

**AVONDALE BOROUGH
COUNCIL MEETING
OCTOBER 16, 2007**

MEMBERS PRESENT: Fred Bryan, Bob Cleveland, Howard Thompson, Russ Kilmer, Patrick Longen, Patrick Harrison, Glenn Allen

GUESTS PRESENT: Mayor Howell, Glenn Diehl, Jamie MacCombie, Bill Shore, Michelle Steele, Jerry Poe, Sali Cosford-Parker, Delores Lawless, Steve Frye

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

NOMINATIONS FOR BOROUGH COUNCIL PRESIDENT

Due to the resignation of Bob Cleveland as Council President a new president needs to be appointed.

Fred Bryan announced that nominations were open for President of Borough Council. Russ Kilmer nominated Fred Bryan. There were no more nominations. The Secretary took a voice vote and the vote was unanimous. Fred Bryan accepted the position as President of Borough Council.

NOMINATIONS FOR BOROUGH COUNCIL VICE PRESIDENT

Since Fred Bryan accepted the position of President of Borough Council an appointment is needed for his previous seat as Vice President.

President Bryan announced that nominations were open for Vice President of Borough Council. Russ Kilmer nominated Pat Longen. Patrick Harrison nominated Glenn Allen. There were no more nominations. The Secretary took a voice vote. Russ Kilmer–Pat Longen, Patrick Harrison–Glenn Allen, Glenn Allen–Pat Longen, Pat Longen–Glenn Allen, Howard Thompson–Glenn Allen, Bob Cleveland–Glenn Allen, Fred Bryan–Glenn Allen. The vote is two votes for Pat Longen and five votes for Glenn Allen. Glenn Allen accepted the position as Vice President. Mr. Allen also accepted the position of Finance Committee Chairperson.

EEMA REPORT

Michelle Steele gave the following report:

OPERATIONS REPORT

Wastewater Treatment Plant Flows:

Total Monthly Flow	5,112,000 gallons
Daily Flows Min.	132,000 gallons
Daily Flows Max.	228,000 gallons
Daily Flows Avg.	170,000 gallons

NEW GARDEN WEEKLY FLOWS

WEEK	9/5 – 9/12/07	9/12 - 9/19/07	9/19 to 9/26/07	9/26 – 10/3/07
ROUTE 41	40,864	43,331	42,224	40,841
RAIL ROAD	58,242	55,450	60,605	56,214

- Removed 6,000 gallons of sludge from Wastewater Treatment Plant

- On September 11th had issues with Chlorine System. Switched to hypochlorite to disinfect. Drove to NJ for new injector. Diffuser was plugged. On September 28, Walabax drilled larger and more holes in diffuser pipe. Chlorine system back online on September 28. Chlorine auto setting still not working.
- September 26, one odor complaint. Due to being a hot day and the change in starting the digester blowers that day causing odors to be stronger than normal.
- Walabax on site September 27 completed punch list.

MAINTENANCE REPORT

- There were five PA One Calls.
 - 6 Cook Court (Sept 4)
 - 332 Church Street (Sept 4)
 - 121 Pennsylvania Avenue (Sept 10)
 - 420 Pennsylvania Avenue (Sept 25)
 - West Second Street (Sept 25)
- There were three (3) Action Request forms received resulting in the following;
 - Three (3) meter read
 - 13 Miller Drive (Sept 12)
 - 91 Pennsylvania Avenue
 - 200 Chatham Street

PROJECTED OPERATION & MAINTENANCE PLAN FOR JULY:

- Complete manhole inspections for Zone C.
- Completed hydrant flushing 3rd week in October.

WATER QUALITY REPORT:

Water System Flows

Total Well #1	2,692,200 gallons		
Total Well #2	691,400, gallons		
Total Monthly Flow	3,383,600 gallons		
Daily Flows Min. Well #1	54,500 gallons	Min. Well #2	13,600 gallons
Avg. Well #1	89,740 gallons	Avg. Well #2	31,500 gallons
Max. Well #1	122,600 gallons	Max Well #2	23,047 gallons

OPERATIONS REPORT

- Water quality met all regulatory and contractual requirements during the month.
- Read water meters for the quarter

MONTHLY GRIEVANCES:

There were no grievances for the month.

