

**AVONDALE BOROUGH  
COUNCIL MEETING  
FEBRUARY 17, 2004**

**COUNCIL MEMBER PRESENT:** Jay Pusey, Jerry Poe, Bob Cleveland, Russ Kilmer  
**Absent:** Ann Bush, Rose Ann Swift, Fred Bryan

**GUESTS PRESENT:** Mayor Howell, Joe DiMatteo, Walter Barcz, Kevin Knovoty, AJ DiJoseph, Sean Carroll, Harold Brown, Howard Thompson, Bill Webb

President Pusey called the meeting to order at 7:30 p.m.

**APPOINT SECCRA BOARD MEMBER**

Bob Cleveland made a motion to appoint Kevin Knovoty as Avondale Borough's SECCRA Board Member, 2<sup>nd</sup> by Jerry Poe, motion carried. The secretary will write a letter to SECCRA to inform them of Mr. Knovoty's appointment.

**MILLER ENVIRONMENTAL REPORT**

Joe DiMatteo reported on the water and wastewater treatment plant for January. The total monthly water production was 2,992,400 gallons with an average daily flow of 96,529 gallons. Total monthly effluent flow was 14,950,000 gallons with an average daily flow of 482,000 gallons. Total monthly New Garden flow was 4,455,100 gallons. The unaccounted monthly wastewater flow was 7,502,500 gallons (50.1%) There were two (2) NPDES violations recorded within this reporting period. The violations were for exceeding the average monthly concentration and the average monthly loading for ammonia nitrogen. Miller Environmental attributes these violations to excessive flows.

The following activities were reported for the WWTP for January:

- Shut water off at 118 E. Second Street for repair.
- Re-read water meters at Miller Drive and Cook Court.
- Checked and serviced water meter at 131 Pennsylvania Avenue.
- Attempted to locate curb box at 141 State Street, appears to not have a curb box, excavation will be necessary to install a shut off.
- Used a portable generator and submersible pump to pump off the excessive water on reservoir cover.
- Reported rotted tree concerns behind #1 Well House. Tree was removed.
- Submitted draft Disinfection Byproducts Rule monitoring plan as of January 30, 2004.
- Replaced shear pin to sludge gravity thickener gear reducer drive unit. Ice build up created temporary problem with drive.
- Reset and replaced utility piping to foam sprays, extreme cold temperatures created breaks in piping
- Removed #1 Influent pump and motor on January 13, 2004 due to leak discovered below impeller volute. Motor was sent to motor repair shop and rotating assembly of pump was rebuilt at machine shop. A new suction cover was installed below impeller

volute correcting the leak. New bearings and insulation were replaced in the motor and the pump was rebuilt with new bearings, sleeves and a mechanical seal. Pump was remounted and put back into operation on January 15, 2004.

- Sent out confined space grease detector for annual inspection and repair.
- Performed weekly and monthly preventative tasks of lubrication and oil checks.

#### MONITORING PLAN FOR DISINFECTANTS BYPRODUCTS RULE

Joe DiMatteo said the secretary was given a copy of the monitoring plan and it is on file at the treatment plant.

#### ESTIMATED WATER BILL PROCESS – 605 POPLAR STREET

Jay Pusey asked Joe DiMatteo to explain the estimated bill process. Mr. DiMatteo said after the quarterly meter reading, the secretary will notify Miller Environmental through a Water Action Form of any readings that are extremely high or low. The meter is re-read and if there seems to be a problem there are three things that they look for. The outside remote could be bad or it has a broken wire (this wire runs from the remote to the inside meter) and the last thing, the water meter inside the house could be broken. Mr. DiMatteo said he replaced the remote at 605 Poplar Street and he will go back to read the meter in a few days to see if that was the problem. If not, the secretary will contact the homeowner to schedule an appointment to have the inside meter checked.

