

ALDAN BOROUGH, DELAWARE COUNTY, PENNSYLVANIA

June 12, 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; S. Coppola;
J. Cosgrove; S. Oropollo;

Council members absent: T. Owen; M. J. Corrigan

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. Oropollo minutes from the May 8, 2013, Council Meeting be accepted as presented and unanimously approved.

WRITTEN CORRESPONDENCE

No written correspondence tonight.

VERBAL CORRESPONDENCE

No verbal correspondence tonight.

MAYOR REPORT

Mayor Hopely reported Pennsylvania has a food program where they give you vouchers or coupons for fresh fruit and vegetables. The Senior Farmers' Market Nutrition Program offers four \$5 checks to help pay for fresh fruits, vegetables and herbs at about 190 farmers markets and 800 farm stands statewide. Residents 60 and older (or turning 60 before Dec. 31) qualify for the program. Christine Helmandollar runs the Senior Center off Wycombe Avenue in Darby.

The Produce Voucher Program will start on Wednesdays, beginning June 12th from 1 to 3 pm. Produce vouchers are available at the Center and there are income guidelines. Both Lansdowne and Yeadon farmer's markets are accepting vouchers for fresh vegetables. The 2013 household income eligibility is; 1 person \$21,257; 2 people \$28,694; 3 people \$36,131; 4 people \$ 43,568; 5 people \$51,005 and 6 people \$58,442.00. This program has been in service for a few years.

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	\$ 958,076.58	\$.43	\$ 598,652.07
Interest		\$	\$
Receipts for period	\$ 61,795.24	\$ 74,674.22	\$ 19,383.57
Expenditures Prior Month	\$ 152,715.57	\$	\$ 3,881.25
Loan Returned to Sewer	\$	\$	\$ 290,000.00
Reserve Fund			
Ending Balance	\$ 867,156.25	\$ 74,674.22	\$ 324,154.39

Terry is asking Council's approval to release check this evening for checks from the General Fund totaling \$164,683.88; checks from the State Highway Fund totaling \$6,720.03; and checks from the Sewer Fund totaling \$149,595.00. 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 Councilman Cosgrove and unanimously approved.

SOLICITOR

Mr. Seflin reported on delinquencies for multiple years; tax delinquent for 2009 we did receive a check from the Chapter 13 Bankruptcy Trustee for 31 E. Wayne Avenue for \$33.75 with a balance due of \$647.79. On the 2011 Tax Delinquency Program; on May 23rd we filed 12 law suits for tax delinquents with the District Justice. Before the hearing 2 of the delinquents paid so there were 10 hearings in front of the court; 5 of the ten were not served so we asked the court to effectuate Constable Service and we hope that will take place by the end of the summer, and there were 5 judgments in our favor. Mr. Seflin thanked our Tax Collector, Tom Morse, for accompanying Mr. Seflin to the hearing and supplying valuable testimony to the court.

Mr. Seflin is working with the Law, Ordinance and Building Committee concerning a property at 127 South Clifton Avenue, owned by Fannie Mae, Federal National Mortgage Association and owned for about 8 months and allowed the property to slip into disrepair. There was an Order of Abatement issued by the Building

Inspector to Fannie Mae to the office in Texas. They did not respond. The Borough did remediate the nuisances on the property; overgrown trees, bushes, weeds, grass, etc.

-2-

No. 5627

The Borough was charged \$3,455.00 and we are currently in the process of trying to retrieve those funds from Fannie Mae. They do have an attorney in Philadelphia. He and Mr. Seflin have had several conversations about this and he has received correspondence from Mr. Seflin. We hope they will pay us voluntarily but if not next month we will file a lien and if they do not respond to the lien we will pursue other avenues against Fannie Mae.

ENGINEER

Mr. Close reported on our NPDS MS4 Storm Water Management Program; the annual report is due on June 10th which we did complete and submit to DEP. This was year 10 and the reporting period was March, 2012 to March, 2013. During the course of this year we will be coordinating items that are required under the permit and that will be the substance of our report for next year.

Mr. Close reported on our 2012 CDBG Project, the Maryland Avenue Playground and Parking Lot improvements. The Playground and Paving work have been completed. The punch list has been finalized and the final payments are being processed through OHCD.

