

ALDAN BOROUGH, DELAWARE COUNTY, PENNSYLVANIA

June 10, 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 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; R. Baker; J. Cosgrove

Council members absent: None

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

Officers absent: G. Kaut, Secretary

MINUTES

On a motion made by P. Brookes seconded by S. Coppola the minutes from the May 13, 2009, Council Meeting be accepted as presented and unanimously approved.

WRITTEN CORRESPONDENCE

No written correspondence tonight.

VERBAL CORRESPONDENCE

There was no verbal correspondence tonight.

President Short turned the meeting over to Councilwoman Brookes. P. Brookes made a motion to nominate John Quinn to fill the vacancy position on the Zoning Hearing Board and Mark Greenslade as an alternate to the Zoning Hearing Board, seconded by R. Baker and unanimously approved. Mayor Hopely swore in John Quinn to the Zoning Hearing Board and will swear in Mark Greenslade at a later date.

REPORTS OF OFFICERS

MAYOR

Mayor Hopely read a Proclamation to proclaim the Month of July, 2009 as 4th of July Association month in the Borough of Aldan.

Peggy Brookes thanked Mayor Hopely and Council for the Proclamation and also wanted to recognize the most senior member of the 4th of July Association Marie Pela who just celebrated her 92nd Birthday.

Mayor Hopely reported he was at a meeting at Friendship Circle in Yeadon and they are looking for re-accreditation. Mayor Hopely wanted everyone to know there are 45 people from Aldan who use that service, some for Meals on Wheels; others for the many programs they have for seniors. Friendship Circle does great work. Christine Helmandollar who is the director has Food Vouchers. There are 4 \$5.00 food vouchers that can be used at different locations and can be used until September.

Mayor Hopely also reminded residents if you are going to be on vacation to let the Police Department know and the police will check your home once on every shift while you are away. Also with the warmer weather please notify the police if you see any unusual activity.

Mayor Hopely thanked a former Aldan Resident, Russ Carlson, who has made a donation to the Police Department for quite a few years to give back to the town. This year gave us a money commitment. So we thank Russ Carlson.

TREASURER

Terry Quinn read the Treasurer’s Report:

	<u>General Fund</u>	<u>State Highway Fund</u>
Balance of cash on hand	\$ 959,903.64	\$ 87,145.38
Receipts for period	392,823.95	19.89
Expenditures Prior Month	144,471.64	37,241.92
Balance	\$1,208,255.95	\$ 49,923.35

Terry Quinn asked Council’s approval this evening for checks from the General Fund totaling \$177,793.07 and from the State Highway Fund \$7,241.92. M. 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 T. Owen and unanimously approved.

SOLICITOR

Mr. Sefflin reported we have received the final 2008 Tax Delinquency List from Mr. Park, our Tax Collector. There are currently 16 delinquent for Sewer Rental and Refuse Disposal Fees for 2008 and within the next 2 or 3 business day's liens will be filed against all 16 properties. Of the 16 five are non-resident property owners and 5 or 6 are habitual delinquents.

Mr. Sefflin along with Council is working on the new Right to Know Regulations because of the new Pennsylvania Open Records Law. We hope by the end of summer we will have some new regulations for Council's consideration.

ENGINEER

Mr. Close reported on FEMA, on May 18, 2009, Aldan received a letter from FEMA indicating they recently updated their 100 year Flood Insurance Maps. These maps become effective on November 18, 2009. They seem to go through this process about every 5 to 10 years. When they issue the new maps they usually update their regulations and there are minimum requirements that need to be adopted by all municipalities that participate in this National Flood Insurance Program. There is a model provision that they circulate and Mr. Close has given this to the Building Inspector and the Solicitor which they will review and possible make some edits to Chapter 137, the Flood Plain Management Ordinance, to incorporate these updated regulations. We will then have to provide evidence of that adopted ordinance by November 18, 2009. Then the new maps will come out and be effective at that point.

Mr. Close also reported we are working on the 2009 Road Program, the Borough LED sign, the Lobbs Run Interceptor Project and the DELCORA metering project.

