

ALDAN BOROUGH, DELAWARE COUNTY, PENNSYLVANIA

December 9, 2009

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 Center on the above date with Vice-President Xavier presiding.

The Pledge of Allegiance was recited and led by Vice- President Xavier.

ROLL CALL

Council members present: P. Brookes; M. Xavier; S. Coppola

T. Owen; J. Cosgrove; R. Baker

Council members absent: H. Short

Officers present: J. Hopely, Mayor; T. Quinn, Treasurer

G. Seflin, Solicitor; G. Kaut, Secretary

Officers absent: None

MINUTES

On a motion made by P. Brookes seconded by S. Coppola the minutes from the November 11, 2009, Council Meeting be accepted as presented and unanimously approved.

WRITTEN CORRESPONDENCE

No written correspondence tonight.

VERBAL CORRESPONDENCE

There was no verbal correspondence tonight.

-1-

No. 5281

Vice-President Xavier turned the meeting over to Mayor Hopely for a special presentation. Mayor Hopely introduced Collingdale's Honorable Mayor Frank Kelly; Stynor Carter; Marc Hanly; and thank you to Bill Garrity for all your help. Mayor Hopely thanked everyone for coming and this is a great tribute to him. Mayor Hopely read a Proclamation to Fred Howell, the Borough of Aldan has been fortunate to count Fred Howell, Fr. As a citizen for more than half a century. Mr. Howell has been a member of Collingdale Fire Company No. 1 for over 63 years, distinguishing himself as that Company's longest serving member, where he has served in leadership positions including Chief, Trustee and Committee chairman and where he has long guided the Relief Association; he still-active dedication of time and talent to Collingdale fire Company No. 1 has helped form that company into a premier fire services company in the county of Delaware and the Commonwealth of Pennsylvania. Mr. Howell's leadership in the fire services extended beyond his own Company, as he advanced in leadership positions with the Delaware County Fireman's Association, serving as a District Director and attending the heightened status as a Life member of that organization. Mr. Howell's devotion to and honor as a distinguished fireman is reflective of his lifelong dedication to God, Country and community, as he honorably served the United States as a veteran of World War II in the North African Campaign and returned home to Collingdale and Aldan to dedicate himself to his family, church and community. Therefore, be it Proclaimed this 9th day of December, 2009 by the Mayor and Council of the Borough of Aldan, on behalf of the whole citizenry of our community, and recognizing no duty is more urgent

than that of returning thanks, that Fred Howell, Sr. is accorded our grateful thanks and appreciation for his dedicated service to the Borough and, that it is proper to exclaim of Mr. Howell, as written in the Ode to Our Firemen: "But sound aloud the praises, and give the victor-crown to our noble-hearted firemen, who fear not danger's frown". Mayor Hopely said much appreciation to Fred and thank you for being a citizen of Aldan and for your service in the community. Fred Howell commented at this time he would like to thank the ladies on Council and the Gentlemen on Council and thank all my Brother Firemen and the Mayor of Collingdale for coming out tonight it is much appreciated. Bill Garrity commented the Collingdale is 103 or 104 years old and we have never had a member obtain 63 years of service.

REPORTS OF OFFICERS

MAYOR

Mayor Hopely wished Betty Alburger a Happy Birthday and many, many more and thank you for the great work you do for Aldan in the newspaper.

Mayor Hopely reported the Providence Village Shopping Center, under the direction of Mr. Joel Peskin and Mr. Gordon Saul, presented the police department with a check for \$3,000.00. This money along with a federal grant obtained by the police department will outfit all officers with new bullet proof vests. Mr. Peskin and Mr. Saul have continued to support the police department for many years. We are grateful for their contributions to the police department.

Mayor Hopely reported on November 20th Sgt. Camarota provided Aldan Cub Scouts from Aldan Union Church with a tour of the police station and municipal building. In return the cub scouts gave Sgt. Camarota a pizza for his dinner.

Mayor Hopely, Chief Coppola and all the police officers wish everyone a Merry Christmas and Happy New Year.

