

August 11, 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.

PRESENT

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

Eileen Nelson – Engineer
Frank Catania – Solicitor (for Mike Sheridan)

ABSENT

Greg Miley

MINUTES

The minutes of the July meeting were motioned for approval by Councilperson Cassidy to accept and seconded by Councilperson Mathews; 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 July bills for approval by Councilperson Maher and seconded by Councilperson Mathews. All councilpersons present voted affirmative except for Councilperson Cassidy who opposed.

JULY GENERAL FUND BILLS

Paychex Invoice	July Monthly and Quarterly	-161.75
United States Postal Service	Large mail, Police	-9.25
#1 Car Wash Inc.	Clean Police Vehicles June	-200.00

J. Michael Sheridan, Esq.	Professional Services	-1,330.00
Integral Systems Corp	Computer maintenance/repair	-675.00
United Concordia	Dental Coverage	-1,269.43
Marcus Hook Borough	Fire Truck June	-246.55
Marcus Hook Borough	Fire Station June	-23,802.52
Barbacane, Thornton & Co	Professional Services	-2,000.00
PECO - Municipal Bldg.	Municipal Bldg	-657.16
PECO	Carnival	-200.50
Peco- Penna. Ave	Penna. Ave.	-29.22
Stantec Consulting	Professional Services	-4,051.75
21st Century Media	Advertising	-255.97
Comcast Cable	Cable, internet	-76.29
Aston Sunoco	Police vehicles	-784.57
Sunoco - SunTrak	Police vehicle fuel	-1,773.60
Chester Water - Hydrants	Hydrants	-1,195.10
Marcus Hook Florist	Zalewski	-88.51
Wayne Radio & TV Service	Police	-955.00
De Co Community College	Act 180 Training	-270.00
Paychex Invoice	July 8 biweekly payroll	-111.28
Paychex Invoice	July 8 Detail	-78.00
Chester Water - HJP	HJ Park	-18.36
Talley's Garage & Towing	Police Vehicles	-310.00
Burke Landscape Supply	Highway chain saw	-35.98
Wilson of Wallingford	Fuel Oil Highway Garage	-526.77
PECO Street Lighting	Street Lighting	-2,023.30
PECO - Park	HJ Park	-55.54
PECO-Underpass Lighting	Underpass Lighting	-32.19
Univest Capital, Inc.	Dump Truck Payment 2 of 3	-677.97
Paychex Invoice	July 22 Bi-weekly	-113.45
Paychex Invoice	July 22 Detail	-81.19
Marcus Hook/Trainer Fire Dept	2016 2nd 1/4 Appropriation	-9,250.00
TD Card Services	Quickbooks, Police Microchip scanner	-339.94
B&L Disposal	Trash removal July	-5,900.00
Holobowicz, Mitchell	Reimburse for 4 Wheeler Batteries	-101.59
DCIU	Health Benefits	-19,812.09
Padco Financial Service	DocStar	-130.00
United Concordia	Dental Coverage	-1,269.43
Chester Water	Penna. Ave.	-36.30
US-Yellow	Yellow Pages listing	-297.00
Arthur J. Gallagher	Liability Ins.	-350.00
Nextel	Cell Phones	-141.62

PSTCA	2016/2017 Membership Dues	-30.00
Marcus Hook Borough	Fire Station July	-1,151.08
Marcus Hook Borough	Fire Truck July	-8,623.27
Barbacane, Thornton & Co	Professional Services	-400.00
Comcast Business	Phone VOIP	-364.38
Broomall Truck & Auto Repair	Police vehicle repair	-79.95
Sirchie	Police equipment	-58.91
United States Postal Service	Certified mail Code Office	-6.47
United States Postal Service	Roll of stamps Code Office	-47.00

PAYROLL ACCOUNT

It was motioned by Councilperson Mathews and seconded by Councilperson Maher that Payroll for the month of July is paid. All Councilpersons present voted affirmative except Councilperson Cassidy who opposed.

JULY PAYROLL FOR ALL EMPLOYEES

Total payroll for the month of July \$79,619.60
Payroll includes reimbursable Police Detail

SEWER FUND

There are no outgoing transactions at this time.

JULY SEWER BILLS

None

LIQUID FUEL BILLS

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

JUNE LIQUID FUEL BILLS

Univest	Dump truck payment 2 of 3	-9,229.49
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COMMUNITY CENTER BILLS

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

JULY COMMUNITY CENTER BILLS

None

PERMITS & LICENSES

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

PERMITS & LICENSE – JULY

4 Building permits	\$19,361.00
1 Contractor license	\$100.00
16 C/O Applications	\$1,575.00
2 Plumbing permits	\$228.00
0 Electrical permits	\$0
1 Zoning	\$50.00
4 Other Permits/License	\$500.00
Amount turned over to Borough	\$21,814.00

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 Mathews and seconded by Councilperson Maher that the correspondence for July accepted and any necessary action taken. All councilpersons present voted affirmative.

