

**ALDAN BOROUGH, DELAWARE COUNTY, PENNSYLVANIA**

October 12, 2011

The Borough Council met in an executive session at 7:30 p.m. and in a regular session at 8:00 p.m. at the William Reinl Recreation Building on the above date with President Short presiding.

The Pledge of Allegiance was recited and led by President Short.

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**ROLL CALL**

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

Council members absent: M. Xavier

Officers present: T. Quinn, Treasurer; G. Kaut, Secretary  
G. Sefflin, Solicitor

Officers absent: None

**MINUTES**

On a motion made by P. Brookes seconded by S. Coppola minutes from the September 14, 2011, Council Meeting be accepted as presented and unanimously approved.

**WRITTEN CORRESPONDENCE**

No written correspondence tonight.

**VERBAL CORRESPONDENCE**

Residents from the area of Walnut Avenue came to the Council Meeting tonight with their concerns about the residents from 448 Walnut Avenue. Maryanne and Al Paoletti, 452 Walnut Avenue; Mary Stauffer-Genthert, 449 E. Magnolia Avenue; Ed Gannon, 456 Walnut Avenue; and Jerry Yoder, 444 Walnut Avenue. Maryanne Paoletti is the spokesperson for the group. In June, 2010 the neighbor Jeff and Johanna Schreiber moved to South Carolina and rented their house. Mr. Samuel Conteh moved into the house. Mrs. Paoletti said the house is a revolving door with people coming and going sometimes for minutes, hours, days or weeks. There have been numerous police calls and he was arrested in August, 2010 for domestic battery. Mrs. Paoletti has been personally threatened twice by people in the house. In May, 2010 there was a 3 day party at the house, Mrs. Paoletti asked Mr. Conteh if he could ask his guests when they leave to keep their voices down it has been waking us up. She was told to get off his property and get out of here and started screaming at Mrs. Paoletti.

Mrs. Paoletti explained there have been so many things we have had to call the Police for; there have been nuisance calls, code enforcement calls, I have been threatened by a young adult living at the house. There are so many people living at that house you have no idea who anybody is. I have walked out of the house and there is a strong odor of marijuana, and I called the Police but there was some miscommunication but the Police did ride by but did not see anything, I should have been a little more clear they could come onto my property and I will tell the police that the next time. Last week we had our driveway resurfaced so I parked on the street but it was in front of their house. They came over to my house and demanded that I move my car it was his spot. I am scared to death and intimidated by them. They have not paid any rent in months. They have no respect for anyone, they have broken several laws and the Police Chief said to call and I have called but it is not that easy when they are living next to you and they threaten you. People do crazy things as we just saw in Ridley. We are coming as a group to the Borough and asking if the Borough can put a little pressure on the owners or the mortgage company to get these people out. Jerry Yoder lives on the other side of this property and has been threatened and cursed at, they block my driveway so I could not get in the drive. I did call the police and they did come and ticket the car and this has not happened again. The yard is a mess and asked if the property was going to be inspected. We did tell Mr. Yoder that house has been inspected. If we could find out who owns the house and get a little respect from them, clean the yard up of the tires, rugs and fence in the back yard. Mr. Yoder commented he does back everything Maryanne Paoletti said 100%. Mary Stauffer-Genthert explained she lives behind this house and there is a lot of noise because they party every weekend from Friday night till Monday morning. We have talked to the Chief and he does understand what is going on and we do call the Police. We had an officer come to our house after the last time we called and the residents at 448 Walnut Ave. say we have no reason to complain about the noise. When the officer is here they calm down but when the officer leaves it gets worse. Mrs. Stauffer-Genthert said, verbally assaulted not uncommon and now there is a young man that lives there looking in my bathroom window and has been caught 3 times. The next time I will file a complaint as suggested by Chief Coppola. I am not comfortable, we can't use our yard or our deck, and we sit in our family room with the TV on and can hear them. I don't bother my neighbors, I pay my taxes, I'm quiet, I keep my property nice but I have these people living behind me that live a different life style and I understand they are entitled to live whatever way they want to live but they are infringing on my rights. Aldan was always a nice quiet community but it is not any more. The reason we came to the meeting as a group is we don't know what to do about the situation, we are frustrated, we are afraid, we are intimidated and we don't know what to do. By showing ourselves as a group that will show to Council the concerns we truly have and maybe you can advise us how to handle the situation. President Short explained as far as the Code issues we can have a Code Official go there tomorrow, unfortunately they are not the ones that will be cited it will be the owner and as of today the owners are still Jeff and Johanna Schreiber and the taxes are paid on the property. We can handle the code issue there we can go to the property and issue citations and tickets. As far as the intimidation and it must be scary but you have to call the police immediately and if it takes calling 3 times a night to get these people to stop that is what you need to do. The Police officers will be around and they will protect you. We have noise ordinances in town and the police will keep coming around until they stop. President Short commented the thing that concerns me the most is that you are afraid and we can't put up with that. President Short said, I sure the Chief will back me up and we will do everything possible to ensure your safety. Mrs. Stauffer-Genthert said we do call the police and they do come but we have found the more we call the police the worse the behavior is. President Short said he will get with the Chief and see what we can do about this and I will get back to you Maryanne as the spokesperson for the group and hopefully we can resolve this matter. Ed Gannon asked are there any codes regarding how many non-related individuals can live in a single family home. Mr. Sefflin explained they have to be living there or residing there. If there is more than one family residing there that is a violation of our Zoning Ordinance, this is not a multi family dwelling.

