

**AVONDALE BOROUGH
COUNCIL MEETING
June 15, 2010
6:00 P.M.**

Council Members Present: Fred Bryan, Bill Shore, Junior Snyder, Toyge Davis, Steve Cummings, Jim Duffy **Absent:** Glenn Allen

Guests Present: Jamie MacCombie, Glenn Diehl, Bill Reilly, Dave Friedman, William Fansler, Wilson Lysle, Pete Lau, Lieutenant Tracy Brown

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

RESIDENT AND PUBLIC COMMENT

LIEUTENANT TRACY BROWN

Lieutenant Brown said he is here to introduce himself as the new Commander at the Avondale Police Barracks replacing retired Lieutenant Shelton Sneed. This is Lieutenant Brown's second term at Avondale; his first term was served from 1983-1993.

Lieutenant Brown said he looks forward to working with everyone and will make himself available as much as he can. We would like some feedback on how the State Police are doing whether it is good or bad. We need to know how we are doing because there is always room for improvement.

Bill Shore said he has a concern about people trying to get across Route 41. The Borough has tried many ways to get the pedestrians across safely but to date we do not have any resolution to the problem. Mr. Shore said he is a Fire Policeman and sees first hand that the traffic will not stop. Mr. Shore said the Borough previously had put out signage in the street but it was just ignored or run over by trucks. Lieutenant Brown said he can get the trooper assigned to the area to sit and monitor the traffic. Mr. Shore said there is a big problem on Sunday when people are trying to get across to go to church (Presbyterian Church). Lieutenant Brown said that is an easy fix and if you have a specific time we can have a trooper there for traffic control. Lieutenant Brown thanked Borough Council for the opportunity to come and speak before everyone. Council thanked Lieutenant Brown for coming. Lieutenant Brown left complaint and compliment cards for the public's use.

EEMA'S REPORT

Bill Reilly gave the following report for May 2010:

WASTEWATER TREATMENT PLANT

Wastewater Treatment Plant Flows:

Total Monthly Flow	8,648,000 gallons
Daily Flows Min.	191,000 gallons
Daily Flows Max.	341,000 gallons
Daily Flows Avg.	279,000 gallons

New Garden Township Weekly Flows (Average Gallons/Day)

WEEK	April 28 – May 5	May 5 - 12	May 12-19	May 19-May 26	May 26-June 2
ROUTE 41	39,318	37,751	35,785	37,720	32,180
RAILROAD	70,921	58,305	57,478	58,722	54,665
Total	110,239	96,056	93,263	96,442	86,845

OPERATIONS

- Hauled 22,000 gallons of sludge

WATER TREATMENT PLANT
Production Summary

Water System		Well #1	Gallons/Day	Well #2	Gallons/Day
Total Well #1	2,181,200	Minimum	60,800	Minimum	12,900
Total Well #2	525,400	Maximum	77,300	Maximum	20,000
Total:	2,706,600	Average	70,361	Average	16,948
Avg. gpd	87,310				

Water Actions:

- 321 Church Street – reread meter
- 221 Church Street – reread meter
- 32 Gap Newport Pike
- Reread 221 Church Street and tested meter per Borough request. Meter operating correctly.

Facilities Maintenance Report:

Wastewater Treatment Plant

- Headworks issue due to a wiring problem. Headworks now running in normal operations

Collection and Distribution System

- Total PA 1 Calls - 3
 - Route 41 State Road
 - Pomeroy and 3rd Street
 - PA 41 and Valero

PERMIT VIOLATIONS:

No permit violations for the month.

BILL REILLY – LEAVING EEMA

Pete Lau said effective June 24, 2010, Bill Reilly is leaving EEMA and moving to Wisconsin. William Fansler will be here temporary permanent until someone can be trained. Council thanked Bill for his services to the Borough.

NOISE AT PLANT

Dave Friedman gave the following report:

We have received two quotes:

The first quote is from BRD Noise and Vibration Control, Inc. BRD's quote is for \$3,735 and is a front to end scope of work. BRD will come out and do the analysis, investigate the level of noise to find out whether it is a problem noise and then forward recommendations to mitigate the noise.

