

**AVONDALE BOROUGH
COUNCIL MEETING
JUNE 20, 2006
6:00 P.M.**

MEMBERS PRESENT: Jay Pusey, Russ Kilmer, Fred Bryan, Bob Cleveland, Patrick Harrison, Howard Thompson
Absent: Pat Longen

GUESTS PRESENT: Mayor Howell, Walter Barcz, Mike Short, Lew Christy, Jerry Poe, George Harmon, John Langille, Louise Langille, Glenn Diehl, John Andaloro, George Harmon

After the Pledge of Allegiance, President Pusey called the meeting to order at 6:00 p.m.

LETTER OF RESIGNATION

President Pusey announced that a Letter of Resignation was received from Council member Rose Ann Swift.

PERSONNEL REPORT

Bob Cleveland gave the following report:

COUNCIL VACANCY

The Borough advertised in the Daily Local News on June 2, 2006 the vacant Council position created by the resignation of Rose Ann Swift, and received two letters from interested Borough citizens.

The Personnel Committee conducted interviews to fill that Council vacancy. The Personnel committee unanimously recommends to Borough Council the appointment of Howard Thompson to fill the vacant council seat.

Mr. Thompson would bring experience to the Borough, having served as a member of Council in the past, is currently Borough Council's citizen liaison for the WWTP construction, is currently Chairperson of the Vacancy Board, and, by continued attendance at Borough Council Meetings, has knowledge of the current issues confronting the Borough. Mr. Thompson would be an invaluable asset to both Borough Council, and to the citizens of the Borough.

RESOLUTION #2006-07 – APPOINT HOWARD THOMPSON

Russ Kilmer made a motion to appoint Howard Thompson as Council Member, 2nd by Patrick Harrison, motion carried.

MR. THOMPSON TAKES OATH

Mayor Howell swore/affirmed in Mr. Thompson as the new appointed Council Member.

RESIDENT AND PUBLIC COMMENT / REQUEST / COMPLAINT

JOHN LANGILLE

Mr. Langille said he is a resident of Avondale and owns two properties between Keating Alley and Pomeroy Avenue and he has recently acquired a building permit to put up a 32' x 64' pole barn. Mr. Langille said he has a large collection of antique gravely tractors and this proposed building would house these tractors. Mr. Langille said since Pomeroy Avenue is not a public street behind his property, he is requesting permission to use Pomeroy Avenue to access his proposed building in the most practical way. Mr. Langille said he would like to put the building as close to Keating Alley as possible to eliminate taking down any trees and because of the slope involved. In order to access the building with a show trailer, the angle would need to be rather steep and not practical if he had to access the building using Keating Alley. Mr. Langille said there would be no deliveries or pick ups and it would have a super low use. The Presbyterian Church, Losito's and the Boy Scouts are using Pomeroy at the present time and he doesn't

see why it would be detrimental to the Borough to allow him use of Pomeroy. George Harmon, Mr. Langille's contractor, showed and explained to the Council the plot plan.

Glenn Diehl said his understanding is that Pomeroy is not an open street and the Borough owns the whole property and it is not a right of way, therefore, it is a private drive owned by the Borough for its purposes. Glenn said he is not aware of anybody that has an easement on it right now to use it for access, but there may be one. One way you can give access is to issue a "license to use", which is different from an easement and different from making it a public street. The concerns would be that anybody having a license would need to understand that the license can be terminated and that there is no undertaking to improve anything. The Borough is not liable for any maintenance. Glenn said the Borough would not be obligated to improve it and if the Borough wants to reconstruct the road, elevate it, refill that area, sell the parcel, the access could go away. President Pusey said that Council will discuss this issue and let Mr. Langille know their decision at the next meeting.

MILLER ENVIRONMENTAL REPORT

Mike Short gave the following report:

Monthly Water Production – 3,488,900 gallons / average daily flow – 112,545 gallons

Monthly Effluent Flow – 9,572,000 gallons / average daily flow – 309,000 gallons

New Garden Flow – 3,617,010 gallons / average daily flow – 103,343 gallons (4/26/06 to 5/31/06)

Unaccounted Monthly Wastewater Flow – 2,466,090 gallons (25.8%)

2006 1st Quarter Billed Water Production – 6,147,310 gallons

2006 1st Quarter Unaccounted Wastewater Flow – 16,331,729 gallons (42.78%) Using billed water production as requested by Solicitor.

NPDES VIOLATIONS - 2 - Microthrix Parvicella that had caused the poor settling in the final clarifiers and higher than normal pin flocking and then the lost of nitrifying bacteria has been treated with Sodium Hypochlorite and has been eliminated. The most recent lab result for effluent ammonia taken on June 6, 2006 was 2.47 mg/l.

