

**AVONDALE BOROUGH
COUNCIL MEETING
OCTOBER 18, 2005**

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

GUESTS PRESENT: Mayor Howell, Mike Short, Lew Christy, Howard Thompson, Harold Brown, Joan Rosazza, Shawn Carroll, Davis Howell, Wilson Lysle

After the Pledge of Allegiance, President Pusey called the meeting to order at 7:00 P.M.

ANNOUNCEMENT

President Pusey announced that an Executive Session was held on October 10, 2005 to discuss legal matters.

MILLER ENVIRONMENTAL REPORT

Mike Short gave the following report:

Monthly Water Production – 3,154,400 gallons / average daily flow – 105,147 gallons

Monthly Effluent Flow – 10,913,000 gallons / average daily flow – 364,000 gallons

New Garden Flow – 3,013,510 gallons / average daily flow – 107,625 (8/31/05 to 9/27/05)

Unaccounted Monthly Wastewater Flow – 4,745,090 (43.5%)

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

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

- Siphoned excess rainwater from reservoir cover.
- Resampled water distribution for bacteria after the first monthly samples taken showed that bacteria was present. The second samples taken showed that bacteria was not present.
- LRM Inc. was at the plant to trouble shoot problems with the Chlorine gas detector at the #1 well house to the control center. They have temporarily repaired the line.
- Performed 4 PA One Calls and 4 Borough Water Action Forms throughout the Borough.
- Continued spraying Sodium Hypo-Chlorite onto the sludge holding tank and stopped putting air into the sludge holding tank to prevent possible odors.
- ControlEx Inc. installed a new air compressor for the influent wet well level control bubbler system.
- Assisted Melchiorre construction on new water line being installed at Maple and Henson Streets.
- Repaired a leaking water line going to the #2 influent pump.
- Attended construction meetings for new plant.

DAMAGE FROM FALLEN TREE BRANCH

During the October 8th rain storm, a tree branch fell on the power lines inside the plant. The plant lost power for 24 hours and the backup generator was used. PECO and a contractor were called to repair the power lines.

WWTP LIASON

Howard Thompson gave the following report:

Went to the WWTP two times during the past month and took pictures. There has been a lot of progress since his first visit. Will go back in about two weeks to take more pictures. The Secretary will make up a photo album of all the pictures.

ZONING OFFICER'S REPORT

Tom Lowry gave the following report:

AVONDALE PRESBYTERIAN CHURCH

The Church had been granted approval from the Zoning Hearing Board to expand the facility to connect the two existing buildings. The Church's facilities currently total 10,270.5 square feet of buildings. The propose addition/expansion will add 4,992 square feet of building for a total of 15,66.5 square feet. The Church's Engineer is requesting the Borough Council waive the following two sections of the Subdivision/Land Division Ordinance. Section 2.2B, which describes and requires a Land Development application and Section 8.1B.19, which provides the definition of Land Development. After researching the codes, stormwater management is a big issue and he recommends not to waive the two sections. Tom said he spoke to the President of the Church's Building Committee and will work with the Church very closely to come up with something viable in the land development process.

524 PENNSYLVANIA AVENUE

Sent a letter and spoke with the owner regarding parking cars on the lawn. The owner addressed the issue of not having sufficient parking and will apply for a permit to extend the driveway.

89 W. STATE STREET

Received a request from Rob Walters for an extension of two years for the Certificate of Occupancy. An extension of one year was granted with the following conditions:

1. Any renovations and or alterations will require a Building Permit.
2. Should you abandon the project compliance with the conditions of the Conditional Certificate
3. Should any part of the structure become unsafe it will be repaired immediately.
4. Further extensions may be granted upon request.

BUILDING & ZONING

- Eight inspections were performed. Twenty-five were received. Three building permits were issued in September; one carport, two alterations.
- Pennsylvania Avenue – It is recommended that Council considers re-zoning the houses along Pennsylvania Avenue to Business Commercial. President Pusey said the Planning Committee will look into this issue.
- 91 Pennsylvania Ave. – Resident opened garage without approval. Gave final notice or citation will be issued.
- Use & Occupancy Ordinance – A letter can be prepared to initiate rental/lease inspections. Direction/approval to begin process is required from Council.

- Rental Ordinance - The Borough Solicitor has prepared a new ordinance regulating rentals and Use & occupancies for resale. It is recommended this Ordinance be adopted by Council.
- Smith Contractors – The Zoning Hearing Board accepted the negotiated settlement between Smith and the Borough on September 7, 2005.
- Avondale Fire Company – New Garden Township has issued the permit. The fire company was advised that a letter has been received from the Health Department stating the permit cannot be issued until approval is received.

CODE ENFORCEMENT

- Vendor – Numerous calls have been made to John Stoltzfus regarding the fees and sign issues. A call was received from his acquaintance and the entire situation was explained with a request for Stoltzfus to comply with all applicable regulations.

