

**AVONDALE BOROUGH
COUNCIL MEETING
July 18, 2006
6:00 P.M.**

MEMBERS PRESENT: Bob Cleveland, Russ Kilmer, Fred Bryan, Patrick Harrison, Howard Thompson, Pat Longen
Glenn Allen

GUESTS PRESENT: Walter Barcz, Glenn Diehl, Mike Short, Lew Christy, Mike Shiring, Bill Romanelli, Jamie
MacCombie, John Langille, Jerry Poe, Bob & Marie Hittinger, Toby Abernethy

After the Pledge of Allegiance, the meeting was called to order by Vice President, Fred Bryan at 6:00 p.m.

LETTER OF RESIGNATION

Fred Bryan announced that a letter of resignation was received by Jay Pusey. Jay Pusey stated in his resignation that due to the fact that as of June 30, 2006, he is no longer a resident of Avondale and he regretfully resigns as a member of Council.

PERSONNEL REPORT

Bob Cleveland gave the following report:

COUNCIL VACANCY

The Borough advertised in the Avon Grove Sun on July 6, 2006 the vacant Council position created by Jay Pusey, and received three letters from interested Borough citizens.

The Personnel Committee conducted interviews on July 14, 2006 to fill that vacancy. The Personnel Committee unanimously recommends to Borough Council the appointment of Glenn E. Allen to fill the vacant council seat. Glenn resides on Pennsylvania Avenue and is currently a project engineer for ATK in Elkton, Maryland.

RESOLUTOIN #2006-08

Howard Thompson made a motion to appoint Glenn E. Allen as a member of Council, 2nd by Russ Kilmer, motion carried.

GLENN ALLEN TAKES OATH

Judge Harry Farmer swore/affirmed in Mr. Allen as the new appointed Council Member.

NOMINATION FOR PRESIDENT OF BOROUGH COUNCIL

Nominations were open for President of Borough Council. Russ Kilmer nominated Fred Bryan. Patrick Harrison nominated Bob Cleveland. There were no more nominations. A voice vote was taken and Patrick Harrison, Howard Thompson, Glenn Allen, Pat Longen, Russ Kilmer voted for Bob Cleveland. The vote was unanimous and Bob Cleveland was voted in as President. Bob Cleveland accepted the position until the end of 2006.

THE MEETING WAS TURNED OVER TO PRESIDENT CLEVELAND.

RESIDENT AND PUBLIC COMMENT

BOB HITTINGER - ANNEXATION

Bob Hittinger said he is going to ask Todd Gannon to speak for him at this time. Todd Gannon, President of Gannon Companies, said he is an equitable company that has entered into a contract to buy the Hittinger Property at the

northern edge of Avondale. Gannon provided a concept plan for the parcel situated off of Chatham and Sixth Streets, which is not in the Borough limits. Gannon told Council that he is introducing himself to Avondale and he would work hand in hand with Avondale, if Avondale considered this annexation. Bob Hittinger said he sees the annexation of his property as something positive for Avondale because it would increase the tax base and provide an opportunity for others to live in Avondale. Russ Kilmer said that Council does not have a clue what is going on and Council will need to discuss this issue if we are even going to consider it.

WILKINSON PROJECT

WAIVERS

Mike Shiring said there are two areas of concerns with the development plan:

1. As a requirement in the Borough's Ordinance #209, 2.5 parking spaces per unit are required. The interpretation from the Borough's Engineer is that the additional .5 spaces can't be counted when you have a double car garage or a double driveway. Mr. Shiring wanted to clarify that the ordinance reads that it includes garages and driveways. Glenn Diehl said he is okay with this.
2. Private driveways are supposed to be beyond 40' from an intersection. There is one particular section of the development where there is a concern. It is on the quarry section, numbers 167 through 170, and there are four units across from that intersection. The concern is the vehicles may have to back out directly into that intersection from their driveways. What Wilkinson wants to propose is a parallel access road in front of the four units to solve that problem so that the cars can turn around and drive out forward. Jamie MacCombie said the main concern is to make sure that vehicles can turn and drive out forward and if this can be managed, the plan may be feasible. Council could not vote on the request until Jamie reviews the plan.