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

- Repaired a water leak at 606 Poplar Street on 5/5/06.
- A new water meter was installed at 501 Chatham Street on 5/16/06
- Ordered a rebuild kit for the potable water line from National Waterworks.
- Contractors hit the power line to the #2 well house on 5/31/06. They repaired the line temporarily until it could be repaired correctly.
- Tested for Total coliform in the water distribution system on 5/2/06. Results were negative.
- Performed 3 Water Action Forms and 2 PA One Calls throughout Borough.
- Continued adding air into the sludge holding tank as requested by the DEP.
- Continued to add Sodium Hypo-Chlorite to the influent flow to prevent possible odors.
- Started spraying Sodium Hypo-Chlorite onto foam in the sludge digester to prevent possible odors.
- The spare #2 EQ pump failed on 5/4/06. Called Reels Motor Service to pick up and repair the original pump that was pulled out in April.

- New Garden Township flow meters were calibrated by W.G. Walden Inc. on 5/9/06. Both flow meters were found to be out of calibration and reading lower flow than they should be.
- Stopped adding Sodium Hypo-Chlorite to the activated sludge return flows to stop filamentous growth. The growth that was occurring is now under control.

WWTP LIAISON REPORT

Howard Thompson gave the following report:

Visited the treatment plant on June 7th and June 20th.

The place is beginning to look like a real sewer plant. Most of the railings and steps have been completed. Piping from the BNR to the clarifiers is near completion. Some wiring in the pump house and electrical disinfection building still needs to be done. The rented portable generator has been removed. The new generator has been tested and can go into service in an emergency. Practically all the concrete and brick work has been completed. They have begun to put on the final coat of paint.

ENTECH REPORT

Walter Barcz gave the following report:

CHAPTER 94 REPORT

Received a letter from DEP stating that there was an omission in New Garden's portion of the report that had to do with pumping stations. Entech will respond to DEP's request.

US EPA GRANT PAYMENT

\$192,900 was received on May 18,2006.

PENNVEST LOAN PAYMENT

Should be receiving \$449,010.07 around June 28th.

STARTUP OF THE NEW PLANT

We are within two months of scheduled startup and performance testing of the New Side of the treatment plant. This activity will require thought, analysis, discussion and development of Miller Environmental's role, and costs of operation and maintenance.

WWTP NPDES PERMIT APPLICATION

Received a letter from DEP on April 19th stating that the application for the NPDES permit is "administratively complete". DEP will complete a "technical" review and during this time they may request supplemental information. DEP gives itself 290 days to process the application.

BOROUGH SOLICITOR'S REPORT

Glenn Diehl gave the following report:

PROPOSED STORMWATER ORDINANCE

DEP still has not come out with their new guidelines for stormwater.

PROPOSED MASTER SEWER AND WATER ORDINANCES

In the process of preparing the ordinances.

PROPOSED RESOLUTIONS AND ORDINANCE

Expect to have a draft of the following for Council's review by the next Council Meeting: IPP Program fees, commercial inspection ordinance, fee schedule for water and sewer.

BARRY CASSIDY – UPDATE ON GRANTS

Glenn Diehl said two grant applications were filed. We ended up applying for the street and water projects because there was a time restraint on doing the stormwater grant.

FINANCE COMMITTEE

Fred Bryan gave the following report:

APPROVAL OF BILLS TO BE PAID

The Committee reviewed the bills to be paid and recommend that Council approve them. Fred Bryan made a motion to approve the bills to be paid, 2nd by Patrick Harrison, motion carried.

APPROVAL OF FINANCIAL STATEMENTS

The Committee reviewed the financial statements and recommend that Council approve them. Fred Bryan made a motion to approve the financial statements, 2nd by Patrick Harrison, motion carried.

WALABAX PAYMENT #17 - \$157,873.00 AND MONACACY PAYMENT #10 - \$28,175.90

Fred Bryan made a motion to approve Walabax payment #17 and Monacacy payment #10, 2nd by Patrick Harrison, motion carried.

APPROVAL OF MINUTES

Russ Kilmer made a motion to approve the minutes from the Council Meeting on May 16, 2006 and the Special Council Meeting on May 23, 2006, as written, 2nd by Bob Cleveland, motion carried.

MAYOR'S REPORT

Mayor Howell gave the following report

CABLE TELEVISION

The Borough receives about \$7,000 a year from Comcast for letting them bring the cable through town. Mayor Howell said she didn't know how it would affect the Borough, but Senator Pileggi recently introduced a bill so that other cable companies can legally come into town. Glenn Diehl said right now, you can't do an exclusive franchise and you can't keep other cable companies from coming into town. The Borough has right of ways, and if these companies want to come into town and use them, they have to pay to be there because it was acquired by the public with public money, so the public is compensated. When the Borough enters into a franchise with a cable company, they pay the Borough a certain proportion of the gross revenues attributed to television. Today, there is nothing in there that allows the Borough to exclude anybody. A franchise is that you can't charge anybody anything less because they want to keep a level playing field.

PLANNING COMMITTEE

Jay Pusey gave the following report

WILKINSON PLANS – CLOCK DATES ENDS JULY 24, 2006

Glenn Diehl said he will call Joe Riper for an extension of time.

AVONDALE PRESBYTERIAN CHURCH PLANS – CLOCK DATE ENDS AUGUST 21, 2006

The Secretary said that she spoke to David Baloon from Jamie Mac Combie's office and he will be sending a review soon.

