

ALDAN BOROUGH, DELAWARE COUNTY, PENNSYLVANIA

October 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 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; T. Owen; M. Xavier;
S. Coppola; J. Cosgrove; R. Baker

Council members absent: None

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

Officers absent: None

MINUTES

On a motion made by P. Brookes seconded by S. Coppola minutes from the September 8, 2010, Council Meeting be accepted as presented and unanimously approved.

WRITTEN CORRESPONDENCE

No written correspondence tonight.

VERBAL CORRESPONDENCE

There is no verbal correspondence tonight.

President Short turned the meeting over to Mayor Hopely. Mayor Hopely commented we are honored to have Bob Adams, the Police Chief from Collingdale and the Honorable Frank Kelly, the Mayor of Collingdale. Mayor Kelly said he was very honored to be here on behalf of the Borough of Collingdale to present this award. Everyone knows what happened at Scully Welding, which was the biggest disaster in the history of the Borough of Collingdale. Collingdale has had three major fires this was by far the largest. Thank God we did not loose any lives. The reason it was contained and we did such a good job there because of quick response from our neighboring communities. There were 36 Fire Departments; 400 Fire Fighters; and 100 Police Departments. From time to time you hear we have to merge police departments but this is not necessarily true as long as we have the cooperation we have between our Police Departments we are going to survive without going to a bigger government. Mayor Kelly then presented a Valor Award to the Aldan Police Department for Heroic Actions taken at the scene of the Fire and Explosions at Scully Welding Company, Collingdale, PA saving lives and property on September 1, 2010. Thank you from Mayor Frank Kelly and Collingdale Borough Council on behalf of the residents of Collingdale Borough. President Short commented Mayor Kelly is the longest continuously serving Mayor in Pennsylvania history with 41 years of service.

MAYOR REPORT

Mayor Hopely asked Joe Cosgrove and Charlie Duffy to come forward on behalf of Aldan Boosters. Mayor Hopely proclaimed October is Aldan Boosters' Civic Association Month in the Borough of Aldan. The Aldan Boosters' Civic Association is the oldest and one of the most contributing organizations to our community. Charlie Duffy commented that our distinguished Mayor has been a member of the Aldan Boosters for 45 years which has set a record.

Mayor Hopely reported on the Police Department and this is easy to report on because they do a magnificent job and we have the best Police Chief in Delaware County.

Mayor Hopely, Borough Council and the Citizens of Aldan Congratulate Officer Jon Meister who has resigned as a part time Aldan Police Officer to accept a job with the Pennsylvania State Police. Jon is currently attending the State Police Academy.

Aldan participated in the DEA Drug Take Back Program. Many residents came to the Municipal Building to turn in old medications. We will hear more on that from Councilwomen Owen who set up and worked on this project along with Councilwoman Brookes and Officer Dave Jackson.

REPORTS OF OFFICERS

TREASURER

Mrs. Quinn reported in the beginning of the year a report filed with the state concerning the Public Utilities Realty Taxes (PERTA) and this month we received our 2010 allocation for 2009 taxes with the amount being \$1,380.79 which was about \$60.00 more than last year

Terry Quinn read the Treasurer's Report:

	<u>General Fund</u>	<u>State Highway Fund</u>
Balance of cash on hand	\$ 793,106.59	\$ 16,077.06
Receipts for period	\$ 110,304.53	
Interest		\$ 1.95
Expenditures Prior Month	\$ 142,904.83	\$ 7,455.28
Balance	\$ 760,506.29	\$ 8,623.73

Terry Quinn asked Council's approval this evening for checks from the General Fund totaling \$209,703.20 and checks from the State Highway Fund for \$7,455.28. 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 Councilmen Baker and unanimously approved.

SOLICITOR

Mr. Seflin reported last week we filed a lien against the property at 213 Merion Avenue. These folks left their property vacant or abandon and over the summer the Borough spent a lot of money to abate nuisances at the property, those being severely overgrown bushes, grass and shrubbery, and we have consistently clean up the property. The lien at current is \$1, 319.50 and we have filed this and sent it to both the property address and also what we believe to be the new address of the property owner. They have 30 days to take action and pay that lien.

Mr. Seflin reported on the Tax Delinquent Program and we have a hearing scheduled for Thursday, November 4, 2010 at 1:00 PM before Judge Perfetti. There are 13 delinquents from 2009 and 1 from 2008. Mr. Seflin has just heard from the 2008 delinquent which we have had many dealings with over the last 2 years and we have reached a tentative agreement. Within the next 10 days we are to receive about 77½ % of the amount owed to us and we thought to put this to rest this would be a fair compromise.

