

**AVONDALE BOROUGH
COUNCIL MEETING
SEPTEMBER 18, 2007
6:00 P.M.**

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

GUESTS PRESENT: Mayor Howell, Glenn Diehl, Jamie MacCombie, Tom Lowry, Pete Lau, Stu Bruce, Michelle Steele, William Fansler, Dave Friedman, Kim Mazur, Jerry Poe, Billie Jean Massey, Steve Frye, Ron Rosazza, Jan Ramberger, Chip Ramberger, Ralph Rosazza, Danny Rosazza, Cordelia Rosazza, Mike Tanteros

After the Pledge of Allegiance, President Cleveland called the meeting to order at 6:00 p.m.

PUBLIC HEARING – PROPOSED ORDINANCE #219

President Cleveland said this proposed ordinance is establishing the section of Chatham Street, a/k/a Chatham Avenue, between Fifth Street and First Street, as a one-way street with traffic flow required to move in the southbound direction only.

The proposed ordinance was advertised on September 8, 2007 in the Daily Local News, it has been posted at the Borough Hall and available to the public.

President Cleveland opened the meeting to public comment on proposed Ordinance #219. President Cleveland said that everyone will be heard and that it is not a question and answer period. Please state any concerns and Council will discuss them at Council debate on the motion.

PUBLIC COMMENT

Ron Rosazza – 401 New Street

Morris Street has about 45 accesses to it from the garages and driveways from First to Fifth. There are 30 between 2nd and 4th on Hoopes Alley, and on New Street there is parking on both sides. I spoke to the bus driver this morning to see if she had any problems driving down through there and she said except for First Street where they illegally park on both sides she has no problems whatsoever. Chatham Street has curbs and sidewalks, the other two alleys are open access flat to the alleys. The kids are riding their bicycles in and out and it is a safety issue putting more cars on the opposing streets.

Mike Tanteros – 420 Chatham Street

Mr. Tanteros said he read the report and it does indicate that there are other routes the traffic could use and obviously Morris Street is one of those streets. There is hardly any traffic on Morris Street because it is hardly wider than a driveway and two cars have trouble passing each other going in opposite directions. It is also very slow traveling and you have to be very careful when you drive on Morris. If Morris Street becomes an alternate route it would increase the traffic. Did the people who wrote the report do a comprehensive report identifying alternate routes?

Danny Rosazza – 316 New Street

The report states that 56% of the traffic was southbound and 44% of the traffic was northbound and basically it is even traffic both ways, so why it's being made a one way. I can see it down at the lower end because it has more traffic, but to move the traffic off of Chatham Street most likely will go to Morris Street and some of the other streets. Morris is awful rough and narrow sewer lines run under the street and if you get a lot of extra traffic it is not built for that.

Jan Ramberger – 501 Chatham Street

Ms. Ramberger said she wants to stress all the dangers coming in or going out 4th Street. You can't see any traffic going up Morris until you are right there in the street and it is creating a lot more hazard than it is solving. Morris is ten feet narrower than Chatham Street and that is not even a width of a car. This will create a lot of dangerous situations in town. We had 53 people sign the petition not to have Chatham Street made into a one way and it is the majority of the people on Chatham and Morris Street that do not want the one way. If you read the traffic report, all the data was collected between First and Second Streets, it does not have any data on the report for data above Second Street.

Cordelia Rosazza – 416 New Street

Ms. Rosazza said she uses the alley frequently when she wants to go down to the red light and it is not a good road to drive on because the road is very rough. If you would want to put more traffic on the road, you would have to resurface the road and the sewer lines are underneath the road and this would cause more busted pipes. I have gone down Chatham Street many times and have not encountered that many cars coming the opposite direction, and if you do, it is easy enough for one person to pull to side and let the other car go by. This is not enough to change the street to a one way.

Billie Jean Massey – 318 Chatham Street

Ms. Massey said she parks on Chatham Street and we are all going down the street to park, we are not going up the street. On the weekends when everybody is home and parked on the street, where do you pull off when a person is coming up the street, there is no place to pull off. Ms. Massey said her car has almost been hit three times and she hopes it never gets hit. The people that are complaining never go up the street; they mostly go down the street. I don't see why they are complaining.

