

**AVONDALE BOROUGH
COUNCIL MEETING
January 26, 2010
6:00 P.M.**

Members Present: Fred Bryan, Bill Shore, Bob Cleveland, Ellis Snyder, Jim Duffy, Sali Cosford Parker
Absent: Glenn Allen

Guests Present: Mayor Howell, Jamie MacCombie, Glenn Diehl, Michelle Steele, Bill Reilly, Bill Webb, Bill Romanelli, Everett Butcher, Jr., Jeff Pilgrim, Bill Romanelli, Steve Rau, Jose Beltran

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

PUBLIC COMMENT

JOSE BELTRAN – OWNER - 401 CHATHAM STREET

Mr. Beltran read a letter he prepared regarding a sewer blockage repair at his property on 11/18/2009.

“The purpose of the letter is to respectfully request the opportunity to present and discuss a sewage issue that has been discovered at 401 Chatham Street, Avondale, PA 19311.”

“I hired Richard M. Crossan, Inc. to clean and repair the sewage lines at the above address. Mr. Crossan discovered that the sewer lines that I am responsible for were not blocked, but it was the main lines that are the responsibility of the Avondale Borough, that were blocked.”

“As a result I received a substantial bill, from Richard M. Crossan, Inc. that was the result of a sewer line blockage that was not my responsibility.”

“The reason for my presence here tonight is to discuss this issue.”

Bill Reilly said he and Jeremiah MacCombie went out to the site when the plumber was working on the line and Mr. MacCombie dropped dye in the sewer main and it was running normal. Mr. Reilly said he and Mr. MacCombie didn't think that there was a blockage in the sewer main because of the dye test and no one else complained about the sewer. Bill Shore said he was at the site and he saw the lateral was broken and the plumber replaced about 10 to 15 feet of the line.

Jamie MacCombie said if there is a block in the main, other people would have been complaining about sewer backing up. It is the homeowner's responsibility to maintain and repair their lateral. Mr. MacCombie said that he will speak to Jeremiah MacCombie regarding this issue. President Bryan said the plumber may be confused and think that the lateral is the Borough's responsibility. Mr. MacCombie said the Borough needs to know where the plumber got rid of the block, if it was in the main it would have affected more than Mr. Beltran's property.

Bill Shore said if Mr. Beltran wants somebody from Crossan's to come and speak with Council and explain exactly what was done, we may be able to resolve the issue. Mr. Shore said he thinks the problem was in the lateral and if the plumber said it was in the main, we should talk to him.

JEFF PILGRIM – EDLON

Mr. Pilgrim said there are a couple of issues regarding the situation with East Penn Railroad.

Edlon was blocked in by Railroad with rail cars at the crossing this week so there is no access off of Pomeroy. There are two elements with the Railroad. Eldon has told the Railroad that they are willing to pay maintenance fees to continue to have it as a functioning crossing and the Railroad rejected it. The

second element is that East Penn Railroad wants Edlon to sign an agreement to release any rights to the crossing which in turn they could literally shut the crossing off, impose additional maintenance fees at any point in the future. At this point and time, we have no other choice but to take our large truck traffic to the State Street gate which is a little problematic. We are looking at solutions that may temporarily help. There are major concerns as far as emergency and rescue vehicles being able to get in the State Street access. East Penn Railroad has threatened to remove the materials that are in the crossing to make it impossible to cross. Council approved the temporary extra signage that is needed to direct the traffic to the State Street entrance.

Glenn Diehl said he needs to speak with Council in Executive Session regarding this issue.

EEMA REPORT

Bill Reilly gave the following report for December 2009:

WASTEWATER TREATMENT PLANT

Wastewater Treatment Plant Flows:

Total Monthly Flow	7,343,000 gallons
Daily Flows Min.	198,000 gallons
Daily Flows Max.	306,000 gallons
Daily Flows Avg.	246,000 gallons

New Garden Township Weekly Flows (Average Gallons/Day)

WEEK	12/2-12/9	12/9-12/16	12/16-12/23	12/23-12/30
ROUTE 41	30,928	28,923	42,532	*
RAILROAD	79,273	82,787	82,360	13,719
Total	110,201	111,710	124,892	

*Flow for that week seems wrong. Have a call into New Garden. Will include this week on next month's report.

