

April 14, 2016

A regular meeting of the Council of the Borough of Trainer was held on the above date at the Trainer Municipal Building, 824 Main Street, Trainer, PA with President Regina Beck calling the meeting to order at 7:00 p.m. Eastern Standard Time.

PLEDGE OF ALLEGIANCE AND A MOMENT OF SILENCE

The meeting was opened with the Pledge of Allegiance to the American Flag and followed by a moment of silence.

An Executive session was called before the meeting for Personnel matters.

PRESENT

Frances Zalewski – Mayor
Regina Beck – President
Joseph Maher – Vice President
James Cassidy– Councilman
Awilda Burgos - Councilwoman
Ed McDaniel – Councilman

Eileen Nelson – Engineer
Mike Sheridan – Solicitor

ABSENT

John Mathews – Councilman
Greg Miley – Councilman

MINUTES

The minutes of the March meeting were motioned for approval by Councilperson Cassidy to accept and seconded by Councilperson Burgos; all councilpersons present voted affirmative.

GENERAL FUND

It was motioned that the proper Borough Officials be authorized to draw orders on the Borough Treasure in favor of the following persons and in the amounts shown. Where such orders have already been drawn, the actions of the Borough Officials in so doing be ratified and confirmed. It was motioned, the March bills for approval by Councilperson McDaniel and seconded by Councilperson Burgos. All councilpersons present voted affirmative except Councilperson Maher who opposed.

MARCH GENERAL FUND BILLS

Videon	Dodge Chargers	-20,913.06
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Victoria Okolowski	Petty Cash	-200.00
McKay, James H.	Bleach	-2.32
#1 Car Wash Inc.	Clean Police Vehicles February	-195.00
PECO - Garage	Highway Garage	-461.92
Peco- Penna. Ave	Penna. Ave	-62.13
Home Depot	Highway Truck wash	-50.00
Broomall Truck & Auto Repair	Highway Dump	-392.63
Charles Higgins & Sons	Street Light	-11.76
Red the Uniform Tailor	Police uniforms	-973.18
Wor-Wic Community College	Police training	-3.00
Charlie's Transmission Service Inc.	2007 Explorer	-800.00
Paychex Invoice	March monthly payroll	-137.19
Paychex Invoice	March 4 payroll	-104.83
Padco Financial Services, Inc.	DocStar	-130.00
Stantec Consulting Services Inc.	Professional Services	-9,487.75
United Concordia Life & Health	Dental Coverage	-1,269.43
Integral Systems Corp	Computer Maintenance/repair	-400.00
Nextel	Cell phones	-141.67
Red the Uniform Tailor	Police uniforms	-243.65
Radio Communications Service Co	Police vehicle computer mount	-124.00
Wayne Radio & TV Service	Radio Equipment (Grant)	-600.00
Delaware County Animal Control	Animal Control	-125.00
Drugscan, Inc	Lab Testing	-336.00
Brandywine Valley SPCA	Animal Control	-100.00
Sunoco - SunTrak	Police vehicle fuel	-1,342.46
Chester Water Authority - Hydrants	Hydrants	-1,195.10
Auto & Truck Outfitters	Police vehicle lift kit	-47.39
Talley's Garage & Towing	Police Vehicles	-467.00
Sandrose Trophies	Chief Clausen Plaque	-90.00
Staples Advantage	Office supplies	-504.31
Excel Business Systems	Police fax service	-105.00
Comcast Cable	Cable bill Police	-64.51
Paychex Invoice	March 18 payroll	-109.00
United States Postal Service	large letter mailed	-1.20
Marilyn Maher	Reimburse Easter 2016	-107.96
Express Printing	Police manuals	-520.00
Burke Landscape Supply	Hwy equip maintenance/repair	-666.95
Pa One Call System, Inc.	Monthly fax service	-12.70
Delaware County Solid Waste Authority	Feb tipping fees	-2,674.32
Red the Uniform Tailor	Police uniforms	-67.84
Chester Water Authority - Municipal	Municipal Bldg	-72.03

