

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

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

GUESTS PRESENT: Bob McCue, Joe DiMatteo, Walter Barcz, Jim Marlowe, Lori Walmer, Bob Kane, Howard Thompson, Harold Brown, AJ DeJoseph, Guy Swift, Shawn Carroll, Greg Hee, Davis Howell

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

BFI

Greg Hee from BFI said two drivers from BFI's were stopped and cited by the Parkesburg Police for being over the weight limit on Indian Run Road while they were making "missed stops" within the Borough. Mr. Hee said both drivers have a Hearing on Friday at District Court and asked Council if BFI could have a letter in writing from the Borough stating that local deliveries are permitted for "missed stops." Jim Marlowe said he will be attending the Hearings and if the drivers were making local pickups, they will have a complete defense to the issuance of the citations and Judge Martin will dismiss the cases.

AVONDALE FIRE COMPANY

Guy Swift gave the following year-end report for the Avondale Fire Company:

FIRE REPORT - VOLUNTEERS

Total of all Municipalities covered	592 Calls	7,029 man hours
Avondale Borough	52 Calls	694 man hours
Total losses in the Borough are estimated at \$50,000.00 (fire at 101 4 th Street)		

Mr. Swift said each call is broken down by man-hours and apparatus hours. If the Fire Company were charging for each of the 52 calls within the Borough, the total man hours cost would be \$6,334.42. The total apparatus cost would be \$3,293.75 for a grand total of \$9,628.17.

AMBULANCE REPORT – PAID STAFF

Total for all Municipalities covered	1,146 Calls	397 not transported
Avondale Borough	93 Calls	Total Cost \$6,327.00

MILLER ENVIRONMENTAL REPORT

Joe DiMatteo reported on the water and wastewater treatment plant for December. The total monthly water production was 2,894,900 gallons with an average daily flow of 93,383 gallons. Total monthly effluent flow was 19,096,000 gallons with an average daily flow of 616,000 gallons. Total monthly New Garden flow was 6,840,730 gallons. The unaccounted monthly wastewater flow was 9,360,370 gallons (49.0%). There were two (2) NPDES Violations recorded within this reporting period. The violations were for exceeding the average monthly loading for ammonia nitrogen and the average monthly loading for total suspended solids. As in the past, Miller Environmental attributes these violations to excessive flows.

The following activities were reported for the WWTP for December:

1. Miller Environmental contractor excavated and repaired leak to curb box valve at 219 Chatham Street.
2. Read water meters for quarterly billing.
3. Shut off and restored water service at 405 Maple Street.
4. Used a portable generator and submersible pump to pump off the excessive water on reservoir cover.
5. Repaired Mettler Toledo scale in Control Building
6. Found leak to the number one influent pump suction cover - ordered parts for repair will complete repair when parts arrive.
7. Performed weekly and monthly preventative tasks.

MONITORING PLAN FOR DISINFECTANTS BYPRODUCTS

Joe DiMatteo said he working on the "plan" with John Gordon from the Chester County Health Department and will have it finished by the February 4, 2004 due date. Mr. DiMatteo said the "plan" does not have to be submitted but has to be "on hand" at the WWTP.

DEAD TREE AT WWTP

Joe DiMatteo said there is a dead tree behind #1 Well House about 60 feet high and he has a fear that it will fall and cause damage to the well house and wiring for both well pumps. The secretary will get an estimate from a tree surgeon.

INFILTRATION

Howard Thompson said there is a serious problem with groundwater infiltration and asked Joe DiMatteo if there is anything Miller Environmental can do to find the worst areas of infiltration. Mr. DiMatteo said in the past, Miller Environmental lifted manhole covers and found the problem is not coming from one area but many different areas.

ENTECH REPORT**APPOINT ENGINEER**

Bob Cleveland made a motion to appoint Entech as the Borough's Engineer, 2nd by Jerry Poe, motion carried.

STATUS OF BLOCK GRANT – HENSON & MAPLE STREET

Walter Barcz said the County reviewed the Design Memorandum and they have no comments at this time. Mr. Barcz said Entech is moving forward with the design, drawings and writing specifications.

STATUS OF PLANT UPGRADE

Walter Barcz said the DEP said they have the Part II Permit ready in draft form and as soon as they get Delaware River Basin Commission's approval, they will issue the permit. Mr. Barcz said the County by virtue of the Revitalization Plan Grant, gives them the right to review the bidding specifications, which they are doing now before the Borough can advertise for bids.