Steve Frye – 316 Chatham Street

Most of the people complaining very seldom use Chatham Street. Since the last meeting, there was an increase of eleven people that are complaining against this actually use Chatham Street. Nine out of the eleven times they were going down Chatham Street and not up Chatham Street. The other two times were residents that do not even live on Chatham Street. As far as the kids playing in the streets, there are plenty of sidewalks in towns for them to ride their bikes. The kids don't need to be playing in the streets; the streets are made for cars not for kids to play in. Mr. Frye said he doesn't see the big issue about changing it into a one way street.

Mayor Dottie Howell – 517 Pennsylvania Avenue

Mayor Howell said her garage faces Morris Alley and she has two cars in that garage that back out about 10-15 times a day. I read the traffic survey and expected it to say that the school buses are having a hard time: getting through town, kids are late getting to school, kids getting hit in the roads and emergency vehicles are having a hard time getting around town and I saw none of that. I went down Morris Alley today and had to pull over in private peoples yards three times to let cars go by. This does not happen on Chatham Street because there is enough room to go around and it is ten feet wider than Morris Street. Mayor Howell said she thinks it is ridiculous to change to a one way on Chatham Street because there will be an increase in traffic on Morris Street and opposes changing it to a one way.

Bill Shore – 400 New Street

Mr. Shore said he doesn't think this is the way to resolve the parking problem on Chatham Street by making it a one way. If you make parking restrictions on one side or another it may relieve more of the problem than changing it to a one way.

President Cleveland closed the public comment portion of the Hearing.

ORDINANCE #219 - ADOPTION

Patrick Harrison made a motion to adopt Ordinance #219, 2nd by Fred Bryan.

Russ Kilmer said since this issue came up, he has ridden up and down Chatham Street, Morris Alley, and New Street several times. Mr. Kilmer said his belief is that making Chatham Street is not the answer and Morris Alley will absorb more traffic. If we expect Morris Alley to absorb more traffic, we need to consider making Morris Alley a one way the other way. If we decide to keep Morris Alley two ways, we need to have a traffic survey on Morris Alley to determine the safety, the driving, width and everything because you can't pass two vehicles on Morris Alley and we are going to be almost obligated to make it a one way. If you make Morris Alley and Chatham Street a one way, there is going to create a lot of confusion at Sixth Street because right now it confusing. Sixth Street is a one way and you can't come off of Pennsylvania Avenue. When you get at the far end of Sixth Street, there is a one way sign that probably shouldn't be there because it is not a one-way and it is confusing. Having part of Chatham Street one way is going to be extremely confusing and it is going to create a safety issue. We need to look at the whole problem and look at Morris Alley and the other streets and what may occur. Making part of Chatham Street is not going to solve the problem. At times it is difficult to get down Chatham Street but making part of it a one way is not the answer. Mr. Kilmer said this is based on his observation, his thought process, no pressure, no conversations, his own thought process.

Patrick Harrison said he is on the Streets Committee and when the problem was brought to the committee many months ago it was something they took time and looked at the situation. Chatham Street was made back in the horse and buggy days and it was sufficient, now that we have cars, busses, and trucks and now we have to do something. Residents said that Chatham Street is ten feet wider than Morris Street, but Morris Street doesn't have parking on one side of the street as Chatham does. The Streets Committee took the time to look at the problem, we had an Engineering Study done and we feel this is the safest way we have to serve our community and we have to go with the one way.

Pat Longen said down the road it may be a good idea to make Morris Street a one way. First, we need to see how making Chatham a one way will affect the other streets.

Howard Thompson said he traveled up and down Chatham Street a lot of times and nearly got hit. We did the traffic study to find out that it is feasible to make it a one way and at this point he is still in favor of making it a one way.

Fred Bryan said the Borough paid for the engineer to come out to look at the situation and we didn't give them any guidelines. The Engineer made the decision that the one way should be done from Fifth to First Streets. The reason for doing this that is in the report is for safety reasons. Russ Kilmer asked if we asked the Engineer to look at the alternative routes in the study.

Jamie MacCombie said he was not asked to look at the other streets. One of the criteria for creating a one way is if there are other streets that are parallel to the street in question that would serve as alternate routes. It was looked at as PennDOT criteria as far as road widths, the parking, and the amount of traffic, to see whether or not it qualified for a warrant to be a one way street. The report concludes that it does in fact warrant a one way.