President Short asked how the FEMA Flood Insurance Plan affects an individual home owner in town. Mr. Close explained the Flood Insurance Program deals with streams within the Borough and we have Lobbs Run. FEMA does studies to define what the 100 year Flood Plain along Lobbs Run is and any properties along there that are part of that flood plain are generally required to have Flood Insurance depending on the elevation of the houses. As new data come in we get very different types of storms over time, they do new updated studies so they refine those maps to make them more accurate periodically. They issue new maps and we have the latest flood plain maps on file at the Borough Building plus the study to generate those maps. They will issue new maps and a new study that we will keep on file at the Borough. When a building permit or a sub-division comes in we look to make sure the property is in the flood plain and if so there are certain requirement we have to enforce. The Ordinance is mainly to protect the residents. To make sure when they build an addition that they are at least 18 inches above the 100 year flood plain and they do something that could cause them harm. Also by the Borough adopting these minimum standards then we get the residents the lowest rates that they can. This is required to keep those rates low and it also insures the construction and the enforcement of the latest codes doing the most we can to protect people in the event of a flood. Ron Baker asked how many houses in Aldan are in the Flood Plane. Mr. Close does not know a specific number. Mr. Baker asked if homes along Maryland Avenue and part of Glenwood Circle. Mr. Close responded that where ever Lobbs Run cuts through the property that is where that defined 100 year flood plain is. Just because it runs through the property does not mean they need flood insurance but depends on where that creek is in relationship to the grade around there. Each property owner knows if they need flood insurance because it is part of their property documents.

Mike Ceci asked Mr. Close if he could explain what needs to be up dated this year. Mr. Close explained in our Borough Code we have a Floodplain Management Ordinance and that defines the standards of construction within a Floodplain and other regulations as well. We have the latest and greatest in our Code now but every 5 to 10 years they tweak it and the changes are not a lot that we have to incorporate and when we do that we are insured we have the latest and greatest from the FEMA folks regarding the 100 Year Flood Plain regulations.

REPORTS OF BOARDS AND COMMISSIONS

PLANNING COMMISSION

John McBlain reported they did not have anything to review this past month so they did not meet.

HISTORICAL COMMISSION

Peggy Brookes will report during her committee report.

REPORTS OF COMMITTEES

PUBLIC HEALTH

Mrs. Owen reported last month the State Department of Environmental Protection had notified us that they have approved our 2007 Performance Recycling Grant and true to their word they did send a check in the amount of \$5,410.00 for the collection of 516 tons of residential and commercial materials recycled by our residents and businesses for 2007.

Mrs. Owen also reported on an article in the newspaper about Public Safety as well as Public Health. The article was about a nearby Borough had a resident who had an emergency in their home and used their cell phone to call 911. The cell phone call was answered by the Philadelphia Emergency Services Department and as a result of that emergency there was a delay in getting emergency equipment to that resident's home. The equipment was sent to the address in Philadelphia instead. Mrs. Owen asked Chief Coppola, to ask if any of our residents used their cell phone to call 911 could that be a problem for our residents. Chief Coppola checked his sources and said it would be very, very unlikely because of the cell towers and our proximity that this would happen in Aldan. This would not happen if we used our land line but also unlikely to happen if a cell phone was used.

HIGHWAY

Mr. Cosgrove reported on the LED sign that was accepted as the low bid from S & S Electrical Services from Warrington.

Mr. Cosgrove, President Short, and the Borough Engineer met with S & S Electrical to discuss the placement of the sign, where it would be with regard to sight lines and directional on Providence Road. We decided where it was going to go and the timing is about 4 to 5 weeks for the manufacturing and installation. We are looking about 6 weeks before the sign will go in. We do have some pictures and are discussing the color based on the signs already in town. There is blue and gold and maroon and beige and the maroon and beige won because there are already two with the same colors in that area. Mr. Cosgrove did present a picture of the sign for all to view. We were originally talking about the sign being wireless but in discussing this have we have decided we are going with hard wiring.

Mr. Cosgrove reported on the 2009 Road Resurfacing Program. The bids were opened at Caucus last week. There were 5 bids received all very close from high to low but the low bid was from Inncon from Folcroft. Our Borough Engineer has reviewed the bid and company and found them creditable. Mr. Close said they would have a pre construction meeting in a week or two but because part of the project will be on Woodlawn Avenue and the trolley tracks are involved we will coordinate with SEPTA. Inncon was also awarded the Road Program in Glenolden Borough and in Upper Darby Township so we are looking at late July early August for the program to start work. This is probably one week of work in our town weather permitting. Mr. Cosgrove read a section of Mr. Close's letter which stated there was a total of 5 bids received all had the required security bond, the low bid was from Inncon in the amount of \$53,627.00 verses an estimate \$74,290.00. Mr. Cosgrove made a motion to accept the bid from Inncon of Folcroft in the amount of \$53,627.00 seconded by R. Baker and unanimously approved. Mr. Baker commented this is the first time we have ever seen bids within a thousand dollars of each other.