EXTENSION

Mike Shiring said a plan time extension to an indefinite date was granted to the Borough on July 10, 2006

MILLER ENVIRONMENTAL REPORT

Mike Shore gave the following report:

Monthly Water Production – 3,380,800 gallons / average daily flow – 112,693 gallons

Monthly Effluent Flow – 14,743,000 gallons / average daily flow – 359,000 gallons

New Garden Flow – 3,380,800 gallons / average daily flow – 129,003 gallons (5/31/06 to 6/29/06)

Unaccounted Monthly Wastewater Flow – 7,759,120 gallons (52.68%)

2006 2nd Quarter Billed Water Production – 6,133,020 gallons

2006 2nd Quarter Total Water Production – 9,954,100 gallons

2006 2nd Quarter Unaccounted / Water Production – 3,821,080 gallons (38.4%)

NPDES VIOLATIONS - 0 -

The following activities were reported for the Water and Wastewater Treatment Plant:

- Gaebel Construction repaired a water leak at 606 Poplar Street on 6/8/06 with a 1" x 3" clamp.
- Gaebel Construction repaired broken fire hydrant at PA Avenue and 1st Street on 6/16/06.
- The 2nd quarter meter readings were taken on 6/14/06.
- Installed a new water injector for chlorine feed at the #1 well house.
- Performed 9 water meter re-reads for 2nd quarter meter readings.

- Tested for Total coliform in the water distribution system on 6/6/06. Results were negative.
- Performed 3 Water Action Forms and Pennsylvania One Calls throughout Borough.
- Pulled the #1 and #2 influent pump motors and impels 5 times to remove rags from impellers.
- DEP was on site on 6/15/06 to look at the new and present plant.
- The new plant emergency generator was placed on line and the rental generator was returned.

WWTP LIAISON REPORT

Howard Thompson gave the following report;

Made two visits to the sewer plant on July 10th and July 18th.

All the major construction on the headworks has been completed. All is needed is some light plumbing and some lubrication. The grit screw was started and is now working. The grinding screens will be started in a few days. Completed the grouting on the NBR and both clarifiers. The south clarifiers have been commissioned and ready to go. The pump house still needs some minor plumbing. The sludge pumps are ready to go. Most of the plumbing has been completed in the Electrical and Disinfectant Building. When the wiring is done in the chlorine room, they will start and test the metering pumps. In the water utility and disinfection section a company representative will be on site today to start up and test the utility water pumps. The concrete pads and blowers needs to be installed. The outlet pipe from the water utility and disinfection section is in the ground. Some minor plumbing and trench work needs to be done to integrate the new system with the parts of the old system.

ENTECH REPORT

Walter Barcz gave the following report:

COUNTY GRANT

Entech has applied for an amount that brings the total up to 90% of the total \$1,500,000 grant.

CHAPTER 94 REPORT

There was a supplement requested by DEP which relates to New Garden Township. The information was received and the report will be submitted later this week.

WWTP NPDES PERMIT APPLICATION

The application was due on April 6, 2006 and submitted on April 3, 2006.

TASK ORDER 010 / 4161.01

Russ Kilmer made a motion to approve Task Order 010-4161.01 for up to \$3,000.00, 2nd by Fred Bryan, motion carried. The scope of work for this task order is to assist the Borough with analyzing and developing operation, maintenance, administrative and other arrangements for the upgraded and expanded wastewater system.

APPROVE BUDGET WATER SUPPLY INPUT AND ANALYSIS

Russ Kilmer made a motion to approve \$2,000 to Entech for the Wilkinson related requests for input and analysis of the Borough's water supply.

BOROUGH'S SOLICITOR'S REPORT

Glenn Diehl gave the following report:

PROPOSED STORMWATER, SEWER AND WATER ORDINANCE'S

Waiting on DEP to come out with the official document.

COMMERCIALS INSPECTIONS

We should add in a new component on commercial inspections to get us to be able to access commercial properties and inspect for wells and pumps. We need to make sure we know what is going on with our interconnections.

NEW FIREHOUSE – BUREAU OF LAND RECORDS

The Bureau of Land Records wants to know if they should give the new fire house an Avondale Borough parcel number or a New Garden Township parcel number. Council agreed to give the fire house property an Avondale parcel number.

CONDITIONAL USE HEARING – 315 PENNSYLVANIA AVENUE

The Hearing has been scheduled for August 15, 2006 at 6:00 p.m.

ZONING OFFICER'S REPORT

Council reviewed the report submitted by Mr. Lowry.

SEASONAL VENDOR'S PERMIT

The Secretary said she had a request to acquire a seasonal vendor's permit to sell produce in the parking lot of Pop's Grille. In previous years, a seasonal permit was given for a cost of \$50.00 if they showed proof of insurance and written permission from the property owner. Council approved the seasonal vendors permit at a cost of \$50.00.

FINANCE COMMITTEE

Fred Bryan gave the following report:

APPROVAL OF BILLS TO BE PAID

The committee reviewed the bills to be paid and recommend that Council approve them. Russ Kilmer made a motion to approve the bills to be paid, 2nd by Howard Thompson, motion carried.

APPROVAL OF FINANCIAL STATEMENTS

The committee reviewed the financial statements and recommend that Council approve them. Russ Kilmer made a motion to approve the financial statements, 2nd by Pat Longen, motion carried.