REPORTS OF COMMITTEES

PUBLIC HEALTH

Councilwoman Owen was not at the Council meeting tonight.

HIGHWAY

Councilman Cosgrove reported last week at Caucus we opened the bids submitted for the 2013 Road Resurfacing Program. The lower of the 2 bids was for \$54,450.00 submitted by A F Damon, Inc. from Upland, PA and is a contractor who has done work in Aldan before. Since that time our Borough Engineer has reviewed the paperwork submitted and found everything acceptable and meets our requirements. Councilman Cosgrove made a motion to accept the bid of A F Damon, Inc. from Upland PA for \$54,450.00 and award them the contract for the 2013 Road Resurfacing Program, seconded by Councilman Coppola and unanimously approved.

Dan Procopio asked when the project is scheduled to start and what was the budgeted amount for Road Resurfacing for this year? Councilman Cosgrove responded the budgeted amount was \$70,000.00. The estimate from the Engineer was about \$65,000.00, so this is a very good price. The other bid was for \$67,000.00 that is a \$13,000.00 difference, so we are pleasantly surprised. Mr. Close explained once this is awarded we will notify the contractor of the award, they provide bonds and insurance which takes about a

couple of weeks; we will look at their schedule and we usually look at end of July or early to mid August. The work itself takes about a week and a half weather permitting.

-3-

No. 5628

PUBLIC WORKS

Councilman Oropollo reported he talked with PECO today about the work on East Providence Road and the work should be completed by June 24th.

Councilman Oropollo reported he did get information back from Representative Micozzie on the lateral drain situation. The information from the state is difficult to read and also understand, but to summarize it's still up in the air. Councilman Oropollo will talk to Representative Micozzie's office to see if he could go to Harrisburg and meet with individuals from DEP and get a better idea of what is happening and a better understanding of what is required from Municipalities and the home owners.

Dan Procopio asked about the repair of the sidewalk, curb and street in the area of the gas leak. PECO is required to repair all those areas are they also required to repair the street and who has the authority for the correct repair. President Short and Mr. Seflin responded Penn Dot for the street and the Borough for the curb and sidewalk.

Herb Hays asked about the 50 to 60 holes they drilled will they also fill those in. President Short explained we were told they will fill those in also.

FINANCE

Councilwoman Brookes reminded everyone our 4th of July Celebration will be held on Thursday, July 4th with a rain date of Saturday, July 6th. Books will be distributed soon and collectors will be out to collect for our celebration. This is always a good time; the parade will start around 11:00 AM with festivities immediately following at the ball field. 4th of July is one of those days your glad you live in Aldan. All are welcome and come out and have a really nice day.

Councilwoman Brookes read the Fire Marshal's Report for the month of May, 2013. Collingdale Fire Companies #1 and #2 responded to 6 calls during the month of May, 2013 all with no damage. Also during the month of May, 2013, Collingdale Ambulance/Paramedics responded to 34 calls in the Borough of Aldan.

Councilwoman Brookes explained Mike Glackin from I n R gave the Police information on a Police "457 Plan" they are eligible to participate in. Councilwoman Brookes read the Resolution to give everyone the understanding of what it is. Resolution 2013-05 is Authorization for the Borough of Aldan to establish a 457 non-qualified tax-deferred compensation plan for employees of the Borough and to designate representatives of the Borough to execute 457 plan documents.

The Pennsylvania Borough Code at 1005, codified at 53 P.S. 46005, vests in Borough Council the authority to appoint one or more depositories for Borough funds, such as a bank, or other financial institution; The Borough

of Aldan has employees rendering valuable services; whereas, the U.S. Internal Revenue Code, codified at 26 U.S.C. 457, permits the establishment of non-qualified tax advantaged deferred-compensation retirement plans available for certain state and municipal governments, and certain other non-governmental entities exempted pursuant to Section 501 of the IRC;

-4-

No. 5629

These municipal "457 Plans" operated similarly to private employer 401 (k) plans or 403 (b) plans available to charitable and non-profit entities in allowing employees to set aside funds from their earnings or wages to be deferred until retirement in a tax-free setting; the key difference with a 457 Plan, however, is that unlike a 401 (k) Plan, there is no 10% penalty for withdrawal before the age of 59.5 years, although any withdrawals are subject to ordinary income taxation;

After due consideration, Aldan Borough Council has determined to establish and adopt a 457 Plan for Borough employees;

The Borough of Aldan has had in-depth discussions with pension and investment advisors respecting the best course of action to pursue in the construction and establishment of a 457 Plan for employees of the Borough of Aldan.