If we cited these folks for a Zoning Violation and we went in front of District Justice or the Court of Common Pleas, and assuming these folks showed up they could say we were just staying there. I was staying at place A and was moving into place B and my friend allowed me to live there for a few weeks. Mr. Sefflin told the residents here tonight you would have to come and testify this guy has been there for 18 months not a few weeks. Mrs. Stauffer-Genthert said they spoke to the owner, Jeff, when they saw a multitude of people coming and going. Jeff explained there are 2 people names on the lease a man and a women but was not aware of other people living there. The residents there agreed that the weekends are the main time issue. President Short will meet with the Code Department and the Chief and find out what resolves we can have for the issues and I will get back to you. They all thank Council for listing to their concerns. President Short wished they had called earlier so it did not get this far, please don't be afraid to call any Council member we are all willing to talk.

Sue and Buddy (Harold) Borders, 503 West Providence Road, had a concern about a year ago the wind took out an electrical pole in neighbor's back yard. We were told it was Verizon's problem, the last storm we had it took out the electricity and prior to that a car crash took out 2 poles. They completely repaired 1 pole but never put the light back up, marked the second pole brought a pole that was to short and left. We called PECO and PECO says it is Verizon's problem and Verizon doesn't see a problem but we still have one pole without a street light and it is very dark in that area. The pole in the back has a brace on it and the pole from the car accident is totally split on the bottom and still just sitting there. We don't know who else to call. President Short said we will make some calls tomorrow to see if we can get PECO out to repair the pole they are responsible for and find out who else needs to come out.

**MAYOR REPORT**

Mayor Hopely reported the Police are keeping a close watch on traffic around the school and they do stop quite a few cars going over the speed limit. We hope that people see the presence of the police and watch out for the kids and obey the speed limit.

Mayor Hopely wanted to thank members of Council and the Community who assisted with Founder/Safety Day. Your help was appreciated.

Mayor Hopely once again ask residents who have complaints to call the police immediately. If the Police can get there while something is going on it is easier to deal with.

**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	\$ 616,184.71	\$ 40,433.44	\$ 273,648.67
Interest		\$ 6.42	\$ 22.72
Receipts for period	\$ 148,293.06		\$ 7,492.72
Expenditures Prior Month	\$ 155,663.03	\$ 7,444.51	\$ 134,829.68
Balance	\$ 608,814.74	\$ 32,995.35	\$ 146,311.71

Terry wanted to note in the total receipts we received in the General Fund of the \$148,000.00 about \$109,000 of that are just pass through funds for State Checks we received which we have to transfer to other entities.