#### ENTECH REPORT

##### STATUS OF BLOCK GRANT

Walter Barcz said he has progress plots of the Henson and Maple Street project ready for Borough Council and the County's review. Mr. Barcz asked if anyone had any information on the sewer laterals on these streets to please let him know.

##### STATUS OF PLANT UPGRADE

Walter Barcz said the Delaware River Basin Commission will be holding a public hearing for the approval of the wastewater treatment plant upgrade on March 3<sup>rd</sup> in Trenton, New Jersey. Mr. Barcz said he does not expect any problems, but it is a necessity that they approve the project before DEP can issue the Part II Permit.

##### REVITALIZATION GRANT AGREEMENT

Walter Barcz said he is in the process of compiling inserts and attachments to incorporate into the grant agreement.

##### LEGISLATION 'APPROPRIATION' – BRIDGEPORT (SAFE WATER GRANTS)

Walter Barcz said he contacted Bridgeport and they could give any details on anything other than they did receive a grant.

##### FIRE COMPANY

Walter Barcz said the last Entech response was on November 18, 2003 and the last New Garden Township response was on November 19, 2003. Mr. Barcz said he is working on the Sewage Planning Exemption Module to send to DEP.

WATER SUPPLY TO PROPOSED FIRE HOUSE

Walter Barcz said Barry Callahan of Regester Associates, consultant for the fire company, called to discuss water supply service to the new fire company location and he said the fire company wants to connect its new facilities to the Chester Water Authority. Mr. Barcz said the Chester Water Authority is willing to provide this water, but first requires a letter from the Borough to the effect that the Borough has no objection. Sean Carroll said Regester's calculated the fire flow, they will need 600 gallons per minute which the Borough's water pressure will not supply and they are proposing to tap into 6" main at the end of Crossan Lane. After some discussion Russ Kilmer made a motion to write a letter to Chester Water Authority stating that the Avondale Borough has no objection to the Fire Company connecting to its water, 2<sup>nd</sup> by Jerry Poe, motion carried.

NEW GARDEN TOWNSHIP – JANUARY 29<sup>TH</sup> MEETING

Jay Pusey said the meeting was informative; we got a feel what New Garden's concerns are, and as long as we address their concerns, they will be willing to work with us. President Pusey said New Garden's biggest concern is our I & I problem. New Garden feels if they were to help us out financially with the plant, they are afraid they will lose their flow as they did before. Jerry Poe said he will be attending a meeting at New Garden Township next Monday to find out where NGT stands in regards to the sewer plant upgrade.

1 MILLER DRIVE – PRESSURE SEWER

Walter Barcz said he still has some details to work out with Mr. Cummings.

STORMWATER MS4 REGULATIONS – TASK 010

Walter Barcz said he submitted authorization documentation electronically to DEP. Mr. Barcz said Entech proposes to handle seven EPA/DEP mandated tasks contained in the Scope of Work. Council was given the scope of work along with Task Order 010 for an estimated budget of \$7,400.00. After much discussion, Council agreed that it was not in the budget at this time and will review this matter and the Borough's financial status in three months. Russ Kilmer made a motion to hold off for three months on the Stormwater MS4 Regulation requirements, 2<sup>nd</sup> by Bob Cleveland, motion carried.

CHAPTER 94 REPORT – TASK 009

Russ Kilmer made a motion to approve Entech's Task 009 for an estimated budget of \$3,900.00, 2<sup>nd</sup> by Jerry Poe, motion carried.

INFILTRATION & INFLOW REPORT TO DEP

Walter Barcz said, as promised to DEP at the January 8<sup>th</sup> meeting, an outline of what Avondale intends to do with respect to I & I was sent on February 1<sup>st</sup>.

