

**ALDAN BOROUGH, DELAWARE COUNTY, PENNSYLVANIA**

January 9, 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.

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**ROLL CALL**

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

Council members absent: R. Lowery

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

Officers absent: None

**MINUTES**

On a motion made by P. Brookes seconded by S. Coppola minutes from the December 12, 2012, Council Meeting be accepted as presented and unanimously approved.

**WRITTEN CORRESPONDENCE**

No written correspondence tonight.

**VERBAL CORRESPONDENCE**

President Short explained this being our off year, the year we do not have a re-organization meeting but we still appoint the various officers to the Borough. The positions of Chief of Police, Borough Secretary, Solicitor, Treasurer, Borough Engineer, Building Inspector, Residential Inspector, Plumbing Inspector, Health Officer, and Zoning Solicitor are the same individuals that currently serve in those positions. Councilwoman Brookes made a motion to appoint the individuals that currently serving the appointed positions for a 1 year term, seconded by Councilman Cosgrove and unanimously approved.

Dan Procopio representing Aldan Boosters thanked Council for allowing the Boosters to make their presentation for the 2012 Best Decorated House. Once again we had a lot of wonderful decorations in town and at least 3 dozen homes had votes from Booster members that submitted ballots.

The 3<sup>rd</sup> place prize goes to Dave Della 125 W. Providence Road, 2<sup>nd</sup> place prize goes to Klara Family, 409 Laurel Avenue, and 1<sup>st</sup> place prize goes to Dominic Lupica of 55 Stratford Avenue. Doninic a new resident commented he moved in last January and only put up half of his lights this year.

Dan also commented we had our Tree Lighting Ceremony on December 1<sup>st</sup> and we thank the Historical Commission. We also had our Mail Box for Santa letters and collected 200 letters and helped Santa answer them and on Christmas Day we help Santa visit almost 200 houses with 350 children and also thank the Aldan Union Choir for singing at the Tree Lighting Ceremony. This year we also adopted a troop with a letter campaign which was taken up by the Aldan Elementary School and they provided hundreds of letters from the kids; one for every member of the troop from all the grades and Ms. Burke was the one to help coordinate this for the school. Thank you very much.

George Dunton reported we sent about 33 pounds of letters to the troops. The Aldan Gifts to the Troops Fund it is going very successfully and close about the end of the month. To date we collected over \$2,400.00, this was well over the goal and fits the needs of the troops. They do not have a definite date when they will be coming home but will be around mid March. We will get pictures when they do get home and will put them on the Borough web site.

**MAYOR REPORT**

Mayor Hopely had nothing new to report tonight.

**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	\$ 127,134.85	\$ 19,505.76	\$ 0.00
Interest		\$	\$
Receipts for period	\$ 21,077.80	\$ 1.73	\$ 8,269.09
Expenditures Prior Month		\$	\$
Loan from Reserve			\$ 150,000.00
Ending Balance	\$ 148,212.65	\$ 19,507.49	\$ 158,269.09

Terry is asking Council’s approval to release check this evening for checks from the General Fund totaling \$120,720.50; from the State Highway Fund checks totaling \$6,870.90 and checks from the Sewer Fund totaling \$153,352.00. Councilwoman Brookes 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. Seflin reported on the Tax Delinquency Program. From a 2009 Tax Delinquent we received a check for \$33.76 for the property at 31 East Wayne Avenue with a balance due of \$816.59. Mr. Seflin was asked to report on our 2010 Tax Delinquency Program we are about 98.9% collection; there are 5 outstanding delinquents 4 we have judgments against with the total amount of \$6,347.36. Last summer we asked the Court to execute upon those judgments and we are still waiting for the Contactable to do so. One other property 226 W. Rively Avenue this is a habitual delinquent and we can't find this fellow he has abandoned the property and is also delinquent in 2011 and no taxes paid for 2012. There is a lien on the property and it will either be sold on a Tax Sale or at Sheriff Sale and our liens will be honored at that point. The total amount outstanding for 2010 is \$7,771.59. Mr. Seflin was also asked about 2011 but we are still in the process of collection right now. At the beginning of the collection period we had 24 delinquencies for a total amount of \$33,013.91; at present 5 have paid; 3 in a payment plan and 2 of the 3 in the payment plan are delinquent. Letters will go out to the 2 that are delinquent. The total amount which includes the plans that are delinquent is \$22,740.55. Of the original amount that was due we have collected about one third of that so far. There are 19 outstanding including 3 under a plan; of the 19 one is going to be sold at Sheriff's Sale on March 15<sup>th</sup> and 2 other properties the owners have died. Mr. Seflin is in the process of filing claims against their estates. The property at 320 E. Providence Road has been seized and already gone through a Sheriff's Sale and Fanny Mae is now the owner. Fanny Mae took control of the property last January and the tax year does not end until January 31<sup>st</sup> so Mr. Seflin filed a new lien against Fanny Mae as they were the owner during the tax year.

