

**AVONDALE BOROUGH  
COUNCIL MEETING  
February 16, 2021  
6:00 P.M.**

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

**GUESTS PRESENT:** Mayor Steve Cummings, Sandy Masten, Dennis O'Neill, Kim Venzie, Kevin Brophy, John Watts, Ulises Aguilera, Louis Kaplan, Ellen Kohler, Shane Morgan

The meeting was called to order by President Shore.  
This meeting was conducted via Zoom.

**PUBLIC HEARING - ORDINANCE #269**

Kim Venzie opened the public hearing.

This is an ordinance setting forth and defining authorized fire department activities, workers compensation coverage, fiscal reporting requirements and administrative provision related to the operation of fire companies as designated by the Borough.

There are two procedural exhibits on behalf of Borough Council:

Exhibit B-1: Proof of publication advertised on February 2, 2021 in the Daily Local News.

Exhibit B-2: Email from Ms. Venzie's office on February 3, 2021 providing the proposed ordinance to the Chester County Law Library for public inspection.

There were no public comments. The Hearing was closed.

Dave Besselman made a motion to adopt Ordinance #269, 2<sup>nd</sup> by Paul Morgan, motion carried.

**RESIDENT AND PUBLIC COMMENTS**

**ELLEN KOHLER – WHITE CLAY CREEK**

Ellen Kohler said she and Shane Morgan are here to make a couple of comments to Council. Ms. Kohler said she is the program director for water resources at the University of Maryland Environmental Finance Center. Although they are located in College Park, they serve all of EPA's Region 3 which is all of Pennsylvania, Delaware, Maryland, West Virginia, Virginia, District of Columbia. We have been working with Shane Morgan with the White Clay Creek and visit all municipalities in the White Clay Creek Watershed. We are just stopping by to say hello and would be happy to come back at another time to provide more information on what they are specifically working on. We know Avondale has flooding issues so that is one specific thing we may want to talk about.

Shane Morgan said she is the Watershed Coordinator for the White Clay Creek Wild and Scenic Water Program. This is a Natural Park Service Program where we get federal funds to do work throughout the water shed. We have been working with some municipalities especially with the MS4 Stormwater permits for water quality improvement projects. We just worked with West Grove Borough to do a green water structure study and we implemented a rain garden in front of the library. There may be some funding opportunities for Avondale to do some restoration along the east branch that runs through the park near the E. Third Street Bridge. If the Borough would like to explore this any further just reach out to her.

Dennis O'Neil said he recently submitted to DEP a response to their TMDL comments trying to use our Streambank Restoration Project we did several years ago along the White Clay Creek. DEP made several comments. In the

next couple of days, he will forward the comments to Ms. Kohler to review and help us address those comments. Dave Besselman asked if there is anything being done about the flooding. Ms. Morgan said that Avondale is the landowner and that we can start talking about what we can do and try and find funding for a project.

### APPROVAL OF MINUTES

Dave Besselman made a motion to approve the minutes from the Council Meeting on January 19, 2021, 2<sup>nd</sup> by Paul Morgan, motion carried.

### WWTP OPERATIONS REPORT

Kevin Brophy gave the following report:

We took the old auger monster out and replaced it with a new one; it is up and running. We had a lot of clogs in sewer mains and sewer laterals. We have addressed them by jetting the mains, and televising as needed. We are working on the replacement of a 4" gate valve in the pump room. We are creating new SOP's for the operators which will be posted in all the wastewater and water buildings. We are also creating a preventative maintenance plan.

### BOROUGH ENGINEER'S REPORT

Dennis O'Neil gave the following report:

#### NEW WATER SUPPLY

In 2017, we submitted an application to DEP to allow us to construct the well. We now have submitted an application to DEP to allow us to turn on the well and use the water. They are reviewing the documents and he has a conference call on Thursday to go over the documents. This is the last step before we get approval.

#### RESERVOIR COVER

Spoke to the reservoir cover contractor and they are willing to wait until after March 15<sup>th</sup> to replace the cover.

#### GREASE TRAP COMPLIANCE

We have added Earls Sub Shop to the grease trap enforcement contact list. The engineer that is handling that is scheduled to make an inspection at each facility.

#### STREAMBANK STABILIZATION PROJECT

There were no interested bidders for the streambank project. We are not sure if it is the weather or the time of the year. He spoke to the contractors that received bid packages and they are just busy right now. Since we didn't receive any bids, we have extended the deadline from March 16<sup>th</sup> to April 6<sup>th</sup>. We contacted some contractors to try and get some interest in bidding.

#### MEETING WITH AQUA

Met with Borough Representatives, Aqua, and KBX at the Borough Hall. It was a very good meeting; we opened up a line of dialogue with the Aqua group who owns and runs the New Garden sewer system that leads to the plant. We have had communications since the meeting and they have submitted meter readings to the Borough.

#### BACK FLOW VALVES

Dottie Howell and I met with National Water Specialty Company on a program that ex- County Commissioner Farrell was working on with Pennsylvania Rural Water Association. What National Water Specialty Company does is come into small municipalities and help establish an administrative system to maintain backflow preventors. What a backflow preventor essentially does is prevents contaminated water from backflowing into the water system. DEP

has not enforced this strenuously. There is some indication that DEP is going to start enforcing the backflow prevention program. Commercial Customers are required to have their back flow preventer tested annually. The residential back flow preventors only need to be tested every three or five years. National Water Specialty Company would start by sending out 60-day, 30-day, and a 10-day letter to the water customers to see who responds and then provide a report to the Borough. We would first start with the commercial side and then the residential. There is no cost to the municipality. The company is willing to come to the next work session and give a presentation. Since there were a lot of questions, a presentation by National Water Specialty Company will be scheduled for the work session.