PERMIT VIOLATIONS: None

BOROUGH SOLICITORS REPORT

Glenn Diehl gave the following report

GRANT APPLICATION – DEPARTMENT OF COMMUNITY DEVELOPMENT

Unless Council has another suggestion, the plan is to submit an application to continue the upgrade of the water system and will work on accumulating engineering data for the application. Council had no objections.

Mr. Diehl said he wants to talk about the following in executive session: The Pyle Property, DEP Settlement, Hampton Property, and the Wilkinson Project.

BOROUGH ENGINEERS REPORT

Jamie MacCombie gave the following report

I & I STUDY

Information is being gathered from the monitoring of the treatment plant meter and the temporary meter to determine the accuracy of the plant meter.

FLASHING LIGHTS – FIRE COMPANY

The Condition Diagram will be done in about two weeks and then it will be forwarded to PennDOT to prepare the permit plan.

FINANCE COMMITTEE

Fred Bryan gave the following report

2008 BUDGET

The committee has been working on the budget and asked Council to review the draft and let him know if there are any comments, questions or changes. The plan is to approve to advertise the budget at the November Council Meeting and adopt it at the December meeting.

APPROVAL OF BILLS TO BE PAID

Russ Kilmer made a motion to approve the bills to be paid, 2nd by Pat Longen, motion carried.

APPROVAL OF FINANCIAL STATEMENTS

Russ Kilmer made a motion to approve the financial statements, 2nd by Pat Longen, motion carried.

APPROVAL OF MINUTES

Russ Kilmer made a motion to approve the minutes from September 18, 2007 as written, 2nd by Pat Longen, motion carried.

MAYOR'S REPORT

Mayor Howell gave the following report

FALL FESTIVAL

Thanks to the committee, we had an awesome Fall Festival. There was no way of tracking the amount of people, but we had a very large crowd. We only have four couples left on the committee and we are going to need new volunteers for next year.

TREE LIGHTING

The tree lighting is scheduled for December 1, 2007 and we already have music and Santa Claus lined up. Mayor Howell asked Council to approve buying the cookies and hot chocolate for the event. Russ Kilmer made a motion to approve up to \$200.00 for amenities for the tree lighting, 2nd by Pat Longen, motion carried.

STREETS AND STREET LIGHTS COMMITTEE

Howard Thompson gave the following report

1. Put up Pedestrian signs at 5th and Pennsylvania Avenue, 3rd and Pennsylvania Avenue and 2nd and Pennsylvania Avenue. We have one to put up at State Street and Pomeroy Avenue as soon as Dominick puts down the crosswalk.
2. Dominick will re-build the storm drain at 2nd & Chatham Streets.
3. Dominick cleaned out the storm drains at Church and Maple Streets, Third and Church Street and one on Route 41 across from fire house.

4. Dominick is working on the maintenance items on the State Street Bridge. Received one estimate for the bridge need two more.

WATER AND SEWER REPORT

Howard Thompson gave the following report:

1. Dominick repaired a water leak at Third Street and Pomeroy Avenue.
2. Located a curb stop at 6th and Chatham Streets.

PUBIC SAFETY COMMITTEE

Russ Kilmer gave the following report

POLICE ACTIVITIES

The police are still doing their normal fall hours. They were here for the Fall Festival and they will be here for Halloween. They have a task force where they bring in officers from other departments to weigh and inspect trucks. Today, they got over \$12,000 in fines for illegal trucks and this will help to defray the cost of the police. The police bring in about 50-60% to cover their cost. When Parkesburg finishes their budget we will know the hourly cost of the police for 2008.

PROPERTY AND EQUIPMENT COMMITTEE

Russ Kilmer gave the following report

STATUS OF QUARRY PROPERTY ON INDIAN RUN ROAD

Continuing to work with Mr. Smith on getting the property cleared.

