

**AVONDALE BOROUGH
COUNCIL MEETING
June 16, 2009
6:00 P.M.**

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

Guests Present: Mayor Howell, Jamie MacCombie, Glenn Diehl, Michelle Steele, Dave Friedman, Pete Lau, Bill Romanelli, Jim Duffy, Mike Shiring, Larry Steele

After the Pledge of Allegiance, President Bryan called the meeting to order at 7:00 p.m.

PUBLIC COMMENT

JIM DUFFY

Mr. Duffy said he noticed that the trees around the treatment plant are still staked and he wants to offer his service to take the stakes out of the ground. Council agreed and thanked Mr. Duffy for his service.

MUSHROOM EXPRESS

Jamie MacCombie said that Larry Steele brought six sets of plans with the intention that Borough Council would sign them. The plans have not been signed and notarized by the property owners that are required by law. Mr. MacCombie recommended Council not to sign them until the plans are signed and notarized. Mr. Diehl said Council can sign the plans when Mr. Steele brings them back completed.

PUBLIC HEARING – ZONING AMENDMENT

Glenn Diehl opened up the hearing for public comment on the proposed the zoning ordinance amendment. This amendment would amend the townhouse gross density development regulations to allow 1,450 square feet townhouse units at a minimum as long as the current average is at least 1,700 square feet. The Chester County Planning Commission has submitted their review so we are ready for Council's discussion and action. Council did not have any comment. Mr. Diehl asked if there was any public comment. There was not public comment.

The public hearing was closed.

ORDINANCE #224 ADOPTION – ZONING AMENDMENT

Pat Longen made a motion to adopt Ordinance #224, 2nd by Steve Frye, motion carried.

EEMA REPORT

Bill Reilly gave the following report for May 2009:

WASTEWATER TREATMENT PLANT

Wastewater Treatment Plant Flows:

Total Monthly Flow	10,353,000 gallons
Daily Flows Min.	197,000 gallons
Daily Flows Max.	498,000 gallons
Daily Flows Avg.	334,000 gallons

New Garden Township Weekly Flows (Average Gallons/Day)

WEEK	April 29 – May 6	May 6-13	May 13-20	May 20-27	May 27-June 3
ROUTE 41	41,964	37,457	38,616	41,010	42,250
RAIL ROAD	out of service	out of service	out of service	out of service	out of service
Total					

*Radar has a call in for new meter. Meter is on backorder. Does not know when it will arrive.

OPERATIONS:

- Hauled 12,000 gallons of sludge.
- May 15th – EPWPCOA Meeting at Avondale.
- May 15th – During EPWPCOA Meeting had a DEP Inspection. DEP had no issues with wastewater operations. Once we receive the report from DEP will forward it to Becky.

WATER TREATMENT PLANT:

Production Summary:

Water System		Well #1	Gallons/Day	Well #2	Gallons/Day
Total Well #1	2,238,400	Minimum	65,300	Minimum	14,100
Total Well #2	549,300	Maximum	87,900	Maximum	24,600
Total:	2,787,700	Average	72,206	Average	17,719
Avg. gpd	89,926				

Water Actions:

- Total Water Action (1)
 - 222 Pennsylvania Avenue meter check.

FACILITIES MAINTENANCE REPORT:

Wastewater Treatment Plant

- Finished painting maintenance bay.
- Installed new monitor for dissolved oxygen for the Orbal Oxidation Ditch.
- Continued repair on chlorine analyzer.

Collection and Distribution System

- Water leak at Frezzo's property. Fixed by owner.
- Water leak at Domino's. Fixed by owner.
- Repaired water leak by 213 Chatham Street on May 27th.
- Repaired water leak in front of 302 Chatham Street on May 27th.
- PA 1 Calls (7)
 - 213 Chatham Street
 - 302 Chatham Street
 - 60 West State Street
 - Church Street and Third Street
 - Church Street and Baltimore Pike
 - West State Road to Indian Run Road
 - 240 Church Street

PERMIT VIOLATIONS:

No permit violations for the month.

Two Technical violations for water:

- o Monitoring for SOC's was missed due to the lab using the wrong monitoring schedule. Correction was made, by sampling for SOC's in May 2009. No water quality violations occurred.
- o The lab reported nitrate results for the 4th quarter late. No water quality violation occurred.

RESIDENT PHONE CALL

Last week, we had a resident call Wilkinson about their bypass pumps making noise at the plant and Wilkinson did respond. Mr. Romanelli apologized and said he should have called and if he gets anymore phone calls he will notify EEMA immediately.

CURB STOP LOCATION PROGRAM

Gave the Secretary the book with the pictures of the curb stops that have been located. We will continue to update the book as we locate the curb stops.

