

**AVONDALE BOROUGH  
COUNCIL MEETING  
July 16, 2013  
6:00 P.M.**

**MEMBERS PRESENT:** Steve Cummings, Dave Besselman, Abby Pyle, Wilson Lysle, Jim Duffy  
Absent: Bill Shore

**GUESTS PRESENT:** Sandy Masten, Jamie MacCombie, Glenn Diehl, Tom Lowry, Pete Lau, Ken Crossan, Lydia Johnson, Cleve Price, Howard Thompson

After the Pledge of Allegiance, the meeting was called to order by Vice President Cummings at 6:00 p.m.

**PUBLIC COMMENT**

**HOWARD THOMPSON – TAPPING FEES**

Mr. Thompson said he submitted paperwork that he had purchased 4 sewer hook-ups back in 1987 and he would like Council to grandfather in his situation regarding the tapping fees for the sewer hook-ups. Glenn Diehl said if you have a tapping fee that you paid and you paid it at the time it was requested, and it was full compensation, then later the fees change, he doesn't see how that affects what the deal was at that time. Mr. Thompson said at that time the tapping fee was for \$150.00 each (4 edu \$600.00), then the Sewer Committee raised the fee to \$200.00 so he had to bring in another \$200.00 (the \$200.00 check he found but the \$600.00 check he could not find) Mr. Thompson said he had already paid the Tapping Fee. Dave Besselman asked Mr. Diehl if that was his legal opinion that Mr. Thompson is locked in to the cost at that time. Mr. Diehl said yes and Council agreed. Jim Duffy made a motion for Mr. Thompson to be hooked up to the sewer, 2<sup>nd</sup> by Abby Pyle, motion carried.

**KEN CROSSAN-JOHNSON SUBDIVISION – CLOCK DATE – SEPTEMBER 20, 2013**

Ken Crossan said the heirs of the estate are not in a financial position to pursue a Zoning Hearing and would prefer that this matter be deferred to such a time. The heirs have no interest in building on the lot themselves and they would like to explore any other solution that Council finds acceptable. They would like to see if there are any other alternatives besides seeking relief from the Zoning Hearing Board. Glenn Diehl said the alternative is to put a note on the plans that works for everyone. Mr. Diehl will work with Mr. Crossan on the language for the plans for approval at the next Council meeting.

**APPROVAL OF MINUTES**

Dave Besselman made a motion to approve the minutes from June 18, 2013, 2<sup>nd</sup> by Jim Duffy, motion carried.

**PUBLIC HEARING**

The public hearing was opened for proposed ordinance #239 and proposed ordinance #240. There was no public comment

The public hearing was closed.

**ORDINANCE #239 – FIRE ESCROW**

Dave Besselman made a motion to adopt Ordinance #239, 2<sup>nd</sup> by Abby Pyle, motion carried.

**ORDINANCE #240 – WATER AND SEWER TAPPING FEES**

Dave Besselman made a motion to adopt Ordinance #240, 2<sup>nd</sup> by Jim Duffy, motion carried.

The sewer authority has enacted a Resolution to impose the identical tapping fees that the Borough has. Their resolution and the ordinance have the same numbers and have the cross credits.

**AMENDMENT TO LEASEBACK AGREEMENT**

Glenn Diehl said we need to amend the leaseback arrangement between the Borough and the Sewer Authority that authorizes the Borough to collect the tapping fee putting restrictions on how you use the tapping fee. The tapping fee is for the purpose of paying the capital improvements to the system, sewer plant, and the pipes. The tapping fees collected should be put into the capital reserve account. Jim Duffy made a motion to amend the lease agreement so that it states the same thing as the Resolution from the Sewer Authority, 2<sup>nd</sup> by Abby Pyle, motion carried.

**PUBLIC WORKS DIRECTOR’S REPORT**

Cleve Price gave the following report for July:

**Streets Department**

\*Several trees have been down in the street at the following locations:

- Church Street
- Third and Church Street
- Baltimore Pike at the Borough Line
- State Rd at the Borough Line

\*The storm on 7/7/13 caused wind damage around the Borough and residents had trees blown down. There is a lot of brush around the Borough that needs collected. It is my intend to get the chipper running and chip the brush into the dump truck body. I hope to begin chipping early next week pending the chipper is running.