INFLOW & INFILTRATION

Jerry Poe asked if we can get Miller Environmental or Entech to lift some manhole covers to see if some of the I & I can be located. Mr. Poe said something needs to be done because we are at 50% of the flow for last month. Joe DiMatteo said the majority

of the flow seems to be coming from the south end of the Borough near Pop's Grill on Gap Newport Pike. Bill Webb said the streams flow corridor immediately behind the sewer plant has changed considerably since the sewer lines were put in. Mr. Webb said when you cross the stream along Route 41 toward the stream a concrete sleeve was built over the pipe where it crosses the creek and may of moved beyond the end of the encasement and needs to be looked at because the stream has moved that far. Joe DiMatteo said there are two manholes behind the plant during heavy rain conditions are extremely surcharged and as you get further up the surcharge seems to back up. The whole area coming from the field going up toward Church Street to Pop's Diner is bad. Mr. DiMatteo said he would do a survey of the manholes covers at no additional cost to the Borough.

#### **APPROVAL OF FINANCIAL STATEMENTS**

Jerry Poe made a motion to approve the financial statements for January, 2<sup>nd</sup> by Bob Cleveland, motion carried.

#### **AUDIT – SIGN AGREEMENT**

Jerry Poe made a motion to sign the Haggerty & Haggerty Audit Agreement, 2<sup>nd</sup> by Russ Kilmer, motion carried.

#### **APPROVAL OF BILLS TO BE PAID**

Jerry Poe made a motion to approve the bills to be paid, 2<sup>nd</sup> by Bob Cleveland, motion carried.

#### **APPROVAL OF MNUTES**

Jerry Poe made a motion to approve the minutes form January 20, 2004, as written, 2<sup>nd</sup> by Bob Cleveland, motion carried.

#### **BOROUGH SOLICITOR'S REPORT**

Jim Marlowe was absent from the meeting and Jay Pusey read his report:

#### **STATUS OF THE LENA HORTON PROPERTY**

The Tax Sale was dropped from the last Tax Sale because the Tax Claim Bureau could not get service on Mrs. Horton. If the Borough is interested in acquiring the property, a letter should be sent to the Tax Claim Bureau explaining that the property was pulled from the last Tax Sale due to lack of service and explaining that Mrs. Horton is deceased. The next time the property will go up for Tax Sale will be September of 2004. The secretary will call the Tax Claim office to find out what is owed on the property.

#### **STATUS OF WATER RUNOFF FROM LONDON GROVE TOWNSHIP**

Jim Marlowe said he has heard nothing from London Grove Township or its Solicitor about the status of water runoff problem. The secretary will send a letter to London Grove Township.

#### **CONTRACTORS LICENSING ORDINANCE OF 2004**

Council discussed the proposed contractors licensing ordinance and decided not pursue it at this time because of the costs involved to enforce. Bob Cleveland made a motion not to adopt the proposed ordinance, 2<sup>nd</sup> by Jerry Poe, motion carried.

#### CONSENT ORDER & AGREEMENT DRAFT

Per DEP's request, Jim Marlowe revised Steve O'Neils February 4, 2003 draft and it was sent to Martha Blasberg, Esquire by fax on January 31, 2004. Mr. Marlowe has heard nothing from DEP and will let Council know when he does.

#### PSATS BUILDING CODE – PENNSYLVAINA UNIFORM CONSTRUCTION CODE

On April 9, 2004, the Uniform Construction Code will be in effect in Pennsylvania. All existing Building Code Ordinance in all municipalities automatically become null and void, except any Codes enacted before July 1, 1999 which meet or exceed the Uniform Construction Code. A municipality has two choices: It can "Opt-In" or Opt-Out". This does not mean "opting-into" or "opting-out of" the Uniform Construction Code. All municipalities are required to decide to "Opt-In", administer and enforce the Uniform Construction Code or "Opt-Out" and choose not to administer the Code. All municipalities must decide this between April 9, 2004 and July 8, 2004. This must be done at an advertised Public Meeting. If a municipality "Opts-In", the municipality enforces the Uniform Construction Code. If it "Opt-Out", the municipality must notify applicants for residential permits that the UCC is in place and tell the applicants, they must hire a certified third-party agency to conduct plan reviews and inspections during construction. For commercial and industrial structures, the municipality must notify L& I of any application. Russ Kilmer said it is a "state wide" building code and we can decide to be part of it or not part of it. Mr. Kilmer said he would talk to some professional's in this field and get some free advice on which is the best way for Avondale to go.