Mike Ceci asked what the amount was again. President Short responded \$53,627.00. Mr. Ceci asked if that was just for the sign. President Short said no this is for the Road Resurfacing Program.

Mr. Ceci also asked, what is the standard procedure for disclosing bids to the public as far as disclosing who made the bids, the names of the companies, what the bids were and things like that. President Short responded the bids were open at the Caucus meeting, a public meeting. The bids were all sealed, opened by the Solicitor, the company name and the amount of the bid was then read off. Mr. Ceci asked is this something that will end up on the web site as full disclosure as to who is bidding. President Short asked Mr. Ceci do you mean what all the bids were or who the winning bid was. Mr. Ceci said he was asking if we have a procedure beyond reading them off at Caucus. President Short said other then presenting it here again at the open meeting and making a motion to accept it; we had no intention on putting it on the web site but the information is available to anybody who chooses to know what it was.

Mr. Cosgrove also reported that a few months ago we made an application to the 2009 Liquid Fuel Allocation and we received a letter stating that County Council had adopted a Resolution for 2009 to Aldan in the amount of \$5,468.00 which would go toward the resurfacing of various street and roads in Aldan Borough. This now goes to Pennsylvania State Highway for their approval but Aldan was awarded \$5,468.00 from the Liquid Fuel Allocation program.

PUBLIC WORKS

Mr. Coppola reported you may have noticed when you came in tonight there was a Playground full of kids. The Playground project has been completed and we are happy to see that done in time for summer.

There are still a few items on the punch list, but the ground cover is in and the equipment can be safely used by the kids.

Mr. Coppola also reported the trees at Edmundson Park have been trimmed this month and this is a big improvement to the park and looks really nice.

President Short made a comment about the Playground equipment. It probably seemed like it took quite a while to get the playground back after dealing with the Insurance Company and trying to pick out playground equipment. President Short wanted to thank former Councilmen McBlain who started this project and provided us with 3 experts of his own who helped pick this out. We also want to thank Representative Micozzie for helping us secure a grant that enabled us to enlarge, by quite a bit, what we used to have there. There is more equipment, new swings and better safer ground cover and decorative borders and is non flammable. Thank you to all who had a hand in getting the Playground back.

PUBLIC SAFETY/ HISTORICAL COMMISSION

Mrs. Brookes reported the Historical Commission will meet next Wednesday. The focus of the meeting will be the 4th of July festivities. We will be debuting and selling our latest collectible, the Colonial Playhouse, on July 4th at the Park.

Mrs. Brookes also reported for Public Safety that they received a grant in the amount of \$25,000.00 from Senator Erickson's Office which we designated for the purchase of a new Police Car for the Borough. The car was purchased in December using money from the General Fund so the Grant money was reimbursed into the General Fund.

Mrs. Brookes read the Fire Marshal's report for the month of May. Collingdale Fire Companies #1 and #2 responded to 7 calls during the month of May 2009. Collingdale Ambulance/Paramedics responded to 36 calls in the Borough of Aldan.

President Short asked how many police cars have we received grants for and Mrs. Brookes responded 3 so far which helps our Police Budget greatly and also helps to keeps our taxes down.

ADMINISTRATIVE and BUILDINGS

Mr. Baker had nothing to report this month.

FINANCE

Mr. Xavier reported he and Mrs. Quinn have reviewed the budget for the 6 month period and overall the budget is right in line with what we had budgeted so we should run within the guidelines we set for ourselves. We look good.

Mr. Xavier wanted to report on the Residents Parking Permits. We are in the process of writing the Ordinance and after we get thing straightened out over the next couple of weeks we hope to have it advertised and ready for the July Meeting.

LAW, ORDINANCE & BUILDING

President Short reported during the month of May, 2009 there were also 72 transfer and mid-term inspections performed by our Residential Inspector; there were a total of 36 Building Permits issued with a construction value of \$100,701.31; there was 9 plumbing permit with a construction value of \$19,330.00.