TREASURER

Terry Quinn read the Treasurer's Report:

General Fund State Highway Fund

Balance of cash on hand \$ 717,264.34 \$ 6,503.26

Receipts for period 30,962.42 .91

Expenditures Prior Month 119,658.12 6,500.00

Expenditures This Month 413,248.02

Balance \$ 215,320.62 \$ 4.17

Terry Quinn asked Council's approval this evening for checks from the General Fund totaling \$413,248.02. T. Owen made the motion to approve the Treasurer's report as presented and authorize her to release the checks as indicated on the bills list, seconded by R. Baker and unanimously approved.

SOLICITOR

Mr. Seflin reported on the Tax Delinquency Program. Regarding the 2007 we still had 2 delinquencies outstanding, one we collected last week so we now have 1 for the year 2007. We did receive \$1,616.00 for a property on Albert Avenue. That same fellow also at the same time, probably because he got visited by the Constable and his house was going to be levied upon he decided to pay his 2008 delinquencies also with a check for \$1,472.00. As for 2008 we are down to 4 delinquents. The same fellow still outstanding for 2007 is outstanding for 2008 and that is a Providence Road property and this is a non-resident property owner. His hearing was scheduled for tomorrow but was continued till January 14, 2010. There are 2 other hearing tomorrow again 2 non-resident property owners. A 4th delinquency outstanding for 2008 where we obtained a judgment in October against Mr. and Mrs. Wood from 116 South Sycamore Avenue in the amount of \$1,481.95 and we have commenced execution proceedings as of this week. Mr. Seflin will keep Council advised on this matter. We are down to 4 for 2008 and would hope that by the end of January we should be down to 1 or 2.

Mr. Seflin reported with the help of Chief Coppola they were able to track down the owner and operator of a tractor trailer which took out one of our traffic signals on the North West corner of Providence Road and Woodlawn Avenue on November 3, 2009. Mr. Seflin has found 2 Insurance Companies that provide coverage to this tractor trailer and put them on notice as well as the operator and owner which is Saahan Express LLC of Floorscant, Missouri. They have all been placed on notice and Mr. Seflin will keep Council advised on that claim. It was a little over \$1,00.00 to repair that traffic control device.

Mr. Seflin also reported Council will be considering tonight Ordinance # 504 which is an amendment to the Floodplain Management Chapter of the Code of the Borough of Aldan. Mr. Close will be able to give more of the particulars than Mr. Seflin. Mr. Seflin wanted to comment that every 7 or 8 years FEMA updates their Floodplain Maps and now they want us to amend this particular chapter of our code. There is not a lot that has changed but one of the things they wanted was some definition on changes, which we have in there. FEMA is concerned with building basements within a flood zone. FEMA wants to make sure if we approve any kind of construction within a floodplain or near a floodplain they don't have basement or there are special conditions taken to make sure basements are not flooded. This was one of the major items FEMA had.

Vice-President commented to Mr. Seflin it is astounding the tax collection rate we have and the way you handle the delinquents. Between Mr. Seflin and Bob Park we are very lucky.

Mr. Ceci asked if Mr. Seflin is allowed to bill the driver who hit the traffic light for his services. Mr. Seflin responded he can bill him all he wants but it does not mean he will pay the bill. But the answer to your question is no. If we had to sue Saahan Express LLC and their driver, Mr. Diere, and assuming we obtained a judgment, in order to obtain Attorney's fees, there has got to be a statute or a rule of Civil Procedure which award attorney's fees. There is non Mr. Seflin is aware of for a very simple negligence action. Mr. Seflin said we can recover our costs.

ENGINEER

Vice-President Xavier explained we will be having two parts to the meeting tonight. The engineer Mr. Close is going to present his normal report and then we did advertise a Public Hearing will be held this evening in the Recreation Building to obtain citizens proposals and comments for Aldan Borough's 2010 CDGB grant application. When Mr. Close finished his report we will entertain a motion to recess this meeting so we can go into our Public Hearing.

Mr. Close had nothing new to report, Mr. Seflin did summarize the FEMA Ordinance quite well and it really is a simple and small matter. Mr. Close will defer his time to the CDBG hearing and there is nothing new to report that can't wait till the January meeting.

Councilmen Coppola made a motion to recess the General Council Meeting to conduct the Public Hearing and at the conclusion of the Public Hearing we will reconvene the General Council Meeting, seconded by T. Owen and unanimously approved.

