

**AVONDALE BOROUGH
COUNCIL MEETING
March 24, 2009
6:00 P.M.**

Members Present: Fred Bryan, Bob Cleveland, Steve Frye, Fred Hessenauer, Sali Cosford Parker
Absent: Glenn Allen, & Pat Longen

Guests Present: Mayor Howell, Tom Lowry, Glenn Diehl, Pete Lau, Bill Romanelli, Dave Friedman, Bill Parker, Jerry Poe, Everett Butcher, Jr.,

After the Pledge of Allegiance, President Bryan called the meeting to order at 6:15 p.m.

PUBLIC COMMENT

EVERETT BUTCHER, JR.

Everett Butcher, Jr. asked if there was any further development on the ordinances. The ordinance is dated December 17, 1996 and is outdated. How do we get a hold of the updates because they are not on the Borough's website? Glenn Diehl said you can contact the Secretary and she can give you any updates.

Tom Lowry said when you adopt an ordinance, it is a long process. First, you draft an ordinance, it is reviewed and brought before Council. Council will authorize advertising. After it has been advertised, Council will then hold a public hearing to see if anyone objects to the ordinance. After the public hearing, Council can adopt the ordinance.

NEW BUSINESS

COUNCIL POLICY & PROCEDURES FOR PUBLIC PARTICIPATION

Bob Cleveland said he has a proposal he would like to put before Council for consideration. Mr. Cleveland read the following proposal:

"Council Policy & Procedures for Public Participation".

A "Public Comment" section of the Agenda will be at the beginning of each Council Meeting. During this public comment period, each Borough resident and/or taxpayer may have a total of **Five Minutes** to address Council on matters before Council at the meeting or, at the discretion of Council, to address matters concerning the Borough.

Prior to a Council vote on **LEGISLATION & POLICY DECISIONS** (e.g., ordinances and resolutions), at the discretion of the Council, Borough residents and taxpayers may have **TWO MINUTES PER PERSON** to comment on the matter to be voted upon. Such public comments will be solicited by the President of Council in the following manner:

Council Motion

Council Second

Council Discussion

PUBLIC COMMENT limited to 2 minutes per person

Council Vote.

The public comment immediately preceding a Council legislative or policy decision

DOES NOT pertain to Council PROCEDURAL and ADMINISTRATIVE

MOTIONS (e.g., approval of minutes, payment of bills, committee reports, requests, and informational discussions). Before making his or her comments, each resident and/or taxpayer shall state his or her name and the address of his or her residence and/or Borough property.

Bob Cleveland made a motion to approve this policy in its entirety effective this Council meeting, Tuesday, March 24, 2009. Glenn Diehl said the things that you are required to do in the Sunshine Act are to provide reasonable opportunity for public participation prior to taking action on things. Most municipalities will do that one and done at the beginning of the meeting and most municipalities limit it to just things that are up for discussion on the agenda. This complies with the Sunshine Act and this policy is an efficient way to do it, it is broader than what is required to be done, 2nd by Sali Cosford Parker, Mr. Cleveland said when Council votes on this policy, he would like the vote to be by roll call. The Secretary announced the roll call: Sali Cosford Parker-agree, Fred Hessenauer-agree, Steve Frye-agree, Bob Cleveland-aye, Fred Bryan-aye, motion carried.

BOROUGH ENGINEER'S REPORT

Jamie MacCombie gave the following report:

STATE STREET WATERLINE PROJECT

Spoke with Anrich, Inc. and they are fine with modification of the project. Jamie said he worked with Anrich in two other municipalities and never had a problem with them. Fred Hessenauer made a motion to award the State Street Waterline Project to Anrich, Inc. for \$493,147.50 subject to the County's approval, 2nd by Bob Cleveland, motion carried.

CHAPTER 94 REPORT

The Chapter 93 Report has been completed and was sent to DEP.

DIRT PILES AT WATSON PARK

Mr. Wilkinson met with Herb MacCombie at the park and the dirt piles will be removed next week. Mr. Wilkinson saw the condition of the creek and would like Council's approval to clean it up at his own expense. Council approved.

WILKINSON PROJECT FUND RELEASE

Technivate on behalf of Wilkinson is in the process of doing the sanitary sewer project. There is a release for consideration in the amount of \$8,894.37 for work that they have performed. Sali Cosford Parker made a motion to release \$8,894.37 from the working account to Wilkinson, 2nd by Fred Hessenauer, motion carried.