WALABAX PAYMENT #18 - \$156,332.00 AND MONACACY PAYMENT #11 – 18,097.00

Fred Bryan made a motion to approve Walabax payment #18 and Monacacy payment #11, 2nd by Russ Kilmer, motion carried.

APPROVAL OF MINUTES

Russ Kilmer made a motion to approve the minutes from the Council Meeting on June 20, 2006 and continued on June 27, 2006, as written, 2nd by Fred Bryan, motion carried.

STREETS AND STREET LIGHTS COMMITTEE

Howard Thompson gave the following report:

DUST ON POMEROY DRIVE

Received a complaint from Junior Snyder regarding the vehicles traveling at an excessive speed and kicking up a lot of dust on Pomeroy Drive. The Borough has dealt with it before by putting down road oil in the Spring. The committee suggests holding off on buying the oil because it has been raining and has been minimizing the dust. The committee recommends putting up 10 mph speed limit signs to slow down the traffic, Council agreed.

STREET SIGNS DAMAGED

Two street signs were damaged on Henson Street and Maple Streets, and Henson Street and Maple Streets. Both signs were bent on an angle and looked like a vehicle had backed into them. Dominick took the tractor and straightened both signs.

PARKING SPACE LINES – STATE STREET

Parking space lines were painted in front of the news shop on State Street. Three coats of paint were put down and hopefully, it will last a lot longer than the one coat previously applied.

COLLAPSED STORM DRAIN ON STATE STREET

There is a storm drain that collapsed in front of Pusey's driveway on State Street. A field representative from Pipe and Precast met with Dominick and told him that they could not build a new box because of the way the old box was installed. Dominick said he could rebuild the old box and it will cost between \$500 and \$700. The committee approved Dominick to do the drain repair.

LITTERING

Noticed a lot of trash in the Borough and the committee is recommending to Council to put up "no littering" signs. Council approved the signs.

PUBLIC SAFETY COMMITTEE

Russ Kilmer gave the following report:

POLICE ACTIVITIES

The police are continuing with their increased hours and activities. Two cases went to trial. One was an overweight and one was a stop sign violation. The Judge reduced the overweight from \$2,500 to a \$25.00 fine. The person that ran the stop sign at Pomeroy Avenue and State Street was found not guilty because the Judge said the stop sign was too faded. Since this incident, the stop sign has been replaced.

WATER AND SEWER COMMITTEE

Fred Bryan gave the following report:

SEWER ADJUSTMENTS

- 405 Maple Street – The Committee recommends to Council to grant relief on the 2005 4th quarter billing. This property had a leak under their mobile home and showed proof of repair.
- 316 Chatham Street – The Committee recommends to Council to grant relief on the 2006 1st quarter billing. This property had left an outdoor hose running. The problem was corrected.
- 400 New Street – The Committee recommends to Council not to grant relief on the 2005 3rd quarter billing. This was the second request for relief. After the first request, the committee researched this matter and decided not to grant relief because there was no proof that the excess water did not go into the sewer system. The Committee stands by their first decision.

Russ Kilmer made a motion to approve the committee's recommendations, 2nd by Howard Thompson, motion carried.

PROPERTY AND EQUIPMENT COMMITTEE

Russ Kilmer gave the following report:

BOROUGH PROPERTY BEHIND SMITH'S

Mrs. Smith has communicated to the Secretary that she has given Harold Smith's family until August 1st to get the items out of vehicles that are located on the Borough's property, after this date, the Borough can do whatever they want with the property. Russ said he feels the Borough should write a letter to Harold Smith's family and give them until August 15th to get their items off the property. Russ said he knows a couple of people that may help clear the property.

PARKS COMMITTEE

Pat Longen gave the following report:

Spoke with Chester County Parks and Recreation office about where we can use the insurance money. They said we can use the money to replace the play equipment. The committee has a problem with replacing the equipment at the Watson Park because of the vandalism that goes on at the park. There is not enough space to put any play ground equipment at the Third Street Park because of the creek restoration project and the future placement of storm water basins above that area. The committee will meet and develop a plan.

DIRT PILES AT WATSON PARK

Will speak to Technivate this week to see about getting the dirt piles removed.

ENVIRONMENTAL AND COMPOSTING COMMITTEE

Pat Harrison gave the following report:

On June 21st there were no deliveries, and on July 8th there were three deliveries. Deliveries are accepted on the Second and Fourth Saturday's of each month from 10:00 a.m. to 12:00 p.m. Dominick is still doing the once a month street pickup on the third Monday of each month.

CHAIN AND LOCK AT POMEROY AVENUE BRIDGE

The chain and lock were installed last month. Reflectors were put on the chain and were shot out within 24 hours. The Committee took care of the problem by painting the chain with fluorescent paint.