President Short announced we have a proposed Ordinance #501 this will be published in the paper. This ordinance deals with Curfew Ordinance. The surrounding townships have lowered their time that they require the kids to be off the street and this is making Aldan a more desirable place to hang out. We love our kids and want them to have fun in town but when it is just a matter of hanging in a park after dark, they shouldn't be in the park because it is closed after dusk, or hanging on a corner is just a formula for mischief. So we want to lower the time of our curfew to fall more in line with the surrounding communities to make sure we don't make Aldan a hangout for kids to get into mischief. It used to be later on the weekends 11:00 and 10:00 during the week but we are changing that to 10:00 for the entire week. This will make Aldan the same as the surrounding communities. Mr. Seflin commented in the Ordinance now there is also an exception that the day before certain holidays. There are about 11 or 12 holiday mentioned, if Christmas fall on a Wednesday then children could be out Tuesday night till 11:00. All of these exceptions are removed from the proposed Ordinance #501; it is just 10:00 period. President Short did comment we do allow that children coming home from a job or other various things this would not pertain to it's mainly to keep the kids from just hanging out and getting into mischief. Mr. Seflin commented if they work for a fast food place till midnight they may be asked to prove they work till that time or coming home from a religious activity or a civic activity or any activity that is protected by the Pennsylvania or Federal Constitutions they can be out alone after curfew. The current is Ordinance # 464 there is a lot of different times for different days and any where from 10:00 pm to midnight depending on the day. Council has decided to eliminate the different times but keep a number of exceptions and even to broaden the exceptions.

Mike Ceci asked if this was in response to a specific incident or a few incidents. President Short responded NO it is in response to incidents over the past several years. Over the last few years the vandalism has pick up in town one case being the burning down of the playground equipment, graffiti, the dugout being burned, vandalism being done to the Gazebo, these are all things that should not have been done. Mr. Ceci asked about the neighboring communities. President Short said Darby Township, Sharon Hill, Collingdale are also reviewing their Curfew. These are the surrounding communities and we all have the same problems. Mr. Ceci asked if this was even a minor driving a car not just someone loitering. Mr. Seflin responded it is on the street a pedestrian or in any vehicle driving or a passenger. Mr. Ceci asked is that enough to pull a person over? Mr. Seflin said if a police officer believes a seventeen year old is operating a vehicle in Aldan the police officer can pull that vehicle over simply to enforce our curfew ordinance. Mr. Seflin said even if it were 10:01 they could be pulled over under the proposed ordinance

A minor is defined as anyone under 18 years old. There was much discussion on how a seventeen would get home from a friends house or the movies or thing of that nature. President Short responded it is up to the discretion of the officer on duty.

We are not looking for the kids coming home from the movies or a group of three kids, it's that group that is hanging down on the corner and the officers know who they are and what looks like trouble and what doesn't. President Short also commented that as far as one kid coming home at 11:00 in a car are they going to get stopped, probable not. Mayor Hopely commented, we are not going on a witch hunt, we are looking for the groups of 10 kids and you drive around on any summer day they are there. The Mayor and the Chief move one group four different times one night and the police do this all night long. Chief Coppola also commented there is a provision for a warning and we document warning with the parents. The parents call or come to the police station when they get a written warning first; they are not picked up the first time and cited. The parents are brought in and this is explained but there is no actual arrest made. The ideas we are trying to get across is just to keep the kids moving, keep them off the street and hanging around with nothing to do and creates mischief. President Short remembered there was one night at the ball field there were 200 kids and they came from other townships and we had one police officer on at the time and this was 11:00 at night or just before curfew. This is when things happen, pickets got kicked out of the Gazebo, graffiti and foul language written and this is because the kids are just sitting there with nothing better to do. Chief Coppola responded that our disorderly conduct ordinance takes care of a lot of these things. President Short said this is something they understand if and when the ordinance is passed and the officers start notifying the kids of the new curfew. This will make it easier for the Police Officers to enforce what we feel the citizens want. Mr. Ceci asked is there a max on penalties specified in the Ordinance. Mr. Seflin said up to \$1,000.00 against the parents and \$300.00 against the child and this is consistent with the current ordinance. Chief Coppola also commented when these kids are picked up for this kind of thing nobody is fined \$1,000.00. We might have these kids come out and we can always find something for them to do. Mr. Seflin said if a 16 year old is out in the front of his/her home at 3:00 in the morning that is within the bounds of this curfew ordinance. Mr. Seflin asked if Council would be considering this for next months Council Meeting on July 8, 2009

UNFINISHED BUSINESS

There is no unfinished business this month.

