

**AVONDALE BOROUGH  
COUNCIL MEETING  
August 17, 2021  
6:00 P.M.**

**COUNCIL MEMBERS PRESENT:** Bill Shore, Dave Besselman, Bob McCue, Dottie Howell, Paul Morgan

**GUESTS PRESENT:** Mayor Cummings, Sandy Masten, Dennis O'Neill, Kim Venzie, Mike Bostic, Janet Watts, Lt. Joe Greenwalt.

After the Pledge of Allegiance, the meeting was called to order by President Shore.

**RESIDENT AND PUBLIC COMMENTS**

**JANET WATTS – NEXTERA CONTRACT**

Ms. Watts said her concern with Nextera even though they agreed to a five-year contract are we going to find ourselves down the road where it will be costing considerably more to the Borough after the grace period ends. Dave Besselman said our Solicitor has been working on the legal side of the contract to make sure the Borough is protected at least for the next 10 years. President Shore said Dave has put a lot of work into this and Council has struggled for a few meetings negotiating with Nextera to where we were comfortable and keeping the best interest of the Borough to upgrade to LED street lights.

**APPROVAL OF MINUTES**

Bob McCue made a motion to approve the minutes from the Council Meeting on July 20, 2021 and Work Session on August 10, 2021, 2<sup>nd</sup> by Bob McCue, 2<sup>nd</sup> by Paul Morgan motion carried.

**SCCRPD**

Lt. Joe Greenwalt gave the following report:

National Night Out's turnout wasn't too bad considering how we scaled back on the advertising because of the recent outbreak of the coronavirus in the area. Next year, we plan to go all out and make up for the past two years. On Friday night they had a joint DUI checkpoint with the State Police. In four hours, they interacted with over 130 people. We had 10 DUI arrests and 2 drug arrests during this time. The SCCRPD will be hosting a 911 ceremony at the SCCRPD police station on September 11<sup>th</sup> at 8:00 a.m.

**BOROUGH ENGINEER'S REPORT**

Dennis O'Neill gave the following report:

**NEW WATER SUPPLY**

We either got a surge from PECO or a lightning strike at the new well. We were only getting two legs of a three-phase power. PECO came out and got the three legs back working but then noticed the breaker tripped the surge protector on the transformer. When the power was turned back on there was smoke, sparks, and fire. Right now, everything is shut down until a new transformer is installed. The Transformer was ordered and Mike LaFrance is going to go through the electric in the building to make sure there isn't any more electrical damage.

RESERVOIR COVER

Eastern Environmental is scheduled to start the reservoir cover replacement project on October 4<sup>th</sup>. We are waiting on J.H. Waters, the cover manufacturer and installer.

STREAMBANK STABILIZATION PROJECT – Payment Request #1

The contractor finished the Quarry and have moved down to the streambank for the 2<sup>nd</sup> half of the project. Dave Besselman made a motion to approve the invoice requisition release in the amount of \$61,380.00, 2<sup>nd</sup> by Bob McCue, motion carried. They were shutdown last week because they had two positive COVID cases.

WEST STATE STREET RECONSTRUCTION

Spoke to Long's Paving and they are planning the last week in September or the first week in October to do W. State Street. Working with PennDOT to get a Liquid Fuels number but he needs to know how much will be used for General Fund and how much will be used with Liquid Fuel money. The Treasurer will send the numbers to Dennis. The quote to mill and pave the Borough Building Parking lot is \$17,950.00. Dennis will get two more quotes.

QUARRY OPTIONS

We looked at some quarry options. We would need DEP's approval to drain the quarry and then fill it with dirt. The company that installed the aerator a few years back said the quarry is about 16' deep and has no aquatic life.

TRAFFIC LIGHTS – RETIMING TWO SIGNALS EVALUATION

Met with Brian Jatzke from Iteris, Inc. who is a traffic engineering consulting firm hired by PennDOT to do a retiming study at the traffic signals at Route 41 & W. State Street and at Route 41 and Baltimore Pike because they have received complaints about the operations of the two signals. The two signals are not functioning simultaneously. They asked Dennis to look at the information and make some recommendations. One of Dennis' recommendations is to connect the two signal intersections by fiber optic controlled by one computer and timer so they won't go out of sync. Also, we asked them to look at the train switching further back into their yard so the gates do not come down unless they are making a movement out into the street. Dennis asked them to put in a dedicated pedestrian crossing in at W. State and Route 41 so that if someone pushed the button all the lights would cycle to red and allow a crossing. PennDOT is not real keen on these types of crossings because it can take a couple of cycles to reboot the computer. Iteris is supposed to make their recommendations to PennDOT by September 13<sup>th</sup>.