JULY CORRESPONDENCE

- Received from Keystone an electronic deposits in the amount of \$4,139.85 July EIT distribution.
- Received from Keystone an electronic deposits in the amount of \$214.12 July LST distribution.
- Received from Delaware County Tax Claim Monthly for June and a check in the amount of \$12,213.54.
- Received from Delaware County Monthly Deed Reconciliation for July and a check in the amount of \$2,959.29.
- Received from Delaware County Monthly Transfer Report.

- Received from Public Employee Retirement Commission a letter dated July 28, 2016 in regards to Distress Determination.
- Received from DEP a copy of a letter dated on July 26, 2016 sent to Phillips 66 in regards to Storage Tank Release.
- Received from Chester Water a letter dated July 15, 2016 in regards to high water bill for Municipal Bldg.

QUESTIONS AND COMMENTS FROM AUDIENCE ON CORRESPONDENCE

None

ANY MATTERS THAT NEED COUNCILMANIC ACTION

A bill from De. Co. Animal Control was presented for Councilmanic action whether to pay as they did not perform their duty when called to pick up an animal on July 6, 2016. At the recommendation of the Solicitor present, Councilperson Maher mad a motion to table paying the bill at this time. Councilperson Cassidy seconded the motion. All Councilpersons present voted affirmative.

COMMITTEE REPORTS

MAYOR

Mayor Zalewski stated the Carnival start next Tues. the 23rd and thanked Dawn Martinez for handling everything and the Borough workers for hanging the signs. She has received complaints with names now and all necessary actions have been taken. Please check on our Senior citizens in this heat.

***POLICE CHIEF** – Chief Priscopo stated there have been 2 more thefts from vehicles. There would be no thefts if people would lock their doors. There has been an increase in traffic due to summer and Sun Logistics projects where there are many contractors going in and out.

FINANCE

Councilman Maher stated that in comparing this year's tax income versus last years, we are down about 30%. In the budget, a particular line item was removed from income which negatively affects our budget by \$100,000.00. These are concerns as the budget will not be met. This line item was removed by somebody and in my opinion, it appears that something is being hidden. The money was put into another account which is not reflected in the General Fund. We know where the money is and who did it. I want it on record so if anybody comes in and say money was misappropriated, I'm not the one going out in cuffs. Feels it is also an act of sabotage against the budget. I wanted to make sure the minutes reflect that and hopefully it will get resolved in the near future and be reflected back in the reports that we go by. He stated there is a conflict on the reports. In January, money was removed from the Rec Board and asked if the money was returned, which it was not. Again with the budget being down 30% this year, hopefully it will pick up and is a reason to be concerned.

The Tax Collector report was read. See below.

Mayor Zalewski stated the money we're talking about, when we had Possenti's in as financial advisors, they told us to remove that money because it did not go in the General Fund. Councilman Maher stated we were given a report but it was never discussed. She stated we know where the money is and Councilman Maher responded that it will reflect negative against the budget, which, when we do the budget for next year, on paper, it will show that we need to raise taxes.

FIRE/PARKS/ENVIRONMENT

Hope everyone is handling the heat ok. Just like in the winter, please check on the elderly during these hot days. Many elderly suffer from the heat related issues due to the lack of A/C or ways to get somewhere where it is available.

Happy to say that Johnson's Park is getting a good bit of use.

Mr. Archy's football clinic seems to be doing pretty good with more kids showing up each session.

The weekend activities provided by Jennifer Frazier and her team is also doing well. Donations to this cause would be appreciated. Items such as yard games are a great help. They also plan on starting a program to assist students with their homework after school starts, so anyone who may be able to volunteer assistance would be welcome.

Also, when safety cones are set in place in the park or anywhere else, it is usually for safety reasons, please do not relocate or remove them.

On the job front, CVS in Chi, Chichester School District is hiring and China Dragon Chinese Restaurant is looking for cashier/counter person. Fire Company is still looking for volunteers.

We have often heard that if you see a Vet, thank him or her. Well I would like to expand this to our local Police and Firemen. Regardless of the circumstances, the police will come when called and no matter how hot or cold it is or what the weather may be, the Fire Company will respond as well.