STREETS AND STREET LIGHTS COMMITTEE

Patrick Harrison gave the following report

OLD BUSINESS

1. The Borough Solicitor is still researching the State Street Bridge issue.
2. The 1, 3 and 5 year plans pertaining to infrastructure and streets repair still has not been formatted.

NEW BUSINESS

1. Dominick is still patching the potholes as needed.
2. A letter was put on all the trash cans regarding the excess trash and the Borough's sticker program. According to the Secretary, there has been an increase in sales of the stickers because of the letter.
3. A complaint was received from a resident about the over grown hedges on Morris Alley between 3rd and 4th Streets. The hedges were trimmed today.

PUBLIC SAFETY COMMITTEE

Russ Kilmer gave the following report

POLICE ACTIVITIES

The police are now working 40 hours per week. In May, the police fines totaled \$3,817.00. The police spent one day doing truck enforcement and they took a lot of unsafe trucks off the highway.

PROPERTY AND EQUIPMENT COMMITTEE

Russ Kilmer gave the following report:

BOROUGH PROPERTY BEHIND HAROLD SMITH'S

The Secretary spoke to Mrs. Smith and she is very interested in getting the property cleaned up and turning it back over to the Borough. There are some personal items she needs to get off the property. The Secretary will contact Mrs. Smith in a month to see how she is making out.

PARKS COMMITTEE

Russ Kilmer gave the following report

WATSON PARK

Someone set fire to a picnic table in the park last Tuesday morning. Several residents living near the park expressed their concerns regarding the undesirable activities that are going on in the park. To reduce the amount of people gathering at the park, consuming alcohol and doing other illegal activities, all the picnic tables have been removed. The police are aware of the problems and have been patrolling the park more often.

ENVIRONMENTAL & COMPOSTING FACILITY COMMITTEE

Patrick Harrison gave the following report

AVONDALE APARTMENTS

Back in January, the committee met with Rich Walkup the owner of the apartments to address three issues, two of the issues have been resolved. The issue that has not been resolved is the use of the laundry facilities at the apartments by outside people. The committee recommended to Mr. Walkup to put a lock on the laundry facilities, but Mr. Walkup said he would resolve the matter in another way. The matter was not resolved and a letter was sent to

Mr. Walkup last week, asking him to address this issue immediately. As of today, there has been no response. If the issue is not resolved, the committee will recommend to have the Code Enforcement Officer handle the situation.

POMEROY AVENUE BRIDGE– CHAIN & LOCK

The committee would like to recommend to Council to put a chain and lock across the Pomeroy Bridge because on several evenings there has been a lot of vandalism at the Boy Scout cabin and the composting facility. There are people driving back to the area and parking their vehicles. They have been observed consuming alcohol, making this a big party area, this is becoming a major problem. If a chain were put across the bridge, this would keep the vehicles from going there. All of Council agreed to install the lock and chain. Bob Cleveland asked if there are any legal issues if the chain is put up. Glenn said the only issue is to make sure you make the chain visible and put up reflectors.

COMPOSTING FACILITY

On June 10th, we had 5 truck loads. Dominick is still doing the once a month street pickup. If someone needs to drop off composting other than the designated times, they can call Patrick and he will let them in the facility. The next day the facility is open is June 24th from 10:00 to noon.

ANNOUNCEMENT

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

Fred Bryan made a motion to continue this meeting until Tuesday, June 27, 2006 at 6:00 P.M., 2nd by Russ Kilmer, motion carried.

COUNCIL MEETING – JUNE 27, 2006 – CONTINUED FROM JUNE 20, 2006

MEMBERS PRESENT: Jay Pusey, Russ Kilmer, Fred Bryan, Bob Cleveland, Patrick Harrison, Howard Thompson, Pat Longen

GUESTS PRESENT: Glenn Diehl, Walter Barcz, Harold Brown, John Boxler

President Pusey re-opened the meeting at 6:00 p.m.

ENTECH REPORT

Walter Barcz gave the following report

TASK ORDER 007 & 008 AMENDMENT

This task order is to amend the scope of work

From: Services in connection with construction of the Borough's wastewater treatment plant upgrade & Expansion, including: contract 1 general & mechanical; and contract 2 electrical & scada. Construction is scheduled to be substantially complete with 392 days, and finally complete within 455 days...

To: Services in connection with construction of the Borough's wastewater treatment plant upgrade & Expansion, including: contract 1 general & mechanical; and contract 2 electrical & scada. Construction, with the exceptions of grass seeding and tree planting is scheduled to be Finally Complete within 604 days...

Budget amended from \$435,000 to \$533,000

Patrick Harrison made a motion to approve the amendment, 2nd by Howard Thompson, Russ Kilmer-yea, Bob Cleveland-yea, Jay Pusey-nay, Fred Bryan-yea, motion carried with a 5-1 vote.

ANNOUNCEMENT

- The trash and recycling will be picked up on Saturday, July 1st instead of Tuesday, July 4th.

Russ Kilmer made a motion to adjourn the meeting at 7:50 p.m., 2nd by Patrick Harrison, motion carried.

Respectfully submitted,

Becky Brownback
Borough Secretary