Patrick Harrison said making Chatham Street a one way is a first step and then we will see if we have any problems. If there are problems we can go to that second step.

Russ Kilmer said his thought process would be to do a complete traffic study on Morris and Chatham Streets to determine if it is a viable alternative before we decide to make Chatham Street a one way.

President Cleveland said there was a motion to adopt Ordinance #219 and it has been seconded. The Secretary will call the roll and record the votes, just answer yea or nay.

Mr. Bryan – yea, Mr. Harrison – yea, Mr. Kilmer – nay, Mr. Longen – yea, Mr. Thompson – yea, Mr. Cleveland – yea

President Cleveland announced the vote as 5 yeas and 1 nay and that the ordinance is adopted and will go into effect as the ordinance states when the street signage has been installed.

ENTECH REPORT

Kim Mazur gave the following report

WWTP – CORRECTION PERIOD LISTS

Correction Period Lists were sent to Walabax and Monacacy Valley on August 30, 2007 and September 5, 2007. On Tuesday, September 11, 2007, both Walabax and Monacacy Valley were onsite. Monacacy Valley's list contains 10 items; 2 were completed, 2 were investigated and no issues found, 2 items required the ordering of light bulbs, 4 items remain to be completed by Allied Control Services. Monacacy asked EEMA to monitor, if an issue re-occurs please provide details and Monacacy Valley will address. Walabax reviewed the list of items to assess the magnitude of work. Walabax will be on-site the week of September 24th.

DEP LETTER – RESPONSE

A report was provided to DEP on August 22, 2007 to address the overflows. The two items identified in the Measures of Correction section of the report were performed on August 17, 2007 and August 30, 2007. Entech contacted DEP and they were satisfied with the report.

CHAPTER 94 REPORT – MODIFICATIONS

Jamie MacCombie said that Entech needs to take a look at the Chapter 94 that was submitted this year and make some modifications based on current flow readings. It appears that an individual applied for exemption from a planning module and DEP stated that they can not get an exemption because there is an organic overload identified in the Chapter 94 Report. If Entech looks at the report with some fresh eyes and with new flow numbers, they may be able to make an adjustment to the projections and file an amended Chapter 94. This will allow future individuals that would not have to file planning modules to get exempt. The hydraulic numbers that were utilized for the Chapter 94 Report to determine the organic load rate were over inflated numbers. Kim Mazur said he would look into this matter.

EEMA REPORT

William Fansler gave the following report:

OPERATIONS REPORT

Wastewater Treatment Plant Flows:

Total Monthly Flow	5,482,000 gallons
Daily Flows Min.	139,000 gallons
Daily Flows Max.	254,000 gallons
Daily Flows Avg.	177,000 gallons

NEW GARDEN WEEKLY FLOWS

WEEK	8/1-8/8/07	8/8 - 8/15/07	8/15 to 8/22/07	8/22 – 8/29/07	8/29 – 9/5/07
ROUTE 41	40,864	43,331	42,224	40,841	40,785
RAIL ROAD	58,242	55,450	60,605	56,214	52,352

- Effluent & Waste Activated Sludge meters calibrated from WG Malden
- M.V. LaFrance tested the two motors of sludge holding tank. Both motors not economical to repair. Dominick disposed both motors.
- Power outage on August 20, 2007 due to lightning storm
- Removed 6,000 gallons of sludge from Wastewater Treatment Plant
- Completed Manhole Inspections in Zone B.
- Installed pipe work for grit screw.
- Plate at headworks was bolted down by Walabax.