NEW BUSINESS

President Short announced that Caucus will be Wednesday, July 1, 2009 at 7:30 p.m. at the Municipal Building; and Council will meet on Wednesday, July 8, 2009 at 7:30 p.m. in an executive session and regular session at 8:00 p.m. at the William Reinl Recreation Center.

PRIVELIGE OF THE FLOOR

John McBlain asked Mr. Seflin about the tax collection for 2008. Mr. Seflin indicated there were 16 delinquents and doing some quick math on the 1750 properties we are still at a 99.1% collection rate for 2008 but were do we stand for the 2007 and 2006 programs. Mr. Seflin responded for 2007 we have 2 delinquencies outstanding, one is the same person that has been delinquent for 8 years in a row, and a non resident property owner who lives in Coatesville.

Our Constable claims he can not execute against this property owner in Coatesville, Mr. Seflin has been trying to work with the District Justice to get a Constable in Coatesville to execute against this owner. Thus far we have not received a tremendous amount of cooperation with the folks in Chester County. We are looking at some alternatives. Mr. Seflin said we are 100% for 2006. Mr. McBlain commented, we are 100% for 2006, 2 out of 1750 properties for 2007, and beginning 2008 at 99.1% which is 16 properties. We hear it year after year that Aldan is a rarity. Mr. Seflin as well as Mr. Park, our Tax Collector who has the program, and Constable Haley who enforces the program, are to be congratulated. Mr. McBlain said he doubts you would find that record any where else in the County. Mr. Seflin commented he thinks the William Penn School District considers itself lucky if they collect 85% of their taxes in a year. Generally they are about 82-83-or 84%. We are in the William Penn School District and the School District itself and their tax collection rate are far behind Aldan. Mr. McBlain said they look to Mr. Park to model his program and try to model some of what they want to base on the program Mr. Park has for tax collection. Mr. Seflin said we have a little bit more latitude to go out and collect our own. It is Mr. Seflin understands the School District is a little bit more married to the entire tax collection bureau battalion which takes a long, long time. We have more freedom to opt out and go do our own thing, especially for sewer rental and refuse collection fees, which are not collected by the County. Mr. Seflin said it is a long process and the minimum time to collect taxes is about 18 months generally it is about a 2 to 3 year process. There is a group of loop holes that you can object to if you are a tax payer to sheriff's sale. Mr. Seflin got eight notices but did not get the ninth notice and the Judge will throw the Sheriff's Sale out for that type of thing. Judges and Sheriffs loath to take peoples houses. Perhaps rightly so, Mr. Seflin thinks it was designed by the General Assemble to be a laborious process. That is the process unfortunately that the School District has to go through and when you have a low collection rate to begin with it is that much of a burden. Mr. Seflin did talk to the School District and there are thing they can do to accelerate the process and do some things on their own. We opted out of that program 18 years ago and now we file liens and a law suit as opposed to going through this RID process and this is a lot faster. President Shot commented he wanted to apologize for not bringing that up but when you get used to the services we get from our Solicitor, Tax Collector, and our Constable we start to take it for granted.

Mark Wilson thanked Borough Council for their support of the Car Show for the Boy Scouts. It was a blast. The kids loved it, it was a beautiful day and we would like to do another one in the fall. Mark asked if they could do this in conjunction with Founder/Safety Day. President Short said we will get together with the Chief because the police do most of the work but we will see what we can do. President Short asked if they made money. Mark responded they made money but we made a lot of friends. Mark commented he just came over from the American Legion; we are doing an Eagle Scout project fixing up the Legion. Mark said there are a lot of great kids in this Borough and we have to be careful not to focus only on the negative. Aldan is a great place to raise a family. President Short said there are a lot of activities available to the kids but we don't know if they are taking advantage of these activities and hopefully the parents will start pushing them in that direction.

Bill McNally from Willows Lane spoke to the Code Enforcement Officer about a new neighbor who cuts the grass he leaves it all over. The Code Officer spoke to this person and he said the rain will wash it down the drain and he told him he can not do that. This new resident is now going to clean up the grass whenever he cuts his grass. Mr. McNally said the Code Officer is doing a great job.

ADJOURNMENT

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

ATTEST

MARIE V. KAUT
Borough Secretary