

ALDAN BOROUGH, DELAWARE COUNTY, PENNSYLVANIA

August 14, 2013

The Borough Council met in an Executive Session at 7:30 p.m. and in a regular session at 8:00 p.m. at the William Reinl Recreation Building on the above date with President Short presiding.

The Pledge of Allegiance was recited and led by President Short.

ROLL CALL

Council members present: H. Short; P. Brookes Rankin; S. Coppola;
T. Owen; M. J. Corrigan; J. Cosgrove

Council members absent: S. Oropollo

Officers present: G. Sefflin, Solicitor; J. Hopely, Mayor
G. Kaut, Secretary T. Quinn, Treasurer

Officers absent: None

MINUTES

On a motion made by Councilwoman Brookes Rankin seconded by Councilman Cosgrove minutes from the July 10, 2013, Council Meeting be accepted as presented and unanimously approved.

WRITTEN CORRESPONDENCE

No written correspondence tonight.

VERBAL CORRESPONDENCE

Harold Borders 503 W. Providence Road asked if we could check the area at W. Providence Road and Woodlawn Avenue for the intersection being dim. President Short explained we can talk to PECO because they have criteria they follow to see if it is adequate light. Mr. Borders also asked about the NO TURN ON RED if that could be installed lower because it is difficult to see after dark. Mr. Borders also had a concern about doing something about the curve in the 400 -500 block of West Providence Road. President Short explained the reflectors were put on the poles to help see the curve and make the poles more visible. Mr. Borders had another concern to see if PennDot could re-examine the area by the curve to see if there was any way to slow drivers down in that area, maybe with a Stop sign. President Short responded we can talk to PennDot and we have in the past about other issues but they have refused to take responsibility in the past but we can ask them to take another look at the area.

President Short will talk to the Chief to get the accident reports together and pass them onto PennDot to see if any changes could be made in that area. Councilman Cosgrove asked if this is related to the request to put something along the inter lane so drivers don't pass on the right as you are turning right into your driveway. Mr. Borders gave an example on Springfield Road by Holly Cross they put a white line there. President Short is familiar with the area and that is a lot wider than the area in front of your house. President Short responded PennDot will ask about the accidents and the injuries. President Short will talk with the Chief and ask him to pass the information onto PennDot. Mrs. Borders commented this is also an official bike route.

MAYOR REPORT

Mayor Hopely reported due to several accidents involving telephone poles in the 500 block of West Providence Road we have asked PECO to install reflectors on the poles. That job has been completed.

Mayor Hopely also reported the police department has finished state mandated classroom training as well as CPR/First Aid training. We are finishing up the firearms portion of mandatory training. In addition to state mandated training the Chief, with the support of the Mayor and Borough Council, continues to send officers to elective training throughout the year.

REPORTS OF OFFICERS

TREASURER

Terry Quinn read the Treasurer's Report:

	<u>General Fund</u>	<u>State Highway Fund</u>	<u>Sewer Fund</u>
Balance of cash on hand	\$ 776,312.31	\$ 67,963.42	\$ 195,266.23
Interest		\$	\$
Receipts for period	\$ 42,747.27	\$ 8.07	\$ 3,061.09
Expenditures Prior Month	\$ 129,201.31	\$ 6,453.04	\$ 6,120.75
Loan Returned to Sewer Reserve Fund	\$	\$	\$
Ending Balance	\$ 689,858.27	\$ 61,518.45	\$ 192,206.57

Terry is asking Council's approval to release check this evening for checks from the General Fund totaling \$151,657.07 checks from the State Highway Fund totaling \$6,453.04; and checks from the Sewer Fund totaling \$2,311.53. Councilwoman Brookes Rankin made a motion to accept the Treasurer's Report as presented and authorize her to release the checks as indicated on the bills list, seconded by Councilwoman Owen and unanimously approved.