NEW GARDEN LIAISON COMMITTEE

Mayor Howell said the Committee has a meeting with New Garden Township tomorrow at 4:00 p.m.

PARKS, ENVIRONMENTAL AND COMPOSTING COMMITTEE

PARKS

Pat Longen gave the following report

Would like to purchase some mulch in the spring for Pomeroy Park. Still working on getting rid of the remaining wood in Watson and Indian Run Parks. A kiosk is being built by Ryan Ramberger at the Pomeroy Park to earn his Eagle Scout position.

COMPOSTING FACILITY

Patrick Harrison gave the following report

After spending \$1,000 trying to get rid of the snakes, Dominick saw a snake today and it seems like we are going to have a permanent problem. APM used three different kinds of traps and Snake Away every month they were here. We are going to wait until it gets cold out before we can start maintaining the facility.

Russ Kilmer asked if it was worth spending \$1,000 and going through this every year because the snakes are not going to go away. If we need to get rid of the stuff at the facility, we should rent a rollback and open the facility certain days of the month and pay to have it dumped. We need to re-visit this whole composting facility operation. Council agreed to put up a sign at the facility warning people of the copperhead snakes.

EARNED INCOME TAX COMMITTEE

Fred Bryan said 55 additional names were sent to Berkheimer to be added for the 1% Earned Income Tax.

Russ Kilmer made a motion to go into Executive Session to discuss legal matters at 6:55 p.m., 2nd by Pat Longen, motion carried.

The meeting was brought back to order at 7:50 p.m.

DEP – CONSENT ASSESSMENT OF CIVIL PENALTY (CACP)

Russ Kilmer made a motion to accept DEP's CACP, either with Glenn Diehl's proposal, or "as is", and to give the Borough's Officers approval to sign the CACP once Mr. Diehl approves it, 2nd by Pat Longen, motion carried.

Pat Longen made a motion to continue this meeting until October 23, 2007 at 6:00 p.m., 2nd by Russ Kilmer, motion carried.

**COUNCIL MEETING
OCTOBER 23, 2007
CONTINUED FROM OCTOBER 16, 2007**

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

GUESTS PRESENT: Mayor Howell, Glenn Diehl, William Fansler, Stu Bruce, Michelle Steele, Jamie MacCombie, Julia Coleman, Tom Lowry, Dan Cusent

President Bryan brought the meeting back to order at 6:00 p.m.

POST OFFICE SHED

Bob Cusent, Postmaster for the Avondale Post Office, said the original postmaster Dan was reassigned to West Chester and he was the one that put up the shed without a permit. Mr. Cusent said he is here to find out what can be done to rectify the situation.

Tom Lowry said because it is a commercial business, it does require land development plans. Council can waive this requirement and have the Post Office apply for just a permit. Russ Kilmer made a motion to waive the land development requirement, but require a permit and comply with the zoning requirements, 2nd by Patrick Harrison, Howard Thompson-yea, Bob Cleveland-nay, Howard Thompson-yea, Glenn Allen-yea, Fred Bryan-yea, motion carried with a 5-1 vote.

Russ Kilmer made a motion to go into Executive Session after the Water and Sewer Committee Meeting and the Planning Committee meeting at 6:05 p.m.

President Bryan brought the meeting back to order at 8:20 p.m.

DELORES LAWLESS

Ms. Lawless said she has heard that Mr. Wilkinson has filed for bankruptcy. Glenn Diehl said we have no comment. Mr. Diehl said what we can talk about is Borough policy and decisions. Ms. Lawless asked if the project at the quarry is the Borough's decision to have that project go forth. Jamie MacCombie said it is outside the scope of any of the Borough's ordinances, so it fell under the office of DEP through the Division of Mining. They received a permit from the State through that operation so any questions specific to how that operation is going could be asked to a representative of that DEP division. Mr. MacCombie said personally he wasn't thrilled when

Wilkinson decided to mine the quarry, but the Borough didn't have anything in the ordinances at the time to prevent him from mining so it is solely under the State's jurisdiction.

