

**AVONDALE BOROUGH
COUNCIL MEETING
JULY 20, 2004**

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

GUESTS PRESENT: Dottie Howell, Jim Marlowe, Joe DiMatteo, Walter Barcz, Lori Walmer, Howard Thompson, Bill Webb, Harold Brown, Steve Cummings

President Pusey called the meeting to order at 7:30 P.M.

RESIDENT COMMENT/REQUEST/COMPLAINT

HIGH GRASS COMPLAINTS

The secretary said all grass complaints have been resolved.

PHIL PUSEY USED EQUIPMENT SALES

Bob Cleveland said he spoke with Bruce from Technicon and he said he was going to call Phil Pusey.

HEDGE AT 400 CHATHAM STREET

The secretary said the hedge has been cut.

TRASH CAN AT POMEROY PARK

The secretary said the trashcan has been emptied.

OLD FENCE AT 315 PENNSYLVANIA AVENUE

The secretary said the fence has been removed.

MILLER ENVIRONMENTAL REPORT

Joe DiMatteo reported on the water and wastewater treatment plant for July. The total monthly water production was 3,105,900 gallons with an average daily flow of 105,530 gallons. Total monthly water effluent flow was 15,390,000 gallons with an average daily flow of 513,000 gallons. Total monthly New Garden flow was 4,827,990 gallons. The unaccounted monthly wastewater flow was 7,456,110 gallons (48.4%). There were five (5) NPDES violations recorded within this reporting period. The violations were for exceeding the average monthly concentration and the average monthly loading for ammonia nitrogen, the maximum weekly concentration, the average monthly loading and the maximum weekly loading for total suspended solids. As in the past months, Miller Environmental attribute these violations to excessive flow.

The following activities were reported for the WWTP for July:

- MEI Contractor excavated to find curb box at 315 Pennsylvania Avenue, he also located water service at 93 Pennsylvania Avenue and installed a curb box at this location. Blacktop restoration was also performed at 93 Pennsylvania Avenue site.
- Restored, seeded and graded previous water service repair site at 201 Pennsylvania Avenue.

- Purchased curb boxes and curb valves for future repairs.
- Performed quarterly meter readings of the water system on Jun 16, 2004
- Analyzed for the tri-annual lead and copper monitoring and reporting requirements mandated by the Bureau of Water Supply Management. Results are available for review.
- Responded to an after hour water call at the old site of the Baptist Children's Home related to no water after a power outage. Found a service gate valve was stuck closed after the water meter.
- Performed quarterly calibration of New Garden Township flow meters.
- Purchased recording charts and pens for both the Wastewater Plant flow meter and the two New Garden Township flow meters.

LEAD AND COPPER WATER SAMPLE REPORT

Joe DiMatteo said the results for the lead sampling was very close to the limit because of a very high reading at the Borough Hall, which was almost three times higher than any of the other sampling done in the Borough. Mr. DiMatteo said he does not have an explanation as to why it was so high.

WELL HOUSE ROOF REPAIR

Joe DiMatteo said he received a quotation from Michael Kelly & Son for the roof repair for an estimate of \$1,065.00. Mr. DiMatteo said he used the same contractor two years ago to replace the steps at the treatment plant. The secretary said she called four contractors for a quotation and either they were too busy or they were not interested in doing such a small job. Council felt that the price was too high and decided to table this issue until more quotations were received. Council asked Mr. DiMatteo to purchase a tarp and cover the roof to prevent it from leaking.

WATER LEAK ON POPLAR STREET

Joe DiMatteo said there is a water leak at 606 Poplar Street that is estimated at a water loss of one-quarter gallon a minute. Mr. DiMatteo said the 2" galvanized water line is in bad shape and the fear is if the leak is fixed, it will break somewhere else and he asked Council how to proceed. The water and sewer committee will discuss this issue at their next meeting.

ENTECH REPORT

STATUS OF BLOCK GRANT – HENSON AND MAPLE STREETS

Walter Barcz said the County supplied the Davis-Bacon Wage rates and he needs to incorporate them into and otherwise complete the Specifications that will be sent to the County for their review.

