

**AVONDALE BOROUGH
COUNCIL MEETING
JULY 19, 2005**

MEMBERS PRESENT: Jay Pusey, Fred Bryan, Russ Kilmer, Rose Ann Swift, Bob Cleveland, Jerry Poe, Pat Longen

GUESTS PRESENT: Glenn Diehl, Tom Lowry, Joe DiMatteo, Susan McCue, Harold Brown, Howard Thompson, Edgar Jeffries

After the Pledge of Allegiance, President Pusey called the meeting to order at 6:30 P.M.

ANNOUNCEMENT

President Pusey announced that an Executive Session took place before this meeting from 5:30 P.M to 6:15 P.M. to discuss legal matters.

ZONING OFFICER'S REPORT

Tom Lowry gave the following report:

BUILDING AND ZONING

- Nine inspections were performed. Ten inquiries were received. No permits were issued in June.
- 300 Chatham Street – Two inspections have been performed to date. Minor deficiencies need to be reinspected. The owner will be notified to schedule another inspection.
- Use and Occupancy Ordinance – Council has directed the Zoning Officer to prepare a letter for rental inspections. The definition of Family will be advertised for a public hearing and possible adoption.
- Wilkinson – The Conditional Use Decision & Order has been issued for Wilkinson Associates Town House and Commercial Developments in accordance with the new overlay Ordinance.
- Smith Contractors – An application has been received to appeal the Zoning Officers Cease and Desist Order. The Order was given due to non-compliance with the original Decision from the Zoning Hearing Board and the owner performing work without the applicable permits. The Hearing is scheduled for August 3, 2005.

CODE ENFORCEMENT

- Cars – Site visits were made to address specific junk cars. One has been removed. Some of the vehicles have been removed. Additional letters will be sent.
- Weeds – The owner of a lot on Pennsylvania Avenue is cutting the grass/weeds.

SMITH ZONING HEARING

Tom said he will be attending the Zoning Hearing scheduled for August 3, 2005 and he told Council they have four options with the application: oppose it, remain neutral, have no problem with it, address any specific areas of concern, or consider any conditions that Tom will present to the Zoning Hearing Board. The application is to seek prior approvals by the Zoning Hearing Board reinstated and to appeal Tom's decision as a Zoning Officer to issue the Cease and Desist Order. The Zoning Hearing

Board can re-instate all the original conditions and put Conditions on their decision. Council agreed that they would like to see it go back to the original decision of the Zoning Hearing Board and Mr. Smith is to comply with all the applicable government rules and regulations for the project and there are no offices on the second floor.

SUSAN MCCUE – ROUTE 41

Susan McCue said a few years ago, a Resolution was presented to Council to support the less intrusive by-pass alternative routes but that resolution was never passed. Council did send a letter to PennDOT stating that Council preferred alternative routes 3 or 4. Ms. McCue said it is now time that Council decides to take a stand and to represent this Community as a whole and state that the Borough wants either alternative routes 3 or 4 so that it does not divide this town. PennDOT and Borough Council have been studying the different routes for years and if we sit on this any longer and don't take a stand then they will put the route right on the other side of the railroad tracks and destroy all the businesses. Ms. McCue said she has a draft resolution prepared that states the alternatives. After some discussion, Council decided to discuss this issue in an Executive Session.

MILLER ENVIRONMENTAL REPORT

Joe DiMatteo gave the following report:

Monthly Water Production – 3,331,500 gallons / average daily flow – 111,050 gallons

Monthly Effluent Flow – 10,759,000 gallons / average daily flow – 359,000 gallons

New Garden Flow – 2,653,580 gallons / average daily flow – 94,771 gallons (6/1/05 to 6/29/05)

Unaccounted Monthly Wastewater Flow – 4,773,920 gallons (44.4%)

NPDES Violations – 2 – The violations were for exceeding the average monthly loading and average monthly concentration of ammonia nitrogen.

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

- Performed quarterly water meter readings
- Installed new water meter at 300 Chatham Street and repaired water meter at 141 W. State Street.
- Performed 16 water meter rereads and inspections
- Shut water off and then on at 301 Third Street so owner could have water line repaired inside of basement.
- Did two PA One Calls
- Gaebel Construction repaired a second 1" service line leak at 121 Morris Street on 6/22/05. This leak was approximately one foot away from the previous leak. The service line is not in good condition.
- Gaebel Construction repaired a water line leak at 301 Third Street on 6/22/05 by replacing a galvanized "T" on the street side of the curb box. They also relocated the curb box off the street.
- Gaebel Construction repaired a 2" water main leak at 602 Poplar Street on 6/22/05.
- Put a "Not in Service" bag on the fire hydrant at 3 Clay Creek Road.
- Replaced faulty 20Hp motor for the #1 blower.