INDUSTRIAL PRE-TREATMENT PROGRAM

Dave Friedman said he met with Edlon's consultant and engineer and did a site investigation of their plant. At this point, we are leaning toward designating Edlon as a Non Significant Industrial User. The difference is they will not have to undergo sampling because it is primarily just washed out water being discharged into the sewer system.. Mr. Friedman said he will give a report to Council for their review before issuing a final report.

BOROUGH SOLICITOR'S REPORT

Glenn Diehl gave the following report:

THOMPSON/BROWN CONSTRUCTION FEES

The Conditional Use approval from 2005 approves the I & I proposal which is the source of the 2.8 million. That is specifically an offer that is made in return for the service to the project and it weighs the tapping fees. In the Conditional Use approval, we have a water service fee which is \$500.00 per unit due at the time the building permit is issued. So if we end up with 250 units, which was the original concept which may go down because of the commercial development, that would of generated a \$125,000.

There is also a one million dollar infrastructure contribution of \$4,000 per townhouse to be paid at the time of certificate of occupancy. In addition to that, we have a road improvement fund which is \$500.00 per townhouse that is to be paid at the time of occupancy. The cash flow that we will immediately see out of Thompson/Brown is the following. At the time the building permit is issued we get \$500.00. At the time of the occupancy permit is issued we get \$4,500.00 which is a total of \$5,000 per unit.

BOROUGH ENGINEER'S REPORT

Jamie MacCombie gave the following report:

I & I PROJECT

The project is moving forward. Technivate had a hard time getting underneath the creek. At the present time, they just past manhole #69 and began work on Bill Webb's property.

WATERLINE REPLACEMENT ON STATE STREET

Anrich started construction and they have about 50% of the boring done under the railroad. Anrich anticipates it will take two months to complete. Mr. MacCombie said he is proposing to Council a change order for the project at no extra cost to the Borough. The purpose of the change order is to replace the stormwater outfall pipe to the stream from State Street during this project before the street is reconstructed. The manholes have been inspected and it appears that replacing the frames and covers will adequately address I & I at this time. The manhole linings can be completed as funding permits without damaging the reconstructed street. We spoke to the County and the Contractor and both are agreeable to amend the contract. Pat Longen made a motion to approve the change order

request with the correction on the last line from "with" to "without", 2nd by Bob Cleveland, motion carried.

WELL HEAD PROTECTION

The bid package for the well head protection has been completed and given to Bill Romanelli, EEMA and the Secretary. The Plan will be completed tomorrow.

INFLUENT METERS

We are moving forward with the requirement from DEP to install influent meters. Technivate is working on a price to include the meters as part of the price which will come off of the 2.8 million.

MS4 PROGRAM

The report is scheduled to be submitted tomorrow to DEP. In September, we are going to have to file for a permit renewal for the following year.

235 W. STATE STREET – WATER RUNOFF PROBLEM COMPLAINT

Mr. Brown from London Grove apologized for not getting this matter resolved and promised Mr. MacCombie to get him an answer in the next two days.

ZONING OFFICER'S REPORT

Bob Cleveland said there has been an item on the report for 201 Pennsylvania Avenue that has been on the report for a long time and thinks it should come off because Mr. Diehl dealt with it and there is nothing that can be done at this point, Council agreed. The Secretary will notify Mr. Lowry.

FINANCE COMMITTEE

Fred Bryan said the Committee met and reviewed the bills and financial statements and the committee is recommending Council approve them.

APPROVE THE BILLS TO BE PAID

Steve Frye made a motion to approve the bills to be paid up to June 16, 2009, 2nd by Pat Longen, motion carried.

APPROVE FINANCIAL STATEMENTS

Pat Longen made a motion to approve the financial statements, 2nd by Steve Frye, motion carried.

APPROVAL OF MINUTES

Pat Longen made a motion to approve the minutes from May 26, 2009 Council meeting, 2nd by Sali Cosford Parker, motion carried.

MAYOR'S REPORT

Mayor Howell gave the following report

LED LIGHTS GRANT STATUS

The traffic lights have been replaced with LED's. Mayor Howell said she is taking care of the grant reimbursement and invoicing. The other half of the project for the wiring will go out to bid soon.

HISTORICAL COMMISSION

Sali Cosford Parker gave the following report:

DOCUMENT STORAGE AREA

We measured the documents storage that is both in the Borough building and in the shed. There is about 380 cubic feet of things that need storage, which equates to about 500 bank boxes. The next step is to figure out where we will put everything. One of the issues is allowing the Secretary to have easy access. The shed which is easy access but is an accident waiting to happen in terms of vulnerability. If the shed burns everything in it goes. Now that we know how much space we need, does the committee go to the Property and Equipment Committee? The Borough can have free off site storage at Iron Mountain for one year, but the Secretary would have to request the boxes going back

and forth. This is not something we can solve right this minute but these are issues that we need to consider. President Bryan suggested looking into the Pods for storage and Jim Duffy suggested looking into Federal Surplus storage containers. Ms. Cosford Parker said she will look into both suggestions.