Comcast Cable	Cable Bldg	-281.15
PECO-Underpass Lighting	Underpass Lighting	-38.51
PECO Street Lighting	Street Lighting	-2,243.67
PECO - Municipal Bldg.	Municipal Bldg	-817.86
Comcast Business	VOIP	-198.81
Chester Water Authority - HJP	HJ Park	-18.36
J. Michael Sheridan, Esq.	Professional Services	-1,100.00
B&L Disposal	Trash removal	-5,900.00
Marcus Hook/Trainer Fire Department #68	2016 1st 1/4 Appropriation	-9,250.00
J. Michael Sheridan, Esq.	Professional Services	-170.00
Home Depot	6035 3220 0797 3203	-284.33
Stantec Consulting Services Inc.	Professional Services	-5,437.04
A.R.D. Uniform Enterprises, Ltd.	Police uniforms	-74.50
TD Card Services	Quickbooks, web, police equip, K9	-640.89
Berkshire Systems Group, Inc.	Camera Systems	-16,641.30
Prudential Life Ins.	Fuller Life Ins.	-645.79
Global Security Systems, Inc.	Municipal Bldg. security	-120.00
T Frank McCall's Inc	Bldg supplies	-516.00
Marcus Hook Borough	Fire Station March	-1,127.00
Marcus Hook Borough	Fire Truck March	-246.55
Media Court Reporting	Court Reporting Ord. 748 hearing	-304.50
Arthur J. Gallagher	Liability Insurances	-4,422.00
Chester-Ridley-Crum Watersheds Assoc.	CRC Membership	-50.00
Commonwealth of PA	1033 Law Enforcement Program	-400.00
Pa State Assn of Boroughs	Filing late fees 2015	-300.00
United States Postal Service	roll of stamps	-49.00
United States Postal Service	roll of stamps, 2 large letters	-52.06
Paychex Invoice	April 1 payroll	-123.61

PAYROLL ACCOUNT

It was motioned by Councilperson Maher and seconded by Councilperson McDaniel that Payroll for the month of March is paid. All Councilpersons present voted affirmative.

MARCH PAYROLL FOR ALL EMPLOYEES

Total payroll for the month of March \$69,841.80

SEWER FUND

There are no outgoing transactions at this time.

MARCH SEWER BILLS

None

LIQUID FUEL BILLS

Liquid Fuel Bills for the month of March meeting were motioned for approval by Councilperson Cassidy and seconded by Councilperson Maher; all councilpersons present voted affirmative.

MARCH LIQUID FUEL BILLS

Hanson Aggregates	Cold patch	-190.80
PECO	Traffic Lighting Feb	-444.94
	Traffic Lighting March	-444.94
Wingfoot Commercial Tire	Repair Dump Truck Tire	-688.38

COMMUNITY CENTER BILLS

Community Center Bills for March meeting were motioned for approval by Councilperson McDaniel to accept and seconded by Councilperson Maher; all councilpersons present voted affirmative.

MARCH COMMUNITY CENTER BILLS

Roy Cross	Reimburse rental deposit	-100.00
Banta's Bestway Trash	Dumpster removal	-58.50
PECO electric	CC Electric	-47.99
PECO gas	CC Gas/Electric	-782.60
Ashley Mathews	Reimburse rental deposit	-100.00
Lisa Twardowski	Reimburse rental deposit	-100.00
Pam Trappler	Reimburse rental deposit	-100.00
B&L Disposal	Dumpster Monroe Project	-350.00
PECO electric	CC Electric	-47.50
PECO gas	CC Gas/Electric	-582.86

PERMITS & LICENSES

The Permits of the March meeting were motioned for approval by Councilperson Cassidy and seconded by Councilperson Maher all councilpersons present voted affirmative.

