

**AVONDALE BOROUGH
COUNCIL MEETING
APRIL 15, 2008**

Members Present: Glenn Allen, Bob Cleveland, Pat Longen, Steve Frye, Patrick Harrison
Absent: Fred Bryan & Russ Kilmer

Guests Present: Mayor Howell, Howard Thompson, Glenn Diehl, Jamie MacCombie, Sali Cosford-Parker, Michelle Steele, Bill Reilly, Nick Fabricatore, Tom Lowry, Delores Lawless

After the Pledge of Allegiance, Vice-President Glenn Allen called the meeting to order at 6:00 p.m.

EEMA REPORT

Bill Reilly gave the following report:

OPERATIONS REPORT

Wastewater Treatment Plant Flows:

Total Monthly Flow	9,573,000 gallons
Daily Flows Min.	207,000 gallons
Daily Flows Max.	405,000 gallons
Daily Flows Avg.	309,000 gallons

NEW GARDEN WEEKLY FLOWS (gpd)

WEEK	3/5 – 3/12	3/12 – 3/19	3/19 – 3/26	3/26 – 4/2
ROUTE 41	41,787	39,543	39,891	41,411
RAIL ROAD	76,004	62,503	72,864	61,049

- Removed 24,000 gallons of sludge from Wastewater Treatment Plant.
- In the beginning of the month, Steve Frye came in and repaired control building roof.
- Purchased Hach meter Dr890 approved for the 2008 budget.
- Purchased new generator.

MAINTENANCE REPORT

- There was (2) one PA One Calls.
 - 420 Pennsylvania Avenue
 - 66 Old Baltimore Pike
- There were (1) Water Action Request form received resulting in the following;
 - 409 Henson Street – reread

WATER QUALITY REPORT:

Water System Flows

Total Well #1	5,007,000 gallons
Total Well #2	1,341,500 gallons
Total Monthly Flow	6,348,500 gallons

Daily Flows Min. Well #1	101,300 gallons	Min. Well #2	30,900 gallons
Avg. Well #1	161,516 gallons	Avg. Well #2	43,274 gallons
Max. Well #1	224,300 gallons	Max. Well #2	55,200 gallons

OPERATIONS REPORT:

- Still investigating water leak during March.
- Read Meters
- Purchased and installed new chlorine regulators approved 2008 Budget.
- Water quality met all regulatory and contractual requirements during the month.
- Completed Annual Water Report to D.E.P.
- Disinfection Byproduct Monitoring Plan Submitted to E.P.A.

MONTHLY GRIEVANCES:

There were no grievances for the month.

PERMIT VIOLATIONS: None**BOROUGH SOLICITORS REPORT**

Glenn Diehl gave the following report:

FEE RESOLUTIONS

The Finance Committee is supposed to look into the costs compared with the income from the permits to see if the fees are where we need to be. Waiting on direction from the committee.

BOROUGH ENGINEER'S REPORT

Jamie MacCombie gave the following report:

INSURANCE SERVICES OFFICE LETTER (ISO)

Last month, Russ Kilmer said that he was going to speak to Guy Swift from the fire company and get the outstanding issues resolved. No information has been received.

FLOOD PLAIN ORDINANCE UPDATE

The Borough needs to update the flood plain ordinance in conjunction with the Flood Insurance Study (FIS) that went into effect in 2006. Comments were received from DCED and will be addressed. Gave a copy to Glenn Diehl for his comments.

CELL TOWER

Reviewed the lease agreement with Crown Castle and have problems with the agreement. Addressed these concerns in a letter to Borough Council dated April 14, 2008.

STORMWATER ORDINANCE UPDATE

The Borough is required to amend the stormwater ordinance in regards to illicit discharges and it should be submitted with the report to DEP due on June 9th. Mr. Diehl was given a copy and will draft an amendment to the ordinance. A new permit will be applied for by the due date of September 2008. Pat Longen made a motion to advertise the amendment to Stormwater Ordinance #216, 2nd by Steve Frye, motion carried.

ZONING OFFICER'S REPORT

Tom Lowry gave the following report:

ZONING ORDINANCE UPDATE

Council approved Mr. Lowry to start working on the zoning ordinance update.

CELL TOWER

The Property & Equipment Committee will meet with Mr. Lowry to discuss the proposed cell tower. Steve Frye will schedule the meeting.