SOLICITOR

Mr. Sefflin reported on our Tax Delinquency Program. For 2008 TDP the folks at 218 Birchwood Road moved out. They were in a payment plan which they breached but not enough money to file a law suit. But when the house sold our lien came up and a check for \$396.81 was paid by the Title Company. This just about clears our accounts for 2008. For 2009 we received 2 checks one for \$67.53 and one for \$33.76 for the property at 31 E. Wayne Avenue and the balance due on the property is \$546.50. The 2011 Delinquencies there was a hearing on July 25th with 2 of the delinquents found liable so we filed liens and law suits against these folks to enforce the liens. One property there was a judgment for \$1,617.00 and we did receive about half of that and told the Judge he was going to pay the rest of the amount due. There is a property on Rively Avenue in Collingdale with a judgment for \$1,380.00 and there is already for 2010 an execution process on the property and we will add this on to that. 2 hearings for 2011 were rescheduled for September 26th. One property on Sycamore Avenue is scheduled for Up Set Price Sale on September 12th. The property at 124 Springfield Road the folks are challenging the amount due. They want to go back to the payment plan they breached 11 months ago and Mr. Sefflin told them no we can't do that.

Mr. Sefflin also reported on some nuisance liens we filed over the last 6 months. One property is at 127 South Clifton Avenue this property is owned by Fanny Mae former owner Kaci Griffith and for some reason Fanny Mae said there was personal property inside and they could not maintain the outside. The Borough declared the property to be a nuisance in March and in May we had the nuisance property abated at a cost of \$3,455.00 and after some threats Fanny Mae sent a check for \$3,455.00. There is also a property at 415 East Providence Road that was worse than the previous mentioned property. Our contractor took about 68 photos of the grossly overgrown, bushes, tree limbs, foliage, and debris on the property and this is not fair to the neighbors so the Borough spent \$4,930.00 to abate this nuisance. The property owner does not live in Aldan any longer and never received the bills. Mr. Sefflin sent her the bills and gave her 2 weeks and if not paid we will file a lien and Mr. Sefflin will keep Council up dated.

ENGINEER

Mr. Close reported on the NPDS MS4 Storm Water Management Project for the new 2013-2014 permit cycle. We are in the process of preparing activities to be scheduled over the next 6 to 8 months as required under the permit: training, public presentations, handouts, educational materials, web site updates as these events happen we will keep you up dated. At public meetings some 2 or 3 minute updates to keep the information flowing to the residents of Aldan.

Mr. Close reported on the DELCORA Act 537 Sewage Facilities Plan Update on June 17, 2013 DELCORA and the Delaware County Planning Department submitted the final draft of the Act 537 Plan Update to all 31 Municipalities in the Eastern Service Area. There was an email reminder on August 13th about this. Last month Mr. Close presented Council with a brief memo with a few attachments summarizing the plan update, the conclusion, action items and the milestones. As a reminder the 2 action items requested of each Municipality are as follows: 1) Planning Commission review and a letter; 2) Council review and adopt a Resolution for the Act 537 Plan. They have requested this at the next Governing body meeting. Mr. Close is just keeping us posted on the request out there.

Mr. Close reported last month it was brought to our attention there was a broken manhole cover at the intersection of Springfield Road and Maryland Avenue. We did take a look at it and it was in fact broken it was a storm manhole and has been replaced.

Paul Krueger asked what is Act 537 does it have to do with laterals. Mr. Close explained the laterals are part of the Act 537 Update. Act 537 Planning is an obligation of the Municipality. It is to plan for the sewage needs of your community. Every 5 to 10 years it is update to make sure we are staying ahead of the sewage needs of the community. As a member of Darby Creek Joint Authority they prepare the plan on behalf of the member municipalities. The Act 537 Planning update one of the elements is to continue of aggressively pursuing I & I that is getting into our Sanitary Sewers because this is additional cost for treatment. One of the newer elements that DELCORA is strongly encouraging is not only look at our sewer mains but to look at the laterals from the house to the main as a potential source of additional I & I. As part of this Act 537 Plan Update they are offering Municipalities a choice. The preferred choice is to institute at the time of sale lateral inspection and if there is a deficiency have it repaired the other options is to come up with an alternate approach to try to continue to mitigate the I & I. Each of the 31 Municipalities are asked to adopt a Resolution to adopt the Act 537 Plan and if it goes by the time line DEP would approve the Act 537 Plan in total in the Spring of 2014 at that point all the Municipalities would have 12 months to adopt a lateral Ordinance or come up with an alternate plan to deal with I & I. Mr. Krueger said the newspaper reported they had no authority to make the municipalities do anything and it was up the us what we wanted to do. Mr. Close explained this has been occurring for 2 years. Councilman Coppola and Mr. Close attended a kick off meeting in the summer of 2011 that it was time to update the Plan. There was a new contract was being negotiated with the City of Philadelphia for the disposal of waste and the initial terms were not favorable to DELCORA. So we looked at some alternatives to see if there was a better way to send the sewage down to the Southwest Philly Plant. They looked at expanding the DELCORA plant in Chester, adding a new plant in the Darby, Sharon Hill area, or put in equalization tanks. This was one of the elements studies and as part of that the terms became more favorable and the economics as determined the best approach would be to continue sending sewage to the City of Philadelphia. Regardless one of the elements was to continue I & I work. We are metered for our flow and we are billed based on that metering, so if we can reduce the rain water our metering would drop accordingly and some of the investment of funds for repairs you would see less money going towards sewer rents and thing like that.