**ENGINEER**

Mr. Close reported now that we are in the New Year we will be initiating some of our annual and ongoing projects; 2013 Road Program, our Chapter 94 Sewer Report, our NPDS MS4 Annual Storm Water Report, our ongoing I & I Rehab work, and an ongoing DELCORA Act 537 Sewage Facility Planning Update and I will keep you updated.

Mr. Close reported last month we had a hearing for our 2013 CDBG (CDBG) Project, our Meter #3 Collection System I & I Rehab Project. That application was hand delivered on December 21<sup>st</sup> in time for the deadline on January 9<sup>th</sup>. It will take a while to hear back but we have our application is in and will let you know when we hear anything.

Mr. Close also reported on our 2012 Community Development Block Grant (CDBG) Project, that is our Maryland Avenue Playground and Parking Improvements Project. Bids were received and opened at Caucus on Wednesday, January 2<sup>nd</sup>. In coordination with OHCD the project was bid in 2 parts. Part 1 was Paving and Part 2 was Playground. We received 8 paving bids and 6 playground bids. Both contractors are very good contractors we checked their references, very reputable, we have experience with them. For the paving project Dan Malloy Paving from Downingtown has been in business since 1939 and their bid amount was \$88,900.00. For Project #2 the Playground was Lechmanik, Inc. out of West Chester and been around since 1979 and their bid amount was \$92,276.00.

These are 2 very good contractors and glad to have them on this project. Unfortunately their amounts came in higher than our Grant amount with the total being \$150,000.00. The total the 2 bids is \$181,176.00. Mr. Close has discussed this with the County and they asked us to submit a request to allocate additional funding to match the bid amounts. So accordingly Mr. Close recommends to award tonight to both Dan Malloy for the Paving Project and Lechmanik for the Playground Project contingent upon the County reviewing the bids and also approving the additional funding allocations. Councilman Oropollo made a motion to accept the 2012 CDBG application for Project #1 Paving bid from Dan Malloy Paving Inc. at \$88,900.00 contingent upon the acceptance of the bids and approval of the request for additional funds by the Delaware County OHCD, seconded by Councilman Coppola and unanimously approved. Councilman Oropollo made a motion to accept the 2012 CDBG application for Project #2 Playground bid from Lechmanik, Inc. at \$92,276.00 contingent upon the acceptance of the bids and approval of the request for additional funds by the Delaware County OHCD, seconded by Councilman Cosgrove and unanimously approved.

Dan Procopio asked just to understand, you approved those 2 bids and they have to be reviewed even if they were underbid by OHCD and if they do not approve the additional funding will that mean the project will not be done. President Short explained there is a possibility that it would be scaled back; re-bid the project or eliminating the project altogether. Council will discuss this after we find the results from the County. Dan asked how long before we hear from the County. Mr. Close explained we hope within a few weeks. President Short commented we understand the sensitive of a time issue for the opening of the Swim Club. Dan asked if it could be an option the Borough could take money out of the Reserve Funds to cover the difference if the money is not covered by the County. President Short responded probably not this year but Council has not discussed this issue. Dan asked if you change the nature of the project will this create a problem with other people who bid against it in its current form or was there a scaling factor involved in the bid to begin with. Mr. Seflin explained it would have to be re-bid. Mr. Seflin asked Mr. Close if we re-bid could we put a maximum amount in the bid specs. Mr. Close asked the maximum amount of cost. Mr. Close responded this is not something we have ever done and don't have experience with this format and it's not anything I have ever seen.

Herb Hays asked could the Borough accept the paving part of the project and then could they re-bid the playground part with a smaller playground. President Short and Mr. Seflin agreed that because they were 2 different projects we could do that.

## **REPORTS OF COMMITTEES**

### **PUBLIC HEALTH**

Councilwoman Owen reported the Health Officer attended the quarterly meeting in December for the County and the topic this meeting was bed bugs. The take home message he wanted to pass along was bed bugs are still present in the winter however they go dormant and the heat in the summer is what kills them off. Also flu season is in its height until April it is recommended that you get the flu vaccine and wash your hands as often and thoroughly as you can because it is the #1 way to prevent transmitting the flu virus from one person to another.

Councilwoman Owen also reported Food License Applications will be going out this month and the inspections will follow.

Councilwoman Owen reported there will be no trash collection on Monday, January 21, 2013 in observance of the Martin Luther King holiday. Trash will be collected on Tuesday, January 22, 2013

Councilwoman Owen reported on Recycling for 2012 and the total our hauler collected and removed it from the solid waste stream that would have otherwise gone to the dump. Councilwoman Owen was notified by the President of Suburban Waste Services that the totals from all the materials are not separated. The vendor they take them to does not break them down into categories. However the grand total of the recyclables collected in 2012 was 384.6 tons.