Vice-President Xavier explained the Public Hearing for the Aldan Borough 2010 CDBG application is now open.

-4-

No.5284

Councilmen Cosgrove made a motion to close the Public Hearing and return to the General Council Meeting seconded by R. Baker and unanimously approved.

Vice –President Xavier then reconvened the Regular Council Meeting and the Public Hearing is now closed.

Mr. Ceci asked about the Floodplain and would anyone ever build on a floodplain. Mr. Seflin explained if there is something existing in a floodplain and someone wants to reconstruct the property yes they could because it is a non-conforming use under the Zoning Ordinance. There are occasions when something is already built in a floodplain can be rebuilt. New construction in a floodplain is a different issue that will not be happening to easily. Floodplains change, when the new maps came out there was a house on Rively Avenue that was sort of shifted into a floodplain. There are lots and lots of homes and businesses throughout Delaware County that are in floodplain because they were built in the 1940 or 1950. We are not talking about new construction we are talking about existing construction.

REPORTS OF COMMITTEES

HISTORICAL COMMISSION

Councilwoman Brookes wanted to thank the Aldan Boosters for a very nice tree lighting ceremony on Saturday, December 5th. The Historical Commission was there serving hot cider and warmed everyone up and was a nice community event.

PUBLIC HEALTH

Councilwoman Owen reported on the presentation that was held on November 19 in the Rec Building. We had a nice turnout of about 30 persons who came to hear a representative who came from APRISE which is a nonprofit Health Insurance Counseling Program that is provided through the Department of Health. Kim Andrews came to update our residents about the change in the prescription plan available to Medicare recipients. An added bonus of information was given to the residents who are among the 6400 residents who have PPO plans that are being dropped as of December 31, 2009. This has been a shock to many of the residents who got brochures and letters from their Insurance Companies mentioning to them they are going to drop them and given little information about alternatives they could select. A lot of people have been reading booklets they have received from other companies offering their policies. Ms. Andrews gave a very good presentation and simplified things as best possible to a very complex situation. Ms. Andrews has been holding these presentations across the County to help persons be more informed. Everyone left with information, resources or at least the reassurance that they can make an informed decision before the end of the year to select the insurance they will have for the next year. County Council is offering discount prescription cards and this is a benefit coming to county residents. They have partnered with a Company called Trust Scrip, LLC to distribute free discount cards which require no enrollment, no fees and no paperwork and they are accepted at 56,000 pharmacies nationwide including independent pharmacies, retail chains, and stores like Wal-Mart, and Target. They are available now at County Libraries, Seniors Centers, and Human Service Centers and can also be downloaded and printed from their web site as well as the County web site. The way it works, a person will take their prescription and their card to the pharmacy to get their prescription filled, present the card

-5-

No.5285

to the cashier when paying and the discount is automatically applied before paying for the prescription. We are not sure if it is a percentage of your prescription or a certain dollar amount off. Councilwoman Owen has the information, contact number and web addresses to the company, Trust Scrip, as well as the County.

Councilwoman Owen also commented County Council is asking resident to participate in an online Public Health Survey. Currently there is a Public Health Study being done of our County by John Hopkins, to examining childhood immunizations, health risks, infectious disease, and emergency preparedness and response. The survey is intended to obtain residents views on available services, strengths and weaknesses and what improvements could be done. The web address www.co.delaware.pa.us and the deadline to participate in that survey is December 15, 2009 and they would like your feedback.

Councilwoman Owen also reported Intercommunity Health is sponsoring a H1N1 Flue vaccine clinic in area High Schools across the County this weekend. This is geared for mainly the high school students who are in the high risk age category to be immunized. This Saturday is Penn Delco High School in Marple Newtown is hosting the clinic and on Sunday is Radnor. If anyone would like information Councilwoman Owen can give you the number to Intercommunity Health.

Councilwoman Owen reported there will be no interruption for trash collection during the holidays because Christmas and New Years are on Fridays and our trash is on Thursdays.