#### PUSEY PROPERTY LAND DONATION

Jay Pusey said he would go to the Recorder of Deeds and make a copy of the deed that includes the right-of-way in question.

#### **MAYOR'S REPORT**

##### KABOTA TRACTOR

Mayor Howell said the new tractor was delivered and a larger bucket was ordered for it, which will be reimbursed through the composting grant.

##### WATER RUN OFF FROM LGT AT 6<sup>TH</sup> STREET

Mayor Howell said Barbara and John Capper's property at the corner of 6<sup>th</sup> Street and Pennsylvania Avenue gets a lot of water in their back yard during heavy rainstorms and London Grove Township is sending their streets manager out to look at it.

##### INDIAN RUN QUARRY

Jay Pusey said he thought there was some type of grant to restore the quarry. Mayor Howell said she did not find any grants available.

COMMUNITY SERVICE THROUGH GENERAL MOTORS

Mayor Howell said she is still looking into this matter.

FINANCE COMMITTEEMODIFY FIRE COMPANY DONATION ON 2004 BUDGET

Bob Cleveland made a motion to modify the 2004 Budget as follows:

Under FIRE, Section 411.540

Change: Advance Life Support from \$2,500.00 to \$500.00

Change: EMS Division Fire Co. from \$2,500.00 to \$4,500.00

2<sup>nd</sup> by Russ Kilmer, motion carried.

PERSONNEL COMMITTEE

Bob Cleveland reminded Council that the secretary will be on vacation on Friday, February 20<sup>th</sup> and Monday, February 23<sup>rd</sup>.

STREETS & STREETS LIGHTS COMMITTEE

Bob Cleveland gave the following committee report:

OLD BUSINESS

Resident Concerns:

1. Water discharges at both 7 Cook Court and 601 Poplar Street have been addressed by Technicon. See Technicon's Report.
2. Complaint regarding the ignoring of the STOP sign at the intersection of Pomeroy and 3<sup>rd</sup> Streets has been addressed by the Police Department.
3. Complaint regarding the tree/large bush on New Street near 3<sup>rd</sup> Street. Resident has trimmed the tree.
4. The tree on the Botkin Property has been removed.
5. Information regarding the repairs to both curbstops on Church Street near the Wawa entrance was sent to Miller Environmental – no action yet. The secretary said Miller Environmental will address the curbstops next week.

NEW BUSINESS

1. Dominick and Andy DiFilippo are to be commended for keeping the Borough streets clear and passable during the past several snow and ice storms, especially with a shortage of cindering material. A number of residents commented on the great job, and an e-mail was received by the Borough Secretary attesting to this:

"I just wanted to take a minute to complement the Borough on how well you cleared the roads of snow and ice these last few days. My daily commute take me from Avondale to Frazer, and without question, the roads in Avondale were in the best condition of all the roads on my route."