PERMITS & LICENSE – MARCH

8 Building permits \$705.00

7 Contractor license	\$700.00
14 C/O Applications	\$1,375.00
0 Plumbing permits	\$0
1 Electrical permits	\$116.54
2 Zoning	\$100.00
4 Other Permits/License	\$634.00
Amount turned over to Borough	\$2,996.54

CHESTER WATER AUTHORITY

0- Street Openings
Amount turned over to Borough \$0

PECO

0 – Street Openings
Amount turned over to Borough \$0

DELCORA

0 – Permits

Amount turned over to Borough \$0

CORRESPONDENCE

It was motioned by Councilperson Cassidy and seconded by Councilperson McDaniel that the correspondence for March accepted and any necessary action taken. All councilpersons present voted affirmative.

MARCH CORRESPONDENCE

- Received from Keystone an electronic deposits in the amount of \$47,766.55 March EIT distribution.
- Received from Keystone an electronic deposits in the amount of \$6,551.33 March LST distribution.
- Received from Delaware County Tax Claim Monthly for February and a check in the amount of \$5,036.60.
- Received from Delaware County Monthly Deed Reconciliation for February and a check in the amount of \$658.80.
- Received from Delaware County Monthly Deed Reconciliation for March and a check in the amount of \$458.20.
- Received from Delaware County Interim Real Estate Assessment.
- Received from De. Co. Conservation District a letter dated March 11, 2016 in regards to Peco transmission lines.
- Received from DEP a copy of a letter dated on March 14, 2016 sent to Monroe in regards to Permit for Stormwater Discharges.
- Received from DEP a copy a letter dated March 23, 2016 sent to Monroe Energy and Phillips 66 in regards to Storage Tank System Release.
- Received from DEP a copy a letter dated March 29, 2016 sent to Monroe Energy in regards to Technical Deficiency Letter.

- Received from Monroe a letter dated February 11, 2016 in regards to Updated Inventory of Regulated Substances Received from Plains Products a letter date March 8, 2016 in regards to Notification of Downstream Water Users
- Received from Michael Sheridan a letter dated on March 30, 2016 in regards to Borough Escrow accounts.

QUESTIONS AND COMMENTS FROM AUDIENCE ON CORRESPONDENCE

None

ANY MATTERS THAT NEED COUNCILMANIC ACTION

None

COMMITTEE REPORTS

MAYOR

Mayor Zalewski thanked the Methodist Church and all who assisted with the Amtrak accident. The accident occurred in Chester but the train came to a stop in Trainer. The Church opened their doors to the passengers and many volunteered their time to help those in need. She received 2 complaints in the mail with no signature. Stated if you have a complaint to sign who you are or provide a number so the complaint can be handled and she will get back to you with how it was resolved.

***POLICE CHIEF** - Chief Priscopo had nothing to report.

FINANCE

Councilman Maher read the tax collector report for March. See below. Emphasized for Committee people to please review their expenses stating there is line item already over budget. Called an executive meeting to discuss the matter.

FIRE/PARKS/ENVIRONMENT

Welcome to Trainer's public meeting for April 2016.

First, my apologies for not making last month's meeting.

Next I would like to report on the findings of the sewer fund that has been the subject the last few month. The money collected was specifically for sewers. There is no resolution resolving this account. As the Mayor previously stated, it was used to make payroll for the police department. This is partially true but not just for the police department. Records show that some salaries were escalated by some employees, but NOT ALL.

There were three accounts being charged for some wages: General Fund, Police and Sewer accounts.

There were also some general purchases made such as snow plows, office supplies, landscape work and building repairs.

Also noted is larger than normal reimbursements made to individuals for the out of pocket expenses for recreational functions such as Easter egg hunts, Memorial Day expenses. Many without receipts. Although these may seem like illegal activities, each and every one of the expenses noted, whether be wages or other, they were all approved by members of Council. When the expenses were read, no one questioned them, just voted affirmative.

Our parks are now open so please drive carefully through them, collar and clean-up after your pets, watch your children and enjoy.