OPERATIONS:

- Hauled 6,000 gallons of sludge

WATER TREATMENT PLANT:

Production Summary:

Water System		Well #1	Gallons/Day	Well #2	Gallons/Day
Total Well #1	2,020,800	Minimum	50,800	Minimum	7,500
Total Well #2	466,600	Maximum	79,800	Maximum	15,606
Total:	2,576,800	Average	67,516	Average	20,700
Avg. gpd	83,123				

Water Actions:

- Total Water Action (7)
 - 60 W. State
 - 214 Church Street
 - 107 Chatham Street

- 214 Church Street
- 1 Miller Drive
- 9 Cook Court
- 30 Gap Newport Pike

Facilities Maintenance Report:

Wastewater Treatment Plant

- Effluent flow meter recalibrated by WG Malden. Effluent meter not reading correctly and was corrected.

Collection and Distribution System

- Manhole inspection completed December 13th.
 - Manhole #35, 1st Ave. and Chatham Street needs to be flushed grease building up. West Grove Borough is going to help and jet the line in warmer temperatures.
 - Manhole #49, Hoopes Alley and 4th Street, outer ring replace. Part ordered.
 - Manhole #25A, State Street and London Grove paved over. Need Dominick to dig out. Bill said he spoke with London Grove Township and they will help to dig out the manhole when the temperatures are warmer.
- Call from a resident water running down on Chatham Street from Third. It was from a sump pump.
- Call from Rich Wannamaker, manhole #60 blocked. It was manhole insert full of water. Manhole insert was emptied and manhole was clear. Blockage was in owner's line.
- 120 Chatham Street, water was shut off but still had water usage. Dominick and Bill Reilly opened and closed curb stop. Next day followed up for now water usage. Water usage stopped. Water still off.
- 316 Church Street, abandon property. Curb stop frozen and can not shut off. Went inside to shut off water. Monitor once a week to ensure no usage.
- Continue to locate main curb stops as per Glen Diehl. State Street, 2nd Street and Chatham Street completed. Once all complete will give to Glenn. Main corp stop on New Street not working. Needs to be repaired.
- 305 and 307 Third Street, complained lower water pressure than normal. Monday, January 25th going to both homes to remove meter and test water pressure.
- Read water meters
- New hydrant arrived – stored at plant. Dominick will install during spring.
- Spare parts for collection arrived – stored at plant
- PA 1 Calls - 4
 - 492 Garden Station Road
 - Church Street from Third Street to Pennsylvania Avenue
 - 300 New Street
 - Third and Church Street
 - Minor Street to Church Street

PERMIT VIOLATIONS:

No permit violations for the month.

NOISE AT WWTP

Jim Duffy said he would like to make an appointment with EEMA to go to the sewer plant when everything is operational to see what is making the noise. Mr. Duffy said he has had complaints from his neighbors and this has been an ongoing issue for sometime. Mr. Reilly said if anyone hears a noise, please call him anytime and he will come right to the plant. They agreed to meet at the plant after this meeting.

WWTP INSPECTIONS

President Bryan said he would like to recommend to Council to have Jamie MacCombie inspect the treatment plant twice a year to make sure everything is being maintained as it should be. Jamie MacCombie said the inspection would consist of the following: How the system is functioning, is there any overloads at the plant, is there grease build up, is there sludge build up, does the sludge need to be

trucked off the site, are the meters calibrated, are the pumps and grinders operating properly, are the screens being cleaned. Bill Shore made a motion to approve one inspection to find out how long it will take Mr. MacCombie to inspect the plant and the cost, 2nd by Jim Duffy, motion carried.

BOROUGH SOLICITOR'S REPORT

Glenn Diehl gave the following report:

SECOND AVENUE RESEARCH

Researched the area at the corner of Second Avenue and Pomeroy to see how far west the street extends. The railroad rate maps show an extended road almost where the tracks are, and the question is, is it a public road or a private road and who owns it. The Borough's right-of-way is determined by ordinance. The ordinance that defines Second Avenue followed shortly on the heels of the Borough getting title to that ground from the railroad which happened in 1949 and it basically lays out the western extension of Second Avenue to the west title line of Pomeroy Avenue. The Borough does not have a public street which runs past the western line of Pomeroy.