HISTORIC WALK

Avondale is part of the Chester County Historic Walk Program that takes place every summer. Our date is August 20th and the Historical Commission is looking into the locations.

STREET AND STREET LIGHTS COMMITTEE

Bob Cleveland gave the following report:

Martin Paving is going to give the Borough a two week notice as to when they can do the tar and chipping. As soon as the Committee knows the date, we can set the street sweeping up with SECCRA.

WATER AND SEWER COMMITTEE REPORT

Bob Cleveland gave the following report:

- At the next Water and Sewer Committee meeting, we are going to discuss a possible remedy for the perceived noise at plant and what direction Council wants to go.

PROPERTY & EQUIPMENT COMMITTEE

Steve Frye gave the following report:

RENTAL PROPERTY

The tenant at the rental property reported that some of the windows have been broken. The cost is about \$25.00 to replace.

BOROUGH SIGN ON GARAGE

Removed the Borough sign on the garage that has inaccurate information on it. The Committee would like to know what Council wants to do, whether to put up a new sign or put the old one back up. Council agreed to put up a new sign with the correct information.

EARNED INCOME TAX COMMITTEE

President Bryan gave the following report:

CHESTER COUNTY TAX COMMITTEE

There is a Chester County Tax Committee being formed and we have to participate. Governor Rendell signed into law Act 32, which amends the collection of local earned income tax. The goals of the committee are to establish state wide uniformity in tax rules, procedures and forms; and to provide greater tax collection efficiency. Under the new law, each municipality that levies an earned income tax must appoint one voting and one or more voting alternates to the Tax Collection Committee by September 15th. You do not need to be a resident or elected official to be appointed. President Bryan said we need volunteers and asked Council to take a look at the letter so we can make a decision by the August meeting.

PARKS / ENVIRONMENTAL COMPOSTING COMMITTEE

THOMPSON / BROWN PARK

The Committee decided to hold off on putting up the Thompson/Brown sign because of the vandalism that has been taking place in the area.

HOUSING COMMITTEE

Steve Frye said the Committee is working on a new list of violations and turned it over to the Code Enforcement Officer.

OLD BUSINESS**NEWSLETTER**

Sali Cosford Parker said the newsletter will be sent to the Secretary for copying and mailing. Bob Cleveland said his concern about the newsletter is whether Ms. Cosford Parker has free reign to do what she wants with the newsletter or does someone need to check it. Ms. Cosford Parker said that she would like it checked for errors and she doesn't have any problem with Council looking at it first, but if Council has constructive criticism, Council should be prepared to contribute to the newsletter.

Steve Frye said he thinks someone needs to look over the newsletter before it goes out. Ms. Cosford Parker said okay. Ms. Cosford Parker will send the newsletter to the Secretary tomorrow.

NEW BUSINESS**CONSTRUCTION ON W. STATE STREET**

Sali Cosford Parker said she has a concern about the orange fencing that is around the hole on W. State Street because it is pretty far off the ground and there are a lot kids running around and feels that it is not adequate.

President Bryan said he has a concern about trying to get out of Pomeroy onto State Street because of the construction. There needs to be someone there all the time because you can not see pulling out from Pomeroy Avenue and it is an accident waiting to happen.

Jamie MacCombie said he would look into both issues.

EDLON

Bob Cleveland said he received a call from Jeff Pilgrim from Edlon. Edlon was contacted by the railroad because the railroad has a concern that there is no easement to cross the tracks. Evidently, the railroad wants some type of payment for the use of crossing the railroad tracks. Mr. Pilgrim asked Mr. Cleveland to do some research for him and Mr. Cleveland said he could not find any easement. The Borough owns the property to the Pomeroy side of the tracks and Edlon owns the other side. Mr. Pilgrim wanted Council to be aware of this and may address Council with this issue.

STATE STREET BRIDGE

Bob Cleveland said there is still an issue with the State Street Bridge. We received a letter from Raudenbush Engineering who is currently under contract with PennDOT to perform routine inspection of locally owned bridges. The engineering firm stated that the bridge is not safe. Mr. Cleveland said his question is who owns the bridge because we never really have gotten an answer. We need to find out who owns the bridge before the Borough starts spending the money to fix it. There is nothing in the Borough minutes about taking it over from the County, the County has no record of giving it to the Borough, and the Borough has no record of ownership.

Jamie MacCombie said he researched it three years ago, the State says it is not their bridge; the County says it is not their bridge. Mr. Cleveland said one option is to close the bridge because we do not have the funds to fix it. The taxpayers in Avondale do not use that bridge as much as everybody else from the outlying areas. Jamie MacCombie said he will review the report and get back to Council.

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

Respectfully submitted,

Becky Brownback
Borough Secretary