REVITALIZATION GRANT AGREEMENT

Walter Barcz said Entech is compiling inserts and attachments that need to be incorporated into the grant agreement before it goes back to the County.

PENNVEST LOAN – RESOLUTION #04-01-01

Walter Barcz said PennVest needs someone authorized from the Borough to register and sign the loan documents electronically. Fred Bryan made a motion to adopt Resolution #04-01-01 which authorizes the Borough Secretary, Becky Brownback as the contact person for the PennVest loan, 2nd by Jerry Poe, motion carried.

STATUS OF FIRE COMPANY PLANS

Walter Barcz said has not received any response, written or verbal, to Entech's Review Letter that was issued last November. Mr. Barcz said he is working on the Sewage Planning Exemption Module that needs to be submitted to DEP.

REVIEW OF MEETING WITH DEP ON JANUARY 8, 2004

Walter Barcz said he thought the meeting was productive and that DEP realizes the financial burden Avondale is under. Mr. Barcz said DEP's main concerns are the inflow and infiltration problems Avondale is having and they have requested a "Plan of Action" by February 1st. Jerry Poe said DEP wants the Borough to work on the infiltration problems as soon as possible, because they are concerned that when the plant is upgraded it will not be in compliance because of the high flows.

TASK 04 – INCREASE IN BUDGET

Jerry Poe made a motion to increase Task 4, Regulatory Matters by \$8,000.00, 2nd Bob Cleveland, motion carried. Task 4 consists of continuing development of the plant upgrade and expansion, Preparation of “Plan of Action” for I & I, and assisting the Borough and Mr. Marlowe with Consent Order & Agreement language that DEP re-stressed at the January 8th meeting.

STORMWATER MS4 REGULATIONS

Walter Barcz said DEP is now requiring municipalities to obtain a permit to discharge stormwater. Mr. Barcz said KCI Technologies took initial steps during early 2003, and Entech will now move forward with the regulation requirements.

APPROVAL OF FINANCIAL STATEMENTS

Jerry Poe made a motion to approve the financial statements for December, 2nd by Rose Ann Swift, motion carried.

APPROVAL OF BILLS TO BE PAID

Jerry Poe made a motion to approve the bills to be paid for December, 2nd by Fred Bryan, motion carried.

APPROVAL OF MINUTES**COUNCIL MEETING – DECEMBER 16, 2003**

Bob Cleveland made a motion to approve the minutes from December 16, 2003 as written, 2nd by Rose Ann Swift, motion carried.

REORGANIZATION MEETING – JANUARY 5, 2004

Fred Bryan made a motion to approve the minutes from January 5, 2004 as written, 2nd by Jerry Poe, motion carried.

BOROUGH SOLICITOR REPORT**APPOINT BOROUGH SOLICITOR**

Fred Bryan made a motion to appoint Jim Marlowe as Borough Solicitor, 2nd by Bob Cleveland, motion carried.

STATUS OF LENA HORTON PROPERTY

Jerry Poe said he attended the Sale in December and it was not on the Sheriff's Sale list. Mr. Marlowe said he will check with the Sheriff's Department to find out when it will go up for Sale.

STATUS OF WATER RUNOFF FROM LONDON GROVE TOWNSHIP

Jim Marlowe said we are still waiting on a report from London Grove Township's Engineer.

REVIEW PROPOSED CONTRACTORS ORDINANCE

Council had some concerns about the proposed ordinance and will hold a work session on February 3, 2004 at 7:00 p.m. to discuss it in more detail.

AVONDALE FIRE COMPANY PLANS

Jim Marlowe said if the Fire Company does not grant another extension then Borough Council will have to take formal action at the next Council Meeting on February 17th. Mr. Marlowe said if the Plans do not comport completely with all Avondale Borough Zoning and Land Development Ordinances on February 17th then Borough Council will have to vote to deny the Plans.

FINANCE COMMITTEE REPORT

President Pusey said the finance committee is going to look into reopening the budget for the Avondale Fire Company and asked Jim Marlowe if there was a time limit to do this. Mr. Marlowe said the budget can be amended by motion in a public meeting as long as it is within the current years revenue.

PERSONNEL COMMITTEE REPORT

Bob Cleveland reported that the secretary will be on vacation on Friday, February 20th and Monday, February 23rd.