Several local jobs are available. Chichester school is looking for bus drivers and aids, CVS in Chichester, Giant in Aston, Sunoco Logistics, Royal Farms and Walmart are all hiring. The Marcus Hook/Trainer fire company is still looking for volunteers.

The Memorial celebration is coming along well thanks to the generosity of some of our local businesses. Anyone who would like to donate, please contact the Borough Secretary.

One of the missing names on the plaque has been figured out with one more unknown. Hopefully by Memorial Day the name of the missing person will be figured out.

When complete, anyone who would like to plant flowers in the Memorial garden in memory of a loved Veteran, please do.

Anyone looking to help with any functions the Borough may be having, please contact the Borough Secretary or any Council person.

Reminder- Electronic pick-up at Community Center this Saturday.

Councilman Cassidy read the monthly fire report for March as follows: Total Alarms 22, Time in Service 20hrs 45mins, Total Man Hours 211hrs, Property Loss 0k, Injuries 2, Fatalities 0, and Pump Operated 1hr 46mins, Alarms 12.

MUNICIPAL BUILDING/RECREATION

Councilman Mathews was absent.

PUBLIC SAFETY/BOH

President Beck read March Code Enforcement report as follows: issued 9 building permits, 8 Contractor licenses, 6 C/O's, 4 zoning permit and numerous BOH and property maintenance violations which are being handled. It was stated that 14 letters were sent out for mattress disposal. People are receiving the newsletter but are not paying attention. Mattresses out for trash have to be covered, the trash contractor will not pick them up if they are not covered.

COMMUNITY OUTREACH/NEWSLETTERS

Councilwoman Burgos stated she had 3 computers donated to the Borough and the next few weeks they will be set-up for use by residents. The newsletter will provide the time and location that they can be utilized. She has the weatherization program applications available for homeowners and renters. Urged residents to use the program or the funds are not utilized they will be diminished. There is information on additional resources available and if there is something you need and don't see do not hesitate to ask.

COMMUNITY REDEVELOPMENT

Councilman Ed McDaniel stated is awaiting a return phone call from Logue Towing in regards to lots available for their business.

HIGHWAY/STREET LIGHTS

Councilman Miley was absent.

CODE ENFORCEMENT OFFICER

See public safety report.

TAX COLLECTOR

Councilman Maher read the monthly report for March as follows: Total uncollected as of 3/31 is \$498,959.23. Total collected as of 3/31 is \$707,569.91. Total outstanding bills are 257.

SCHOOL BOARD DIRECTOR

Mary Magaw had nothing to report

MONROE ENERGY

Liz Clapp was here to follow up on the land development waiver that was requested for future refinery projects. She is available to answer any questions.

ENGINEER

Mike Kozlowski led the MS4 Educational Outreach discussion. The discussion include a visual aid and hand-outs for residents to take with them. The discussion explained the MS4 permit requirements for the Municipality and ideas and ways residents can recycle and take part in keeping our waters clean such as rain barrels, litter, washing cars, lawn fertilizers and sidewalk salts.

Engineer's Report

- **Trainer Pointe**
Construction is ongoing.
- **Monroe Energy**
Representatives will be attending tonight's meeting to describe their request to waive the land development process for the Tier 3 sulfur project and future work.
- **MS4**
We coordinated with the Borough Secretary the website advertisement for the public meeting to be held at the April 14, 2016 Council Meeting. We will provide an overview of the program including opportunities for public participation.

We encourage the Borough residents and businesses to consider attending/participating in these upcoming events promoted by the CRC:

- Sunday April 10, 2016 2:00PM – 4:00PM; A citizens guide to Land Use and Water Quality with Featured Speaker Ann Hutchinson, Natural Lands Trust. Register at

www.crcwatersheds.org.

- Saturday April 19, 2016 9:00AM – 11:30AM – 19th Annual CRC Streams Cleanup. Register at www.crcwatersheds.org.

- **Infrastructure Items**

We notified the CWA regarding the sidewalk that needs to be restored at 81 Main Street. They confirmed they will address and we are awaiting a schedule.

