

ALDAN BOROUGH, DELAWARE COUNTY, PENNSYLVANIA

January 13, 2010

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 Reiln Recreation Center 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; M. Xavier; S. Coppola
T. Owen; J. Cosgrove; R. Baker

Council members absent: None

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 December 9, 2009, Council Meeting be accepted as presented and unanimously approved.

WRITTEN CORRESPONDENCE

No written correspondence tonight.

VERBAL CORRESPONDENCE

There was no verbal correspondence tonight.

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President Short asked Dan Procopio to come forward to present the Aldan Boosters' Civic Association Award for the "Best Decorated House Awards for 2009". We had a very good representation of houses this year. This year we awarded a Block Award and that goes to the 200 and 300 Block (the even side) of Birchwood Road. Third Prize: the Washington Family of 26 Glenwood Circle; Second Prize: the Matelli Family of 49 S. Sycamore Avenue; and First Prize: the Boyle Family of 600 W. Magnolia Avenue. There were also over 100 houses from Booster members that received some sort of mention. There were also four homes which have won multiple awards in the past and are in the Booster "Best Decorated House Hall of Fame" but not eligible for the 2009 Awards but would have been in contention. This concludes the ceremony for the festivities that started on December 5th with the Annual Christmas Tree Lighting Ceremony. During The month of December, the Aldan Boosters' helped Santa to answer over 200 pieces of mail from the Santa's Mailbox and also the Troop's Mailbox with almost 500 letters sent over seas. We also had the Santa visit on Christmas Morning to almost 200 homes with over 350 children greeted. Dan thanked all the Booster members for their help. President Short thanked Dan and the entire Booster Organization for all they do in Aldan.

REPORTS OF OFFICERS

MAYOR

Mayor Hopely had nothing new to report this evening.

TREASURER

Terry Quinn read the Treasurer's Report:

General Fund State Highway Fund

Balance of cash on hand \$ 120,500.00 \$ 4.17

Receipts for period 25,095.59

Balance \$ 145,595.59 \$ 4.17

Terry Quinn asked Council's approval this evening for checks from the General Fund totaling \$181,374.80. In order to cover this balance of checks to release the Treasurer is transferring \$200,000.00 as a loan from our reserve account and \$30,000.00 will be sent to the State Highway Fund to cover bill until the Liquid Fuels money come in. Councilmen Xavier 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 Councilwoman Owen and unanimously approved.

SOLICITOR

Mr. Seflin reported on the 2008 Tax Delinquency Program. At this point we have 4 outstanding delinquencies, 3 are non-resident property owners. The one that is the resident property owner we have a levy pending against that dwelling and we are waiting for action by the Constable. 2 others we have judgments that are outstanding but we are not out of the appeal period yet, so the property owners could appeal the judgments.

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We can't commence execute until next week unless we receive payment from either of those individuals. Tomorrow at 1:00 PM. Mr. Park and Mr. Seflin will be attending a hearing at District Court on Garrett Road in Upper Darby for the final 2008 delinquency, Mr. Toth a non-resident property owner who lives outside of Coatesville and is a Real Estate Agent. It is Mr. Seflin understanding that Mr. Toth just wants to let the property go but we are not going

to allow him to do that. Hopefully the Constable has obtained service on him and we will be having the hearing tomorrow.

ENGINEER

Mr. Close reported the Lobbs Run Phase II 2010 CDBG Grant application, which we presented the hearing at the December meeting, was submitted on December 23, 2009. The Grant amount is for \$275,000.00 for the balance of our Lobbs Run Interceptor and the Tributary Collection System I & I Rehabilitation Project. We expect to hear a decision sometime in April or May of 2010. Mr. Close will report back to Council. Mr. Close will be available during the other committee reports for comments.

REPORTS OF COMMITTEES

PLANNING COMMISSION

John McBlain reported we had contact from SEPTA about making improvements to the Oak Avenue,

R-3 train stop. They want to add on more parking spaces, taking the property from Giant towards the side of the building and also build a new train station there. When the Planning Commission meets this month we will have input on that project

HISTORICAL COMMISSION

Councilwoman Brookes will report for the Historical Commission during her Committee Report.