Mr. Seflin commented one of the delinquents from 2009 had filed for bankruptcy, failed to tell the Borough and failed to include us in their plan. On October 27, 2010 we have a hearing in bankruptcy court in front of Judge Fitzsimon at 9th and Chestnut St. Phila. at 9:30 AM. We are asking the Judge to grant relief from the automatic stay that goes with the bankruptcy so we can pursue these folks.

ENGINEER

Mr. Close reported on the Lobbs Run Phase I Project, last month reported we have about one half, about 760 feet has been installed It is very difficult and has been slow going because it is very difficult terrain. The upper half of the job we had to take a much closer look at because of much deteriorating conditions especially in front of the No Name Store and a lot of potential impacts if the pipe got stuck during the slip lining operations. We took a much closer look at the capacity and decided we need to slip line a smaller pipe and determined that a 12" pipe would work and also fit. That decision was made and concurred with the County and No Dig put the smaller pipe and that work was completed yesterday. We got about 764 feet, the upper half, of the job done over the last few weeks. They have some miscellaneous manhole repairs, sealing restoration, trench backfill, punch lists and televise the line.

We expect this to be done over the next few weeks weather permitting. The second part a continuation of that, the Lobbs Run Phase II portion of the project which is the lower half. We have submitted plans and bid documents to the County for their review and we are awaiting their notice to proceed for bidding. We expect that to be around mid November and we hope to start construction of the lower half in early winter of 2011.

Dan Procopio asked what size pipe was originally designed to be pulled. Mr. Close answered it was a 16" pipe. Dan asked is the 12" going to be enough for future capacity. Mr. Close explained yes, we took a much closer look and we have a very good fall through that section of line and the capacity does work. Originally we thought we would get the biggest pipe we thought we could get through there with as much capacity as we could get but 16" was not going to fit. Rather than getting a pipe stuck and having disaster consequences and if it got stuck next to No Name Store or Shaiko's this could cause huge problems. When you are 16' or 17' down and right under the front sidewalk and there is no getting around it and the most important thing is capacity and the second most important thing is eliminating the I and I, we had to get a pipe through there. The condition of the pipe by No Name is so bad that we didn't know when it could collapse. It was shaped like a football, cracked all over and God forbid if a collapse took place we would be stuck and we would have to make an emergency repair and would have been extremely costly and devastating. Fortunately the smaller pipe worked and we were able to fit that through so now the upper 1500 feet is done.

Dan Procopio asked about the excavating behind the apartments on Maryland Park and behind the Shaiko building was there a new manhole placed in that area. Mr. Close explained that is an old manhole that has been renovated to look new. As part of this project we replaced the manhole covers, the old ones were very leaky. We installed new bolt down water tight covers with plastic inserts, and a rapid seal (a tar shrink wrap that seals around the frame and cover and the manhole itself), the brick manholes themselves were in good structural condition. We parged this with a special concrete mortar mix to seal the inside of the manhole and the bottom of the benches. While we were in there dealing with the pipe we wanted to deal with the manholes because a lot of water gets through those as well. There are no new manholes as part of the job. Dan asked what look like casement they were putting in. P J explained that was actually the insertion pit, which is the pit they need to actually pull the pipe through and the boxes were trench boxes to sure up the excavation. Unfortunately we found some very granular material, so we installed 2 trench boxes to make sure it was safe for the pulling operation. Now that the pipe is in the trench boxes get pulled out and the trench gets restored. Dan asked was there additional cost. Mr. Close responded no there was no additional cost.

REPORTS OF BOARDS AND COMMISSIONS

Anthony Tartaglia had nothing new to report tonight.

REPORTS OF COMMITTEES

PUBLIC HEALTH

Councilwoman Owen reported Aldan participated in a Nationwide Prescription Take-Back Program on Saturday, September 25, 2010. This program was intended to collect the unused and expired medication to prevent the misuse, abuse, and polluting of our water streams.

Aldan collected 10 pounds of pills and capsules and to compare that and have a perspective Upper Darby collected 88 pounds. The materials were then collected by DEA field officer. Thank you to Officer Dave Jackson who guarded the collection for the five hours we were collecting.

Councilwomen Owen reported on the Recycling Performance Grant Application for 2009 was submitted to the State at the end of September as required each year. The totals of the recyclables collected were lower from commercial and residential sources than the previous year which is what the award is derived from. However we will gratefully accept the award they give us.