Terry is asking council's approval to release funds from the State Highway Fund totaling \$ 7,444.51. Terry is also asking Council's approval to release check this evening for checks from the General Fund totaling \$133,973.05 and from the Sewer Fund \$93,664.19. Councilwomen 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 Councilwomen Owen and unanimously approved.

### **SOLICITOR**

Mr. Seflin reported last month Council awarded the Recycling contract to Suburban Waste Services; Mr. Seflin did prepare an agreement between the Borough and Suburban Waste Services and did forward that contract to the President of Suburban and hopefully within the next 10 days to 2 weeks we should have that back. When we receive that back Mr. Seflin will give this to Council for execution and we will send a copy back to the contractor.

Mr. Seflin reported on our Sewer and Trash Delinquencies Collection Program; for 2009 we still have 6 judgments that are unpaid. As reported last month in addition to those 6 there are 2 property holders in bankruptcy so we still have 8 outstanding for 2009. One of the bankruptcies is in a Chapter 13 plan and we received our monthly check from the Bankruptcy trustee a check for \$33.03 for the property at 31 East Wayne Avenue. At Caucus it was reported for 2010 we had 10 outstanding delinquencies and now we have 9 because we just received a check for \$1,406.23 which is the full amount of the delinquency for 408 East Providence Road. Because we are continuing the process we have delayed filing law suites against the 9 remaining because we have been in negotiations with some of the property owners. As reported last month we do have 3 properties; 37 South Oak Avenue; 119 South Woodlawn Avenue; and 122 Merion Avenue, we have liens on the properties for nuisances for over grown grass, weed, foliage, etc. and the Borough has and continues to care and maintain these properties. Mr. Seflin is in negotiations with one of the owners, Citizens Bank, and the property is in foreclosure and the former owner had been delinquent 6 of the last 7 years. When in foreclosure the bank or mortgage companies do take the properties over and this property at 119 South Woodlawn Avenue has been taken over and they have hired a Management Company and we are in negotiations with the Bank to resolve that lien which currently totals \$1,035.00. If by the end of the month the nuisances liens not dealt with we will file suite against the owner of the properties as well as the 9 outstanding delinquents for 2010.

Mr. Seflin reported he helped Councilmen Coppola and Mr. Close, the Borough Engineer, prepare Resolution 2011-02, Proposed Sewage Facilities Plan in accord with the requirements of the Pennsylvania Sewage Facilities Act (ACT 537). Act 537 requires our Borough limit the amount of inflow and infiltration into the sanitary sewers from storm water. DELCORA has asked us to amend our own sewage facility plan, required under Act 537. The DEP in 2002 and 2004 developed along with the County Facility Plans for various areas of our County and the one Council is considering adopting tonight is the plan that was adopted for the Municipalities whose sewer flows through DELCORA into the Philadelphia Southwest Treatment Plant.

Dan Procopio had a question about the Recycling Contract from last month. One of the bids was disqualified and no reason given why it was disqualified. Mr. Sefflin explained there were a couple of disqualified bids because (a) they were above the bids that came in, the low bids, and (b) they were so high above the amount we can consider for a non-formal bid. Formal bids are 10 thousand dollars or more; these were informal bids because Councilwomen Owen believed the amount of the contract should not exceed \$10,000.00 in our informal estimate. We sent the bid proposals out to various contractors with the idea that the bids would be below the amount considered for an informal bid. We did receive bids that were well over that so they were disqualified because we couldn't accept them.

## **ENGINEER**

Mr. Close reported our 2011 Road Program has been completed and Councilmen Cosgrove will report on this and I will be available for further details during the Councilmen's report.

Mr. Close also reported we are making preparations for our 2012 Community Development Block Grant (CDBG) application. The actual documents are expected to be received from the Office of Housing and Community Development later this month. We are anticipating holding our public hearing at the December Council Meeting and our application will be due by the end of the year.