- Started spraying Sodium Hypo-Chlorite onto the sludge holding tank, stopped putting air into the sludge holding tank and reduced air into the flow equalization tank to prevent possible odors
- Entech performed the quarterly plant inspection on 6/29/05.
- New Garden Township flow meters were calibrated on 6/27/05. Technical Electronic Consultants reported that new flow meter will be needed at the railroad location soon due to replacement parts are not available for it.
- Performed MIPP sampling at AMT on 6/8/05 and at Edlon on 6/16/05. Waiting on the results.
- Attended construction meetings for new plant.

FLOW AND LOADING CONCEPT

Russ Kilmer said the Water and Sewer Committee are still in the process of reviewing this matter and expect to have an answer within 60 days.

BOROUGH SOLICITOR'S REPORT

Glenn Diehl gave the following report:

SLEIMAN SUBDIVISION

Reviewed the changes to the plan with the Zoning Officer and recommended Council to approve the plan. Fred Bryan made a motion to approve the Sleiman Subdivision, 2nd by Bob Cleveland, motion carried.

BOVE SUBDIVISION

Reviewed the requested changes to the plan with the Zoning Officer and all changes were made. These plans were approved at the last meeting subject to the changes were made as discussed.

WILKINSON - DUPONT SUBDIVISION

Extension was given until August 16, 2005. A note on the Plan needs to be added stating that "no nonconforming zoning parcel would be created".

ZONING AMENDMENT – DEFINITION OF FAMILY

Working on the amendment and will forward a draft to Council for their approval.

ENTECH REPORT

Walter Barcz gave the following report:

STATUS OF MAPLE AND HENSON STREET PROJECT

The grant increase was approved for \$6,135.00. The contractor, Melchiorre will be on-site on Monday, July 18th, mobilizing and laying out the work. Groundbreaking will begin very shortly thereafter.

WALABAX PAYMENT 6

Fred Bryan made a motion to approve Walabax payment 6 for \$168,813, 2nd by Rose Ann Swift, motion carried.

1 MILLER DRIVE

The pump was ordered, waiting on delivery.

MS4 STORMWATER

Annual report was submitted and Entech will work on the remaining efforts.

TAPPING FEES

Calculations and Reports for the water and sewer tapping fees were given to Council and were asked to review them. The tapping fee for water is \$3,508.00 and the tapping fee for sewer is \$2,628.00. Walter said if Council would like to meet to discuss the calculations to let him know and will set up a meeting with the Entech personnel who worked on this project.

AVON MOHR SWALES

Glenn Diehl and Russ Kilmer reviewed the Subdivision Plans. Russ said there are two swales and according to the Plan, the Borough has the authority to enforce the swales to be maintained to their one foot depth and fifteen feet wide. The Property and Equipment Committee will look into this matter.

WATER PIPELINE UNDER PA AVENUE BRIDGE

Walter said Entech and Miller Environmental looked at the exposed water pipeline under the Pennsylvania Avenue Bridge. The following are possible ways to improve the main line.

- a) Build coffer-damming, trench, install and encase a replacement at a lower elevation. It needs to be remembered that without interagency Permission no one may enter a stream and do such a thing.
- b) Excavate a boring pit and receiving pit on both sides of the stream, then bore and jack a casing pipe, then install a replacement main inside.
- c) Employ directional drilling to cross under the streambed. From an excavation near the end of the bridge, directional drilling might also be used to replace the apparent service line.

Russ Kilmer said the Water and Sewer Committee are reviewing the options.

BUDGET INCREASE – WORK ORDER 4161.02.007 – NEW GARDEN RELATED WORK

Fred Bryan made a motion to increase the work order by \$4,500.00, 2nd by Rose Ann Swift, motion carried.

FINANCE COMMITTEE

Fred Bryan gave the following report:

APPROVAL OF BILLS TO BE PAID

The Finance Committee reviewed the bills to be paid and recommended that Council approve them. Pat Longen made a motion to approve the bills to be paid, 2nd by Rose Ann Swift, motion carried.

APPROVAL OF FINANCIAL STATEMENTS

The Finance Committee reviewed the financial statements and recommended that Council approve them. Fred Bryan made a motion to approve the financial statements, 2nd by Rose Ann Swift, motion carried.

APPROVAL OF MINUTES

Fred Bryan made a motion to approve the minutes from June 21, 2005, 2nd by Bob Cleveland, motion carried.

MAYOR'S REPORT

Mayor Howell was absent from this meeting.

WHITE CLAY CREEK RESTORATION PROJECT

The Secretary said that the Mayor, F.X. Browne and the contractor, Enviro-Air will be doing a final inspection of the project on August 5th.

PERSONNEL COMMITTEE

Bob Cleveland gave the following report:

1. Becky will be on vacation the week of July 31st, and Sandy will be on vacation the week of July 24th.
2. The Committee, and President Pusey, met with Entech on Monday, 28 Jul 2005 regarding improving communications between Entech and the Borough.