Ms. Lawless asked why the trash changed from BFI to Penn Container, owned by Wilkinson. Russ Kilmer said Penn Container is owned by his son. Patrick Harrison said we changed from BFI to Penn Container through a bid process. We took bids from other companies and Penn Container was the lowest bid and was awarded the contract. We are trying to keep the cost down to our residents.

Ms. Lawless asked if there was a date for the groundbreaking of the Wilkinson Project for the property off of Church Street (quarry property). Jamie MacCombie said there is no set date until the subdivision plans are approved and recorded.

Ms. Lawless asked what was going on with the Jerry Poe subdivision. Jamie MacCombie said Mr. Poe submitted preliminary plans. Mr. Poe met with Mr. Diehl and himself to get clarifications on issues that need to be made. Mr. Poe has made some changes to his plans and there are still concerns on stormwater management and its effect on Thompson and Third Streets and no new plans have recently been submitted.

BOROUGH BUSINESS SIGN

Fred Bryan said the business sign is falling apart and we have received three proposals to redo the sign. Mr. Bryan said we are pursuing to ask Senator Pileggi to fund this sign. Russ Kilmer made a motion to approve the new sign up to \$6,000.00, but to vigorously pursue trying to get the funding from Senator Pileggi, 2nd by Patrick Harrison, motion carried.

Russ Kilmer made a motion to continue this meeting to October 30, 2007 at 5:00 p.m., 2nd by Patrick Harrison, motion carried.

COUNCIL MEETING OCTOBER 30, 2007 CONTINUED FROM OCTOBER 23, 2007

MEMBERS PRESENT: Fred Bryan, Bob Cleveland, Russ Kilmer, Patrick Harrison, Howard Thompson
Absent: Glenn Allen & Pat Longen

GUESTS PRESENT: Mayor Howell, Bill Romanelli, Delores Lawless, Mike Shiring

President Bryan brought the meeting back to order at 5:00 p.m.

WILKINSON PROJECT

Glenn Diehl said the applicant has some concerns about some of the provisions that are in the draft resolution. The applicant is here to share their concerns.

Mike Shiring, Land Use Attorney for Wilkinson spoke about the following concerns:

Wilkinson is asking for a final conditional approval because he is trying to get the financing to keep the project going. Under the original I & I proposal, Wilkinson needs 56,000 gallons per day of capacity. Right now, based on the progress with DEP, 50,000 gpd has been allocated to the project. Wilkinson understands that 45,000 gpd goes to New Garden and 25,000 gpd is allocated to Avondale. What Wilkinson is asking is that he be included in the

25,000 gpd of the Borough's capacity for the 6,000 gpd that is needed for the project. This would allow the bank to know that there are 56,000 gpd is available for the project and finance the project accordingly.

Chester Water Authority letter. From the preliminary approval, Wilkinson is allowed to pursue public water to the development through CWA until the Borough says they have enough water to supply the project. Part of the resolution has a provision that says we will move forward on the construction of the well head protection as soon as Jamie MacCombie has the specifications and permits. We are asking to start this as soon as July 2008. We need a letter from Council to Chester Water Authority stating that Wilkinson will have water for the project.

There are stormwater easements from the basins to the White Clay Creek that go over Borough property and Mr. Diehl is not ready to approve these easements at this time. The bank is saying that it is not an approved preliminary plan unless you can discharge the stormwater.

Sewer rental rates. While this reservation of capacity is sitting out there, the Borough needs some assurance that sewer rental rates are going to be paid for. What Mr. Diehl is proposing is that one year from the date of first installment; Wilkinson has to be paying for or has sold all 83 units. Wilkinson is asking that the Borough give us two years or maybe something in between to give enough time to sell the houses.

Mr. Diehl said Council needs to go into executive session to discuss these issues.

Patrick Harrison made a motion to go into Executive Session at 5:20 P.M., 2nd by Howard Thompson, motion carried.

The meeting was brought back to order at 6:40 p.m.

Russ Kilmer made a motion to adjourn the meeting at 6:40 p.m., 2nd by Patrick Harrison, motion carried.

Respectfully submitted

Becky Brownback
Borough Secretary