STATUS OF TREATMENT PLANT UPGRADE AND EXPANSION

1. REBID RESULTS – Walter Barcz said the bids were opened on July 8, 2004 for the rebidding of Contract two. The lowest apparent bidder was Monacacy Valley Electric for \$489,500.
2. EXTENSION FOR AWARDDING BIDS – Walter Barcz said Walabax Construction Services have granted the Borough an extension from July 27, 2004 to August 12, 2004.
3. PENNVEST EXTENSION – Walter Barcz said PennVest has rescheduled the Loan Closing to August 12, 2004.

REVITALIZATION GRANT AGREEMENT

Walter said he made final comments on the re-written version of the Agreement and all documents have been submitted to the County.

FIRE COMPANY PLANS

Walter said he needs more time to confirm that all the items were addressed before giving approval to sign the plans.

1 MILLER DRIVE – PRESSURE SEWER

Walter said he met with Steve Cummings regarding the installation of a Sewage Grinder Pump and Mr. Cummings has selected a tight location in the basement, which presents challenges from dimensional points of view. Walter said there is another alternative and that is to put a pump outside that could be flush with the ground. Mr. Cummings said that was a big issue with him because he didn't want anything sticking out of the ground and being an eyesore. Russ Kilmer made a motion to install a pump inside or if Mr. Cummings agrees, install the pump outside, 2nd by Jerry Poe, motion carried. The cost is estimated at \$4,000 for the pump and installation.

STORMWATER MS4 REGULATIONS

Walter said the next thing on the agenda is stenciling catch basins. The Water and Sewer Committee will decide the wording and make their recommendation to Council.

2005 BLOCK GRANT

Walter said the County requested additional Supplements to the Application and they were submitted.

I & I MANAGEMENT PLAN

Walter said the Plan was sent to Council last week and he asked Council's permission to submit it to DEP. The Water and Sewer Committee will review the Plan and discuss it at their next meeting. Fred Bryan made a motion to allow the Water and Sewer Committee make the decision on whether to send the Plan to DEP, 2nd by Bob Cleveland, motion carried.

BOXLER PROPERTY – DANGEROUS STRUCTURE – 89 W. STATE STREET

Walter said that Entech has begun reviewing the documents and will inspect the Boxler property in early August.

SLEIMAN SUBDIVISION

Jim Marlowe said for the reasons and items listed in Walter Barcz's letter dated, July 19, 2004, there is no way Council can approve the subdivision. Russ Kilmer made a motion to deny the Sleiman Final Subdivision Application and Plan, 2nd by Rose Ann Swift, motion carried. Mr. Marlowe said he will send a denial letter to Mr. Sleiman.

SUBDIVISION AND DEVELOPMENT AUTHORIZATIONS

Jerry Poe made a motion to approve Entech's Work Order #4161.04, 2nd by Russ Kilmer, motion carried. The scope of work is to review plans, proposals, applications and other documents related to subdivisions and developments of property(ies) in the Borough. Inspect the property(ies). Report to the Borough.

APPROVAL OF FINANCIAL STATEMENTS

Russ Kilmer made a motion to approve the financial Statements, 2nd by Rose Ann Swift, motion carried.

APPROVAL OF BILLS TO BE PAID

Russ Kilmer made a motion to approve the bills to be paid, 2nd by Fred Bryan, motion carried.

APPROVAL OF MINUTES**COUNCIL MEETING – JUNE 15, 2004 AND SPECIAL MEETING – JUNE 29, 2004**

Bob Cleveland made a motion to approve the minutes as written, 2nd by Fred Bryan, motion carried.

BOROUGH SOLICITOR'S REPORT**LENA HORTON PROPERTY**

Jim Marlowe said the Tax Claim Bureau will try to get a Judge to sign an Order permitting "Service" on Lena Horton by publication, at no cost to the Borough. If the Judge signs the order, the property might be listed for sale in September of 2004. This September listing is contingent upon a number of factors including but not limited to, how many times the Judge wants the Notice published, how quickly the Judge wants the Notice published, etc. Mr. Marlowe said he will keep Council informed.

CONSENT ORDER AND AGREEMENT DRAFT

Jim said he has heard nothing from DEP.

UCC IMPLEMENTATION UPDATE #25

Jim said there is a proposal by the House of Representative to exempt residential properties from the Statewide Uniform Construction Code. This proposal did not go through and residential properties are not exempt.