STATE STREET BRIDGE

The State Street Bridge was constructed in 1921 at the tail end of a process that began in 1903. There are a set of statutes that have changed over time that applied to how a County can build a bridge. It defines our authority, the County's authority and the Pennsylvania Department of Transportation's authority. When it started out, the process started in 1909 with a petition from residents of the area, it went to the County Engineer, Courts, and Commissioners, and ended up approving it in 1921. The bridge was built in 1921 as a County bridge.

The road was a State road at the time it was built, and it was common practice for the State to build bridges over creeks. After the bridge was built, a statute was passed that said the State would take over the responsibility of County bridges built on a State road which was Route 131. In 1937, Route 131 gets abandoned. The statute states if the State abandons the road, which was a former county bridge, the bridge reverts back to the County. The County has the documents and has referred this to their engineers.

BOROUGH ENGINEER'S REPORT

Herb MacCombie gave the following report:

WILKINSON PROJECT - CONSTRUCTION FUND RELEASE #9

Ellis Snyder made a motion to release \$8,304.20 from the projects escrow account, 2nd by Jim Duffy, motion carried.

WATERLINE REPLACEMENT ON STATE STREET GRANT- PHASE I

There is \$50,000 of unused funds from Phase I of the project and Mr. MacCombie is recommending that the Borough write a letter to the County requesting that these funds be transferred to the Phase II to get more infrastructure work done, Council agreed.

WATERLINE REPLACEMENT ON STATE STREET GRANT- PHASE II

Ellis Snyder made a motion to put Phase II out to bid, 2nd by Bill Shore, motion carried. Phase II is an extension of Phase I, extending the water line on State Street across Pennsylvania Avenue to First Street.

STATE STREET BRIDGE

Alfred Benesch and Company inspected the bridge and has come up with preliminary findings and one of the findings is to lower the weight limit. Mr. Benesch is waiting for authorization from PennDOT allowing his letter to be released officially. It is required by law if you are recommending changing posting of weight limits on a bridge; it is not up to the Borough.

FINANCE COMMITTEE**APPROVE THE BILLS TO BE PAID**

Ellis Snyder made a motion to approve the bills to be paid up to January 26, 2010, 2nd by Jim Duffy, motion carried.

APPROVE FINANCIAL STATEMENTS

Sali Cosford Parker made a motion to approve the financial statements, 2nd by Bill Shore, motion carried.

2009 AUDIT PROPOSAL

Ellis Snyder made a motion to approve the audit proposal for \$17,200 from Haggerty and Haggerty, 2nd by Bill Shore, motion carried.

APPROVAL OF MINUTES

Bill Shore made a motion to approve the minutes from January 4, 2010, 2nd by Jim Duffy, motion carried. The minutes were not approved from December 15, 2009.

MAYOR'S REPORT

Mayor Howell gave the following report:

LED LIGHTS

Avondale should have about \$4,000 left for generators, but we have to wait until New Garden is finished their part. New Garden's interim manager is working on this.

SIGN GRANT

We have \$1,325.00 left in the sign grant. Mayor Howell said she recommends getting a sign about 6 feet wide and three feet high. The sign would be designed like the other signs we already have and would cost \$1,325.00. Mayor Howell suggested placing the sign at the little stretch of land in front of Dunkin Donuts, but we have to see if we are allowed to do so. We have to use this money by June 10th.

2010 FALL FESTIVAL

Mayor Howell said she would like the permission from Council to have the Fall Festival on October 9th and approval for the use of the Borough Building and facilities. Jim Duffy made a motion to give permission to Mayor Howell to hold the Fall Festival on October 9, 2010 and approve the use of the Borough Building and facilities, 2nd by Bill Shore, motion carried.

EASTER EGG HUNT

Received a request from the Methodist Church to use the Third Street Park for an Easter Egg Hunt and Mayor Howell said she would oversee the activity. Council approved. The Secretary will check with the insurance company for liability.

EMERGENCY MANAGEMENT COORDINATOR

Bill Shore gave the following report:

We have the ongoing emergency management training that was handed out at the last meeting. If there are any questions please don't hesitate to ask.