FINANCE COMMITTEE

Glenn Allen gave the following report:

APPROVE THE BILLS TO BE PAID

The committee reviewed the bills to be paid and recommend Council's approval. Steve Frye made a motion to approve the bills to be paid, 2nd by Pat Longen, motion carried.

APPROVE FINANCIAL STATEMENTS

The committee reviewed the financial statements and recommend Council's approval. Bob Cleveland made a motion to approve the financial statements, 2nd by Steve Frye, motion carried.

2007 AUDIT

The auditor has done everything at his office and will be at the Borough office during the week of April 21st to finalize the audit.

APPROVAL OF MINUTES

Pat Longen made a motion to approve the minutes from March 18, 2008, 2nd by Bob Cleveland, motion carried.

Pat Longen made a motion to approve the minutes from March 25, 2008, 2nd by Steve Frye, motion carried.

MAYOR'S REPORT

Mayor Howell gave the following report:

GRANT APPLICATION-BOROUGH BUSINESS SIGN

Waiting on the contract from Department of Community and Economic Development.

GRANT APPLICATION FOR THE LED LIGHTS

Received the contract from DCED for the LED lights. The contract is in the amount of \$50,000.00 and the amount needed is \$63,000.00. Representative Chris Ross' office has submitted another grant for \$13,000.00 to make up the difference.

HISTORICAL COMMISSION

Sali Cosford-Parker gave the following report:

Avondale Historic Commission met on April 2, 2008 at the Borough Hall.

- Historic Preservation Workshop: Bill Parker presented learnings from the Chester Country Historic Preservation Workshop held on March 8. Bill was appointed lead for all ACH participation in the Historic Preservation group as well as responsible for organizing a review of the Borough zoning ordinances per Historic Preservation guidelines.
- Avondale Preservation: There was considerable discussion on just what approach the Commission wants to recommend/adopt for Avondale historic preservation. It was agreed that we would invite CCHP resources, as well as historic group representatives from surrounding, towns to speak with us at Commission meetings. Bill Parker is also organizing those engagements.
- Remember When: Interviews have begun - slowly.
 - Cleveland book: The Commission approved contacting area merchants purchasing the Cleveland book in an effort to consolidate orders and achieve a better volume discount for all. Sali Parker will contact merchants.
- Book signing: Bob Cleveland has agreed to do a book signing for the Commission; the Commission is requesting approval from Council for use of the Borough Hall for the book signing. Pat Longen made a motion to give approval to the Historical Commission to use the Borough Hall for the

Cleveland book signing, 2nd by Steve Frye, Bob Cleveland-abstained, motion carried. Bob Cleveland said he understands under the Ethic's Law that this is a conflict of interest since he authored the book and that is why he abstained. Mr. Cleveland said he is required to explain his abstention orally and in writing. Mr. Cleveland submitted this in writing to the Secretary.

- Malvern Historic Commission: Bill Parker and Sali Parker volunteered to assist the MHC with their house tours on the afternoon of July 27, 2008.
- Next meeting is scheduled for May 7, 2008 at 6:30 in the Borough Hall.
- At the last Council meeting, it was approved by Council to take out the ordinance books offsite for digitizing and Ms. Parker indicated that it would take 24-48 hours to return the books. This was a highly optimistic timeframe. The wording in the old ordinance book is so faint that the scanner is not picking it up and the only other way do this is by voice recognition software. Would like to amend the timeframe to one week. Council approved.

PERSONNEL COMMITTEE

Bob Cleveland gave the following report:

There have been some concerns regarding the flow of information to the Secretary in the form of committee requests regarding action that needs to be taken. The Personnel Committee would like to recommend to Council that all requests from committees that require action be submitted to the Secretary in writing by e-mail or handwritten so that a record can be kept as to the request, the action taken, and the follow up. Bob Cleveland made a motion that all requests that require action by the Secretary be in writing, 2nd by Steve Frye, motion carried.