Mr. Ceci commented that attending residents he talked with said the Presentation given was incredibly helpful. Councilwoman Owen said there were a lot of smiles and they were calmed from their frustration of going through this ligature they have been receiving. Some people got confirmation that the idea or intention they had was a good one or they got more information to digest to help make a more informed decision. If we are going to see changes in the Health Plan locally in the coming years Councilwoman Owen might have Kim Andrews come back each year to present whatever she has to tell us about. This was done in a very comfortable and informal setting and way and made it sound simple but it is very complex. Vice-President thanked Councilwomen Owen for the help you bring to the residents each year.

Dan Procopio asked if there was a cost for the County Prescription Card. Councilwoman Owen responded there are no fees, no paperwork, and no enrollment.

HIGHWAY

Councilmen Cosgrove reported last month we talked about the placement of school zone signs in the vicinity of the School, Providence Road, Woodlawn Avenue, Clifton Avenue, to make equal the speeds with which you pass through the intersection. Councilmen Cosgrove reported the signs are now in place. All the intersections around the school on Providence Road, Woodlawn Avenue, Clifton Avenue and also two placed on East and West Wayne Avenue for car coming out in the middle of a school zone.

PUBLIC WORKS

Councilmen Coppola reported DELCORA approved their budget for 2010 and as expected we saved a considerable amount of money. That is reflected in the residents saving some tax dollars next year.

Councilmen Coppola made a motion to adopt Resolution # 2009-04, this Resolution for the application of Community Development Block Grant Funds for the Fiscal Year 2010, seconded by P. Brookes and unanimously approved.

Councilmen Coppola made a motion to adopt Ordinance # 504, this Ordinance is amending the Code of the Borough of Aldan at chapter 137 (Floodplain Management) to provide updated standards and definitions issued by the Federal Emergency Management Agency (FEMA), seconded by R. Baker and unanimously approved.

PUBLIC SAFETY/ HISTORICAL COMMISSION

Councilwoman Brookes reported on the Fire Marshal's report for November. Collingdale Fire Companies #1 and #2 responded to 4 calls in the Borough during the month of November, 2009. During the month of November, 2009 Collingdale Ambulance/Paramedics responded to 26 calls in the Borough of Aldan. The Fire Marshal reported the holiday season is now upon us. The Fire Marshal would like to remind all residents and their families that all electrical lights, ornaments, etc., should be checked for broken wires and faulty defects, and while no one is home, all electrical decorations should be disconnected and not left on. Also all Christmas Trees should be kept in water and away from any heat source or ignition points. Also fireplaces, wood burning stoves and other types of open flame appliances and chimneys should be kept cleaned and serviced to insure proper and safe use. Heaters should also be serviced and cleaned on a yearly basis. The Fire Marshal commented "Don't let your dreams go up in smoke" and have a safe and joyous Holiday Season."

ADMINISTRATIVE and BUILDINGS

Councilmen Baker had nothing new to report this month.

Dan Procopio asked if the remains by the garage were the old aluminum benches and what was going to happen with them. Councilmen Baker responded we are waiting for the Rec Board to let us know.

FINANCE

Councilmen Xavier presented the 2010 Aldan Borough Final Budget for adoption. Councilmen Xavier will start with the Budget. the millage for 2010 will increase from 5.262 mills to 5.4199 mills this represents an increase in municipal taxes of 3% the breakdown is as follows: Tax rate for general purpose: 1.0733 mills; Tax rate for police purposes: 4.3466 mills. The budgeted amount will increase from \$2,404,599.75 in 2009 to \$2,458,150.00 in 2010. This is an increase of \$53,550.25. This equates to an increase of \$15.05 per household based on a \$100,000 dollar assessment. The sanitation contract remains the same at \$111.55 but the transfer fee has increased \$8.46 for 2010 going from \$22.74 in 2009 to \$31.20 in 2010. The sewer rental fees are being reduced thanks to the diligence of

Public Works and the Borough Engineer. The reduction will be \$62.42 per unit with continued progress of I & I infiltration reduction in the borough this trend should continue to improve and more savings could be realized in coming years. As stated in the 2009 budget fact sheet we expected a reduction and this has become a reality. The end result is when you net out the 3% tax increase with the sewer rental reduction the residents will still realize a reduction in taxes of \$47.00 per unit.