## **REPORTS OF COMMITTEES**

### **PUBLIC HEALTH**

Councilwoman Owen reported about the Igloos behind the Giant Market. The ground area around the igloos has become terribly littered. It is littered with recyclable containers. The containers have been used to carry the recyclables to the site and bags that contain jars and jugs also containing other trash items. The igloos have openings at the top that are large enough to fit the items that are permissible to be dumped into them but they may have to be put in one at a time. The driver from the County who comes to empty the igloos will take a look at what is on the ground and take the recyclables but he is not able to clean up the area around the igloos. We have had the area cleaned up and our police are going to monitor any persons that are seen there not putting the contents in the igloos and encourage them to do so for safety sake. The Manager from Giant has offered to help in any way he can. Councilwomen Owen would like to remind persons that are using the igloos to return the containers, bags and non recyclable back to their homes and put them in their own trash containers. We like having the igloos at that location they are a valuable service and we would like to continue to have them at the Giant.

Councilwomen Owen reported the 4<sup>th</sup> and final collection of Household Hazards Waste is scheduled for this coming Saturday, October 15<sup>th</sup> at the Upper Chichester Municipal Building located 850 Fury Road, Upper Chichester from 9 to 3 rain or shine. They will be collecting flammables, pesticides, caustics, household batteries, cell phones, computer equipment and TVs less than 27".

Councilwomen Owen reported the 3 Prescription Take Back Event is scheduled for Saturday, October 29<sup>th</sup>. This will be held at the Municipal Building from 10 to 2. To date more than 1,000 pounds of prescription and over the counter medication have been collected and disposed of in just Delaware County.

This time 13 of the Counties Police Departments are participating and as a reminder this event is used for residents to dispose of prescription, unwanted, expired and over the counter medications that we would like persons to get out of their homes and out of the hands that may want to use them for the wrong purpose. The program has been so successful that the amount turned in last time was triple from the first collection event. The first collection event there were 277 pounds of pills collected and the second collection yielded more than 900 pounds. Nationally there were 4,000 participating agencies nationwide and 309 tons of pills were collected and off the streets. This is definitely a worth while event.

## **HIGHWAY**

Councilmen Cosgrove reported the 2011 Road Program has been completed by the contractor. What remains to be done is for Councilmen Cosgrove and Terry Gallagher, from Kelly/Close our Engineers Office, to walk the job and see if there is anything we might need to add to the list of thing they still need to do.

Councilmen Cosgrove reported on the Traffic Light LED Replacement Program. Five sealed bids were received and opened at Caucus and the low bidder was Republic ITS-MASS from Billerica, Massachusetts, that is the home office but they do have offices all over the country. They have done LED Traffic Light Replacements in Upper Chichester and West Chester. In speaking with the company, who will be doing warranty work if necessary for the next 5 years are employees of Republic ITS not subcontractors. The bids have been reviewed by our Borough Engineer and everything is in order. The wining bid costs; the green and red were package A; the yellow was package B; and one light on a pole was package C and the total for the wining bid was \$14,125.00. The range of bids went from the highest being \$25,970.00 to the lowest bid being \$14,125.00. Councilmen Cosgrove made a motion to accept the bid from Republic ITS from Massachusetts for the price of \$14,125 to install the LED Traffic Light Replacement Program is in the Borough of Aldan seconded by Councilman Baker and unanimously approved. The next step will be for our solicitor to contact them with a contract. Dan Procopio asked if there was a time frame for the project. Councilman Cosgrove explained there is no time frame and would probably be done as soon as possible. John McBlain asked if the award was for all three A, B and C. Councilman Cosgrove responded yes the \$14,125 bid was for all three. Mr. McBlain asked originally it was the red and green but we were not sure if the yellow would fall under the price. Councilmen Cosgrove explained the reason we separated the yellow from the red and green, when this program was initially discussed a couple of years ago, that was when the Borough was going to buy the lights because of environment and economy to save money there would be a pay back in three years. Since then we were able to get a grant thorough Representative Micozzie's Office for the replacements. The original price when we asked the State was based on the price that our present Traffic Light Maintenance contractor gave us. In 2 ½ years the price has come down. The cost of the bulb has come down, and in a competitive bid process the price is much lower. The original grant scope did not include the yellow bulbs. Once we saw where the price was vs where the bids were we went back and asked for a change of scope. We are not asking for any more money we want to spend some but not the entire grant. To explain the change of scope; the use of yellow was much less than the red and green, we were thinking of buying them at the time and the price we had was 2 ½ years old. Things have changed now it allows us movement within the grant money to get the yellows done and that is what we asked for. Mr. McBlain asked how much the grant was for. Councilmen Cosgrove said it was for almost \$23,000.00, so the bid is for \$14,125 and that is for all three. The grant covers all three and we would be giving money back to the State.