Now therefore, be it resolved by the Council of the Borough of Aldan, that the Borough establishes or creates a 457 plan document.

The Plan shall be maintained for the exclusive benefit of eligible employees or officials of the Borough and their beneficiaries; and

Be it further resolved, that the Borough nominates and appoints the InR 457 Company, LLC, of Media Pennsylvania, to serve as the investment and management advisor of the 457 Plan of the Borough, and the Borough agrees to the investment of the assets of the 457 Plan in a manner and structure, determined by the Borough's advisor, the InR 457 Company, LLC, for the collective investment of funds for public employees and officials.

Be it further resolved, that the Borough of Aldan agrees to serve as the Trustee under the 457 Plan;

Be it further resolved, that the Borough of Aldan shall be the coordinator for its 457 Plan; shall receive reports, notices, etc., and may delegate any and all administrative duties relating to the Plan to appropriate authorities, including, but not limited to, the InR 457 Company, LLC or its affiliates; and.

Be it further resolved, that the Council of the Borough of Aldan does authorize Borough Council President, Harry Short, or Borough Council, Vice-President, Peggy Brookes, the authority to execute any and all documents and agreements.

Councilwoman Brookes made a motion to pass Resolution 2013-05 Authorization for the Borough of Aldan to establish a 457 non-qualified tax-deferred compensation plan for employees of the Borough and to designate representatives of the Borough to execute 457 plan documents, seconded by Councilman Coppola and

unanimously approved.

Dan Procopio asked if the 457 plan was available to all Borough employees and Council. President Short explained all full time employees. Dan asked is there any match from the Borough. Councilwoman Brookes responded there is no match by the Borough.

Dan Procopio asked for the current amount balances in the Reserve Funds; Councilwoman Brookes reported in the General Reserve we have \$277,844.43 in the Sewer Capital Reserve we have \$436,907.02; and in the Police Capital Reserve we have \$17,152.50. These accounts were reconciled on May 31, 2013.

-5-

No. 5630

Dan Procopio also asked what the cap of the amount of salary that can be given into the plan? Councilwoman Brookes responded up to 100% of their salary.

PUBLIC SAFETY

Councilwoman Corrigan was not at the meeting tonight.

LAW, ORDINANCE COMMITTEE

Councilman Coppola reported the Building Inspector issued 26 building permits with a construction value of \$77,675.00; the Residential Inspector completed 44 transfers and mid-terms inspections; and the Plumbing Inspector issued 1 plumbing permits with a construction value of \$2,500.00

Dan Procopio asked about an article in the paper where a tree fell on Rively Avenue did that do any damage to the street or any borough property. President Short commented he did see it in the paper but has not been over in that area.

UNFINISHED BUSINESS

No unfinished business tonight.

NEW BUSINESS

President Short reported Caucus will be Wednesday, July 3, 2013 at 7:30 P.M. at the Municipal Building at and Council will meet on Wednesday, July 10, 2013 at the Reiln Recreation Building at 7:30 PM for Executive Session and General Meeting starting at 8:00 PM.
or negative.

PRIVLIDGE OF THE FLOOR

Dan Procopio asked if there is any update District Attorney's investigation of our prior Tax Collector. President

Short reported we did put in another request for a meeting with the District Attorney so we can find out when we can start collecting the money from the Bonding Company. When we have an update we will pass on the information.

Dan Procopio commented that one of the 4th of July members will not be present on the 4th this year because she will be on her honeymoon and we congratulate Councilwoman Brookes on her upcoming wedding.

-6-

No. 5631

ADJOURNMENT

On a motion made by Councilwoman Brookes seconded by Councilman Coppola and unanimously, approved, the regular meeting of the Borough Council was adjourned at 8:35 P.M.

ATTEST

MARIE V. KAUT
Borough Secretary