**Water Department**

\*Water meters were read the week of July 5<sup>th</sup>. A list of missed meter reads and device error was issued. There were 12 missed reads and 4 device errors. The missed reads were read on July 11<sup>th</sup> and one device error was repaired. The other three device errors will be repaired but the owners need to be contacted to make an appointment to access the meter. Becky has given me the contact information for the accounts.

\*On July 15<sup>th</sup> I changed out the water meter at 510 Chatham Street, Account #165 for Paulett Bryan. This meter has been monitored for a while due to high usage and at Becky’s request it was changed out.

\*Waterline Flushing and Fire Hydrant Testing notice will be on the water bills that go out this quarter. I would like to schedule them to be done July 22<sup>nd</sup> to July 26<sup>th</sup> between 11:00 pm and 4:00 am each night until done. I would like the notice to say:

**“Attention, Avondale Borough will be flushing the water system beginning on July 22, 2013 and ending on July 26, 2013. The work will be done between 11:00 PM and 4:00 AM. During this**

**time you may encounter air or cloudy water. Let your faucets run until it clears. If you have any questions or concerns please contact Cleve Price at 484-319-8877.”**

\*I have met with Dave Muzzy the Water Circuit Rider from Pennsylvania Rural Water Association last week and we discussed the different water system services they provide for free to member municipalities. We specifically discussed leak detection and pipe locating equipment. This organization may provide so needed assistance in the future. I will keep in touch.

**Wastewater Department**

\*I have been observing EEMA’s operations at the wastewater plant and learning the system. William Fansler and Paul Gainor have been very helpful with my education of the system and equipment at Avondale.

**Utility Cap for New Truck**

Received three quotes:	True Mobility –	\$1,887.20
	Auto & Truck Outfitters -	\$2,552.00
	Auto Port -	\$3,292.40

Dave Besselman made a motion to approve \$1,887.20 for a utility cap from True Mobility, 2<sup>nd</sup> by Abby Pyle, motion carried.

**BOROUGH ENGINEER’S REPORT**

Jamie MacCombie gave the following report

**WILKINSON PROJECT & CONSTRUCTION RELEASE- Extension to December 31, 2013**

Wilkinson is starting to do some of the improvements, they are moving towards getting the final paving done by September. Dave Besselman made a motion to approve the construction release of \$46,385.73 for work performed at Carillon, 2<sup>nd</sup> by Abby Pyle, motion carried.

**WILKINSON POOL & POOLHOUSE**

Wilkinson applied for a permit, it was denied for lack of information. The Stormwater application was sent to Jamie’s office and there were issues with that. Revised plans were submitted today for review.

**CLAY CREEK ROAD IMPROVEMENTS**

The estimated cost for the improvements to Clay Creek Road is: \$70,772.50

Engineering costs would be approximately: \$ 8,846.50

The Total costs would be: \$79,619.00

The estimate includes reconstruction of the road from its intersection with West State Street for an approximate distance of 550 lineal feet to the Avondale Borough Line.

**RESOLUTION #2013-3 – GRANT APPLICATION –GREENWAY, TRAILS AND RECREATION PROGRAM**

We may be eligible for a grant for \$115,174.00, it requires a 20% match of which we have approximately \$20,000 from FEMA and also the Chester County Conservation District said they would provide \$5,000 in kind match to help. It will require a \$100.00 application fee and it needs to be submitted by July 31, 2013. We have the permits in place to do the work. This is for stabilization of the stream bank and the quarry. Dave Besselman made a motion to approve Resolution #2013-3, 2<sup>nd</sup> by Abby, motion carried.

This resolution designates the Council President to execute all documents and agreements to facilitate and assist in obtaining the requested grant.