STREET AND STREET LIGHTS COMMITTEE

Bob Cleveland gave the following report:

OLD BUSINESS

1. Council received a letter from PENNDOT regarding the State Street Bridge. The horizontal clearance signs need to be reset per standards, and the deteriorating concrete deck needs to be repaired. Streets Committee spoke with the Borough Solicitor regarding the ownership of the bridge, and he is investigating.

NEW BUSINESS

1. There are currently 7 Abandoned/Expired/Inoperative vehicles in the Borough. Letters were sent to the residents. C.E.O. has tagged several of the vehicles.
2. All of the storm drain grates in the Borough have been pulled , and the drains cleaned .
3. Problem in the 100 block of Morris St. regarding the street sinking after water line repair. This will be addressed in the Water/Sewer Report.
4. A letter of thanks was sent to Phil Pusey for dragging and scraping Pomeroy Avenue from the corner of W. 3rd St. to the entrance of the Avondale Presbyterian Church parking area.
5. A.S.C. Inc. of Chester Heights, PA began the painting and striping as reported in the June 2005 report. Striping within the crosswalks, and a crosswalk between Pomeroy Avenue & State Street needs to be completed.

PUBLIC SAFETY COMMITTEE

Russ Kilmer gave the following report:

SINK HOLE ON MORRIS STREET

A woman ran into a sinkhole and damaged her car on Morris Street where Gaebel Construction was repairing the water leak. The police did a report on the accident and placed cones around the hole. Miller Environmental were contacted and they tried to contact Gaebel Construction but were unable to get a response. Russ said he, Bob and Fred placed some barricades by the hole. Gaebel Construction showed up the next day around 10:30 A.M. and filled in the hole. On Sunday the hole re-appeared and Gaebel's employee came out and spread a few pebbles in the hole and left. Russ said he spoke to Joe DiMatteo regarding the response time and Joe will take care of this matter so that it does not happen again.

POLICE

The Borough has paid \$24,000 for police coverage so far this year. \$14,000 has been received for "fines". Saturday a week ago, there were nine arrests; 2 DUI's, drinking alcohol in the park, disorderly conduct and other citations. Parkesburg participated with the State Police in the DUI Checkpoint at the London Grove Garage on Route 41. Some residents commented and they seem pleased that we have the police working the extra coverage during the summer.

LEAK ON MORRIS STREET

The pipe was leaking in about five different places and every time they tried to repair a leak, a new leak would pop up. Russ said he discussed this with other members of Council and agreed to replace the line with copper pipe from 121 Morris Street to the curb at First Street.

PROPERTY & EQUIPMENT COMMITTEE

Jerry Poe gave the following report;

BOROUGH PROPERTY BEHIND SMITH'S

Jerry said the Secretary drafted a letter to send to Mrs. Smith. The Secretary read the draft letter. Council decided that it would be better if the Chairman of the Property and Equipment Committee discussed this issue on a more personal level with Mrs. Smith since she may not know that Mr. Smith, before his death, was using Borough property for many years. Jerry will contact Mrs. Smith.

PARKS & COMPOSTING COMMITTEE

Pat Longen gave the following report.

PARKS REPORT

Since the additional police coverage, Watson Park has improved since last month. The creek project is almost done and everything is starting to grow back in. Will address the small mound of dirt left from the project at Watson Park. Mr. Wilkinson donated a dumpster to clear out the debris (tree stumps, wood chips, etc.) at the Third Street Park from the project and Dominick is scheduled to clean that up next week. Dominick spread the dirt at Indian Run Park and put straw on top of it.

COMPOSTING FACILITY

The composting needs to be turned and will discuss this with Dominick.

EARNED INCOME TASK FORCE

Jay Pusey said the Secretary mailed the forms out and once the forms are returned, the committee will review them.

PUBLIC COMMENTHAROLD BROWN

Mr. Brown said he had trouble with drug dealers on four-wheelers going across his property and he went to the State Police and gave them a description and the police arrested them. Council thanked Mr. Brown for his efforts in helping to control the drug trafficking and four-wheelers in the Borough.

EXECUTIVE SESSION

Russ Kilmer made a motion to go into an Executive Session to discuss the Resolution for the Route 41 alternatives at 8:40 P.M., 2nd by Fred Bryan, motion carried.

President Pusey re-opened the meeting at 9:15 P.M.

RESOLUTION #2005-12 – ROUTE 41 ALTERNATIVES

Russ Kilmer made a motion to adopt Resolution #2005-12 with the changes discussed in Executive Session, 2nd by Rose Ann Swift, motion carried. The last paragraph was changed to “the Borough of Avondale fully opposes any alternative or design that would divide the Borough of Avondale.” The Secretary will make the changes.

Russ Kilmer made a motion to adjourn the meeting at 9:20 P.M., 2nd by Bob Cleveland, motion carried.

Respectfully submitted,

Becky Brownback
Borough Secretary