PUBLIC HEALTH

Councilwoman Owen reported letters have been mailed out to each of the Borough's Businesses requesting their 2009 Recycling Totals. This satisfies a requirement to be eligible later in the year when we apply for the Performance Grant from the state. This also gets the totals in that are needed by the County for their report that is due later in the year in the spring.

Councilwoman Owen reported trash will not be collected on Monday, January 18, 2010 in observance of Martin Luther King Day but will be collected on Tuesday, January 19, 2010.

HIGHWAY

Councilmen Cosgrove reported he met with Terry Gallagher, a member of the Kelly/Close Engineer Office, to review all the streets in Aldan with regards to the conditions for the 2010 Road Resurfacing Program.

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We reviewed all and gave each a grade as far as conditions and within the next week we will review those results and come up with a game plan for resurfacing streets and intersections.

Councilmen Cosgrove also reported Mr. Close prepared the application for County Aid. Councilmen Cosgrove made a motion that we complete and forward the application for County Aid for the 2010 Road Program, seconded by Councilmen Xavier and unanimously approved.

Councilmen Cosgrove reported he received information from Lee Fulton, Delaware County Deputy Emergency Management Coordinator, that there is potential for a rebate based on the excess snow plowing and salting costs. A letter was sent to all 49 Municipalities asking for their costs and if is above a certain threshold limit there is a potential for some rebate. The letter indicated that we did as a County exceeds that cost which was \$1,800,000.00. The cost for Aldan for the last snow was approaching \$20,000.00, but we did have 23 inches of snow. The cost for all of last year was \$14,000.00 but everybody was in the same boat this year. We have passed the first hurdle, Delaware County and now it moves onto the State. If the State exceeds the number they have in place there is a potential for some rebate.

Dan Procopio asked if the County Aid application the same as the Liquid Fuel fund and what is the potential for the amount of money coming from County Aid. Councilmen Cosgrove explained County Aid is different than Liquid Fuel Funds and the amount of money we request is \$10,000.00 but what we receive is about \$5,400.00.

Scott Stahmer 412 East Magnolia Avenue commented about a problem with the Snow Plow and where they put the snow at the corner of East Magnolia and Maryland Avenue. Mr. Seflin explained if you have a comment on Councilmen Cosgrove's report you can make it now. Council will allow you at the end of the meeting for comments on snow removal.

PUBLIC WORKS

Councilmen Coppola reported DELCORA approved their budget for 2010 and we saw a great reduction in our cost due to the work we were able to complete in town. We had a 30% decrease in our costs and will save us almost \$195,000.00 and some of that money will be reflected in the decrease in residents bill for sewer. President Short commented the amount should keep decreasing as the metering percent goes up. Mr. Close explained that is assuming the I & I can stay down and we keep doing a good job and the water stays out of the sewers and we are being meted we would be getting those reductions reflecting in the metering. Mr. Close explained there is a certain base amount we have to deal with but if we keep going and the repairs keep working we should be getting better savings each year.

Councilmen Coppola reported last Wednesday at Caucus we opened bids for the Lobbs Run Interceptor Rehabilitation Project (the slip lining) there were 9 contractors who picked up Bid Packets and only 3 returned them. The bids ranged for \$800,000.00 down to the winning bid of \$220,578.00 from No-Dig Pipeliners from Boot Road in Downingtown. Mr. Close did evaluate the all the bids and did check the references for No-Dig and we are very pleased they were the low bidder of these three contractors. They are the only one who specializes in slip lining. The other two contractors, JMC and Jurich, are very good utility contractors, but they don't specialize in slip lining and they were proposing to sub-contract the work. That is one of the reasons why their prices were so high and they also have to rent the pumps and rent a lot of the equipment, whereas No-Dig has all of the equipment. The President of the Company, Charlie Johnson has been doing this for 40 years and No-Dig Company has been around for 10 years.

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They have done a lot of good work in the area and they did the emergency repair that we had on the Lobb's Run Interceptor back in 1999 where we had to slip line 350 feet when the Interceptor broke. We are very pleased and it is a good price and the grant amount was \$275,000.00. We were glad to get a bid that was below that number. Mr. Close did make a recommendation that we do award this bid to No-Dig. Councilmen Coppola commented this will allow us to do a change order to this contract and allow us to do more work than we thought we were going to be able to do. This may extend it out to the area we had repaired. We may go from Springfield Road by the No Name Store all the way down and across Maryland Avenue and into the area that was previously repaired. If this happens this will leave a very small portion of Lobb's Run to be completed at a later time. Councilmen Coppola made a motion to accept the Bid for No-Dig Pipeliners from Boot Road, Downingtown in the amount of \$220,578.00, seconded by Councilmen Baker and unanimously approved.