The second quote, Metropolitan Acoustics is a two phase quote. First they would do a site noise survey by checking levels around the site. After the Phase I, they will issue a report on whether they found noise levels to exceed the acceptable limits. Phase II would be their report and recommendations on how to mitigate the noise. The first phase is \$1,000 and the second phase is \$2500.

Jim Duffy made a motion to accept Metropolitan Acoustics proposal for Phase I at \$1,000, 2nd by Toyge Davis, motion carried.

BOROUGH SOLICITOR'S REPORT

Glenn Diehl gave the following report:

WATER AND SEWER ORDINANCE - APPROVE TO ADVERTISE

Toyge Davis made a motion to approve Glenn Diehl to advertise the water and sewer ordinance as soon as the Borough Engineer, EEMA and Mr. Diehl agrees on the specifications, 2nd by Bill Shore, motion carried.

EAST PENN RAILROAD

The financial components are being reviewed by the decision makers.

ZONING ORDINANCE UPDATE

There are some items that should be addressed in the Borough's existing zoning ordinance. Mr. Diehl said because Avondale is mostly all developed he recommends not to spend time and money on a new ordinance. A start would be to identify problems that exist and modify the existing ordinance to work for Avondale. We want to fit the ordinance to the existing things in the Borough because one of the functions of the ordinance is to protect existing uses and make them valuable.

BOROUGH ENGINEER'S REPORT

Jamie MacCombie gave the following report:

WILKINSON – 2.8 MILLION DOLLARS COMMITMENT

As part of Wilkinson's approval, Wilkinson was required to make a commitment to spend 2.8 million dollars to do improvements and rehabilitation projects with regards to the sanitary sewer system. There is a remaining balance of \$1,990,282.71 as of 5/25/10. (Council was given the breakdown of actual expenditures and is on file at the Borough Office)

Under the agreement, Wilkinson was required to spend \$933,333.33 by May 25, 2011. As of this date, \$815,171.60 was spent with a remaining balance of \$118,171.60 unused balance. The agreement states any unused balance is subject to a 3.5% interest rate, which is \$5,444.44 per month until the money is spent.

WELLHEAD PROTECTION

Bill Shore asked about the cost of wellhead protection. Jamie MacCombie said he believes the anticipated expenditure for the project was \$650,000. In the document there is another section where Wilkinson is obligated to spend \$1,100,000 for water improvements which is wellhead protection.

At the time the document was written, Walter Barcz was the Borough's Engineer and his company was supposed to be designing the wellhead protection. It was supposed to be completed by March 29, 2009 and it wasn't. Mr. Barcz left Entech and Mr. MacCombie was hired to be the Borough's Engineer. Mr. MacCombie said he met with representatives of Wilkinson in July 2009 and Wilkinson asked why they did not have the design. In July 2009, Mr. MacCombie completed the design and specifications for the wellhead protection. The design and specifications were given to Wilkinson and according to the agreement they had 30 days to bid it. After about 90 days had gone by, Mr. MacCombie asked Wilkinson what their bid was. The response is that they were not interested in bidding.

Bill Shore said if we can legally compel Wilkinson to pay for the wellhead protection project then we should send it out to bid and get this project moving, Council agreed. Mr. MacCombie said he will contact Wilkinson and ask them for a bid, if they do not want to bid, he will get it in writing and move forward with getting bids for the project.

STATE STREET PROJECT

The Contractor is in the process of executing the Contract. Once we get the signed contract back, we will schedule a pre-construction meeting.

ROUTE 41 REPAIR AT 6TH STREET

Bill Shore made a motion to approve Wagontown Construction, Inc. to do the patch paving repair work on Route 41 near 6th Street in the east bound lane for \$1,950.00, 2nd by Steve Cummings, motion carried.

MUSHROOM EXPRESS – ESCROW RELEASE

Junior Snyder made a motion to release the remaining \$4,788.95 of escrow to Mushroom Express, 2nd by Jim Duffy, motion carried.