MAINTENANCE REPORT

- There were zero (0) PA One Calls.
- There were eleven (11) Action Request forms received resulting in the following;
 - Two (2) water shut off
 - 324 North Church Street (August 21)
 - 124 Clay Creek Road (August 29)
 - Seven (7) meters not working
 - 106 Chatham Street (replaced remote meter)
 - 223 Chatham Street (replaced wire to remote)
 - 302 Chatham Street (replaced external remote)
 - 315 Pennsylvania Avenue (replaced meter head)
 - 403 Church Street (replaced meter head)
 - 301 Pennsylvania Avenue (replaced meter and remote meter)
 - Azteca Records (replace meter and remote meter)
 - One (1) replace wire on meter
 - 125 Chatham Street
- One call for dirty water (8 Cook Court) when arrived they reported it was a mistake.
- Power washed the algae from both chlorine contact tanks.
- Installed pipe work for chlorine analyzer for both chlorine contact tanks.
- MV LaFrance installed new motor for sludge holding tank, checked hour meter for water, installed new electrical outlet at North Well House.
- Currently working with SERVPRO for the unmetered line at the Old Fire House. Will meet with SERVPRO in early August.
- Maintenance budget reconciliation.

PROJECTED OPERATION & MAINTENANCE PLAN FOR JULY:

- Begin manhole inspections for Zone B.

WATER QUALITY REPORT:

Water System Flows

Total Well #1	2,687,500 gallons		
Total Well #2	708,500 gallons		
Total Monthly Flow	3,396,000 gallons		
Daily Flows Min. Well #1	58,400 gallons	Min. Well #2	15,100 gallons
Avg. Well #1	86,694 gallons	Avg. Well #2	22,855 gallons
Max. Well #1	119,300 gallons	Max Well #2	31,000 gallons

Water quality met all regulatory and contractual requirements during the month.

MONTHLY GRIEVANCES:

There were no grievances for the month.

PERMIT VIOLATIONS: None

EEMA CONTRACT YEAR TWO

Russ Kilmer made a motion to accept EEMA's proposal for contract year two, 2nd by Fred Bryan, motion carried.

BLOWER REPAIR

Pete Lau said it will cost \$4,000.00 for a new blower and \$2,000.00 to rebuild it and EEMA's recommendation is to rebuild the blower. Russ Kilmer made a motion to approve up to \$2,500.00 to rebuild the blower, 2nd by Fred Bryan, motion carried.

BOROUGH SOLICITOR'S REPORT

Glenn Diehl gave the following report

The following will be discussed in executive session following tonight's meeting: The Pyle Property, Wilkinson's Development, Hampton Agreement, and DEP's last offer to settle the fines and penalties.

ENVIRO-AIR LAWSUIT

We are now in the Pleading Stage.

VERIZON CONTRACT

Received the revised version and in the process of making a couple more suggested changes to it. Once this is done, it will be sent electronically to Council for their review.

BOROUGH'S ENGINEER'S REPORT

Jamie MacCombie gave the following report.

I & I STUDY

The meters were moved to manholes 10, 34, 69, and the manhole at the treatment plant.

FLASHING WARNING LIGHTS – AVONDALE FIRE HOUSE

All the information has been gathered and the Condition Diagram will be submitted to PennDOT. PennDOT will create the permit plan. Once the plan is done, the Borough will need to figure out how the flashing lights will be funded.

ZONING OFFICER'S REPORT

Tom Lowry gave the following report

AVONDALE RENTALS – COMMERCIAL USE OF LAUNDRY

There was an enforcement notice sent about the operation of a commercial laundry. The laundry is only for the use of residents of the apartments. This has not been pursued on the advice from the Borough's Solicitor.

Glenn Diehl said we have to have witnesses that prove allegations. We will have to issue citations, the citations have to be based upon witnesses that are willing to testify and there are several components of that testimony that need to be testified to. We need to identify how we are going to proceed with this and the way to do this is to move forward with the Code Enforcement Officer based on the information supplied to him and reviewed by the Borough Solicitor. We need evidence and people willing to testify and if we don't have this there is no sense in moving forward.

POST OFFICE SHED

Received a complaint regarding a shed being placed at the post office without a permit. Sent a letter to the property owner and told them to remove the shed. The former postmaster called and said he didn't know he needed a permit and he said they are using the shed to store paper products to support the post office. The postmaster is willing to apply for a permit but because it is a commercial building it falls under land development there is a lot more involved than just issuing a permit. Explained to the former postmaster that Borough Council could waive the requirements and simply just issue a permit. Waiting on direction from Council on how to proceed.