### **BOROUGH SOLICITORS REPORT**

Kim Venzie gave the following report:

#### **FIRE SERVICE TAX**

The Borough Code is very specific on what the tax can be used for. The tax cannot exceed three mills and can be used for fire engines, fire apparatus, training. There is also a tax allowed, not to exceed one-half mill, for the purpose of supporting ambulance, rescue and other emergency services serving the Borough. It's a policy decision that Council needs to decide on what percentage of tax to implement after looking at the numbers. President Shore said he wants to talk to the fire company to see what needs they have before implementing a tax.

#### **CONSTABLE APPOINTMENT**

Kim has been working with Mr. Watts on the process and it sounds like he has everything in order. Mr. Watts is now moving forward with getting a couple of clearances.

#### **ORDINANCE CODIFICATION PROPOSAL**

General Code has given us a proposal of \$16,665 which she thought that was a little high. Council also agreed it was high and asked Kim to negotiate for a lower price. Kim will contact General Code.

### **FINANCE COMMITTEE**

#### **APPROVAL OF BILLS AND FINANCIAL STATEMENTS**

Paul Morgan made a motion to approve the bills and financial statements, 2<sup>nd</sup> by Dave Besselman, motion carried.

#### **WATER RATE INCREASE – 1%**

Dave Besselman made a motion to increase the water rates by 1%, 2<sup>nd</sup> by Paul Morgan, motion carried. Kim will work on the ordinance for the next meeting.

### **OLD BUSINESS:**

#### **HERO'S WALL**

Dottie Howell said the wall is going to cost \$18,000.00. This is two pieces of granite on each side of the memorial. A crane will be needed and John Morris has offered to assist with that. She checked with a lot of the families who have pictures on the banners in town and they are willing to donate to have the name put on the hero's wall. She figures she can come up with at least \$12,000.00 from donations. There is \$2,600.00 that the Fall Festival Committee is willing to donate. The proposal does not include any hardscaping and landscaping. The Rotary Club is also willing to help.

**NEW BUSINESS:****NEXTERA ENERGY**

Dave Besselman said he has been working with Nextera Energy. They want to install LED Lights on all the Street Lights. It would reduce our monthly fee to \$927.00 per month and they would do all of our maintenance. This would include signing a 10-year contract. It would create an annual saving of \$2,888.00. The company is willing to come and make a presentation if Council is interested. Council had questions and agreed to have Nextera come for a presentation.

**LOU KAPLAN – S.A.V.E / ROUTE 41 CORRIDOR**

Lou Kaplan said he is a member of SAVE and a resident of London Grove Township. His organization is working with Mark Johnson, a traffic engineer to look at the Route 41 corridor beginning at Route 926 to Route 7 (Mark Johnson is from MTI Engineering and retained by SAVE.) PennDOT has plans for a roundabout at Route 926 and Route 41. PennDOT is looking at the village of Chatham and the Route 1 interchange with a number of alternatives. Mr. Johnson has also looked at the interchange and has some roundabout designs. Mr. Johnson also looked at State Street and Route 41 intersection and came up with a design. His design would impact some buildings at the intersection. Roundabouts are a very efficient way of moving traffic, they are also very safe, can accommodate pedestrians and are very good for business. Anyone that wants to access a business can get there from any direction they are traveling. Mr. Johnson spent an awful lot of time preparing the concept design trying to fit it into that location and he is aware of the constraints that Council may feel and he doesn't know what other modifications are possible to accommodate any questions. Mr. Johnson worked with PennDOT on the 926 design and came up with improvements to PennDOT's design which PennDOT incorporated.

Dave Besselman said PennDOT reached out to us and he met with some representatives on what they were proposing at the State Street Intersection. One of the representatives said a roundabout won't work at the State Street Route 41 intersection because they failed to take into consideration that 500 yards south from the intersection is the Baltimore pike intersection. If you move traffic at the State Street intersection you are going to be stopped 500 yards down the road. If anything, the roundabout idea is going to create more traffic especially during the summer months of travel. The second thing PennDOT had some concerns about is if the roundabout would be wide enough for truck traffic because they were talking two lanes in the roundabout. PennDOT did present two other plans but nothing definite. PennDOT may be trying to speed it up because of the bridge being in very poor condition and they want tie everything together. Dave said personally he doesn't see how a roundabout will work at the intersection.

Mr. Kaplan said Council could use Mark Johnson as a resource. Whatever plans PennDOT puts in front of you, Mark Johnson would be a good resource to ask if he agrees and provide his expertise opinion.

Paul Morgan said a big issue will be Third Street; you can barely make a left turn out of there now. If you have constant flow of a roundabout, do you make Third Street right turn only.

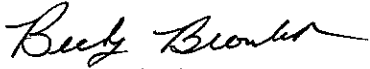
Mayor Cummings asked how roundabouts make it easy for pedestrians if there is a constant flow of traffic. Mr. Kaplan said roundabouts have splitter islands. Instead of crossing the entire roadway, you do it in sections. Since there were questions Mr. Kaplan couldn't answer, Mr. Kaplan will arrange a meeting with Mark Johnson to answer those questions.

**ANNOUNCEMENTS**

- Work Session – Tuesday, March 9, 2021 @6:00 p.m.
- Council Meeting - Tuesday, March 16, 2021 @6:00 p.m.

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

Respectfully Submitted,



Becky Brownback  
Borough Secretary