BOROUGH SOLICITOR'S REPORT

Kim Venzie gave the following report

NEXTERA CONTRACT REVIEW

Borough Council approved Kim to move forward and review the contract and was tasked with working with Nextera's attorney to fine tune the agreement to make sure it was in the best interest of the Borough. In the contract it referenced taxes and she was concerned about that. The attorney from Nextera said the property tax estimates are built into the service charge and will not fluctuate. The last service charge per month is \$564.00 per month and will remain the same for 10 years. Nextera wanted jurisdiction in Florida but agreed to jurisdiction in Pennsylvania and all Pennsylvania laws will apply. There are 12 poles for the

lights and Avondale will own the poles. Kim will finalize the contract by the end of the week and have the President to sign it. Council needs to authorize Bill to sign the contract when it is finalized. Dave Besselman made a motion to approve President Shore to sign the contract when it is finalized, 2<sup>nd</sup> by Bill Shore, Dottie Howell-nay, Bob McCue-nay, Paul Morgan-nay, motion not carried with a 2-3 vote.

#### WEBB PROPERTY

Reached out to Bill Webb's attorney to find out if Mr. Webb would be interested in selling his property on Indian Run Road and he is definitely not interested in selling the property.

#### EXISTING CONTRACT WITH KBX TO WINDRIVER ENVIRONMENTAL

Windriver has merged with KBX Golden and they are asking Avondale to allow a transfer of the existing contract with KBX Golden to be transferred to Windriver. Council agreed to approve President Shore sign the transfer letter.

#### APPROVAL OF BILLS AND FINANCIAL STATEMENTS

Paul Morgan made a motion to approve the bills and financial statements from July, 2<sup>nd</sup> by Bob McCue, motion carried.

#### FIRE / EMS TAX

After discussion, Paul Morgan made a motion to approve Kim Venzie to move forward with preparing an ordinance with a 1 mill Fire/EMS Tax, 2<sup>nd</sup> by Bob McCue, motion carried.

#### OLD BUSINESS:

##### SOLID WASTE MANAGEMENT PLAN FOR CHESTER COUNTY - 10 YEAR PLAN

Dottie Howell said the plan basically states that the trash in Southern Chester County has to go to SECCRA Landfill and the trash in Northern Chester County has to go to Lanchester Landfill. The SECCRA landfill serves 22 municipalities and is run by an authority made up of 10 board members. Lenee Bryan resident of Avondale Borough sits on the SECCRA Board.

##### BALTIMORE PIKE TRAILS STUDY

This study consists of trying to build a trail from Oxford to Kennett Square along Baltimore Pike. The study is done and the Borough will be getting a hard copy.

##### HEROES WALL

Bob Knabb from the brewery wants to do a fundraiser for the hero's wall. There is no date set for the fundraiser.

#### NEW BUSINESS

##### TREES ALONG PENNSYLVANIA AVENUE / ORDINANCE

Dave Besselman said there are some trees along Pennsylvania Avenue that need trimmed and he would like approval to get an arborist to come out and identify the trees that need cut or trimmed. When we get a list of the trees from the arborist, we will send the property owners a notice giving them so much time to take care of the trees.

FEDERAL FUNDING FOR AMERICAN RESCUE GRANT

Kim Venzie previously sent out a memo to Council to offer guidance on the eligible uses of the funds being provided to local municipalities. Kim said she separated the uses into four categories: 1. Public Health and Negative Economic Impact Use. 2. Essential Workers Pay Use. 3. Government Revenue Loss Use. 4. Investments in Infrastructure Use.

ANNOUNCEMENTS

- Work Session – Tuesday, September 14, 2021 @2:00 p.m.
- Council Meeting – Tuesday, September 21, 2021 @ 6:00 p.m.

Council went into Executive Session at 8:20 p.m. to discuss a legal issue.  
Council back from Executive Session at 8:50 p.m.

Dave Besselman made a motion to adjourn the meeting at 8:50 p.m., 2<sup>nd</sup> by Bob McCue, motion carried.

Respectfully Submitted,



Becky Brownback  
Borough Secretary