I would like to ask Council if anyone would have an objection to any employee we have that belongs to the fire department or any other 1st Responder organization responding to a call during work hours.

During those times when manpower is not available and low? President Beck stated employees used to respond to fires or calls in town. Cassidy stated that circumstances have changed. There was nobody who opposed.

Councilman Cassidy read the monthly fire report for May as follows: Total Alarms 21, Time in Service 10hrs 21mins, Total Man Hours 158hrs, Property Loss 0k, Injuries 2, Fatalities 0, and Pump Operated 1hr 46mins, Alarms 11.

The monthly fire report for June as follows: Total Alarms 21, Time in Service 12hrs 58mins, Total Man Hours 211hrs, Property Loss 0k, Injuries 0, Fatalities 0, and Pump Operated 1hr 15mins, Alarms 15.

The monthly fire report for July as follows: Total Alarms 15, Time in Service 8hrs 23mins, Total Man Hours 150hrs, Property Loss 0k, Injuries 2, Fatalities 0, and Pump Operated 1hr 15mins, Alarms 10.

MUNICIPAL BUILDING/RECREATION

Councilman Mathews asked Vicki if the Police lockers were in yet. The order is still in process. He has 2 letters of intent for Rec Board members. One is from Jennifer Frazier and the other is from Dawn and Jose Martinez. As of now there are 2 members on the Rec Board. Mathews made a motion to accept the above as Rec Board members. Councilperson Burgos seconded the motion. All Councilpersons present voted affirmative.

PUBLIC SAFETY/BOH

President Beck read July Code Enforcement report as follows: issued 2 building permits, 0 Contractor licenses, 14 C/O's and numerous BOH and property maintenance violations sent out, which are being handled. 15 grass violation notices were sent out and 12 vacant properties have been cut by the Borough. The Trailer Park was putting in trailers without permits. Mattresses are still out without bags and trashcans are still being left in the front yards, notices have been sent.

Councilman Cassidy stated that selectively, mattresses have been taken by trash co. that are not bagged.

COMMUNITY OUTREACH/NEWSLETTERS

Councilwoman Burgos had nothing to report.

COMMUNITY REDEVELOPMENT

Councilman Ed McDaniel stated he is talking with Boates Bros. to find a site for their business equipment.

HIGHWAY/STREET LIGHTS

Councilman Miley was absent.

CODE ENFORCEMENT OFFICER

See public safety report.

TAX COLLECTOR

Councilman Maher read the monthly report for July as follows: Total uncollected as of 7/31 is \$130,117.89. Total collected as of 7/31 is \$1,076,411.25. Total outstanding bills are 174.

SCHOOL BOARD DIRECTOR

Mary Magaw was absent.

MONROE ENERGY

Adam Gattuso thanked the Police for the traffic control issue. With Sun Logistics redevelopment. The refinery has upcoming projects and will work with the Chief on traffic issues. He spoke about the Sulfur project and moving heavy equipment from Marcus Hook to the refinery to begin in early November. As the process develops, the Borough and residents that may be affected will be notified.

ENGINEER

Engineer's Report

- **Trainer Pointe**
Construction is ongoing. Per the developer's request, we reviewed the status of the escrow account with them. We are coordinating a site meeting with the developer to review Union Street paving and other site punch-list items.
The developer has advised they have no desire at this time to build the last 2 homes, Lots 15 & 16, due to the inability to sell the homes for a profit after construction costs. We are requesting the Borough to review and respond.
- **Monroe Energy**
Tier 3 Low Sulphur – Phase 1A ULSG Construction and Facilities Erosion Control Permit

Project is underway.

- **Infrastructure Items**

- **ADA Curb ramp 9th Street and Baker Ave.**

PennDOT advised they currently have no surface treatment (ST) projects that include 9th Street (SR 3006). They noted challenges which may prevent ramps to be built under a future ST project include the fire hydrant and utility pole located within the sidewalk. A right of way acquisition would be needed to build a pedestrian access route (PAR) around these. They noted ramps could be built if they were included in perhaps a future streetscape or traffic signals improvement project where the right of way acquisition could be included.

- **Baker Street and Yates Ave.**

Since ½ width of these roadways are within Lower Chichester, per our request, PennDOT advised they will pursue adding ½ widths in Trainer and thus it will not be necessary for the Borough to go through Mileage Addition Guidelines. PennDOT also suggested we review other roadways within the Borough that may possibly qualify for being added to their inventory. We will review a roadway plan with the Borough at tonight's meeting.