GREENHOUSE BOUNDARY

Jim Marlowe said the signing of the license agreement is not a Borough Council issue; it is a Sewer Authority issue. The officers to sign the agreement are Jay Pusey as the Chairperson and Becky Brownback as the Secretary of the Sewer Authority. Jim said the Sewer Authority is inactive and the only way the agreement is valid is if Borough Council reenacts the Sewer Authority for the purpose of signing the License Agreement. Jay Pusey said the agreement was not approved at the last meeting because there is not anything in the agreement that states the agreement can be terminated. Mr. Marlowe will add this to the agreement. Russ Kilmer made a motion to reenact the Avondale Borough's Sewer Authority for the purpose of signing the Agreement, not to exceed two weeks, 2nd by Fred Bryan, Jerry Poe-opposed, Bob Cleveland-opposed, motion carried by a 4-2 vote.

DI FONZO REQUEST STATUS

Jim Marlowe said the Di Fonzo's request is in the hands of the DEP.

STATEWIDE UNIFORM CONSTRUCTION CODE BOARD OF APPEALS

Jim Marlowe said Avondale Borough, Parkesburg Borough, and Honey Brook Borough have taken all the necessary steps to adopt the SUCC. After a Municipality "opts-in", a Board of Appeals must be established and must have five members and each member must have a particular qualification. Municipalities have difficulty in getting members of the general public to fill vacancies on certain boards and it would be difficult for each municipality to create the legally-mandated Board of Appeals by finding and appointing individuals with the qualifications. For Avondale, Honey Brook and Parkesburg, Mr. Marlowe said a "Joint Board of

Appeals” would be the answer. Council agreed and President Pusey said he would call Parkesburg and Honey Brook and try to organize a Board.

ADOPT FEES FOR THE UNIFORM CONSTRUCTION CODE

Russ Kilmer made a motion to adopt the fees, 2nd by Jerry Poe, motion carried.

MAYOR’S REPORT

FALL FESTIVAL

Mayor Howell said a Fall Festival and Parade is planned for October 16, 2004 with a rain date of October 17, 2004 and asked Council approval. Council approved the Festival and Parade. The secretary will apply for a permit from PennDOT to close Pennsylvania Avenue.

RED CROSS

Mayor Howell said two weeks ago, the Red Cross went to around 200 homes and handed out packets of information about flooding.

WHITE CLAY CREEK – BIDS

Mayor Howell said the bids for the White Clay Creek Project are due on Friday, July 23, 2004. The project will start late September, early October.

GRANT REIMBURSEMENT FOR TRACTOR

Mayor Howell said the reimbursement request was lost in DEP’s office and the Secretary sent it again. Mayor Howell said she requested that some of the money be move from one category to another category because of the extra loader bucket that was bought for the tractor and this will hold up the reimbursement a little longer.

DCED GRANT STATUS

Mayor Howell said she has not heard anything about the status of the grant application.

PERSONNEL COMMITTEE REPORT

Bob Cleveland gave the following report:

NEWSLETTER TO TENANTS

All residents of the Borough have received the quarterly newsletter.

BOROUGH’S WEB SITE

The Secretary is currently revising, and making presentable the Borough web site. The current web site is inaccurate, outdated, and has not been update since May of 2003. The Pennsylvania Association of Boroughs has a program where they will host the Borough’s web site which will include photo’s, minutes, pertinent Borough information, and the most frequently used Borough forms, as well as pertinent ordinances. The cost of hosting the web page will be between \$200-300 per year. The Personnel Committee is requesting that Borough Council approve the cost of a yearly fee up to \$300.00 from the Secretary’s office budget to be used for the purpose of revamping and updating the Avondale Borough’s web page. Bob Cleveland made a motion to approve the cost of up to \$300 to revise the Borough’s web site, 2nd by Russ Kilmer, motion carried.