REPORTS OF COMMITTEES

PUBLIC HEALTH

Councilwoman Owen wanted to remind residents there will be no trash collection on Monday, September 2, 2013 in observance of Labor Day but trash will be collected on Tuesday, September 3, 2013.

Councilwoman Owen reported the next Household Hazardous Waste Collection will be held on Thursday, September 12, 2013 rain or shine for 9am to 3pm at Rose Tree Park on Providence Road in Media.

Items for this collection will be flammables that consist of kerosene, gasoline, gas oil mix and paint thinner items; toxics being collected are pool chemicals, antifreeze, paint remover, mercury switches and thermometers, pesticides, herbicides; caustics, are solvents and cleaners. Also being collected are computers, portable TVs and small appliances and new this year toasters, blenders, hair dryers, power tools and vacuums.

Councilwoman Owen also reported other dates of interest are: on September 25th Friendship Circle Senior Center is holding a Medicare Basic Class also included is information on the new Medicare Prescription Plan for 2014. This is a good time because open enrollment for Medicare usually coincides with the class they hold. Councilwoman Owen will report back with any noteworthy information at the October meeting. On October 26th there will be another Prescription Take Back Program; this is an event that Aldan has hosted since its inception and Councilwoman Owen has talked with Officer Jackson who has agreed to join up again and we have done very well and look forward to support this program once again.

HIGHWAY

Councilman Cosgrove reported on the Road Program for 2013; the work was originally scheduled for August 12th but due to the weather is now planned for August 19th weather permitting. The original plan was for Aldan Avenue to be done between Elm Avenue and Linden Avenue. That particular portion of the program had to be dropped because during the inspection by the Engineer and Contractor they found a lateral sink hole in the ground on the street so we could not do the street until the sink hole was fixed. In place of Aldan Avenue we are doing an expanded repair of the intersection at Magnolia Avenue and Elm Avenue doing the north side of Magnolia Avenue from Elm Avenue to Glenwood Avenue. This selection keeps us within 2% of the original cost. This project should only take a few days and we are hopeful the weather will cooperate.

PUBLIC WORKS

Councilman Oropollo is not at the meeting tonight. President Short asked if there are any questions.

Paul Krueger asked about the PECO project on East Providence Road. President Short responded every time Councilman Oropollo calls they give him date but do not come through. Mr. Krueger said they sound like they took a page out of the Verizon Fios book because that has been going on for about 5 years. Councilman Cosgrove responded, Verizon just within the last 3 months started to wire Aldan and stopped and asked if that's what he was doing and he said yes. Another time Councilman Cosgrove asked a truck how long it could take to wire the town and they said about 1 year. Verizon has been in Aldan to sign residents up for Fios so they may be close to having the town wired. President Short explained they were in town but they were stopped. They had a tent on a resident's lawn to sign residents up and that was in violation with our Zoning Laws. President Short did speak with them and found out they were not even Verizon employees they worked for another contractor. We did not know who these people were and our residents were giving them information about themselves. We did stop them and told them they had to come in apply for a permit where we do background checks. They did come in for the permit application but we have not been back in since then.

FINANCE

Councilwoman Brookes Rankin reported our School District Taxes are being collected and the discount period is due by the end of August. Tom Morse, our Tax Collector will be at the Municipal Building on August 5, 12, 15, and 26 to collect resident's taxes in person. Councilwoman Brookes Rankin reported after looking at the Financial Report for year to date we have collected 96% of our Real Estate Taxes.

Councilwoman Brookes Rankin wanted to remind everyone that Founders Day is September 21, 2013. We will have a Flea Market, food, vendors, and entertainment and our very famous cupcake contest. We encourage all the resident to come and enjoy the day.