Tom Mores commented the recycling seems to work very well. I have 3 times more recyclables than non recyclables. Councilwoman Owen responded yes it is working there are a lot of blue bins out on Wednesdays.

Dan Procopio commented that you to the Councilwoman Owen for her response to last month question and also do you have the total amount of trash that was collected for the year that went to the tipping station. Councilwoman Owen said not with her tonight but can get that information for you.

Paul Krueger asked if we were still limiting plastic to 1 & 2. Councilwoman Owen responded no the program expanded so there is now a market for everything from 1 to 7.

## **HIGHWAY**

Councilman Cosgrove reported, this time of year in the absence of snow the Highway Department is not busy other than the small dusting we had a few weeks ago so we will hope for the best for the rest of the winter.

Councilman Cosgrove reported the second part of Merion Terrace was surprisingly completed. We were told within the last 6 weeks it was not going to happen till the summertime because of cost and the availability of money. With that paving complete Merion Terrace is done and we don't have to worry about it for a long time.

## **PUBLIC WORKS**

Councilman Oropollo reported he talked to Ozzie from General Sewer and the root from Rively Avenue and Magnolia Avenue have been cleared out and in discussion with him on doing that on an every other year basis in that area because it tends to be a problem. We were trying to find the cost of doing that area every other year vs or wait and he will get back to Councilman Oropollo on that cost.

Councilman Oropollo asked if residents see inlets if they are not cleared when it rains please call Councilman Oropollo and he will go out to clear them to make sure the highways are accessible and avoid any problems.

Dan Procopio asked how many feet on Rively Avenue were cleared and what was the cost to the Borough to remove the tree roots. Councilman Oropolla responded he would get the information for Dan or Dan could call his house.

## **FINANCE**

Councilwoman Brookes reported there was nothing to discuss about Finance tonight because we are finished our budget and hopefully adhere to it as closely as possible.

Councilwoman Brookes reported on the Fire Marshal's Report Collingdale Fire Companies #1 and #2 responded to 8 calls during the month of December, 2012 with damage of \$3,800.00 to 1 call at Aldan Elementary School for a heater problem. During the month of December, 2012 Collingdale Ambulance/Paramedics responded to 31 calls in the Borough of Aldan. The Fire Marshal also noted a comparison for year to year for damage amounts and EMS calls. EMS calls for 2012 were 399 and the total damages were \$476,300.00 compared to 2011 with 355 EMS calls and \$8,000.00 in damages.

President Short explained that each year we have to appoint a Chief Administrative Officer for the Police Pension Fund. Councilman Cosgrove read Resolution 2013-01 It is hereby resolved and decreed by the Council of the Borough of Aldan, that Councilwoman Peggy Brookes is appointed Chief Administrative Officer of the Aldan Borough Police Pension Fund; as such, Councilwoman Brookes is empowered and authorized to engage in the necessary investment transactions and procedures to maintain the integrity and solvency of the Police Pension Fund. Councilman Cosgrove made a motion to appoint Councilwoman Brookes as Chief Administrative Officer for the Police Pension Fund for the Borough of Aldan, seconded by Councilman Coppola and unanimously approved.

Dan Procopio asked for the current amount balances in the Reserve Funds; Councilwoman Brookes reported in the General Reserve we have \$277,691.24; in the Sewer Capital Reserve we have \$286,771.99; and in the Police Capital Reserve we have \$17,145.63. Dan Procopio asked that did not include the transfer mentioned by the Treasurer earlier of \$150,000.00; Councilwoman Brookes responded yes that has been taken out of these figures.

## **LAW, ORDINANCE COMMITTEE**

Councilman Coppola reported the Building Inspector issued 16 building permits with a construction value of \$38,823.00; the Residential Inspector completed 31 transfers and mid-terms; and the Plumbing Inspector issued 1 plumbing permit with a construction value of \$700.00.

## **UNFINISHED BUSINESS**

No unfinished business tonight.

**NEW BUSINESS**

Vice-President Brookes reported Caucus will be Wednesday, February 6, 2013 at 7:30 P.M. at the Municipal Building at and Council will meet on Wednesday, February 13, 2013 at the Reinl Recreation Building at 7:30 PM for Executive Session and General Meeting starting at 8:00 PM.

President Short wanted to comment on some letters that went out to various residents that they were delinquent with their 2012 William Penn School Taxes. President Short received one of these letters. They had their receipt and canceled check and took it over to the School District and this was corrected and was an administrative error. School Tax checks were not to be sent to our previous tax collector this year they started checks went directly to the School District. There were 3 residents who paid the previous tax collector in cash they also received the letters but had their receipts and is straightened out with the School District. If you received a letter and want to talk with the School District we have that information available for you tonight.