STORM DRAIN AT THIRD AND POMEROY

Mr. MacCombie said he looked at the Environmental and Act II Study and the substance that was dug up is benzo(a)pyrene. The maximum statewide health limit is 2.5 mg per liter. The area that was dug up was the area that was identified in the report had 24 mg per liter which is almost 10 times over the limit and was one of few areas not excavated. The report identified areas that were excavated and they went down approximately 3 feet and took out the contaminated soil and transported off site under Act II, 75% x 10 rule. The rule requires that 75% of all samples collected for attainment purposes must be equal to or less than the standard with no individual exceeding 10 times the standard. When they did all the testing in the areas they removed the dirt and all samples were at least 2.5 or less. When they did the sampling adjacent to Pomeroy Avenue they have samples of 24 mg per liter and this is less than the 75% x 10 rule. There are many problems if we continue with the project. If we go and put in the pipe, we are going to cut right into ground water and hit the sheet piling that was installed to keep the penetration of groundwater from contaminating the creek and we would have a disaster. Mr. MacCombie said his recommendation is to leave it alone. Council agreed not to pursue the project at this time.

FINANCE COMMITTEEAPPROVE THE BILLS TO BE PAID

Junior Snyder made a motion to approve the bills to be paid up to June 15, 2010, 2nd by Steve Cummings, motion carried.

APPROVE FINANCIAL STATEMENTS

Jim Duffy made a motion to approve the financial statements, 2nd by Toyge Davis, motion carried.

APPROVAL OF MINUTES

Junior Snyder made a motion to approve the minutes from May 25, 2010, 2nd by Jim Duffy, motion carried.

EMERGENCY MANAGEMENT COORDINATOR

Bill Shore reminded Council about the Emergency Management training they need to do. Mr. Shore offered his help if anyone needed it.

STREET AND STREET LIGHTS COMMITTEE**WOODEN GUARD RAIL ON POMEROY AVENUE**

Jim Duffy said he looked into putting in the wooden guard rail on Pomeroy and it is not going to be an easy fix to put in the railing. There is a cherry tree growing where you would need to drill down to put in the post to support the railing. Mr. Duffy suggested getting it done professionally and put in a metal railing or we would have to take down the tree.

STATE STREET BRIDGE – SIGNAGE

Steve Cummings made a motion to approve temporary rental of signage for the lowering of the State Street bridge up to \$1,000.00, 2nd by Jim Duffy, motion carried.

PROPERTY & EQUIPMENT COMMITTEE

Junior Snyder gave the following report:

STREET LIGHT AT MAINTENANCE BUILDING

The light has been installed.

PARKS AND COMPOSTING FACILITY

Bill Shore gave the following reports.

COMPOSTING FACILITY

The composting facility has been cleaned out. Junior Snyder said Dominick would like a dumpster put at the composting site so it could be filled and dumped periodically. Mr. Shore said he and the Mayor are meeting this week to go over the regulations because Mayor Howell set up the composting facility and we want to make sure we are within the State guidelines. We will look into putting a dumpster at the facility.

NEW BUSINESS**RESERVOIR**

President Bryan said we are in need of replacing the fence at the reservoir and asked EEMA to get estimates on a new fence and estimates on some type of electricity to the reservoir including solar powered. Jim Duffy suggested putting up a chain to keep people from going up the path to the reservoir.

GENERATORS - TRAFFIC LIGHTS

Junior Snyder made a motion to spend up to \$100.00 for cables and locks to secure the generators when the electric power is out at the traffic lights, 2nd by Toyge Davis, motion carried.

ANNOUNCEMENTS

President Bryan announced the following:

- There will be an executive session after this meeting to discuss a real estate issue.
- There will be a Council meeting on June 22, 2010.

Junior Snyder made a motion to adjourn the meeting at 8:10 p.m., 2nd by Bill Shore, motion carried.

Respectfully submitted,

Becky Brownback
Borough Secretary