STREETS AND STREET LIGHTS COMMITTEE REPORT

Bob Cleveland gave the following report:

OLD BUSINESS

1. Water is being discharged from 222 2nd St. onto E. 2nd St. eroding the street. The information was given to Technicon. A letter was sent by Technicon to the resident and is on file. No change since April report.
2. Water is being discharged onto Chatham St. from 302 Chatham St. and flowing down to the intersection of Chatham St. & 1st Street, and undermining the street at that intersection. This information was given to Technicon. The owner stated to Technicon that the problem will be corrected within two weeks.
3. Council approved the tarring/chipping of the following streets:

First Street from Pennsylvania Avenue to Chatham Street
 E. 2nd Street from Pennsylvania Avenue to Watson Park
 Morris Street from 1st Street to 6th Street
 Chatham Street from 1st Street to 4th Street
 New Street from 2nd Street to 3rd Street

NEW BUSINESS

1. There are requests by several residents for "SLOW, CHILDREN AT PLAY" signs on both Thompson Street and Henson Street. Dominick was asked to erect the signs.
2. Abandoned/Expired/Inoperable Vehicles: There are currently 12. Letters were sent to the residents.
3. Dominick has pulled all the storm drain grates and cleaned the drains with the exception of the following drains which are too unstable to have the grates pulled due to possible collapsing:

NW Corner-1st and Chatham
 NE Corner- 1st and Chatham
 NW Corner-2nd and Chatham
 SW Corner-2nd and Chatham
 SW Corner-4th and Chatham

Currently, the Borough does not have the necessary funds to correct these problems.

4. There are also 7 drain pipes which need clearing/cleaning by high pressure. Streets Committee spoke to Avondale Fire Co. and they are willing to high pressure the drain pipes. This will be done this Thursday, 22nd July 2004.

Pipe locations:

East Side 2nd St @ Chatham runs N to S
 West Side 2nd St @ Chatham runs N to S
 West Side 3rd St @ Chatham runs N to S
 East Side 3rd St. @ Chatham runs N to S
 West Side 4th St. @ Chatham runs N to S
 West Side New St. @ 3rd St. runs N to S
 East Side Church St @ 3rd St. runs N to S

5. There are traffic safety concerns on E. 3rd St. between Pennsylvania Avenue and Morris Street. The owner of the residence on the NE corner of Pennsylvania Avenue and 3rd Street, on most days, has three vehicles parked on the north side of 3rd Street for most of the working day. This parking requires traffic traveling west on E. 3rd to cross the double yellow line and remain in the west bound lane when attempting to turn north or south onto Pennsylvania Avenue.

Traffic traveling north and south on Pennsylvania Avenue is, at times, unable to turn onto East 3rd Street due to the west bound lane being occupied by traffic.

The owner of the property in question has 4 off-street parking spaces: 2 in the rear of the building off Morris Street and 2 in the garage. The funeral home on the SE corner of Pennsylvania Avenue also has sufficient off-street parking.

The Streets Committee spoke with Officer Anderson, and Chief Sheller of the Parkesburg Police, and the Borough Secretary spoke with PennDOT. Both Chief Sheller, and PennDOT state that since a safety issue exists the Borough may place NO PARKING signs on the north side of E. 3rd Street with the adoption of an ordinance and without the necessary engineering and traffic studies being done.

The Streets Committee requests that Borough Council adopt an ordinance prohibiting parking on both the north and south sides of E. 3rd St. from Pennsylvania Avenue to Morris Street with exceptions provided in the ordinance for public functions: e.g. funerals, church functions and the like. It will be necessary for the Borough Solicitor to advise Council as to the best means of wording this portion of the ordinance. Council discussed this issue and Rose Ann Swift made a motion to approve Jim Marlowe to draft an Ordinance prohibiting parking on both sides of Third Street, except for "Exceptions by Borough Council", 2nd by Fred Bryan, motion carried.

6. There is a street sign down on the corner of E. 3rd & Henson. This information was given to Dominick.

PUBLIC SAFETY COMMITTEE

Russ Kilmer gave the following report:

QUARRY FENCE

Russ is still trying to get an estimate on the repair of the fence.

TRUCK TRAFFIC ON THIRD STREET

The police have been enforcing the truck traffic and they have not seen any real violations.

RETENTION BASIN

The retention basin seems to be working and there has not been any correspondence from London Grove Township.

CARS FOR SALE IN PARKING LOT

This matter was turned over to Technicon and they have written a letter to the property owner.

THIRD STREET PARK

Rose Ann Swift said on Sunday afternoon's there is a lot of drinking at the basketball court on Third Street. Russ Kilmer said he would talk to Chief Sheller and schedule the police for a Sunday afternoon.

