrangement. Motion carried by unanimous vote.

CO-CHAIR TECHNOLOGY AND COMMUNICATIONS COMMITTEE, BOARD OF HEALTH CHAIR, LIAISON TO CIVIL SERVICE COMMISSION, HISTORICAL COMMITTEE CHAIR AND MEMBER POLICE COMMITTEE – Mr. Heller

The Technology and Communications Committee will meet on Thursday, October 10, 2019 at 7:00 PM. They will have Delco Alert Training.

Nothing to report for Board of Health and Civil Service Commission.

Technology and Communications Committee's next meeting is this Thursday, September 12 at 7:00 PM.

ENGINEER'S REPORT – Ms. Porter

Ms. Porter recommended a motion to have A to U Services clean out the storm drain at Bridgewater Road near Toby Farms School. Mr. Heller so moved and Ms. Leslie made the second. Motion carried by unanimous vote.

Ms. Porter said Trash/Recycling Bids will be opened at Workshop as will the Road Deicing Salt Quotes.

It is necessary to replace the concrete and drains in the area between the district court and gymnasium. Three quotes were obtained. Mrs. Fooks made the motion and Ms. Sawicki the second to accept the quote of \$18,500. Motion carried by unanimous vote.

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PRESIDENT OF COUNCIL, CHAIRMAN PUBLIC WORKS AND BUILDING, HOLIDAY PARADE LIAISON, MEMBER OF POLICE COMMITTEE – Mr. Donaway is on vacation.

#### INSPECTORS' REPORTS

BOARD OF HEALTH – No Report

ZONING HEARING BOARD – Mr. Hampton

Mr. Hampton said everything is coming along good and on the 16<sup>th</sup> he will meeting with Boehler Engineering.

Freddy's Sign was creating a problem but he got it straightened out. The sign was too bright. It will be put down to 40. Mr. DeMarco is in charge. They should open on October 1.

FIRE MARSHAL – Mr. Leslie

Mr. Leslie spoke about the proposed storage facility on East Brookhaven Road.

He continued his report by saying the trees at the back entrance to Hilltop Summit need to be trimmed.

There was a fire on the roof of a business in the 4800 block of Edgmont Avenue We need to get some new fire lanes.

At 3209 Edgmont Avenue there is a retail store below and an apartment upstairs.

#### PUBLIC DISCUSSION

Harold Hampton, 4433 Houston Street said he went to Hilltop to check on a knocked down stop sign on Hilltop Drive. Mr. Leslie asked how soon can we get the sign put back up.

Tom Dykes, 305 West Brookhaven Road said the grass and weeds at 315 West Brookhaven Road are way too high.

He also said that on Monday two weeks ago a black diesel truck pealed his wheels throwing stone all over. His speed was far higher than 25 miles per hour.

With no more business to come before Council, Mr. Heller made the motion and Mrs. Fooks the second to adjourn. Motion carried by unanimous vote.

Respectfully Submitted  
BROOKHAVEN BOROUGH

Mary Ellen McKinley  
Borough Secretary