**BOROUGH SOLICITOR'S REPORT**

Glenn Diehl gave the following report:

**STATE STREET BRIDGE – SETTLEMENT AGREEMENT**

Abby Pyle made a motion to approve to sign the settlement agreement between the Borough and the County and authorize the Solicitor to sign the Stipulation, 2<sup>nd</sup> by Jim Duffy, motion carried.

**LONDON GROVE TOWNSHIP MUNICIPAL AUTHORITY – SEWER CONNECTION**

London Grove Township and the Borough need to meet regarding sewer connections. Glenn Diehl said he will contact London Grove Township.

**ZONING/CODE ENFORCEMENT OFFICER**

Tom Lowry gave the following report

**PROPERTY MAINTENANCE CODE**

Worked with the committee to amend the property maintenance code. In the past we had the old BOCA Codes and then they came in with the state wide building codes and the Uniform Construction Codes which is under the International Code. The Property Maintenance and BOCA Code were adopted as one to continue on as a three year cycle. Some of the issues he has not been able to enforce are the minimum requirements for living areas, stiffer fines, interior furniture on porches and in yards, and no space heaters. The way the current code is written leaves it to his discretion and it wouldn't hold up in court. In order to enforce some of the issues we need to update the Borough's ordinance.

Dave Besselman made a motion to have the Solicitor review the property maintenance code to update it, 2<sup>nd</sup> by Wilson Lysle, motion carried.

**FINANCE COMMITTEE**

**APPROVAL OF BILLS**

Abby Pyle made a motion to approve the bills to be paid up to June 18, 2013, 2<sup>nd</sup> by Steve Cummings, motion carried.

**APPROVAL OF FINANCIAL STATEMENTS**

Abby Pyle made a motion to approve the financial statements, 2<sup>nd</sup> by Steve Cummings, motion carried.

**LAPTOP FOR PUBLIC WORKS DIRECTOR**

Jim Duffy made a motion to approve up to \$1,000 for a laptop for the Public Works Director, 2<sup>nd</sup> by Abby Pyle, motion carried.

**PLANS FOR BOROUGH BUILDING**

Dave Besselman said he exchanged e-mails with Jamie's office, spoke to Tom Lowry, and a contractor about making the garage into a meeting room. The contractor estimated that it would cost between \$100,000 and \$125,000. Jamie's office gave an estimate of \$6,000-\$8,000 to draw up the plans. Mr. Besselman asked Council to move forward and have Jamie's office draw up the plans. Dave Besselman made a motion to approve up to \$8,000 to draw up the plans, 2<sup>nd</sup> by Jim Duffy, motion carried.

**WATER AND SEWER COMMITTEE REPORT**

Dave Besselman gave the following report:

Manhole Inserts – Committee approved \$1,140.38 to order inserts.

C12 Actuator – Installed

Air Conditioner in Office Trailer – Repaired

Radio Read System – Should be shipping by end of month

PA One Call System – Cleve to give Becky contact information to change

New Garden Meters – Committee sent a letter to New Garden Township stating effective immediately, Cleve will read the meters.

Botkin Lien – Sent Glenn Diehl information on May 30, 2013.

**PROPERTY AND EQUIPMENT COMMITTEE**

Wilson Lysle reported on the status

**RESERVOIR ACCESS ROAD**

Rick Tree Service cleared the brush for the 750' of road that goes in a semi-circle pattern to the reservoir. Clanton will begin putting in the road this week and should be finished by the end of next week.

**POMEROY DRIVE**

Pomeroy Drive will be sealed tomorrow. The road will be closed for two days and Cleve will set up the barricades.

**ANNOUNCEMENTS**

- The Water and Sewer Committee will meet on August 13, 2013 at 2:30 p.m.
- Council Meeting August 20, 2013 at 6:00 p.m.
- There will be an Executive Session to discuss a legal issue.

Wilson Lysle made a motion to adjourn the meeting at 7:15 p.m., 2<sup>nd</sup> by Abby Pyle, motion carried.

Respectfully Submitted

Becky Brownback  
Borough Secretary