WATER AND SEWER COMMITTEE

Jerry Poe said he has not been successful in scheduling a meeting with New Garden Township.

PROPERTY AND EQUIPMENT COMMITTEE

Fred Bryan gave the following report:

AIR COMPRESSOR

Dominick Difilippo is looking for an air compressor.

STREET CLEANER

The street cleaner has been rescheduled for this Saturday if it does not rain.

BOROUGH'S LOTS ON CHURCH STREET – CLEAN UP

Bob Cleveland said there are two lots on Church Street owned by the Borough that have weeds, concrete, etc. and he wants to know how we can enforce the high grass in the Borough if we can not take care of our own property. Bob said these lots need to be cleaned up. The Property Committee will look into this matter.

PARKS COMMITTEE

Rose Ann Swift gave the following report.

GRANT FOR THIRD STREET PARK

The grant application deadline was not met for the playground equipment for the Third Street Park. Rose Ann will apply in the Fall. Trash cans were placed at the park and the weeds were removed..

OLD BUSINESS**LONDON GROVE RUN OFF AT MILLER DRIVE**

The secretary said she spoke to Clint Heffner and he still has not received the survey plans. Mr. Heffner will call his attorney today to find out where the plans are.

PENNSYLVANIA RURAL WATER ASSOCIATION

The secretary said she is still trying to schedule a date to do the leak detection. Mayor Howell said the PRWA is also willing to do smoke testing and the only expense to the Borough would be the solution to create the smoke at an estimated cost of \$300.00. Council approved the secretary to schedule the smoke testing.

NEW BUSINESSSTATE STREET BRIDGE

Jay Pusey said a letter was received from PennDOT in regards to a recent inspection of the State Street Bridge. PennDOT stated that the "Bridge" placard signs at the far approach should be placed above the 10 Ton sign. The horizontal clearance signs need to be reset as per standards and the deteriorated reinforced concrete deck needs to be repaired. These items should be completed in less than one year. The Streets Committee will look into this matter.

DI FONZO'S TREE

The secretary said the fire company had a safety concern about the dead tree in front of Di Fonzo's property. A letter was sent to the Di Fonzo's making them aware of dead tree and they responded with a letter to fire company stating that they will take their concerns under advisement. Council approved the secretary to hand this matter over to Technicon.

COMPOSTING AREA

Bob Cleveland asked who is responsible for composting area Mayor Howell said four Borough residents are responsible for opening the composting area on the first Saturday of the each month. Dominick Difilippo is responsible for the woodchipping and turning the compostables. Russ Kilmer said Dominick does not have time in the summer to be working in the composting area and will probably be able to get to it in the Fall. Fred Bryan will speak to Dominick about when he will be able to work in the composting area.

PUBLIC COMMENTBILL WEBB

Bill Webb asked if he could borrow a copy of the plans for the White Clay Creek Restoration Project. Mayor Howell said yes as long as they are returned.

HOWARD THOMPSON

Howard Thompson said it seems that New Garden Township is ignoring Avondale and he feels that Council should write New Garden a letter because time is of the essence. Mr. Thompson asked if Council going to borrow three or four million dollars to complete the sewer plant? Jay Pusey said no decisions have been made at this time. Mr. Thompson asked if New Garden was going to participate in the upgrading of the plant. Russ Kilmer said we have been trying to set up meetings to get an answer from them but we have been unsuccessful.

Bob Cleveland made a motion to recess at 9:50 p.m. for an executive session to discuss legal matters, 2nd by Fred Bryan, motion carried.

President Pusey called the meeting back to order at 10:55 p.m.

Bob Cleveland made a motion in regards to the sewer plant, in three parts; one, that we contact New Garden Township by letter; two, we explore alternate options in regards to upgrading the plant; three, we halt all expenditures on the upgrading of the plant until further notice, 2nd by Russ Kilmer, Jerry Poe-opposed, motion carried.

ANNOUNCEMENT

Jay Pusey announced that there will be a Special Council Meeting on Tuesday, July 27, 2004 at 7:00 p.m.

Russ Kilmer made a motion to adjourn the meeting at 10:57 p.m., 2nd by Rose Ann Swift, motion carried.

Respectfully submitted,

Becky Brownback
Borough Secretary