Mr. McBlain asked this will save us about \$7,800 a year. Councilmen Cosgrove responded he looked at just the electric portion of our traffic lights and I only used one bill and annualized it and we are spending about \$3,750.00 a year on traffic lights. The published savings is 70%, so if we take 30% as our bill we would save \$2,625.00 every year this is annualized and is just one bill but it is a pretty good ball park as to where are savings are going to be. Mr. McBlain commented plus we get the brand new lights that look sharper and are brighter and better for safety and there was no Aldan Taxpayer money involved. The Councilmen responded not a penny. Herb Hays asked if it was all 5 traffic lights in the Borough and the response was yes all five.

## **PUBLIC WORKS**

Councilmen Coppola reported he will make a motion to adopt Resolution 2011-02 but will let Mr. Close, our Borough Engineer, explain this resolution. Mr. Close explained it is the Municipalities responsibility to plan for sewage needs in the community. We are a community that has public sewers but from time to time we have to update the State documents, Act 537 Plan, our plan was updated in 2002. The main reason for this current update is because there are changes at the Southwest Philadelphia Treatment Plant and negotiations between them and DELCORA with the current arrangement is up. They are re-negotiating the cost and Philadelphia is looking to charge some significant increases to the users of the system, and Aldan is just one of the users. The Act 537 plan process is the process where we look at other alternatives than Philadelphia. The good thing is DELCORA and Delaware County Planning Department is sponsoring this update on behalf of all the Municipalities at no cost to the Borough. Tonight we are authorizing DELCORA to act on our behalf, so this is a participation resolution. This will probably take 2 years and this is going to be done con-currently with the negotiations with Philadelphia. Once the plan is updated we will have a chance to review it and we will adopt a resolution approving the resolution as will all the Municipalities and then sent to the Pennsylvania Department of Environmental Protection as our latest version of the Act 537 Plan. Councilmen Coppola made a motion to adopt Resolution 2011-02, Proposed Sewage Facilities Plan in accord with the Requirements of the Pennsylvania Sewage Facilities Act [Act 537] seconded by Councilwomen Owen and unanimously approved. Dan Procopio asked is this a study done by being done by DELCORA and the Planning Department in order to build a sewage treatment facility. Councilmen Coppola responded from the meeting Steve and PJ went to, DELCORA looks at different areas they can negotiate with Philadelphia. They are talking about building their own Sewage Plant which would cost millions of dollars and also a big Storage Facility. For example when they have a big rain event or an event where there are massive amounts of flow going down to the Philadelphia plant that we could divert it to a storage facility, hold it, and then divert it back to Philadelphia, so our flows for a single day event or multiple day events that are close together so we don't get fined for massive flows going to Philadelphia. They look at all the ways to prevent those kinds of costs being incurred on us and use it to negotiate with Philadelphia. The increases that Philadelphia was proposing were incredible. That is where we stand right now and this is a way DELCORA to negotiate with Philadelphia on our behalf. Dan Procopio also asked is the Phase II Lobbs Run punch list done; the response from the Councilmen was yes that has been completed. Dan also wanted to thank Councilmen Coppola for getting the parking lot at the No Name Store sealed the lot and lines painted. Councilmen Coppola reported they allowed us and worked with us to a great extent allowing us to stage an area there during the Lobbs Run Phase I Project.