Dan Procopio asked if the section chosen was the worst section to be repaired. Mr. Close responded this was the worst section. Mr. Close explained we televised the entire Interceptor and that section was in the worst shape so we wanted to go after this area first with the CDBG Grant.

Dan Procopio also commented that he has been to some meeting concerning Storm Water Infiltration.

Other Borough's look at their bills going up they will be doing the same kinds of thing we are doing in order to keep the water infiltration down so it can't be guaranteed as a set amount and it was a tremendous reduction this year because of the double billing and the work the Mr. Close and Council has done but if all the Municipal Councils get in there and lower it there is going to be a minimum amount you are going to have to pay to sanitize the water, so it can fluctuate but it will be way better than if we had not done anything.

John McBlain asked if any General Fund money being used for this project or is it all covered with the Grant and if so where does the Grant come from. President Short explained the Grant is coming from the County in the amount

of \$275,000.00 and is the only money at this point being spent. This is CDBG grant money and the only money Aldan would not be able to use it for are Engineering Fees and that would be covered by the Borough. Councilmen Xavier commented the Engineering Fees would not come out of the General Fund but would come out of the Sewer Reserve Fund.

PUBLIC SAFETY/ HISTORICAL COMMISSION

Councilwoman Brookes reported the Historical Commission will be meeting in the next few weeks to be taking down the Christmas Decorations. The Commission will also be looking to get information and quotes on LED lights to outline the Trolley Stop.

Councilwoman Brookes reported on the Fire Marshal's report for December. Collingdale Fire Companies #1 and #2 responded to 7 calls in the Borough during the month of December, 2009. During the month of December, 2009 Collingdale Ambulance/Paramedics responded to 40 calls in the Borough of Aldan. The Fire Marshal also gave comparisons for year to year damages and EMS calls. The EMS calls for 2009 was 396; in 2004 there was 328 and the numbers have gone up every year. We are very grateful for the EMS and the Fire Companies. The total amount of Fire damages for 2009 was \$193,000.00 and this was above the last three years combined but this year we had the Comcast problem fire on Clifton Avenue.

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ADMINISTRATIVE and BUILDINGS

Councilmen Baker made a motion to adopt Resolution 2010-01 appointing Councilmen Michael Xavier as Chief Administrative Officer of the Aldan Borough Police Pension Fund, seconded by Councilwoman Owen and unanimously approved.

Councilmen Baker also mentioned there is a problem with moss growing on the roof on the Rec Building. Councilmen Baker thought when the cold weather arrived the moss would disappear but it still seems to be a problem. Councilmen Baker will have someone come in to clean the roof and inspect for possible replacement.

Mr. McBlain asked if Councilmen Xavier received any more money for being appointed Chief Administrative Officer of the Police Pension Fund. President Short replied, No he does not get any money for that position.

FINANCE

Councilmen Xavier wanted to respond to Dan Procopio's question from last month and we will make the adjustment at the February Meeting. We are looking at all the different numbers that everyone calculates, this is the Transfer Fee, and this is the number of units we do the calculation against. We have gotten different numbers from different people from the County as well as what Bob Park uses, so we want to stream line and make it uniform going on into the future so we are still meeting and talking about that matter.