STREET & STREETS LIGHTS COMMITTEE

Bob Cleveland gave the following report:

1. "Stop" sign down at corner of 1st and Morris Street – Dominick fixed.
2. "No Parking This Side" sign on 4th Street was bent and damaged - Replaced.
3. Resident Complaints:
 - a. Resident phone call to Borough Office:
Water being discharged from a pipe at 7 Cook Court – Creating an abnormal amount of icing on Cook Court, and is extending into the center of the street. Dominick salted the area several times, but this will only temporarily fix the problem.
 - b. Water being discharged from a pipe at 601 Poplar Street – creating an abnormal amount of icing at the foot of Poplar Street, extending along Thompson Street and down Maple Street.

*Letters were sent on January 19th by Technicon to each homeowner requesting them to contact the Code Enforcement Officer regarding the discharge of water.

- c. Ellis Snyder of 15 W. Third Street is concerned about the number of Vehicles ignoring the "stop" sign at the corner of Pomeroy and Third Streets. Specifically those vehicles traveling south on Pomeroy Drive after Boy Scout Meetings, and also every Sunday morning around noon after church services at the Avondale Presbyterian Church. Mr. Snyder says about only one in eight cars are stopping. The Secretary spoke with

Chief Sheller and he will schedule an officer for a Sunday in March to address this issue.

- d. Received a complaint from Bob Francis regarding a tree located on the Botkin Property at 412 Pennsylvania Avenue. Mr. Francis said the tree is dead and limbs have fallen and caused damage to one of his vehicles. The Botkin's are away and the house is managed by Beiler Campbell. The Secretary called Tom Biedekapp at Beiler Campbell and he told her that they are not responsible for the tree. The tree needs to be looked at by a tree surgeon and probably needs to come down. Jim Marlowe said under the International Property Maintenance Code, the Borough has the right to take care of emergencies and send the bill to the homeowner. Council gave the Secretary permission to call a tree surgeon and if necessary, have the tree removed.
4. Dominick is having difficulty plowing on New Street near Third Street due to a large bush or tree overhanging about four feet onto New Street. When there is parking on the west, side of New Street, Dominick has difficulty plowing and the Borough truck is being scratched due to the overhand. The tree seems to be on the property line between 313 and 315 New Street. When it is determined which property the tree is located, the secretary will write a letter to the owner.

OLD BUSINESS

PUSEY PROPERTY LAND DONATION

Jay Pusey said there was a concern about being able to get to the part of the property that is "creek locked." Jim Marlowe asked Mr. Pusey if he could get a copy of the "title report", so he could review the right-of-ways.

MUNICIPAL CO-OP REPRESENTATIVE

President Pusey said we need a representative from the Borough to attend the Co-op meetings. Jerry Poe asked the secretary to find out when the next meeting is and he will try to attend.

STATUS OF NEW GARDEN REGARDING SEWER PLANT

The secretary will set up a meeting with New Garden Township.

RATES FOR WATER ABUSERS

The water and sewer committee will look into coming up with a rate for people who use excessive amounts of water.

NEW BUSINESS

DOMINICK DIFILIPPO – CHAIN OF COMMAND

President Pusey said Dominick DiFilippo has an issue with too many people coming to him and giving him directions. Bob Cleveland said if a member of

Council or any resident has an issue, they need to call the secretary rather than to call Mr. DiFilippo.

4TH & CHATHAM STREET

Walter Barcz said he received a call from a consultant working for the owner of the property at 400 Chatham Street. The consultant said the owner of the property wants to restore the existing structure and subdivide then develop the property. Mr. Barcz said he explained the sewer situation the Borough was in at the present time and that it would be problematic to increase any sanitary flow to the system.

COMMITTEE ASSIGNMENTS

President Pusey said if anyone wants to change their committee assignment to please let him know.

SLUDGE HAULING COSTS

Howard Thompson brought up the unresolved issue of the bill for \$67,000.00 from Miller Environmental for additional sludge hauling costs. Mr. Thompson said the Borough sent them a letter requesting documentation to support the additional costs and they have not responded. Jay Pusey said Miller Environmental told Council at a special meeting that it was not a bill but it was just a letter for negotiation. Mr. Pusey said it was suggested a couple of meetings ago to send Miller Environmental a letter and state that if we don't hear anything back in writing from them by a certain date, the Borough will consider the matter closed, but Council voted not to write the letter. Jerry Poe said we should "let sleeping dogs lie" because we did not receive a formal request for funds and we should not deal with it until we get an official request. After some more discussion, the secretary will make copies of the correspondence for the new council members and discuss this issue at the next meeting.

Jerry Poe made a motion to adjourn the meeting at 9:50 p.m., 2nd by Rose Ann Swift, motion carried.

Respectfully submitted,

Becky Brownback
Borough Secretary