PROPERTY MAINTENANCE CODE

Received a complaint about overcrowding in structures. Looked into the 2006 Property Maintenance Code and it does not have the criteria that the previous maintenance codes had and it basically leaves it to the Code Enforcement Officer's discretion as to determine whether a structure is overcrowded. Mr. Lowry said his recommendation is to adopt the 2003 Property Maintenance Code because it does have the criteria for overcrowding. Mr. Lowry and Glenn Diehl will work together to prepare the ordinance for Council's review.

ZONING ORDINANCE UPDATE

Recommending to Council to update the Borough's Zoning Ordinance. We need something in the zoning ordinance that addresses dormitories, rooming houses, and the definition of family. We need to do an amendment to get something on the books so that these issues can be enforced. As Code Enforcement and Zoning Officer there would be a document under the Property Maintenance Code and a document under the Zoning Ordinance which are two different forms of legislation to approach the overcrowding issue. Council gave authorization to Tom Lowry and Glenn Diehl to work together to prepare the update.

AVONDALE PRESBYTERIAN CHURCH

The Church is strictly working on a foundation permit and they have not submitted a complete set of plans showing architectural changes..

FINANCE COMMITTEE

Fred Bryan gave the following report

APPROVAL OF BILLS TO BE PAID

Fred Bryan made a motion to approve the bills to be paid, 2nd by Patrick Harrison, motion carried.

APPROVAL OF FINANCIAL STATEMENTS

Fred Bryan made a motion to approve the financial statements, 2nd by Patrick Harrison, motion carried.

UTILITY BILLING SYSTEM

The cost to update the water and sewer billing is up to \$12,000.00. Russ Kilmer made a motion to approve the utility billing system from Harris Corporation for up to \$12,000.00, 2nd by Pat Longen, motion carried.

APPROVAL OF MINUTES

Pat Longen made a motion to approve the minutes from August 21, 2007, 2nd by Howard Thompson, motion carried.

MAYOR'S REPORT

Mayor Howell gave the following report

MEETING WITH DVRPC

Met with the Delaware Valley Regional Planning Commission and they are going to install “share the road” signs for bicycles through Avondale on Pennsylvania Avenue. They are going to put in bicycle lanes north and south of the Borough from Route 41 at the Wawa toward Toughkenamon. PennDOT is spending about \$300,000 to do this project.

MUNICIPAL WASTE MANAGEMENT PLAN

Mayor Howell said she is on the Solid Waste Advisory Committee with the County to write the ten year plan for solid waste management. The document is in draft form now and it will need to be ratified by the Borough and other municipalities at some point for the SECCRA Landfill.

AVONDALE FALL FESTIVAL

The Fall Festival is scheduled for October 13, 2007 from 10:00 a.m. to 3:00 p.m.

EMERGENCY MANAGEMENT COORDINATOR

Bill Shore gave the following report

This month is emergency preparedness month and he has supplied the Borough with publications on what to do when there is an emergency. Continuing the education requirements for the job of EMC.

HISTORICAL COMMISSION

Sali Cosford Parker was absent from this meeting – Patrick Harrison gave her report

COMMISSION ORGANIZATION

- Meetings will take place on the first Wednesday of every month.
- Commission officers will serve for 1 year term, initially. Terms will be revisited at the end of the first year.
- Officers elected:
 - Chair: Sali Cosford Parker
 - Secretary: Stephanie Young
 - Treasurer: Sandra Jones

PROJECT INITIATIONS

1. Church Street Photography
 - a. Bill Parker & Ben Buskell taking the lead on photographing the Church St. area.
2. African American History
 - a. Lenee Bryan to reach out to local African American churches inviting Commission participation and as a first step toward historical integration efforts.
3. Resident Interviews
 - a. Charlie Jones to developing special resident interview lists.
 - b. Bill Parker to contact Avon Grove HS to enlist/organize volunteers and look into opportunities for student credit (e.g., Scouting, extra credit, project credit etc).
4. Historical Records Digitization
 - a. Sali Parker to organize photography effort at Borough Hall.
5. Third Street Bridge
 - a. To explore Federal Historic status for bridge.

OTHER ACTIVITIES

1. Lenee Bryan suggested the Commission have an information table at the Fall Festival - the Commission is hurriedly organizing one.