-7-

No. 5287

Councilmen Baker made a motion to adopt the 2010 Final Budget for Aldan Borough, seconded by J. Cosgrove and unanimously approved.

Mr. Ceci asked this is the General Fund and I understand there are other funds. Mr. Ceci asked about the acquisition of the Aldan Swim Club and the fact that it is not in the budget can we draw any conclusions from that. Vice President Xavier responded please do not draw any conclusions from the budget. It would not be in the actual budget for the purchase of that property that would be something we would do out of our reserves or we could take a loan or we are looking at a lot of different options. Mr. Ceci asked about the other funds and are they public record. Councilmen Xavier responded Yes. Mr. Sefflin said to file a Right To Know request to the Borough Secretary. Councilmen Xavier said we are honest and open and right now verbally we have \$651,168.95 in the sewer reserve and \$348,964.75 in the General Fund reserve. Bob Seifert from 111 Walnut Avenue on line 31 of the budget is listed Firefighter's Relief Association for \$24,700.00 asked that amount is not out of our taxes but comes from the state is that correct. Councilmen Xavier said yes that is correct. Mr. Seifert said actually the contributions from taxes for Fire Protection is about \$25,000.00.

Dan Procopio asked about the Treasurer's Report the additional \$94,820.67 will that be put into the Sewer or the General Reserve Fund. Councilmen Xavier explained we had two DELCORA bills this year one we paid a portion of and one we did not pay at all and that money is being put into our sewer reserve. That money will be coming out of that number and we are transferring other money (this is all done on paper) to bring us back up to where we need to be to balance the budget going into next year. Dan asked if in the Miscellaneous that is listed in the income includes the \$24,700.00 that is budgeted for the Firefighter's Relief Association and any other large chunks of money. Terry Quinn answered yes to the Firefighter's Relief Association money; Franchise Fees from Comcast and any other money not in any of the other categories we put into Miscellaneous. The state funds that we get for the roads (not Liquid Fuels Money, which goes to Highway) like the Winter Maintenance Program goes in Miscellaneous. Dan said they other thing he notices on the Income side is last year there were 2 grants, one for the Police Car and you have not used the \$25,000.00, which I believe came from Providence Village Associates, and is listed as a 2009 Grant Receivable for a Full Time Officer. Terry Quinn explained we have not received this for 2009 yet and this is why we carried it over. Dan asked in terms of the rest of the budget; noticed the Secretarial Expenses are down is that because Nancy is out with illness and you are not going to replace the part time person .Councilmen Xavier explained we are going to proceed in the future with Ginger and Jennifer. Dan also noted under the Police Budget you changed a couple of numbers from the Preliminary Budget. You increased the overtime and part time officers and night time differential up ten thousand and the Police Pension down ten thousand. Councilmen Xavier explained we re-evaluated the budget, Chief Coppola and Councilmen Xavier, and we moved some numbers around that is why it is a preliminary budget. Dan commented that was interesting because it was the only change in that department. In that regard when Dan asked about hiring a full time officer, which was reflected in the increase in the full time salary that there would be a corresponding decrease in part time and overtime officers but that does not appear to be materializing unless all the differential was made up by salary increases do you know which one of the two is correct. Chief Coppola responded that a lot of that money was spent this year because we had an officer out IOD for most of the year. IOD means injured on duty and he is still being paid and we have to bring another officer in to protect the public. Dan asked in terms of the trash collection and sewer under Health & Sanitation last year you were using 1746 units for the fee of \$134.29 for the trash and with the numbers I see in this years budget it seems to

work out there is only 1700 being billed is there a reason for that reduction. Councilwoman Owen explained we calculate the trash fees on the number of units we know to be in the Borough. The Solid Waste Authority had a number different 1758, so their fees are being calculated on that number.