The Tax Collector announced he will have tax collection at the Municipal Building on Thursday, August 15th and Monday, August 26th from 7:00 to 9:00 PM.

Dan Procopio asked for the current amount balances in the Reserve Funds; Councilwoman Brookes Rankin reported in the General Reserve we have \$278,075.22 in the Sewer Capital Reserve we have \$437,226.47; and in the Police Capital Reserve we have \$17,156.86 last reconciled on July 31, 2013.

PUBLIC SAFETY

Councilwoman Corrigan reported on the Fire Marshall Report for the month of July, 2013. Collingdale Fire companies #1 and #2 responded to 3 calls in the Borough of Aldan with no damage during the month of July. During the month of July, 2013 Collingdale Ambulance/Paramedics responded to 31 calls in the Borough of Aldan. The Fire Marshal also reported Collingdale Fire Companies #1 and #2 both participated in the Borough of Aldan's 4th of July parade.

LAW, ORDINANCE COMMITTEE

Councilman Coppola reported the Building Inspector issued 37 building permits with a construction value of \$103,511.00; the Residential Inspector completed 18 transfers and mid-terms inspections; and the Plumbing Inspector issued 2 plumbing permits with a construction value of \$2,400.00

Councilman Coppola also reported on a Resolution with Darby Creek Joint Authority but does not pertain to the Act 537. Resolution 2013-06 adoption of the amendment to the articles of incorporaton of the Darby Creek Joint Authority to add a provision therein increasing the term of existence of the Darby Creek Joint Authority to the year 2063. Whereas, an amendment of the Articles of Incorporation of the Darby Creek Joint authority [hereinafter referred to as the "DCJA"] has been proposed by the Board of the DCJA, via a Resolution duly adopted on May 15, 2013, to add a provision to said Articles of Incorporation increasing the term of existence to a date not exceeding fifty (50) years from the date of approval of the Articles of Amendment; and Whereas, the Borough of Aldan is one of the constituent municipalities composing the authority; and Whereas, the proposed Amendment has been submitted to the Borough of Aldan. Now, therefore, be it resolved: Section 1. The Amendment proposed to the Articles of Incorporation of the DCJA to add the following: "The term of existence of the Authority shall be increased to December 31, 2063." Is approved and adopted.

Section 2. All Resolutions or parts of Resolution inconsistent herewith are repealed. Resolved this 14th day of August, 2013. The motion was made by Councilman Coppola, seconded by Councilwoman Owen and unanimously approved.

Mr. McBlain had a suggestion regarding the extension of the life of the Darby Creek Joint Authority which is appropriate this regional system of sanitary sewer works pretty well but just a suggestion when we transmit our adoption of the Resolution to DCJA that we ask them or suggest that they take this as an opportune time, with the renewal of the Authority, to take a look as some of their operating practices and maybe institute some changes in a couple of respects: 1) this Council has dealt with in the past the fact that other Municipalities don't live up to their responsibilities the way that Aldan has always done in terms of paying their sewer fees to DCJA. They collect sewer fees from their residents but then use that money apparently for something else or don't pay it over to the DCJA. We would hate to see that sort of governing style spreading. Ask the DCJA to institute specific standards when Municipalities don't pay their bills and charge them interest rather than have to clandestinely negotiate with other Borough Councils who don't want to reveal to their residents they don't pay their sewer bills and hide that fact from everyone: 2) another suggestion and was shocked to hear from Mr. Duffy who is our representative and faithfully attends the meeting but the representatives from some Municipalities never ever, ever show up to the meetings yet they get paid to come to the meetings. Perhaps we would ask that they institute or change their bylaws that only those representatives that appear for the meetings actually get paid for attending the meetings. President Short responded that would make sense. Mr. McBlain commented, I know that would make perfect sense to you, Mr. President and to the members of Council but it apparently doesn't make that much sense to representatives from other municipalities and find it strikingly coincidental the people that don't show up from some of those municipalities happen to be from some of the same towns that don't pay their sewer bills. Councilman Cosgrove commented he heard one guy has not been there in 2 years; imagine missing meeting for 2 years. President Short explained we have in the past notified DCJA about our displeasure about some of these agreements and some of the non-payments partners in this. We will be more that happy to pass that along with our Resolution. Mr. McBlain said if we do that and public shame apparently is the only thing that motivates some of these other municipalities maybe this is an opportune time to make these suggestions.