We confirmed the work is complete.

4110 and 4112 5th St: We contacted Delcora to determine if they have a prohibition to two houses on one lateral. They do not.

- **200 Price Street-Metro Container**

Plans and a draft agreement for the waiver of land development have been submitted and are under review. We expect to have the review completed by week's end.

We issued our April 12 plan reviews comments letter and will present to the Borough at tonight's meeting.

- **Eske Developers, LLC – Nealy Blvd. (McCarthy Tire)**

We have requested the developer provide a schedule for completing the outstanding site punch-list items and are awaiting a response.

- **Nealy Boulevard**

In response to Councilman Cassidy's request at the last week's Caucus, we have prepared an estimate of \$2,100.00 for services required to analyze existing conditions and prepare an Estimate for repair of Nealy Boulevard. We are concerned if Council accepts dedication in its current conditions, the Borough would be immediately liable for any damages occurring due to the poor road conditions. Also to put the issue in perspective, the expectation is the repair costs could exceed \$100,000 and the annual Liquid Fuels Tax receipts from the state are approximately \$34,000 for the entire Borough.

A motion is needed for the Land Development Waiver for Monroe Energy project that has previously been discussed with the refinery. Liz Clapp spoke about the reasons for the request of the waiver stating that security is an issue by not having a public plan available through the County. The second issue is the timeline for the project. None of the necessary steps will be excluded by the waiver. Councilperson Cassidy made a motion to waive the Land Development process for Monroe Energy. Councilperson Maher seconded the motion. All Councilpersons present voted affirmative.

SOLICITOR

Mike Sheridan stated he spoke with Tom Anderson's office in regards to the Act 44 DROP program for the Police pension. In the Police Collective Bargaining Agreement there are two amendments that need to be made to the Police Pension Ordinance. It has been suggested a 60-month averaging for Officers hired after Jan. 1, 2015 and one is dealing with situations of Officers Killed in Service to be consistent with Act 51. Councilperson Cassidy made a motion to make the amendments to the Act 44. Councilperson Burgos seconded the motion. All Councilpersons present voted affirmative.

A motion is needed to amend the Property Maintenance Code to update and include fines/penalties. The current Ordinance does not include fines/fees. The Ordinance is also, at the same time, to be updated to the 2012 Property Maintenance code but to exclude offenses as misdemeanors. A maximum fine needs to

be set, typically set at \$1,000.00. Councilperson Cassidy made the motion to amend the Property Maintenance Code. Councilperson McDaniel seconded the motion. All Councilpersons present voted affirmative except Councilperson Maher who opposed stating it needs to be discussed further. Motion was carried.

Councilperson Maher had questions about the amendment in terms of setting fines and penalties. President Beck stated that the Magistrate determines the fines. The Borough issues the citation and the Court will determine the penalty. Solicitor Sheridan further explained the terms of the amendment. Resident Robin Bryant stated she thinks Council should further discuss the amendment before voting due to so many questions. She asked what the penalties are for. President Beck stated the penalties are for not cutting grass, maintaining the property. Sheridan stated also stated they could include condemnation of property and deterioration of property not being taken care, abandoned cars, etc. A further discussion took place in more detail.

Sheridan stated that in regards to the approved land development waiver for Metro, he reviewed the agreement with the attorney from Metro. There is a final agreement. Eileen Nelson just received the plans for review and noticed that the plans for the temporary structure are in a flood plain so she said the solution is to not put the structure there because it would be a violation of the Floodplain Ordinance which would require a variance. A response is awaiting from Metro.

In regards to 4121 Pennsylvania Ave. the agreement for sale has to be signed by Council President and a seller's disclosure to be filled out.