**ADMINISTRATIVE AND BUILDINGS**

Councilmen Baker reported we did the repairs to damage that was done to the exterior Rec Building over the last year. While doing that we also cleaned up the Men's and Women's bathrooms that have deteriorated over the years. We also purchased 2 new tables. Dan Procopio thanked Councilmen Baker on behalf of the 4<sup>th</sup> of July Committee the new tables will come in very handy.

**FINANCE**

Councilwoman Brooks reported we have received correspondence and money from the Commonwealth of Pennsylvania. We received notification of our estimated Liquid Fuels Tax for 2012, \$80,071.18 in 2011 we received \$77,297.53; this is a little bit of an increase. We also received a Public Utility Realty Tax refund. This is not a required report that we have to do but our Treasurer, Mrs. Quinn, does this for us and we received \$1,380.79. We also received the Firefighters' Relief Fund from the State which we will turn over to the Fire Company. Aldan's portion to turn over is \$41,842.40 which is up from last year. We also received notification on the 2011-2012 Highway allocation and anticipation of \$4,931.69. Councilwoman Brooks reported we are in preliminary meeting to determine the Borough's 2012 budget.

Councilwoman Brooks commented we were very glad to have Founders/Safety Day, we had a very good turn out, and everyone had a really great time. Thank you for all the volunteers and contributions, this kind of day makes our town so much more of a community. President Short commented this is true the Historical Commission along with the Police Department make this a great day. Councilwoman Brooks added all the people are amazed at the free food, the crafters and the flea market people were thrilled and our cupcakes were a complete hit so thank you to all who participated.

Dan Procopio asked if we had the numbers for the Reserve Fund for the Sewer and the General Fund. In our General Reserve Beneficial Account we have \$541,257.92 and in our Sewer Capital Reserve \$298,796.53.

**LAW, ORDINANCE & PUBLIC SAFETY**

Councilmen Xavier was not at the meeting tonight but if anyone has any questions or comments we will try to answer them.

**UNFINISHED BUSINESS**

None.

**NEW BUSINESS**

President Short reported Caucus will be Wednesday, November 2, 2011 at 7:30 P.M. at the Municipal Building at 7:30 PM.; and Council will meet on Wednesday, November 9, 2011 at the Reinl Recreation Building at 8:00 PM.

Councilmen Coppola commented it is worth noting the pedestrian walkway between North Sycamore and Merion Avenue was repaved during the Road Resurfacing Program. It really looks nice and a big improvement to the park. We want to thank Councilmen Cosgrove for taking care of that.

Anthony Tartaglia commented the Planning Commission had voted on very minor lot line relocation for Lois Saunders and did Council vote to approve that this evening. President Short responded we did talk about this at Caucus but we need some other information. President Short did get that information but did not get this to Council. President Short if this is a time sensitive issue. Mr. Tartaglia responded Ms. Saunders requested this being done quickly because there is a transfer of one of the properties. Lois Saunders was present at the meeting tonight if there were any questions. President Short did get the information explained by our engineer. Ms. Saunders said she got back today the revised plans from the surveyor which reflected the one comment that was on the engineers report. President Short asked if this is waiting for our approval to go to the County. Mr. Close explained as requested by the Planning Commission the engineer was asked to review the plan. We had no issues with the plan other than one small administrative change on the plan and there was 1 or 2 that we asked the Zoning Officer to confirm which he did. Mr. Close said in our prospective Council is in a position to act on this plan. Once Council does act on this it would be signed and recorded at the County. Mr. McBlain commented he is a member of the Planning Commission but was not at the meeting but did review the material and I agree it is a minor plan and had I been there I would have voted to recommend approval and ask Council to move forward. Mr. McBlain is a resident in that area and does not think there is any opposition to this plan. Councilmen Baker made a motion for a lot line change for 105 West Wayne Avenue and 104 North Woodlawn Avenue seconded by Councilmen Coppola and unanimously approved.

**ADJOURNMENT**

On a motion made by Councilwomen Brookes seconded by Councilmen Coppola and unanimously, approved, the regular meeting of the Borough Council was adjourned at 9:10 P.M.

**ATTEST**

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MARIE V. KAUT  
Borough Secretary