Dan asked if that was in the time limit allowed to make a change. Councilmen Xavier responded February 15 is the deadline. Mr. Seflin commented that is if there is a change in revenues, if Council wants to change the Budget, at any time, in any year, if the changes are within current year revenue. There are two different sections of the Borough Code that we are dealing with. It could well be depending on what Mr. Xavier comes up with; Council could pass an amended budget by a motion. If the amendment of the budget should change the taxes or the revenue then it has to be done by February 15. The question Dan Procopio asked last month dealt with the number of household being billed through the sewer and the trash amounts because it differed from previous years that Mr. Procopio had recorded and that would obviously impact on how much each household would pay. Mr. Seflin explained if the amended budget is revenue neutral Council can change it at any time and in any year. If it is not revenue neutral Council can only do that in the even numbered years, years following a Municipal Election and it has to be done by February 15. It is Mr. Seflin's understanding that whatever changes are being considered to the budget will be revenue neutral. Dan said the aggregate numbers, total dollar amount collected and the total dollar amount spent is not changing but the portion of houses. Dan asked the question again was because of the date and would we need to send out new amended tax bills. It may well be that Council does that next year but it is just done on a motion, it does not have to be advertised but if you were formerly amending the budget because taxes were going to be lowered or raised. In a year following an election if there is a change in a Borough Council, the new Council may want to change what is happening that year from the prior Council that is where you have the issue and it has to be done by February 15, it has to be advertised, and it has to be for Public Inspection for 10 days. In this case Council comes under a different portion of the Borough Code that would govern situations of this type.

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LAW, ORDINANCE & BUILDING

President Short reported for the Month of December we had 16 Mid-Term/Transfer Inspection; we had 1 Plumbing Permit with a construction value of \$1,500.00; and we had 18 Building Permits with a construction value of \$42,668.00.

President Short commented that residents may have seen in the newspaper that Aldan along with a few other Municipalities did not choose to sign the agreement with the Delaware County SPCA to receive the stray animals. There were two main issues the first being the cost the Borough would be charged, which went from \$25.00 last year and they are raising it to \$116.00. The other item is according to the contract if any person brings an animal to the SPCA and tells them they picked it up in Aldan the SPCA would then bill Aldan the \$116.00. President Short explained we have no other place to take strays. President Short checked during the month for other shelters but at this time we have not found any large enough to do that. At this time President Short is going to sign the bill but continue to look for alternative places to take our animals.

Dan Procopio asked how many animals per year does Aldan turn over to the shelter. President Short asked Chief Coppola and the Chief explained he would have to look that up. Dan also commented that last week there were 15 Municipalities who had not signed but as of yesterday they were down to 8 and they were also asking for amendments such as an accountability clause, has this been added. President Short responded not at this point. President Short also explained in the past in old contracts we were not responsible for residents dropping off strays but they tried to bill us for people saying they picked up a dog in Aldan but do to the diligence of the Chief he scrutinize the bills and rejected those but they have made amendments to the present contract for us to sign that would enable them to bill us.

UNFINISHED BUSINESS

There is no unfinished business this month.

NEW BUSINESS

President Short reported Caucus will be Wednesday, February 3, 2010 at 7:30 P.M. at the Municipal Building; and Council will meet on Wednesday, February 10, 2010 at 7:30 P.M. in an executive session and regular session at 8:00 P.M. at the William Reini Recreation Center.

PRIVILEGE OF THE FLOOR

Scott Stahmer 412 East Magnolia Avenue had a presentation as an example not a gripe about a problem with the Snow Plow and where they put the snow at the corner of East Magnolia and Maryland Avenue. When Mr. Stahmer questioned the Snow Plow Contractor and his response was putting the snow at the corner of the ADA ramp as he had been instructed by the Borough to impound the snow at that location? He stated he was instructed to impound the snow into large piles at the corners. President Short explained we had not instructed our Snow Plow Contractor at that point where to put the snow however since the snow occurred Councilmen Cosgrove and President Short met with the Contractor to discuss items such as you are presenting here and is to be corrected in future snows.

Councilmen Cosgrove explained you have to understand this is his first time doing a Borough; he has experienced plowing snow and salting but has not done a Borough. His business is in town, so he is familiar with the area. We changed contractors based on the contract ending and he was the low bidder, he is doing this for the first time, there was also to be a transfer of salt but did not get as much salt as we expected and then we got 23 inches of snow. So