STREET & STREET LIGHTS COMMITTEE

Bob Cleveland gave the following report:

1. "Yield to Pedestrians" signs have been placed on Pennsylvania Avenue at Second, Third, and Fifth Streets, and also two were placed on State Street between Pennsylvania Avenue and the Railroad Station.
2. Restriped the parking spaces on State Street in front of both Avon News and the Railroad Station, and installed temporary crosswalks for the "Yield to Pedestrians" signs.
3. Installed "No Parking This Side" signs on the east side of New Street between Third Street and Sixth Street.
4. Discussed tarring and chipping both Chatham Street from Fourth Street to First Street and East Second Street from Pennsylvania Avenue to James Watson Park. The committee is discussing with the Finance Committee the availability of funds for the project.
5. The police department ordered two abandoned cars on Maple Street towed.
6. There have been a lot of complaints from residents about the amount of trash bags lying outside the trash container and the amount of trash bags piled on top of trash containers. Over a year ago, Council and Penn Container agreed that the trash would not be picked up unless the lid was closed on the container and the bags outside the container had stickers. Somehow we have gotten away from doing this. Penn Container has not adhered to this because they have been picking up the bags outside of the containers without stickers. The Committee would like to suggest calling Penn Container and letting them send out another letter like they did before by putting them on the trash containers and instructing residents that no trash will be picked up unless the lid is shut and there are stickers on the bags. Council discussed and agreed that the Secretary will contact Penn Container and discuss this situation.
7. The Committee has discussed tar and chipping Chatham Street from Fourth to First Street and East Second Street from Pennsylvania Avenue to Watson Park. Received a proposal from Asphalt Industries for \$25,000.00, excluding sweeping the streets. \$13,500.00 is for Chatham Street and \$11,500 for Second Street. Discussed this with the Finance Committee and the funds are available.

Glenn Diehl said the Borough Code states that you should have three written quotes for anything over \$4,000.00 and go out for an advertised bid for anything over \$10,000.00. There are a series

of exceptions and it is fairly clear that this is maintenance of public works and would be an exception, however, he would encourage bidding even if the Borough Code does not require it. If Council is convinced that this contractor is the only company around that does tar and chipping then there is no merit in going with an advertised bidding process because you are just adding cost to the taxpayers for no purpose.

Jamie MacCombie said he thinks the Borough should go out to bid because the State takes the opinion if it falls under maintenance you don't have to pay the prevailing wage, regardless if it is over \$25,000.00. If the intent is to use Liquid Fuels money then you have to bid it, if you are using Borough money you can go with the advice from Mr. Diehl under the Borough Code for maintenance. Typically, if it is under \$4,000.00, you can give it to anyone you want, if it is between \$4,000.00 and \$10,000.00 you need three prices and if it is over \$10,000.00 you need an advertised bid.

Bob Cleveland said Liquid Fuels money will not be used and there is no other company that does tar and chipping. We ran into this problem before when we had streets tarred and chipped because we don't know anyone else that does this.

Glenn Allen said it sounds like the Streets Committee would like to get the streets tarred and chipped Mr. Allen said personally he thinks we should get another bid but if there is only one company that does this work then we should go with them. Mr. Cleveland asked Mr. MacCombie if he knows anyone else that does tar and chipping. Mr. MacCombie said he knows other companies and will send the Secretary the names. Council decided to table this issue until next month's meeting.

WATER & SEWER COMMITTEE REPORT

Bob Cleveland gave the following statements.

Bob Cleveland said he thinks having a subset committee hearing for people having problems with their water bills is too arbitrary. Council needs to develop one policy across the board for everyone because personalities can get involved. You can't tell me that personalities are not going to enter into it. If people have past histories for whatever reason, and it might be a legitimate reason like economic problems, I have a real concern, it's too arbitrary. We need one policy, if someone has a situation where they can't pay, and then we can set you up for x dollars a month and their current bill. With the economic situation the way it is, we are going to have more and more people that are going to be having difficulty paying their bills and we need guide lines. Council discussed this issue and will meet and come up with a standardized policy.

PUBLIC SAFETY COMMITTEE

Glenn Allen said that an issue has been brought up regarding individuals on Council doing volunteer work for the Borough and that our insurance does not cover them. The insurance company sent two quotes to cover volunteer work. Pat Longen made a motion to approve acquiring additional coverage for volunteers, 2nd by Patrick Harrison, motion carried. Council discussed the two quotes and Bob Cleveland made a motion to approve the quote from AIG (National Union Fire) for \$500.00 per year, 2nd by Pat Longen, motion carried.