STREETS AND STREET LIGHTS COMMITTEE

Howard Thompson gave the following report

1. Dominick has completed re-building the storm drain at 4th and Chatham Street.
2. Dominick repaired the two sink holes between Earls Sub Shop and Avon News shop.
3. Would like to have approval from Council to have Dominick re-build the storm drain at 2nd & Chatham Streets.
4. The storm drain needs to be cleaned out at Church and Maple Streets.
5. We will make the maintenance items on the State Street Bridge a priority item this month.

PEDESTRIAN SIGNS

Patrick Harrison gave the following report

The Streets Committee applied for free crosswalk signs from PennDOT hoping to slow down traffic on Pennsylvania Avenue. PennDOT didn't receive the grant from the State so they are not giving the signs to municipalities. For safety reasons, the Streets Committee feels that the Borough should buy the signs. The cost is \$224.57 per sign and \$11.57 for the permanent base. We would like to put the signs at Pomeroy and State Street, Second Street and Pennsylvania Avenue, Third Street and Pennsylvania Avenue, and Fifth Street and Pennsylvania Avenue. The Committee's goal is to have the signs up by Trick or Treat Night and the Committee would like Council's approval to purchase the signs. Russ Kilmer made a motion to install and purchase four pedestrian signs and bases for up to \$1,500.00, 2nd by Fred Bryan, motion carried.

WATER AND SEWER REPORT COMMITTEE

Howard Thompson gave the following report

1. Due to non-payment – water was shut off at 124 Clay Creek Road.
2. Installed new curb stop at 332 Church Street on September 15th.
3. Installed four new curb boxes at old fire house on September 12th.

PUBLIC SAFETY COMMITTEE

Russ Kilmer gave the following report

POLICE ACTIVITIES

The police are continuing with their normal activities and they are on reduced fall hours. Will be meeting with Chief Sheller to discuss the hourly rate for 2008.

PROPERTY AND MAINTENANCE COMMITTEE

Russ Kilmer gave the following report

STATUS OF QUARRY PROPERTY ON INDIAN RUN ROAD

Mr. Smith is still working on getting rid of the junk on the property and he is keeping it maintained.

EQUIPMENT

We have not had any request to purchase any equipment. Spoke to Dominick and he has all the equipment he needs. Mayor Howell said she suggests that Council consider buying a deck mower for the Kubota so we can save money and not wear out the little mower.

NEW GARDEN LIAISON COMMITTEE

Mayor Howell said she and Bob Cleveland met with New Garden Township last month. New Garden's main concern was their invoices they received from the Borough. Fred Bryan said he had a meeting with Vince Barbone and Spence Andress regarding the second quarter billing for 2007 and resolved those issues. The invoice was corrected and delivered to New Garden Township. New Garden had a problem with the 2005 audit, which stated they owed \$26,000, but when the invoice was produced under the new contract, it stated they owed \$36,000. It was explained to New Garden that in 2005 the new contract was in effect and the invoice was based on flows. Mayor Howell said the next meeting with New Garden is scheduled for October 17th at 4:00 p.m. Mayor Howell said since Mr. Thompson is going off Council this year, we will need to appoint someone else to the committee.

PARKS / ENVIRONMENTAL & COMPOSTING**PARKS**

Pat Longen said last month he removed a sharp piece from the playset on Pomeroy that was a hazard to the children. Need to replace a latch that broke off for one of the gates.

DIRT PILES AT WATSON PARK

Patrick Harrison said the New Garden Airport has agreed to take the dirt and we are waiting to hear back from them on the date of removal.

TREE IN CREEK BY THIRD STREET BRIDGE

Patrick Harrison said a tree fell in the creek and could have caused major problems if we had heavy rains and flooding. The tree was removed.

EARNED INCOME TAX COMMITTEE

Fred Bryan said the committee is going through the names and about 95% done.

NEW BUSINESS**ACME – DONATION**

President Cleveland said the Acme is donating a park bench to the Borough in conjunction with their grand opening scheduled for October 26th. The Acme has invited the Mayor and all Council members to the grand opening. Please notify the Secretary if anyone plans to attend.

ANNOUNCEMENT

President Cleveland announced that there will be an executive session after this meeting to discuss legal matters.

Patrick Harrison made a motion to adjourn the meeting at 7:35 p.m., 2nd by Russ Kilmer, motion carried.

Respectfully submitted,

Becky Brownback
Borough Secretary