UNFINISHED BUSINESS

No unfinished business tonight.

NEW BUSINESS

President Short reported Caucus will be Wednesday, September 4, 2013 at 7:30 P.M. at the Municipal Building at and Council will meet on Wednesday, September 11, 2013 at the Reinl Recreation Building at 7:30 PM for Executive Session and General Meeting starting at 8:00 PM.

PRIVILEGE OF THE FLOOR

Dan Procopio asked if we had heard any further update on the situation with the previous Tax Collector and where the investigation stands with the District Attorney's Office. President Short explained last month he spoke with the Detective in charge and he informed President Short that all the information that he needed from Aldan he had received however he is still working with the School District because it sounds like the lack of records that the School District was able to provide, the Detective is having a hard time coming to terms with what was actually owed to the School District. We are both under one bond so we are waiting for them to resolve with the School District. Dan commented he knew the Borough and the School District paid for the bonds but did not realize it was one bond and not separate. Also in the future would that be appropriate to issue separate bonds or would that be cost prohibitive. President Short commented that is something we will look into and hopefully we won't have to go through this again.

Mr. McBlain wanted to follow up on this issue. So it's the information from the School District that the District Attorney's office is waiting for to further the investigation. President Short responded yes that is correct. Mr. McBlain asked is there a conspiracy or something going on not to move it forward. Mr. McBlain read something and asked Dan if he wanted to talk about it. Dan declined. Mr. McBlain continued it is actually the people who run the School District rather than any other issue going on. President Short commented are you asking, is the Borough part of a conspiracy, no we want the money and that is why I approached the Detective to find out if we could move on and maybe separate ourselves from this so we could collect on our Bond. The Borough has been good with our information for several months. President Short delivered information the District Attorney's office asked for in March and did talk with them the next week and they had everything they needed from Aldan to know what was the finances of the borough. Since then we have been waiting on information from the School District to get to the District Attorney and the Detectives in order for them to figure out what accounts were there with them, and what was owed to them. Apparently they don't have the information that they required from the School District so it is making it harder for them to track down what exactly is owed to the School District. Mr. McBlain commented so any suggestion of any delay on our part is simply foolishness or comes from ignorance. President Short responded sure, we have always been open to talk about it and we passed our information to the DA's office as soon as we got it together. It was a long drawn out process of them tracking down bank accounts and such. We never thought it would be quick but it did go a lot longer than we thought. President Short said thanks to our Treasurer and Councilwoman Brookes they were right on top of everything the detectives asked for usually with a few days hoping we would be able to get reimbursed whatever was owed to us. Dan Procopio commented that the Councilman has not been at previous meetings but at every meeting I have asked the same question and tonight is the first night you have indicated that the reason for the delay was the School District. The previous month you indicated that you were told that they were going to take action at the end of June or July but you did not reveal at the time or maybe did not know at that time the reason for that delay. If the Councilman had been at every School Board meeting that I had been to but have not been able to attend the last several due to my job, I have asked the same question of the School Board and was told they have no idea when the investigation would finish. Admittedly I have not been to a meeting since April so I haven't had the chance to ask them in June and July but if I have a chance to go this month I will ask the question and bring up what you have told me and find out why they have not provided that information to the District Attorney that has been asked of them. Up until this moment that information was not available to the general public. Dan thanked President Short for his nod in agreement.

President Short, Councilman Cosgrove and Councilwoman Brookes all together explained no we have mentioned this before that is was the School District. Dan does not remember it ever being mentioned at a Council Meeting that is was the School District holding this up until tonight. President Short said we may not have said they were holding it up but told you that our information was complete and they were still working with the School District. We did not know that they did not have the information or they weren't providing it at the time. Councilwoman Brookes said we were concerned about getting our information together. They said they were going back 10 or 12 years and that is why it was taking so long and we thought it was the School District digging through their records. President Short responded that everything that was involved with the Borough we have been compliant within a very reasonable amount of time and fulfilled the entire request but unfortunately we have to wait.

ADJOURNMENT

On a motion made by Councilman Coppola seconded by Councilman Cosgrove and unanimously, approved, the regular meeting of the Borough Council was adjourned at 9:00 P.M.

ATTEST

MARIE V. KAUT
Borough Secretary