- **PECO gas leak Ridge Road: per request of Jim Cassidy, we spoke with Ken Daws with the PECO gas division and he informed that the work done by them to repair the gas leak was their only work scheduled at this time. The gas and water line markings are likely the result of their PA One-Call for identifying utilities before working. **We notified PECO of the Borough's concerns regarding the condition of the gas main along Ridge Road due to multiple recent repairs. We are awaiting their response.****

- **Regarding the inlets being lower than the road surface at the bridge over Marcus Hook Creek on Township Line Road. PennDOT maintenance expects to review the site by early next week. We will advise of their response.**

- **200 Price Street-Metro Container**

Construction is underway.

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

The developer noted they have completed additional punch-list items and we are awaiting their availability for a site meeting.

- **Retaining Wall @ 3518 W. 12th Street**

We have a plan of the property between 12th and 10th. We will arrange inspecting with the Borough.

- **MS4**

We are working on the year 2 and Year 3 report due to the Pennsylvania Department of Environmental Protection August 29.

We are scheduled to screen additional outfalls this Friday August 5. We coordinated with the Borough Secretary to ensure a Borough Highway representative is available to accompany us.

We completed the screening and are updating data. One outfall experienced dry weather flow and the sample is being lab tested.

- **2016 County Highway**

As a reminder, there are \$12,825 funds available covering 5 years 2012 to 2016. Capital Project Management mentioned that the funds from previous years may become available and therefore encourages the Borough to use all available funds this year. **Per the Borough's request, we reviewed proposed locations of ADA curb ramp installations and will present to the Borough at tonight's meeting.**

- **A&R Ironworks**

Per our file search we found in the summer of 2007 the developer had placed fill within the flood plain at the rear of the property. We requested a revised grading plan for approval and have not found a record that it was done. We have forwarded information to the Borough Code

Enforcement officer. **The Code Enforcement Officer informed he has ceased the developer from further site work in the rear of the property and noted the developer has engaged an engineer that is preparing a revised grading plan for the proposed work. We will review the plan upon submission.**

- **Temporary Speed Humps**

We researched some products that may be acceptable per PennDOT standards. More information needs to be provided by the Borough in order to obtain pricing.

- **4009 Township Line Road**

We were contacted regarding the need for a septic tank replacement due to collapse at the referenced address. We, in turn, contacted Mark Bryan, Sewage Enforcement Officer, to affect the repair. He noted it is completed and the necessary paperwork submitted to the Borough.

Eileen Nelson stated with respect to the ADA curb ramps, the proposed locations were reviewed. There are 2 ramps at Roseanna Court and Chestnut, 2 at 13th and Anderson and 1 at 12th and Sunset that would be the top 5 priorities. A motion would be needed to apply for the 2016 County Highway Aid to fix the curb ramps. Three may be repaired with County Aid. Liquid Fuels money may also be used if it is decided to repair all 5 of the ramps. Councilman Cassidy made a motion to have all 5 curb ramps repaired. Councilman Mathews seconded the motion. All Councilpersons present voted affirmative.

SOLICITOR

Frank Catania stated that Mr. Sheridan's report states he has been in contact, a couple of times, with Brandywine Valley SPCA but has not heard back from them. He has followed a direction of Council to try to negotiate with Justice Rescue and will have a formal recommendation next month. Catania asked for a copy of the De. Co. Animal Control bill, which was tabled to pay, to give to Sheridan for follow-up.

OLD COUNCILMANIC BUSINESS

None

NEW COUNCILMANIC BUSINESS

None

QUESTIONS AND COMMENTS FROM AUDIENCE

Alex Mandell from the EPA gave an update on the Super Fund site at Trainer Industries. The site was listed on the Super Fund list in 2012 as a national priority. A Super Fund site is funding for contaminated properties that need cleaned up. The responsible parties to the contamination have been located and they are working together with EPA to clean the property. About 50 homes in the area have been notified. He left a copy of the information pamphlet and there is also information on the website which will also list the possible contaminants they find. Councilman Maher asked if there was any follow-up on the temporary structure for that site. Eileen Nelson stated all plans were submitted and the structure was moved out of the floodplain.

Resident Marilyn Maher asked about the Rec Board funds being taken out in January. The money was allotted in 2015 for the concerts and the extra money was taken out for 2016 because the concerts were not being approved this year.

Resident Marcia Kline I stated she understands that the Borough employees were supposed to get a raise this year but it was taken away from them, then summer help was hired and he was given a \$3.00 raise stating the employees should be compensated just as much as he was. President Beck they are not allowed to discuss personnel matters. Marcia stated she would have Action News come down here. She stated that the raise is in the minutes and is public knowledge. She asked how the board of 3 were picked to discuss the employees. It was stated that at the direction of the Solicitor there be no more than 3 Councilpersons present to discuss the matter so it wouldn't be considered a Quorum. She stated that everyone on the Board, the left hand doesn't know what the right hand is doing. She stated the town is full of trash. A resident who attended last month's meeting spoke and thanked Council for addressing and taking care of her complaints.