Councilwomen Owen also reported the Delaware County Recycling Coordinator, Sue Cordes asked to make an announcement about the expanded program of the recycling centers in our Borough. The Igloos that are behind Giant Food Store they are now expanded to accept every thing in one container. They are accepting clear, green and brown glass, bi-metallic and aluminum cans and plastic bottles. The more use they get the better for our totals when we submit our recycling grant each year.

Councilwomen Owen reported our Solicitor opened the bids for the Refuse Collection and Disposal. There were two bids submitted and after review and consideration by the Sanitation Committee we have decided to accept the low bid offer of \$950,000.00 for a 5 year contract including Bulk Trash once a year. This breaks down to \$190,000.00 per year. Given the price of the fuel and the state of the current economy this is an incredible opportunity for our residents. Councilwomen Owen made a motion to accept the bid for a 5 year contract for Refuse Collection and Disposal including bulk trash collection for once a year for \$950,000.00 from our current hauler Suburban Waste Service, seconded by Councilmen Xavier and unanimously approved.

Councilmen Xavier commented so residents understand how good of a contract this is, this is the same amount that was awarded the last contract with Suburban and the contract before. Especially with the cost of fuel and they have not raised our price. The other bid for this 5 year contract was \$1,324,980.00. Our price for the past 2 contracts which was a total of 6 years has been the same. We feel the hauler is looking out for our best interest. Councilwomen Owen asked Mr. Seflin to prepare an agreement for the contract as soon as possible.

Mike Ceci asked what would be the arrangement if we found we could afford to have curbside recycling in Aldan and what kind of flexibility would we have with a 5 year contract and would we have to wait till the end of the 5 years. Mr. Seflin explained it would be a separate contract and a separate award and separate bid.

John McBlain asked, is the contract expiring that we are bidding on and how many years were the two previous contracts. Councilwomen Owen explained the two previous contracts were 3 years each so now it will be 11 years at the same price. Mr. Bizzari is very customer orientated and is very aware of the current economy and wants to do right by the Boroughs he has contracts with. He is always available when ever there is a complaint from a resident he will talk to his staff. We have a very good working relationship. Mr. McBlain also asked about Bulk Pick-Up still being once a year but will the contract still provide we can have bulk pick-up any time. President Short commented that is correct but they would prefer if you have large items residents put them out for Thursday's pick-up and this can be done all year round. Councilmen Xavier also commented the once a year Bulk-pick up is included in the contract with no additional fee.

Dan Procopio asked if the tipping fees for the County are going to increase. Councilwomen responded no they are not going to increase. Councilwomen Owen has been notified by the Solid Waste Authority the tipping fees will remain at \$23.45.

Dan Procopio also asked is there a plan to have the DEA sponsored Pill Take Bake annually or was it a one time event. Councilwomen Owen said this was the first time but because of the response of the Boroughs wanting to host the program they decided before the event this would be a bi-annual program. We do not have a date but expect it to be in the spring.

Dan Procopio asked about the tonnage for the Recycling Grant. Councilwomen Owen responded the residential tonnage collection was 82.5 tons and commercial tonnage was 393.4 tons for a total of 475.9 tons.

HIGHWAY

Councilmen Cosgrove reported on the 2010 Road Program was completed yesterday with the milling and repaving of Albert Avenue from Magnolia Avenue to Rively Avenue. Much different from previous years because of the amount of money spent on snow removal during the year. We were also able to do some work at the intersection of Linden and Magnolia, which has been a problem for a few years in addition we took care of a problem at Maryland and Rively. This was our Road Resurfacing Program for 2010.

PUBLIC WORKS

Councilmen Coppola reported from Delaware County Regional Authority, DELCORA, received funding from a grant provided by Department of Environmental Protection for a program to eliminate Inflow and Infiltration from private sewer laterals. DELCORA developed a program which is designed to help Municipalities educate Local decision makers and the general public about problems associated with I & I from entering public sewer systems. I & I entering into public water cost Delaware County residents millions of dollars annually for the increase treatment costs. It has been determined that a significant amount of I & I enters into public sewers through individual private lateral. The result of DELCORA's funding and the way the utilized this grant was a summery report about I & I in private laterals and did a pamphlet called Stop Throwing Money Down the Drain. This pamphlet is available tonight and also at the Municipal Building.

Dan Procopio asked if there was an estimate on how much I & I would be removed by the work that was completed at Lobbs Run and is 2012 when that will show up on the sewer bills from DELCORA.through Darby Creek Joint Authority. P J Close our Borough Engineer responded it is a very difficult thing to quantify. There is a lot of ground water that was getting into that interceptor, which is now not getting in. That is the constant pressure in the system but we really just don't know but is a pretty big impact but what percentage it is we are not exactly sure. But a benefit of having these meters is we can monitor that and we get daily metering results and we will keep an eye on that. Our billing for 2012 and the reductions we expect to see would be reflected in a rebate in 2012.