ZONING OFFICER'S REPORT

Tom Lowry gave the following report:

ZONING ORDINANCE UPDATE

Sometime ago, he was instructed by Council to work on the zoning ordinance update with Glenn Diehl. We will come up with an outline and present it to Council.

FINANCE COMMITTEE**BILLS TO BE PAID**

Steve Frye made a motion to pay the bills up to March 24, 2009, 2nd by Fred Hessenauer, Sali Cosford Parker-nay, Bob Cleveland-yea, Fred Bryan-yea, motion carried with a 4-1 vote.

WATER & SEWER COMMITTEE**WATER METER SOFTWARE**

The Committee would like to have Council's approval to spend up to \$2,500.00 to get the Technician from Harris to come to the Borough to fix the problem with the software. We do not know the extent of the problem with the software. We may not need Harris to come here but would like to get it approved just in case we need the Technician before the next Council meeting. Bob Cleveland made a motion to approve up to \$2,500 to have a Harris Technician, if necessary to come in resolve the software problem, 2nd by Sali Cosford Parker, motion carried.

RUSS KILMER – NOISE COMPLAINT

Glenn Diehl said he received a call from Russ Kilmer complaining about the noise from the sewer plant. Bob Cleveland said his understanding was when the weather gets better, EEMA and the Water and Sewer Committee are going back over to the Kilmer's and listen for these noises again when the air isn't so heavy and the weather is better. The Water and Sewer Committee is not totally convinced that the noise is coming from the plant. Michelle Steele said Mr. Kilmer is supposed to call when he is ready to do another test at his house.

PROPERTY & EQUIPMENT COMMITTEE

Steve Frye gave the following report:

NEW ROOF FOR WWTP

The material is in and will be delivered on Thursday morning. The roof will be replaced as soon as I & I work is completed at the plant.

BOROUGH DOCUMENTS – STORAGE AREA

Received information from Ms. Cosford Parker and it has gotten to the point where it falls to the Historical Commission project that they are working on preserving. It doesn't have that much to do with property and equipment so we are asking this item to be moved off our agenda and put on the Historical Commission's agenda.

SALT STORAGE AREA

Spoke to Dominick about the salt storage area and he explained the problem is with the salt freezing and clogging the spreader auger. We have already replaced the auger at \$800.00 because of this problem. Dominick suggested finishing closing the salt bay in and it would take nothing more than some plywood and put some type of heating system in. The cost to close it in is approximately \$500.00. Will talk to an electrician about the cost for heating the area.

HISTORICAL COMMISSION**RESOLUTION #2006-06 – AVONDALE HISTORIAN – ROBERT W. CLEVELAND, JR.**

Sali Cosford Parker said she would like the Historical Commission to actually do the presentation to Bob Cleveland. Ms. Cosford Parker read the following resolution:

A Resolution naming Robert W. Cleveland, Jr. as Avondale Historian

WHEREAS, Robert W. Cleveland, Jr. has dedicated himself to preserving the history of the Borough of Avondale; and

WHEREAS, Robert W. Cleveland, Jr. continues to expand his Avondale historical knowledge through ongoing research and documentation; and

WHEREAS, Robert W. Cleveland, Jr. willingly shares his Borough of Avondale history expertise with others who share his historical interest; and

WHEREAS, Robert W. Cleveland, Jr. has authored and co-authored several books concerning the historical development, culture and events of the Borough of Avondale; and

WHEREAS, Robert W. Cleveland, Jr. supported establishment and consistently works to maintain the relevance of the Avondale Historical Commission; and

WHEREAS, The Avondale Historical Commission wishes to recognize Robert W. Cleveland, Jr. for his dedication to preserving and sharing the Borough of Avondale's history and recommends to Borough of Avondale Council ("Council") that Robert W. Cleveland, Jr. be awarded the title of Avondale Historian

NOW, THEREFORE, BE IT RESOLVED by Council, that Robert W. Cleveland, Jr., in recognition of his work in preserving Borough history, is named Avondale Historian.

Passed by Borough Council, this 24th day of March, 2009.

Ms. Cosford Parker said this will be presented to Bob Cleveland at the Historical Commission's meeting on April 1st.

Steve Frye made a motion to pass Resolution #2009-06 naming Robert W. Cleveland, Jr. Avondale Historian, 2nd by Fred Hessenauer, Bob Cleveland-abstained, motion carried.

Bob Cleveland made a motion to adjourn the meeting at 7:15 p.m., 2nd by Fred Hessenauer, motion carried.

Respectfully submitted,

Becky Brownback
Borough Secretary