Dan Procopio had some questions about articles that were in the newspaper concerning Mr. Park's resignation and the appointment of a new tax collector. Was Mr. Park submitting his Reconciliation Report required by Act 169 of 1998 to the Borough on a monthly basis or made more frequently. President Short reported October was the last one submitted to us. Dan asked who in the Borough receives that report. President Short responded the Treasurer, the Finance Councilperson receives a copy and also a copy at the Municipal Building. Dan asked the paper reported he resigned on November 16<sup>th</sup> did Council officially accept his resignation at the last meeting? Mr. Sefflin commented we accepted it at the December Caucus meeting and it was announced at the December Council Meeting. Dan asked who is in possession of the 2012 duplicates that were in Mr. Park's possession. President Short responded a copy of the tax duplicates have been give to the Insurance Company that we have the Bond with. Dan asked if there was an audit going on and who is performing this audit. Mr. Sefflin responded it is the District Attorneys Office. Dan asked according to the paper this may have been occurring prior to this past year and is the audit going back beyond the year 2012. President Short responded any question like that you would have to get from the District Attorney. Dan asked if there is a time line when the Borough will receive the monies from the Security Company. President Short responded no we have not heard. Dan asked as he understands the Borough pays for the Bonding is that correct. President Short said that is correct. Dan asked do you know how much you pay for the Bonding each year. President Short does not remember could be around \$13,000. Dan asked what is the frequency of the transfer of money is it monthly, weekly, or daily from the tax collector to the Borough. President Short said at that time that was up to the tax collector. Dan asked he could do whatever he wanted he could hold it for more than a month. Mr. Sefflin commented tax payments were supposed to go right into a Loc Box but apparently certain tax collectors have an account where if they get personal checks or cash they put it into that account. Tax Collectors are elected officials so at their discretion they do it. Dan said it was his understanding that they had to make those transfers at least monthly and that the Borough could make them do it on a more frequent basis. Was the Borough making him do it monthly or more frequently? Mr. Sefflin responded the payment that went to the Loc Box went immediately into the Borough's account but payments made to the tax collector were supposed to be made monthly. Aside from these reports we receive there is no one overseeing the tax collector, he is an independently elected official. No one in the Borough could go to him and demand or force him to do something. Dan said there is supposed to be an annual audit made of the tax collector by an agent appointed by the Borough. Were the tax collector's funds audited annually? Councilwoman Brookes commented we had an annual audit of the Borough and assume it included the tax collector because that is where the income would come in from.

Dan commented it seems they could require one (audit) to be annually and paid for by the Borough or by the School District. Dan said the checks that were made out for the Borough Taxes, for those who don't have mortgage companies and maybe even for those that do were written out to Mr. Park individually in his name because that was the way it was set up. Councilwoman Brookes responded most Municipalities are set up that way. Dan said he does realize it is a State Law and has been modified multiple times over the last 15 years. President Short explained we keep tight reins on the monies coming in and you can see Mr. Sefflin is up in the 90% collection rate and we know pretty much to the penny of what we should be getting and when we should be getting it. When it did not come in that is what generated our interest in what was happening. Dan asked subsequent to this has there been any changes the way the system was established and how it is now going to be done. President Short explained yes it is being done completely different and is a process being created now.

Tom Morse (new Tax Collector) commented he will also try to answer question but is a little new to all the terminologies. Tom explained the District Attorney has some information that Mr. Park had and he did turn records over to the Borough. What he turned over to the Borough were the print outs that the County prepares of all the properties and all the tax due. He sent a printout to the School District for 2012 and a printout to the Borough. Not sure if this is called the tax duplicates. He not only sent it but was maintaining it manually and recording all of the tax payments. We have since gotten tax monies in dribs and drabs and I (Tom) have been updating those duplicate as the checks come in making sure the checks are going into the Borough's account. Mr. Park also left a copy of the check with all of the tax receipts that remained in his account that were turned over to us, the last \$33,000 or so. He turned over the backup for that \$33,000 including all the backups of all the tax payments. Cindy Leitzell (our auditor) did say that she audited the tax collections every year. Tom explained the whole methodology of the tax deposits going forward is being worked on. Dan asked who Cindy Leitzell was. President Short and Councilwoman Brookes explained she was our auditor.

### **PRIVILEGE OF THE FLOOR**

President Short commented it has come to his attention one of our Councilmen is a year older today. Congratulations to Sal Oropollo is 60 year old today and his wife has been so kind to deliver cupcakes for everyone to enjoy

### **ADJOURNMENT**

On a motion made by Councilman Coppola seconded by Councilwoman Brookes and unanimously, approved, the regular meeting of the Borough Council was adjourned at 8:50 P.M.

### **ATTEST**

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MARIE V. KAUT  
Borough Secretary