-8-

No. 5288

Dan said they say we have 1758 and in past years it has been listed as 1746 is the number we were using

but the increase is slightly more than I thought per unit. Councilmen Xavier said it was calculated on 1758 we never used 1700. Dan commented if you take the \$31.20 indicated and the \$111.55 and multiply it out by 1700 it comes out exactly to the total of \$242,675.00 which is almost \$4,000.00 less than on the Preliminary Budget that is the reason for the question. Dan thought the fee for trash would go only to \$29.63 per unit based on 1746 units. Councilmen Xavier explained we calculated it out on 1758 and this is the number we came up with. Councilmen Xavier said we will check it to make sure it is correct. Dan commented he talked with Mr. Duffy concerning Darby Creek Joint Authority and they had set their final numbers and the numbers Mr. Duffy shared and the numbers I saw were not quite as low as anticipated is that \$459,297.00 the solid number. Councilmen Coppola responded there were a couple of different variables to be considered. Dan said there were 3 different numbers and didn't see any that was quite that low but there was one that was close. They took the money out of their reserve fund and there was much discussion over how much reserve money they were taking out. That is why there were 3 numbers; no reserve money, half reserve, and full reserve. Dan asked what the numbers of units we are using for the flow meter. Dan's notes from last year say 1836 units because it's not only the households but the businesses have to pay into the sewer fund and we also have houses from Collingdale and some other places that are tied into our system and we bill them directly. It seems the number indicated for the sewer rental fee is a smaller number was used for this year's budgeting. Dan said it was 1646 units and if you multiply out what the reduction is going to be, last year's sewer fees were indicated being \$385.51 and reducing that \$62.42 brings us to \$323.09 and multiplying that by 1646 units that gets us to the number that is used for both the local sewers and DELCORA sewers. Dan asked because of all the I & I work that was done by Mr. Close. Mr. Close responded when we recalculated what is coming in our Borough that has all been corrected but not sure how that is translated into the billing. Mr. Close thought we actually billed our own EDU's and the deducts from the outside is for purposes of making sure we are only metering Aldan flow vs. other people's flows. It does not really change our EDU's because of the work that we did. Mr. Sefflin commented we bill the residents on Rively Avenue on the Collingdale side because that is our sewer line goes down Rively Avenue. Dan commented the number he had from last year was 1836 that was used as a multiplier and it seems that number with the dollar amount and what the units charge is supposed to be, this is not indicated on the fact sheet, but believe it should be \$323.09. Councilmen Xavier said we adjusted that number this year based on some conversations we had with our Tax Collector and we used 1750 as the number this year.

Vice-President Xavier introduced Ordinance # 505 Tax Levy Ordinance For F.Y. 2010; the tax rate for General Purpose is 1.0733 mills; for Police Salaries and Fringe Benefits required by Act 111/Police Purposes is 4.3466 mills; equaling a total of 5.4199 mills. The Sewer Rental Rates shall be reduced to \$323.09 per unit. The Refuse Disposal and Collection Fee is \$142.75 per unit. Councilmen Coppola made a motion to adopt Ordinance # 505, seconded by Councilwoman Owen and unanimously approved.

LAW, ORDINANCE & BUILDING

President Short was on vacation and not at the meeting tonight.

UNFINISHED BUSINESS

There is no unfinished business this month.

-9-

No. 5289

NEW BUSINESS

Vice-President Xavier announced the Reorganization Meeting will be held on Monday, January 4, 2010 at 8:00 P.M. in the William Reintl Recreation Building. Caucus will be Wednesday, January 6, 2010 at 7:30 P.M. at the Municipal Building; and Council will meet on Wednesday, January 13, 2010 at 7:30 P.M. in an executive session and regular session at 8:00 P.M. at the William Reintl Recreation Center.

PRIVELIGE OF THE FLOOR

Dan Procopio commented that Vice-President Xavier ran a very orderly meeting and thank you for all the work you do on the Budget. Councilmen Xavier thanked Dan.

Vice-President Xavier wanted to represent Council and wish every one a Happy and Safe Holiday Season.

Paul Kruger asked about the water on Providence Road and Sycamore Avenue when it rains it clogs up. Councilmen Coppola responded the storm drains fill up with leaves and we clean the drain out and within hours it fills up again. This is why residents need to keep their curb lines clean of leaves and debris.

ADJOURNMENT

On a motion made by T. Owen seconded by R. Baker and approved unanimously, the regular meeting of the Borough Council was adjourned at 9:35 P.M.

ATTEST

MARIE V. KAUT

Borough Secretary