Thank You,  
Mike Larkin

## 5 Miller Drive

2. There are a number of NO PARKING and STOP signs needing to be straightened. When the ground softens, Dominick will take care of the problems.
3. Dominick is concerned about the individuals who plow both the Sovereign Bank / Post Office lots, and the PNC Bank lot. Those plowing the Sovereign / Post Office lot are pushing the snow onto Pomeroy Avenue near the openings to the bank lot after Dominick has plowed and cindered, he has to continually replot / recinder. Those plowing the PNC Bank lot are pushing the snow onto 1<sup>st</sup> Street, again, after he has plowed and cindered, and he, again has to replot / recinder 1<sup>st</sup> Street. Dominick would like both Sovereign & PNC Bank contacted, and have them ask those plowing to keep the snow contained on their own property. Spoke to the managers of both banks, and they will contact the individual who does their plowing. The same individual is plowing for both banks.
4. Complaints from several property owners along East 3<sup>rd</sup> Street from Pennsylvania Avenue to New Street. After shoveling their sidewalks, lying along East Third Street, the plow are pushing snow back onto the sidewalks.
5. Residents complaints about parking on the west side of Chatham Street near 1<sup>st</sup> Street at Dr. Kruetz's office. Individuals are ignoring and parking at the "No Parking Here to Corner" signs, and also parking opposite the flow of traffic. Officer Anderson will look into this matter.
6. Water Main Leak on Pennsylvania Avenue near the Old Pusey Building, Repaired. This will be in Miller's March report.
7. A continuous water flow from the rear of 315 Pennsylvania Avenue is creating icing problems and a hazardous situation at the intersection of Morris and 3<sup>rd</sup> Street. The icing continues down 3<sup>rd</sup> Street to Chatham Street, and south on Chatham Street to the intersection with 1<sup>st</sup> Street. There is a leaking pipe in the middle of the residents' yard where there is a hose hookup. The Borough Secretary had difficulty contacting the resident by phone and sent a letter to the resident regarding the problem. Miller was finally able to meet with the resident. However, there is no water shutoff and the resident promised to have the problem remedied by Tuesday, February 17<sup>th</sup>. The leak was repaired on Monday, February 16<sup>th</sup>.  
Note: The above water leak has undermined Morris street, and said Street is buckled in several areas where Morris intersects with 3<sup>rd</sup> Street. Dominick, on Monday February 16<sup>th</sup> leveled the buckled areas, but this is only a temporary fix.
8. Several Council members expressed concern over the absence of weight signs posted on the 3<sup>rd</sup> Street Bridge. The Borough Secretary called PennDot, and the bridge is not a posted bridge, has no weight limit, and therefore no signs are needed.
9. Last Wednesday Dominick began patching pot holes on State Street near the bridge, and on Pomeroy Avenue. Additional cold patch was needed, and was ordered.
10. The residents of 300 Chatham Street are discharging, via two hoses, water onto E. 3<sup>rd</sup> Street creating icy conditions on E. 3<sup>rd</sup> Street, and on Chatham Street down to 1<sup>st</sup> Street. One of the hoses is discharging soapy water. Technicon was made aware of the problem today, February 17<sup>th</sup>.

11. Thompson Street and Maple Street are in an extreme state of disrepair. There is water being discharged onto the street, other than from 610 Poplar Street, causing the streets to buckle. Both Technicon and the Streets Committee have been unable at this time to determine the exact source of the discharge.
12. Several residents complaining about the parking on the north side of 3<sup>rd</sup> Street. When there is parking, the west bound lane is blocked, creating a traffic hazard. The secretary will send a letter to the owner asking him to use his off street marking.

## **PUBLIC SAFETY COMMITTEE**

### **PARKESBURG POLICE REPORT**

Russ Kilmer said the Borough had an expenditure of \$50,083.03 for police services in 2003. The Borough received \$34,605.80 in fines, so the overall cost to the Borough was \$15,477.24. The Borough received \$2,496.01 for fines for January. They had 12 incidents, 12 Traffic, 2 Non-Traffic and 1 Criminal.

### **AVONDALE RENTALS**

Russ Kilmer said he received a call from the State Police on the day it was flooding a couple of weeks ago and somebody had pad locked the first floor back doors to the apartments and the residents were complaining they couldn't get out. Mr. Kilmer said the pad locks have been on the doors for some time and they forced the maintenance person to remove the locks.

## **WATER AND SEWER COMMITTEE**

Jerry Poe said due to the weather, the water and sewer committee did not meet. The committee will meet on Tuesday, February 23<sup>rd</sup> at 7:30 p.m.