AVONDALE APARTMENTS

Last month we discussed that the laundry facilities being used as a Laundromat. Spoke to Mr. Walkup and he did not make any promises and made no recommendations on how he plans to correct the situation. At this point, the committee recommends that this matter be turned over to the Code Enforcement Officer. Russ Kilmer made a motion to turn this matter over to Tom Lowry, 2nd by Pat Longen, motion carried.

OLD BUSINESS

RIBBON CUTTING AT WWTP

Patrick Harrison said the ribbon cutting ceremony is scheduled for October 28, 2006. The Mayor and Patrick are working together on this project.

NEW BUSINESS

NATIONAL INCIDENT MANAGEMENT SYSTEMS (NIMS) TRAINING

President Cleveland said that Council received a letter and this NIMS training is a requirement for appointed and elected officials. Russ Kilmer said this is a requirement if the Borough wants to be eligible for federal money after an emergency and only one person from the Borough needs to be certified. This training can be done on the internet or by attending class. Patrick Harrison said he plans to attend the class in Lancaster County in September.

VACANCY BOARD MEMBER

President Cleveland made a motion to appoint Harold Brown as Vacancy Board Member, 2nd by Fred Bryan, motion carried.

ANNOUNCEMENT

Council Meeting – July 18, 2006
Continued on July 25, 2006

- There will be an executive session after this meeting to discuss legal matters.

Fred Bryan made a motion to continue this meeting until Tuesday, July 25, 2006 at 6:00 p.m., 2nd by Russ Kilmer, motion carried.

COUNCIL MEETING – JULY 25 – CONTINUED FROM JULY 18, 2006

MEMBERS PRESENT: Fred Bryan, Russ Kilmer, Howard Thompson, Glenn Allen, Patrick Harrison
Absent: Bob Cleveland, Pat Longen

GUESTS PRESENT: Glenn Diehl, Jamie MacCombie, Walter Barcz, Bill Romanelli, Harold Brown, Jerry Poe

Vice President re-opened the meeting at 6:00 p.m.

WILKINSON PROJECT – WAIVERS

Patrick Harrison made a motion to approve the letter dated July 25, 2006 that states the recommendations from Jamie MacCombie, 2nd by Russ Kilmer, motion carried.

Following are the contents of the letter from Jamie MacCombie:

“The circumstances involving the locations of the driveways & remote parking spaces in relationship to the intersections were reviewed. It was determined that waiver requests can be supported for the remote spaces by Units 107 & 183 and for the driveways for Units 1, 23 & 54. The driveways for Units 1 & 23 should be restricted to single driveways. The remote spaces Units 106 & 200 will need to be relocated.”

“A plan reflecting a controlled point of access for Units 167-170 was also reviewed. While it appears this concept may be feasible, additional information regarding the design will need to be addressed, involving adequate turning radii, vehicle maneuvering space and the impact on site grading, before this concept can be formally sanctioned. However, it does not appear this situation requires a waiver to be approved by the Council.”

FIRE HOUSE APPRAISAL

Fred Bryan said he and Howard Thompson met with fire house committee to discuss the Borough acquiring the old firehouse. Mr. Bryan and Mr. Thompson recommend to Council to get the fire house re-appraised and inspected by the Zoning Officer. Russ Kilmer made a motion to approve the appraisal and inspection, 2nd by Howard Thompson, motion carried.

WATSON PARK APPRAISAL

Russ Kilmer said Watson Park has 8.9 acres and he thinks it is a good idea to get it appraised to see what the park is worth. Mr. Kilmer said we could have the same appraiser to do both the park and the fire house and get a bulk rate.

BOROUGH ENGINEERS REPORT

Jamie Mac Combie gave the following report:

MS4 STORMWATER PROGRAM

The MS4 Stormwater Report will be submitted to DEP by the end of the week. As part of the report, it will require the Borough to adopt new stormwater management regulations and his office is in the process of developing the requirement.

FEMA FLOODPLAIN REGULATIONS

The Borough is obligated to amend the floodplain regulations by September 29, 2006. DCED reviewed the Borough's current ordinance and will send a letter citing changes that they recommend to the Borough's current ordinance. Under FEMA's regulations and in order for the Borough to be eligible for the Flood Insurance Program the Borough is obligated to adopt new regulations by September 29th. Glenn said the advertising for these new regulations will need to be approved by Council at the August meeting.

NEW BUSINESS

CABLE TELEVISION

Howard Thompson said he has received numerous complaints from residents that are dissatisfied with the service and the cost of Comcast. Mr. Thompson suggested meeting with a representative from Comcast and Verizon to discuss their services, Council agreed and the Secretary will coordinate a meeting with Comcast and Verizon.

ANNOUNCEMENT

Fred Bryan announced that there will be an executive session after this meeting to discuss personnel issues.

Russ Kilmer made a motion to adjourn the meeting at 6:25 p.m., 2nd by Glenn Allen, motion carried.

Respectfully submitted,

Becky Brownback
Borough Secretary