Resident Chuck Miles asked if the Borough would be replacing his Dad's plaque that is missing. He stated he cleaned up the paint and the next day the plaque disappeared. He stated some slime took the plaque down. Councilman Cassidy stated he had someone take a picture of the plastic plaque, Miles believed the plaque was metal. He asked, if the Borough would not replace it, for permission to replace it himself. He was given approval to replace the plaque as long as it is the same size as the missing one. A resident from 5th St. that every night it smells like trash in the area. He stated it smells from Chester to here. There are 2 trash to steam plants in the area. He also stated he had a sewer bill of over \$600.00. He discussed the sale of the sewers to Delcora and the residents have to pay for it. Councilman Cassidy stated that the Borough did sell the sewers and Delcora took a loan to repair the sewer system, we are paying back the loan. He had discussed the issue with Councilman Cassidy on an earlier date, Councilman Cassidy stated that he did contact Delcora like he promised him he would do on his behalf. Eileen Nelson explained that at the time the DEP, because of the numerous breaks in the system, they were going to require the Borough to take a loan to do repairs. The Borough did not have the same lending ability as Delcora because of their large customer base. If the Borough had to maintain and repair the system it would have cost more. President Beck stated that the money that Delcora got was not just for the Borough of Trainer, it was from Chester to all the other places that Delcora handles. The resident stated that Delcora told him Trainer was the only one paying it. Councilman Cassidy stated that the other Municipalities were billed, but were presented differently and Trainer is actually paying a lower rate. Resident Erica Cruet stated that she has family in Chester and they are not paying the same as we were. The 20 year loan should be paid off in about 8 years. A further discussion of this issue took place. Resident Erica Cruet thanked the Borough for removing the tree next to her house and asked if they could work on the building next to her, stating there is a family of about 7 raccoons living in there which are ransacking the trash and posing a danger to her family. Her daughter is part of the school band and asked if the activities could be incorporated into the Borough newsletter. President Beck stated there is nobody doing the newsletter or website at this time. Councilman Cassidy stated that as far as the building at 4218 W. 7th ST. on her block, the Solicitor is looking into the matter. She asked to inform the Solicitor that the property owner is falsifying court records in regards to the property. Councilwoman Burgos will address the newsletter.

Resident Linda Durham from Ridge Rd. stated she got a letter about her trashcan not having a lid. One of lids got broken by the trash co. and is not going to keep replacing them. She stated that their group, Trainer United, wants the tennis and basketball court back in the area of HJ Park. She stated there is nothing for the kids. She stated they are not asking for money, they will get their own funding. President Beck stated the basketball court have always been a problem. Councilman Cassidy that they replaced them numerous times and have always got destroyed. Durham stated again they don't want money and they will monitor the courts. Resident Jen Frazier from Ridge Rd. asked, if it is funded, for the Borough to replace the equipment on the courts. The park was federally funded, and once the park is destroyed, they would have to again apply for funding. Since it is state or federally funded, the Borough cannot say who is and who is not allowed in there. President Beck state they will look into the matter.

Resident Paul Barnard thanked the Police for the job they do all the time. He stated, to show how efficient they are, they stickered his car for an expired inspection that he hadn't realized was expired. He stated the reason he asked questions last month, was not to pick on the Police, but for risk management that needs to

be controlled. He stated that as far as money movement, the Borough is in total violation of the Sunshine law because it was done outside of a meeting and was not voted on and recorded in the minutes.

A resident on Ridge Rd. stated there are too many handicap spots and some of the people do not live there anymore. Council will have Highway remove the signs that no longer need to be there.

There was a gas leak on Ridge Rd. that still smells and Peco has the area marked out but has not been back. Eileen Nelson will contact Peco. Councilman Cassidy read an email from Stantec in regards to the matter is still awaiting a response. Chief Priscopo stated they should call 911. President Beck asked Chief Priscopo to have an Officer go to the site and call it in.

Resident Marcia Kline asked to speak to Council after the meeting which was not allowed.

ADJOURNMENT

President Regina Beck called for a motion to adjourn; Councilperson Cassidy made the motion to adjourn. Councilperson Mathews seconded the motion. All Councilpersons present voted affirmative.

Respectfully submitted,

Victoria Okolowski
Borough Secretary