### **WATER LEAK**

Jerry Poe said he thinks there is a water leak coming from the curb stop at 605 Poplar Street. The secretary will send a Water Action Form to Miller Environmental.

## **EARNED INCOME TASK FORCE**

Jay Pusey said the secretary sent out forms to the businesses in the Borough requesting information on their employees to update the earned income tax records. The secretary said as of today, she has received 20 out of 47 completed forms back. The completed forms will be forwarded to Berkheimer.

## **OLD BUSINESS**

### **FINANCIAL ADVISOR**

Bob Cleveland said we should look into the cost of a financial advisor to see if the Borough can afford the upgrade and expansion. Mayor Howell said she will look into getting some proposals.

## **MUNICIPAL CO-OP REPRESENTATIVE**

The secretary said the next co-op meeting is scheduled for February 25<sup>th</sup> at the East Marlborough Township Building at 11:00 a.m. Jerry Poe said he will try to attend.

#### SLUDGE HAULING LETTER

This matter is tabled until March's Council meeting.

#### RATES FOR WATER ABUSERS

The water and sewer committee will address this issue at the next committee meeting.

#### NEW BUSINESS

##### KEATING AND WELSH ALLEY – ORDINANCE #54

Bob Cleveland said Keating Alley is located just off of West Third Street and runs north and south behind the four houses on Pennsylvania Avenue . Ordinance #54 ordains Keating and Welsh Alley's. John Langille has been maintaining Keating alley for several years and is now requesting the Borough use some 2A Modified stone to refurbish the alley. Dominick says to do the job properly, it would cost between \$950.00-\$1100.00. Mr. Cleveland said Keating Alley serves only four houses and has been a "private drive" for years and he cannot see spending money every year when the homeowners have been maintaining it until now. Welsh Alley is a cart path and is not used. (Welsh Alley is located behind New Street and dead ends at Watson Park) Mr. Cleveland said he does not know why the Alley's were ordained or if you can un-ordain a street. (the Borough does not get any Liquid Fuels money for the streets) Bill Webb said Keating and Welsh Alley were ordained because the sewer lines run in the alleys. The secretary will do some research on this matter.

##### HANDICAPP PARKING @ EAST 2<sup>ND</sup> STREET

Bob Cleveland said the secretary received a request from Mario Gomez of 115 Pennsylvania Avenue who has a handicapped placard for his car. He states he has no off-street parking, and is requesting a handicapped parking space on E. 2<sup>nd</sup> Street at the 200 block past Morris Street. Mr. Cleveland said if we put up one handicap sign then we could be "opening up a can of worms" and get 30 or 40 more requests for signs. Jerry Poe said it is the responsibility of the owner to provide off street parking, not Avondale Borough. Russ Kilmer suggested calling the homeowner, Nick Mastrippolito to see if he offers off street parking to his tenants.

##### OVERWEIGHT SIGNS ON INDIAN RUN ROAD

The secretary said the signs have been ordered.

#### PUBLIC COMMENT

##### BILL WEBB

Bill Webb said he has a set of plans for a building he wants to erect. The proposed building is in the Industrial Zone and it would not meet the side set back requirement of 25 feet. Mr. Webb said he knows the application will be turned down by the Zoning

Officer and he wants to submit the plans to the Planning Commission. Jerry Poe said the Planning Commission meets on the last Tuesday of the month.

HOWARD THOMPSON

Mr. Thompson said he was glad to hear that Miller Environmental is going to take some action on lifting some manhole covers to locate our I & I problem.

**ANNOUNCEMENT**

There will be an executive session following this meeting to discuss legal matters.

Bob Cleveland made a motion to adjourn the meeting at 10:10 p.m., 2<sup>nd</sup> by Jerry Poe, motion carried.

Respectfully submitted,

Becky Brownback  
Borough Secretary