Councilmen Coppola explained the Lobbs Run Interceptor Project was funded by a grant from Delaware County. Phase I was \$275,000.00 grant and Phase II which we will proceed with early next year is another \$275,000.00 grant provided through the County and County Council and we really appreciate their help and save us a lot of money and stop the infiltration into our system.

All that flow is monitored and metered and we are being billed for all this. This was a great amount of money from the County and a great project for Aldan to get completed and we are looking forward to the results. Councilmen Xavier commented we were able to use grant money, not tax payers money, to help us save money.

PUBLIC SAFETY/ HISTORICAL COMMISSION

Councilwomen Brookes wanted to thank everyone who help make Founders/Safety Day such a success. We had wonderful weather and a very large turnout. Thanks to Officer Ken Coppola, Jr. who coordinated Safety Day for the Police and also thanks to other officers who helped out were Officers Colligan, Fink, Blackburn, Mahoney, and Jackson. The Historical Commission also wanted to thank all who participated including the vendors, our cooks and the local businesses who donated food and drinks, the 4th of July Association sponsored the Lukens Band and our own Councilmen Xavier and his band provided wonderful entertainment for us that day.

Councilwomen Brookes announced on a sadder note we will not have the Fire Marshal's report tonight. The Fire Marshal's wife Mrs. Marty Garrity passed away Monday afternoon. Marty was also the Emergency Management Coordinator for Aldan Borough and we are very grateful for her services to the Borough and extend our deepest sympathy to Bill Garrity, our Fire Marshal as well as their three children, Joe, Trisha, and Katie their spouses and grandson Tylor. Arrangements have been made with a viewing Sunday night at McCausland - Garrity Funeral Home on Chester Pike in Glenolden and also a viewing on Monday from 9:00 to 10:45 at St. Eugene's Church with an 11:00 funeral.

ADMINISTRATIVE AND BUILDINGS

Councilmen Baker reported we have reached an agreement with our insurance company for the hail damage done to the Rec Building. The new roof was installed today by Tall Brothers.

Dan Procopio asked if part of this project was replacing the garage doors. Councilmen Baker responded this will be done but as of today this is not been done.

FINANCE

Councilmen Xavier reported we received a refund from the 2009-2010 Workers Compensation Policy Audit for \$2,632.00.

Councilmen Xavier reported the estimated Liquid Fuels allocation for 2011 is \$75,191.24 compared to last year 2010 estimate was \$75,300.00 and this is based on a millage of 9.93 and population of our Municipality of 4,313 people.

Councilmen Xavier commented on the repayment loan for the Swim Club and our negotiations trying to find the best deal we could for the Borough. To explain what the Borough did was purchase the Aldan Swim Club property this past March for \$290,000.00. We temporarily funded that through the General Fund and we are looking to replenish the General Fund. We are going through a process and have to fill out an application that is very time consuming and will take till March of 2011. In the interim we are going to take a \$125,000.00 line of credit to give us some liquidity going into next year in the General Fund and we will pay off that line of credit when we proceed with the main loan.

Councilmen Xavier read Resolution 2010-04. A brief summary of the Resolution is the property located at 310 North Elm Avenue; Aldan was purchased by the Borough of Aldan on March 25, 2010 for the purchase price of \$290,000.00 was temporarily funded through the Aldan Borough general fund. To replenish the Aldan Borough general fund and to provide for the long term purchase of the premises a loan is necessary to partly finance the purchase. Subsequent to a diligent search of financing options, Council has determined that a \$125,000.00 line of credit loan from Beneficial Mutual Savings Bank for a term of 1 year at a floating interest rate equal to the Wall Street Journal Prime Rate to be secured by a pledge of a \$125,000.00 deposit account held at Beneficial, contains the best terms available. Beneficial Bank requires a Resolution setting forth the reasons for the loan, the Borough Officials authorized to sign loan documents, and the authority to execute the loan documents. Councilmen Xavier made a motion to adopt Resolution 2010-04, seconded by Councilmen Coppola and unanimously approved.

Mike Ceci asked what the price of the Swim Club. Councilmen Xavier said \$290,000.00 was the price of the land. Mike asked about the line of credit. Councilmen Xavier explained the line of credit is to give us liquidity going into the New Year, because tax money does not come in during January and February, so we need the money as operating capital. We are proceeding with the application for the loan and by the time we get approval from the state and move onto acquiring the funds to put back into the general fund estimated this will take us to March 2011. After much research we are proceeding with Beneficial because we can take the loan for \$290,000.00 and we are locked in at either 3½ % for 5 years or 3.99 % for 10 years. This is a full % better than any where else including our current bank.