PROPERTY & EQUIPMENT COMMITTEE

Steve Frye gave the following report:

QUARRY FENCE ON INDIAN RUN ROAD

The Borough Office received a complaint about children getting inside of the quarry fence. Installed no trespassing signs on the fence and found several places where the children are able to get inside the fence. There is a tree that has fallen on the fence and this is the more likely place that the children are getting in. According to the survey stakes, the boundary line is approximately four feet from the fence and the tree

belongs to Bill Webb. Glenn Diehl said the Borough has the right to remove the tree. The Secretary will contact Dominick DiFilippo about removing the tree and repairing some of the holes in the fence.

TOILET OVERFLOW – BOROUGH HALL

The toilet in the office area overflowed and saturated the carpet and wood flooring. A plumber was called and found that there was a clogged sewer line. The plumber could not unclog the line so Roto Rooter was called. Roto Rooter ran a snake through the line and only could get about 11 feet and found that there may be a collapsed line. The two toilets are on two separate lines. The toilet in the board room also clogged and today Roto Rooter was called back and he snaked out both lines and we think both lines are now clear, but won't know until the toilet is put back on in the office area. We can not find out where the two lines are connected.

Servpro was called and they removed the carpet, sink and the wood flooring. The Secretary put in a claim with the Borough's insurance company and the Borough is covered with a \$1,000 deductible for the clean up and new carpet. In the event that the sewer line is still clogged in the office area, he would like to hook up the office area toilet to the other sewer line. The plumber gave a cost of \$850.00 to do this work and Dominick DiFilippo will charge \$150.00 to bring his backhoe on site to dig up the line. After some discussion, Patrick Harrison made a motion to approve up to \$1,500.00 with Steve Frye's discretion to get the office toilet in working order, 2nd by Pat Longen, Bob Cleveland-nay, Steve Frye-nay, Glenn Allen-yea.

NEW GARDEN LIAISON COMMITTEE

Mayor Howell said the committee met with New Garden Township on April 10th and she spoke to them about Miller Environmental's settlement costs and that they would be receiving an invoice from the Borough for their share of the costs. Jamie MacCombie said New Garden is interested in getting additional flow with regards to the treatment plant. NGT is anticipating that they will need the 25,000 gpd that is in the agreement and is looking for another 25,000 gpd beyond that. Mr. MacCombie said based on the Borough's needs and what New Garden's needs are, it brings it right around to 500,000 gpd. New Garden ultimately want to discharge 300,000 gpd into the treatment plant with the possibly of upgrading to 100,000-200,000 gpd.

PARKS, ENVIRONMENTAL & COMPOSTING COMMITTEE

Pat Longen gave the following report:

The committee met and decided that composting facility will be maintained as a composting facility. The compost will be turned every two to three weeks to keep the snakes out. The Committee is going to do a spring cleaning on the parks and give a report to Council on anything that needs improved. We are still working on getting rid of the dirt piles.

ANNOUNCEMENT

Vice-President Allen announced that The Planning Committee meeting and the Water and Sewer Committee meeting are cancelled for April 22, 2008. Both meetings will be held on April 15, 2008.

Council adjourned to an Executive Session at 7:35 p.m.

Council came back from Executive Session at 8:50 p.m. and Vice-President Allen brought the meeting back to order.

ADDITIONAL INSURANCE

After discussing in Executive Session, Pat Longen made a motion to hold off spending the \$500.00 on the decision made earlier on approving the additional insurance until we meet with Longley Insurance, 2nd by Bob Cleveland, Steve Frye-yea, Patrick Harrison-nay, Glenn Allen-yea, motion carried with a 4-1 vote. The meeting with Longley Insurance is scheduled for May 7th at 10:00 a.m.

MILLER ENVIRONMENTAL LAWSUIT SETTLEMENT

Patrick Harrison made a motion to pay the Miller Environmental lawsuit settlement, 2nd by Bob Cleveland, motion carried. Glenn Diehl did not know the exact figure and said the judgment is at the court house.

RENTAL INSPECTIONS

Bob Cleveland said he would like to make a motion to ask or require the Code Enforcement Officer to start photographing the properties that are inspected so that we have some type of a file on each property. If a situation develops itself, we will have backup record, 2nd by Pat Longen, motion carried.

Bob Cleveland made a motion to adjourn the meeting at 8:55 p.m., 2nd by Pat Longen, motion carried.

Respectfully submitted,

Becky Brownback
Borough Secretary