ENTECH REPORT

Walter Barcz gave the following report:

STATUS OF HENSON AND MAPLE STREET PROJECT

Storm Sewers are constructed. Maple Street is graded, and Henson Street grading is in progress. Paving is scheduled to begin October 17th.

MELCHIORRE PAYMENT APPLICATION #1

Fred Bryan made a motion to approve Melchiorre payment #1 for \$148,257.00, 2nd by Pat Longen, motion carried.

CHANGE ORDER #1 – HENSON AND MAPLE STREET PROJECT

To formalize the previously approved wage related change order of \$6,135.00. Entech recommends Council's approval for signature of the change order. This was approved and paid by the County. Fred Bryan made a motion to approve change order #1, 2nd by Bob Cleveland, motion carried.

CHANGE ORDER #2 – DRAINAGE ISSUE

Melchiorre has made a Gentlemen's Agreement to address the drainage issues on Poplar and Thompson Streets. The solution needs to start with a storm sewer, with added inlet, running from the intersection of Maple and Henson Streets. Entech has authorized Melchiorre to install a new 12 inch diameter drain, from Maple and Henson to Maple and Thompson, with an inlet installed at Maple & Thompson. This will be an extension of the already-scheduled storm sewer from Maple & Henson to Maple & Church. This will at least address the "bottom" end of the problem, and prevent need to later disturb what will soon be new paving in Maple Street. Regarding costs: The above will be done in exchange for the following: Scheduled erosion and sediment type work Melchiorre did not need to perform in the original agreement and relaxation of the completion date to about October 18th. Fred Bryan made a motion to approve change order #2 at no cost to the Borough, 2nd by Pat Longen, motion carried.

STATUS OF PLANT UPGRADE AND EXPANSION

The project has been focused on the Electrical and Disinfection Building, Disinfection, Post Aeration, and the Utility Water Tankage.

WALABAX PAYMENT #9

Fred Bryan made a motion to approve Walabax Payment #9 for \$226,978.91, 2nd by Bob Cleveland, motion carried.

NEW GARDEN TOWNSHIP CONNECTIONS – BALANCE

The balance of treatment capacity remaining is 897 gallons per day.

1 MILLER DRIVE

Met with Mr. Holby, a plumber that is familiar with installing the sewage grinder pump and he said he is geographically too far for him to offer a competitive proposal. Mr. Holby gave another name and number of a closer Contractor that will be contacted.

BLOCK GRANT APPLICATION – 2006

The Secretary said the Borough received a letter from the County stating that the Borough's application for \$250,000 was not selected for funding.

WORK ORDER #4161.08 APPROVAL

Last week Entech received from Attorney Glenn Diehl a request to provide input to matter of Miller Environmental claims regarding extra payments for operation of the wastewater system. Although, Entech has already begun going through 90 or so pages of technical, operational, industrial, legal and financial documentation initially provided, Entech needs Council authorization for this work. Russ Kilmer made a motion to approve the work order up to \$5,000, 2nd by Bob Cleveland, motion carried.

FINANCE COMMITTEE & BILLS TO BE PAID

Fred Bryan said the Finance Committee reviewed the financial statements and the bills to be paid and recommend that Council approve them. Pat Longen made a motion to approve the financial statements and bills to be paid, 2nd by Fred Bryan, motion carried.

2006 BUDGET

Fred Bryan said a budget meeting has been scheduled to meet with the Borough's finance consultant, Cindy Quinn on November 1st at 2:30 P.M..

APPROVAL OF MINUTES

Pat Longen made a motion to approve the minutes from September 19, 2005 as written, 2nd by Fred Bryan, motion carried.

MAYOR'S REPORT

Mayor Howell gave the following report:

FALL FESTIVAL

The festival was a big success. A hot dog truck was donated by Pepsi and it made \$440.00 to put back into the festival's fund. The Festival's Committee would like to thank Walter Barcz for donating a 27" television set for the grand prize.

WHITE CLAY CREEK RESTORATION PROJECT

The final report is being submitted to DEP by F.X. Browne. The total grant received for this project was \$297, 500.

HALLOWEEN PARADE AND TRICK OR TREAT

The Halloween Parade will take place at 5:30 P.M. from Third Street at Morris Alley to the Firehouse. Prizes will be awarded at the firehouse and Trick or Treat will follow at 6:00 P.M.

CHRISTMAS TREE LIGHTING

The Christmas Tree Lighting is scheduled for December 3rd at 6:30 P.M.