his very first Borough job starts out with lack of enough salt and 23 inches of snow. What we told him was not to plow it at that corner but where you can at corners, it has to be placed somewhere. Council was overall pleased but not 100% so we did have a meeting with him and went over good things and bad things. Councilmen Cosgrove asked for Mr. Stahmer's picture and make sure it gets covered with the contractor. Mr. Stahmer commented if the contractor puts the snow behind the house line on the side street not only does it get it away from pedestrian traffic but it also improves the drainage problem because impounding the snow at the corners is where there are inlets. Councilmen Cosgrove explained we had gone over a couple of specific items in addition to general items. Specific people had called with a problem and we did go over those problems with the contractor. The Councilmen explained we would expect next time it will be much better but also do not expect 23 inches. For his first time out we were OK with the performance but it could have been better but this kind of information is good. Mr. Stahmer just wanted to explain there are logical places where snow could be put for the thaw drainage and get to the inlets where it need to get and with having so much of the yard drainage coming off down into the gutter line following that to the corner it just creates water impoundment and with the heavy freeze we had it also created ice problems. Councilmen Cosgrove was out today and there was an issue at Walnut Avenue and Glenwood Avenue where there was a small out cove where they piled snow but when it began to melt and run down the street then it became cold and turned into 4 inches of ice. The Councilmen call the contractor out on Monday at 12:00; they came out dug it out salted it and by 5:00 it was gone but it is not as deep but it is back again today because the snow in the out cove is melting. Councilmen Cosgrove said it is good to know this because you see it and when we ride around we do not see these specific things. President Short commented we do appreciate your impute.

Paul Kruger said the area of Walnut Avenue and Glenwood Avenue is not only when the snow melts but in the spring that area, Belgrade Avenue, will drain for days. Mr. Kruger said something is feeding that area, maybe it could be an underground spring. Councilmen Cosgrove asked you are saying there is always water in that depression area. Councilmen Cosgrove had been out inspecting the streets and they did make a note of that area but the fix is going to be difficult but he did not know about the stream and the constancy of water. The Councilmen did know about the depression and you just can't level it because the streets, Walnut and Glenwood, are really different heights and you just can't make them the same heights you would go beyond the curbs. We are not sure what the fix is but it did hit the list for discussion.

Dan Procopio asked President Short, you went into executive session after Caucus, and do you have any updates for the citizens about the progress on the purchase of the Pool property. President Short commented not yet we are in negotiations at this time.

Scott Stahmer had a question for Mr. Seflin or Councilmen Xavier has there been any type of census performed as far who is paying an EIT, Earned Income Tax, and can it be a revenue generating source. President Short commented to his knowledge no one has ever taken a census on what residents pay an EIT elsewhere and who does not. President Short explained raising taxes is a nasty thing. Are you asking if the majority of people are paying it elsewhere maybe they should be paying it here? President Short asked does your wife work and does she pay an EIT elsewhere and if we did impose an EIT everyone in your household would have to pay this.

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President Short commented it is an interesting concept and we will take it into consideration.

Mr. McBlain explained the concept has been considered over the years and a couple of the conundrums you have with that is we are closer to the City of Philadelphia than out in Chester County, so for many of the residents, and it

has always been the assumption that a large portion of Aldan residents work in the City of Philadelphia, and they pay the City of Philadelphia wage tax which Aldan can not recoup. Philadelphia gets treated special for everything it does. The reciprocally with Philadelphia is not there so we would not be getting the money from Philadelphia. Second a potential problem is if Aldan implements a 1% Earned Income Tax, and other municipalities don't have that it puts us in a sever disadvantage in trying to attract residents and you combine that with the School District, it makes it even more difficult. These were always two of the bigger problems but as more Municipalities talk about moving towards that, a couple of Delaware County Municipalities have moved towards that this past year, it is something that can be thought of but those were always two of the biggest hurdles besides the implementation of new taxes.

Mark Wilson 623 West Magnolia Avenue, commented he loves the new sign outside the Municipal Building and what process do you go through to get something on the sign. Mark wanted to put the Boy Scout Recycling aluminum on the sign 1st Saturday of every month in the Municipal Parking Lot. Mark also wanted Council to know that Jack Edmondson has been involved with our Boy Scout Troop for 50 years.

Mr. Seflin explained that you or anyone that would like something on the sign you can request that through our web site.

Charlie Duffy wanted to mention our former Mayor Jack Edmondson will be 90 years old in August.

ADJOURNMENT

On a motion made by S. Coppola seconded by R. Baker and approved unanimously, the regular meeting of the Borough Council was adjourned at 9:05 P.M.

ATTEST

MARIE V. KAUT

Borough Secretary