The AGREM meeting is scheduled for February 26th at the Avon Grove High School.

HISTORICAL COMMISSION

Sali Cosford Parker gave the following report:

The Historical Commission is reconvening as of the second Wednesday in February. The focus for 2010 will be research. Ultimately, what we will be doing is creating history booklets on various aspects of the Borough: the schools, the churches, associations, clubs, entertainment, etc. and then have them all put

together into one comprehensive history of Avondale. After February's meeting, the meetings will go back to the first Wednesday of each month.

STREETS AND STREET LIGHTS COMMITTEE

POMEROY AVENUE

Jim Duffy said he wanted to talk about the bad condition of Pomeroy Avenue from Third Street to the Boy Scout Camp and if the Borough is responsible for its upkeep. Mr. Duffy said it could be a safety issue and if the fire trucks would be able to get back there. President Bryan said Pomeroy Avenue starts at State Street and ends at Third Street, the rest of the road is Borough owned property and not a public street. Bill Shore asked the procedure to get the road maintained. What happens if Council decides they do not want to keep it as a private road and what is the procedure to keep it repairable?

Glenn Diehl said there are two ways. Basically, it is a private driveway now. You can do any kind of improvement you want to because it is the Borough's property. The other alternative is to open the road as a public road and maintain it that way. The liability changes and increases because the use potential changes. Since people use the road for the Boy Scout cabin and the church, the Borough is responsible to make the road safe.

Mr. Duffy said there is a church member who has a company and is willing to grade it for free and asked if that would be acceptable. Glenn Diehl said you can accept work from other people; you have to make sure there is no liability issue and he believes Jamie MacCombie should look at it to see what we need to do to make it safe. Mr. MacCombie should speak to the guy volunteering to do the work and make sure he is doing what we need to maintain the road in a safe condition.

Sali Cosford Parker said it sounds as if we are saying two things that are contradictory, either the road is public or the road isn't public. Is it going to be maintained so the public can use it safely, or is it going to be closed off or something. We are saying you can't ride on it but we are making it safe in case you do. We need to be more definitive. Bill Shore said we have a liability issue whatever way we go, and thinks the best way to go is to maintain it and make it safe for the people who are going to use it.

Ms. Cosford Parker said if we are allowing people to drive on it, and essentially we are by maintaining it in a safe manor, what is to stop the homeowners who own property to the road from using it which they are not allowed to use at this point. Glenn Diehl said he knows that the Borough made a special deal with the church and they are allowed to use Pomeroy. Mr. Diehl said he doesn't know what the deal is with the other owners.

Jim Duffy said the Street's Committee will look into this issue and make a recommendation at the next meeting.

PROPERTY AND EQUIPMENT

Ellis Snyder gave the following report:

Dominick said he is in need of 12 safety cones. Ellis Snyder made a motion to spend up to \$500.00 for safety cones, 2nd by Bill Shore, motion carried. Mr. Snyder will get prices on a 5,000 watt generator and working lights on a tall pedestal to use during night time repairs.

NEW BUSINESS

REFRESHER TRAINING CLASS FOR SECRETARY

Jim Duffy made a motion to approve \$80.00 for Becky Brownback to attend a training class on May 5, 2010 in West Chester, 2nd by Ellis Snyder, motion carried.

ANNOUNCEMENT

- President Bryan announced that there will be an Executive Session after this meeting to discuss legal issues.

COUNCIL WENT INTO EXECUTIVE SESSION AT 7:40 P.M.

PRESIDENT BRYAN BROUGHT THE MEETING BACK TO ORDER AT 8:10 P.M.

Bob Cleveland was not present.

EDLON – RAILROAD ISSUE

Sali Cosford Parker made a motion to approve Glenn Diehl to help out Edlon and provide information back to Council at Edlon's cost, 2nd by Jim Duffy, motion carried.

ADVERTISE TO EXTEND SECOND AVENUE

Ellis Snyder made a motion to approve Glenn Diehl to advertise an ordinance to have Second Avenue extended to the west, 2nd by Jim Duffy, motion carried.

Sali Cosford Parker made a motion to adjourn the meeting at 8:17 p.m., 2nd by Ellis Snyder, motion carried.

Respectfully submitted,

Becky Brownback
Borough Secretary