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 known Abandoned/Expired/Inoperative vehicles in the Borough. Letters were sent to the residents.
2. The Henson/Maple Street Project is nearing completion, and, additionally, drainage issues in the Poplar/Thompson Street area have been addressed and implemented per the Borough Engineer's Report.
3. The repairs in the 100 block of Morris Street have been completed per Council's instructions at a cost of \$3500.00. The contractor also repaired a portion of the Fire Company driveway near the repaired area at no cost to the Fire Company or to the Borough.
4. Two of the three storm drains at the corner of Chatham and 1st Streets have been cleaned. One of the drains needs to have the grate replaced, and also is clogged with hardened concrete. Dominick feels a jackhammer is needed to remove the concrete. The Streets Committee will discuss this issue and report back to Council.
5. The Streets Committee was contacted by the Avon News Agency on State Street regarding street parking in front of their building. During heavy traffic times in the morning, vehicles traveling east on State St. towards the traffic signal are using the street parking area in front of their building as an extended turning lane making customer parking difficult, and dangerous.

Avon News has requested the Borough establish and define painted parking spaces in front of their business. The Streets Committee met with Dominick and it was determined that four [4] 9 feet by 22 feet parking spaces could be established in that area. The parking space sizes are regulated by Section 801.3.1 of the Zoning Code. A sign would also be required as notification that the area is not a turning lane.

The approximate cost to the Borough would be less than \$ 200 which includes the sign, labor, and materials. There are sufficient funds available in the Streets budget. Russ Kilmer made a motion to approve installing the lines for the parking spaces, 2nd by Rose Ann Swift, motion carried.

5. Concerns have been received from a number of residents in the 100 and 200 blocks of Chatham Street [between 3rd & 1st Streets] regarding heavy truck traffic on the street in that area. It seems that large trucks, traveling west on 3rd St. from Church St., are using that area of Chatham St. as an access to Pennsylvania Avenue rather than continuing on 3rd St. to Pennsylvania Avenue where there is no traffic signal. Chatham Street is narrow in this area as there is residential parking on the west side of the street. The situation is both a safety issue to the residents, as well as the fact that the street is being undermined due to the weight of the trucks. The Streets Committee has spoken to the Borough Solicitor

regarding restricting truck traffic in this area, and in order to properly enforce any ordinance, a traffic study would be necessary. The Borough Solicitor feels that a traffic study can be completed by an engineer for less than \$200. The Streets Committee requests permission from Council to authorize the Solicitor to have a traffic study completed. Upon completion, the Streets Committee will present both the traffic study and recommendations to Council. Russ Kilmer made a motion to approve the traffic study not to exceed \$200.00, 2nd by Pat Longen, motion carried.

7. Dominick has repaired, and graded Pomeroy Avenue from the driveway of the Avondale Presbyterian Church to W. 3rd Street.

PUBLIC SAFETY COMMITTEE

Russ Kilmer gave the following report:

POLICE ACTIVITIES

The Committee will schedule a meeting with the Parkesburg Council. The Police are continuing their activities in the Borough. Total fines received for September is \$3,411.74.

PARKS AND COMPOSTING FACILITY COMMITTEE

Pat Longen gave the following report:

THIRD STREET PARK & WATSON PARK

The park's held up well after the rain storm. Everything looks pretty good and the benches will be moved next week.

EARNED INCOME TASK FORCE

President Pusey said when all the forms are returned the Committee will meet and a final report will be given.

OLD BUSINESS

ZONING HEARING BOARD VACANCY

President Pusey said there is still a vacancy on the Zoning Hearing Board.

NEW BUSINESS

AVONDALE FIRE COMPANY BANQUET

President Pusey said the Avondale Fire Company has invited members of Council to attend the Annual Banquet on Saturday, November 19, 2005. Fred Bryan, Rose Ann Swift and Mayor Howell will be attending.

APPOINT JAMES MAC COMBIE – SPECIAL PROJECTS

Fred Bryan made a motion to appoint James Mac Combie for special projects, 2nd by Russ Kilmer, motion carried.

215 PENNSYLVANIA AVENUE

Rose Ann Swift said people are using the window for exiting the building. Bob Cleveland said the Zoning Officer has been notified.

OLD FIRE HOUSE

Bill Webb said that the old fire house is physically in the center of town and Council may want to think about what will happen to it when the fire company moves to the new building.

EXECUTIVE SESSION

Russ Kilmer made a motion to go into Executive Session at 8:00 P.M. to discuss the Route 41 presentation given previous to this meeting, 2nd by Pat Longen, motion carried.

President Pusey called the meeting back to order at 8:25 P.M.

ROUTE 41 COUNCIL DECISION

Russ Kilmer made a motion to give direction to the Borough's Representative not to accept and not to continue with the proposal presented tonight by Glatting Jackson, 2nd by Pat Longen, Rose Ann Swift-yea, Fred Bryan-yea, Bob Cleveland-yea, Jay Pusey-nay, motion carried.

Russ Kilmer made a motion to adjourn the meeting at 8:30 P.M., 2nd by Rose Ann Swift, motion carried.

Respectfully submitted,

Becky Brownback
Borough Secretary