OLD COUNCILMANIC BUSINESS

Councilperson Cassidy stated that he reviewed the annual Audit report from Barbacane Thornton. He stated the report was contradictive and felt it was incomplete. He stated he there was a bill for \$1500.00 and thought the Borough should get their money back. He stated that at the end of 2015 we had close to a million dollars in the bank, we spent approximately \$50,000.00 more than what we took in. Councilman Maher stated the \$50,000.00 difference is probably due to the discrepancy in the Pension MMO which caught us off guard and was significantly higher in 2015 which changed the budget balance. There were no findings in the 2015 Audit which is good.

NEW COUNCILMANIC BUSINESS

President Beck stated she has received three names so far to fill the Zoning Board and Planning Commission. Council was asked for approval to appoint Grace Taylor for Zoning and Paul Barnard, Ralph Miles and John Mathews for Planning. Councilperson Cassidy made a motion to approve the above members. Councilperson McDaniel seconded the motion. All Councilpersons present voted affirmative.

QUESTIONS AND COMMENTS FROM AUDIENCE

Resident Marilyn Maher, in regards to Nealy Blvd, inquired about a paving company on Nealy Blvd. suggesting maybe the Borough notify them of the possibility of dedicating the road and maybe they would work with the Borough to get the road repairs done. Councilperson Maher stated that any job over \$10,000. Would have to be put out to public bid. Mike Kozlowski stated any project over \$19, 400. Would have to go out to public bid. The Nealy Blvd. matter was further discussed.

Resident Paul Barnard stated that the Borough had \$60,000 to fix Nealy Blvd. which disappeared. He stated the Engineers should have been aware of the situation. He feels the Borough owed it to the businesses to dedicate the road. Mike Kozlowski stated he would talk to Eileen Nelson about Barnard's comments. President Beck stated the money never got into the Borough's hand, it was in a bank. Resident Theresa Lessick asked about her sewer issue on 5th St. where her neighbor is tied into her sewer on one lateral. She and her husband stated their concerns about the issue and stating as tax payers something needs to be done. The Lessick's were advised to check the property deed to see if a prior agreement was arranged between previous home owner's and file a civil complaint with the District Court because it is private property.

Resident Bruce Moore stated there have been wires that appear to be older, hanging between 917 and 925 Chestnut St.

Resident Terri Millard asked if a flat fee was paid for trash removal further stating she has a friend who is a resident that put out a lot of trash and the trash co. would not pick it and the trash men knocked on her door to say they would remove the trash if they were given a tip. The homeowner has tried to contact the trash co. and has not received a return call. Solicitor Sheridan stated the Borough should contact the trash company to address the matter of the requested tip. Council stated that the company will not pick up trash more than 40 lbs. or 4 cans and twigs and such need to be bundled at a length of no more than 4 foot. She asked about the electronic pick-up scheduled and how to dispose of a refrigerator and dishwasher she has, asking if big trash would take it or if she had to take it to the pick-up site. Council stated she would have to have someone remove the Freon from the refrigerator and remove the doors from it and the dishwasher then both items should be picked up at the curb on big trash day. She stated there has been a street light on 24/7 on Chestnut St. which the Borough pays electric for. Councilperson Cassidy stated we pay a flat rate so it is only an issue if the street light was out and we were paying for it. She also asked about the meeting Minutes, stating only March items are listed and asked if there was anything for April. The minutes are always a month behind. April income and expenses could not be included as the month has not yet ended.

Resident Robin Bryant asked when the Electronic pick-up date was.

Resident from Post and 5th streets stated there are some residents that put trash out not in cans and some that put the trash out after it has already been picked up and it stays outside up against the properties.

Resident Marcia Kline stated neighbors are keeping trash cans outside of the fenced yards all week, sometimes making it hard to pass through the alley.

Resident Chuck Miles asked if permission would be needed from Council to plant trees in the Borough

An Executive meeting was held.

ADJOURNMENT

President Regina Beck called for a motion to adjourn at 9:08pm; Councilperson Cassidy made a motion to adjourn. Councilperson McDaniel seconded the motion. All Councilpersons present voted affirmative.

Respectfully Submitted,

Victoria Okolowski
Borough Secretary