Dan Procopio asked, when does the year of the line of credit start. Councilmen Xavier responded when we sign the paper work, which will probably be tomorrow. Dan asked if we are seeking more. Councilmen Xavier explained we will get approved for up to \$290,000.00 but may not take \$290,000.00. We will see what our position is financially when we get to that point in March we will then make a decision. We will go for the whole \$290,000 because we will pay off the \$125,000 and what we take as a line of credit gives us liquidity right away and we only have to pay back the interest. It allows the Borough to have more cash in the bank right now. We will pay off what ever we use that is why we took a line of credit and not a fixed rate. Dan asked how this will impact the lease term with the Swim Club because one of the discussions previously was depending on what the loan is you might be able to reduce the lease payment of the club. Councilmen Xavier explained the agreement was it was going to be 1 percentage point higher then what we acquire the loan for and we estimated that to be 5%. So if we get a loan for 10 years in March for 3.99% we will be at 4.99%. So we are coming in right where we thought we would. Dan asked for clarification purposes you mentioned it came out of the General Fund and do you also have a Municipal Reserve and this is not indicated on the Treasures Report. What is the current balance in that account? Mrs. Quinn reported the amount is \$750,615.62. Dan asked for the balance on the Sewer Reserve. Mrs. Quinn responded about 60% of that right now.

LAW, ORDINANCE & BUILDING

President Short reported for the month of September we had 182 Building Permits issued with a construction value of \$660,231.10; and there were 68 Mid-Term/Transfer Inspections.

Dan Procopio asked if a large part of the permits were the roofing work being done throughout the Borough. President Short responded yes that is a good portion but there were also large projects at the Giant Food Store and the Elementary School.

UNFINISHED BUSINESS

There is no unfinished business this month.

NEW BUSINESS

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

PRIVILEGE OF THE FLOOR

Mike Ceci asked what the outcome of the Variance Hearing by the Zoning Hearing Board. Mr. Seflin explained, the Zoning Hearing Board granted the request of the company Step-By-Step to over rule the decision of our Zoning Officer. What that means is the property at 411 East Providence Road could be used as a group home. The Board denied the variance of about 3 ½ feet in the front of the home for a front yard ramp. There is already a back yard ramp but they wanted to put a more elaborate ramp in the front. At first their application was for a 3 inch variance but at the first hearing they amended their application and they wanted 3 ½ foot variance but the Board did not grant that. Mike asked in your professional judgment by them not getting that variance will prevent them from using this for this purpose. To Mr. Ceci understanding the reason for the request was because of an ADA regulation. Mr. Seflin commented he did not know if was true and neither did Mr. Tartaglia, our Zoning Officer or Mr. Byrne, our Zoning Solicitor, but Step-By-Step said there was some requirement from the Pennsylvania Department of Welfare. We do not know if this is true or not, they just said that and saying it and it being true are two different things. Mr. Seflin commented all three of the residents slated to live there were all Welfare recipients and they still could use this as a Group Home assuming that these regulations that they never quoted or never showed to Mr. Seflin or never showed the Board are in fact in existence. So long as they get the acquiescence of DPW or simply have residence there who are not recipients of Public Welfare but it can be used as a Group Home. They can use this as a group home as a matter of right. Mr. Tartaglia determined that it was not going to be used as a group home but the Zoning Hearing Board reversed that so this can be used as a Group Home right now. They just can not have the front yard ramp the way it was designed. They could submit a re-design to come within the Zoning Ordinance, which was suggested to them.

Dan Procopio asked does this change the Borough's definition of a Group Home being overruled. President Short explained because they were saying they needed the two ramps and a group home does not need two ramps. If they had something they were doing that they needed two ramps it made is something other than a group home it made it an institution. Dan asked the fact the Zoning Hearing Board granted them use as a group home does that in any way change what the Borough's definition of a group home. President Short and Mr. Seflin both answered no. Dan also asked if we heard if they would appeal the denial. Mr. Seflin explained there has not been a finding of fact and conclusions of law yet. When that is issued they have thirty days from that point. Mr. Tartaglia commented there won't be an appeal. They have a permit and they are putting a ramp out the side, which was our suggestion.

Herb Hays reminded everyone on Thursday, October 14, 2010 at 7:30 PM in the William Reind Recreation Center the annual Townwatch Meeting will be held and all are welcome to attend.

ADJOURNMENT

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

ATTEST

MARIE V. KAUT
Borough Secretary