

November 10, 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

Regina Beck – President
Joseph Maher – Vice President
Greg Miley - Councilman
James Cassidy– Councilman
Ed McDaniel – Councilman
Awilda Burgos - Councilwoman

Eileen Nelson – Engineer
Mike Sheridan – Solicitor

ABSENT

Frances Zalewski – Mayor
John Mathews - Councilman

MINUTES

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

OCTOBER GENERAL FUND BILLS

Paychex Invoice	Oct Monthly	-90.75
Marcus Hook/Trainer Fire Dept	2016 Fire Relief Allocation	-9,682.74
Department of Transportation	Registration Police Lincoln	-36.00
PMRS	Non uniform MMO State Aid	-8,034.00
TD Ameritrade	2016 Act 205 MMO State Aid	-154,818.00
Gail McKay	Reimburse Community Day	-57.71
John Mathews	Reimbursement Ice Community Day	-63.00
#1 Car Wash Inc.	Clean Police Vehicles September	-200.00
TD Card Services	Quickbooks, web, Police lockers, Park	-3,545.58
E & S Auto Parts, Inc.	Police vehicle bulbs	-3.00
Comcast Business	VOIP	-364.14
Comcast Cable	CC Cable	-85.86
Comcast Cable	Municipal Bldg. Cable	-287.50
Express Printing	Support Police Signs	-650.00
Global Security Systems, Inc.	Municipal Bldg Alarm	-120.00
Home Depot	Park, Community Day, Highway	-382.46
Peco- Penna. Ave	Penna. Ave.	-29.31
PECO	Carnival	-28.65
PECO - Municipal Bldg.	Municipal Bldg	-711.27
PECO Street Lighting	Street Lighting	-2,009.25
PECO-Underpass Lighting	Underpass Lighting	-31.72
MVP Sporting Goods	Highway Uniforms	-98.00
Staples Advantage	Office Supplies	-56.67
B&L Disposal	Trash removal	-5,900.00
Aston Sunoco	Police Vehicles	-989.94
Environmental Management	Sewage Enforcement 4009 Township Line	-200.00
General Code	Annual Maintenance	-1,195.00
Chester Water - Hydrants	Hydrants	-1,195.10
Chester Water - Hwy garage	Highway Garage	-40.91
Chester Water - HJP	HJ Park	-32.19
Chester Water Authority	Penna. Ave.	-36.30
A.R.D. Uniform	Police uniforms	-548.00
Sunoco - SunTrak	Police vehicle fuel	-1,907.90
John's Cycle Repair	Repair Police Motorcycle	-376.00
Murphy Ford	Police vehicle	-145.00
Strategic Tactical Training	MRAP Training	-500.00
Marcus Hook/Trainer Fire Dept	2016 3rd 1/4 Appropriation	-9,250.00
Paychex Invoice	Oct. 14 Biweekly	-134.45
Paychex Invoice	Oct. 14 Detail	-93.94
Delaware County Solid Waste	Tipping fees	-2,569.38

Pennsylvania One Call System	Monthly fax transmission	-12.70
Chester Water - HJP	HJ Park	-55.16
Chester Water - Municipal	Municipal Bldg	-118.13
Staples Advantage	Office supplies	-359.90
Comcast Cable	Bldg cable	-296.88
DCIU	Health Benefits	-19,812.09
Padco Financial Services	DocStar	-130.00
Integral Systems Corp	Computer backup	-50.00
Nextel	Cell phones	-141.53
United Concordia	Dental Coverage	-1,269.43
Pa State Mayors Association	2017 Membership Dues	-60.00
J. Michael Sheridan, Esq.	Professional Services	-844.64
Talley's Garage & Towing	Police Vehicles	-1,725.74
ESTC	Firing Range Year 2017	-560.00
Paychex Invoice	Oct. 28 Biweekly	-115.62
Paychex Invoice	Oct. 28 Detail	-96.10

PAYROLL ACCOUNT

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

OCTOBER PAYROLL FOR ALL EMPLOYEES

Total payroll for the month of October \$79,891.39
Payroll includes reimbursable Police Detail

SEWER FUND

There are no outgoing transactions at this time.

OCTOBER SEWER BILLS

None

LIQUID FUEL BILLS

Liquid Fuel Bills for the month of October meeting were motioned for approval by Councilperson Miley and seconded by Councilperson Burgos; all councilpersons present voted affirmative.

OCTOBER LIQUID FUEL BILLS

Charles A. Higgins	Traffic Light Maintenance	-146.80
Mauger & Co.	Hwy fuel	-139.31
PECO	Traffic Lighting	-288.05

COMMUNITY CENTER BILLS

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

OCTOBER COMMUNITY CENTER BILLS

Banta's Bestway Trash Removal	Dumpster removal	-117.00
Chester Water Authority	CC water	-73.18
PECO electric	CC electric	-146.93
PECO gas	CC Gas/electric	-171.36
Jacob Dalton	Reimburse hall rental deposit	-100.00

PERMITS & LICENSES

The Permits of the October meeting were motioned for approval by Councilperson Burgos and seconded by Councilperson Cassidy all councilpersons present voted affirmative. Councilman Cassidy asked about street openings getting permits after the work is done. Eileen Nelson stated Peco was contacted about the issue and permits should be obtained before work begins unless emergency.

PERMITS & LICENSE – OCTOBER

2 Building permits	\$550.00
0 Contractor license	\$0
24 C/O Applications	\$2,525.00
1 Plumbing permits	\$305.00
0 Electrical permits	\$0
0 Zoning	\$0
0 Other Permits/License	\$0
Amount turned over to Borough	\$3,380.00

CHESTER WATER AUTHORITY

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

PECO

1 – Street Openings
Amount turned over to Borough \$129.00

DELCORA

0 – Permits

Amount turned over to Borough \$0

CORRESPONDENCE

It was motioned by Councilperson Cassidy and seconded by Councilperson Miley that the correspondence for October

OCTOBER CORRESPONDENCE

- Received from Keystone an electronic deposits in the amount of \$26,759.96 October EIT distribution.
- Received from Keystone an electronic deposits in the amount of \$0 October LST distribution.
- Received from Delaware County Tax Claim Monthly for September and a check in the amount of \$13,034.17.
- Received from Delaware County Monthly Transfer Report.
- Received from DEP a copy of a letter dated October 11, 2016 sent to Platt-Linemen in regards to Storage Tank.
- Received from DEP a copy of a letter dated October 11, 2016 sent to Phillips 66 in regards to Storage tank program.

QUESTIONS AND COMMENTS FROM AUDIENCE ON CORRESPONDENCE

None

ANY MATTERS THAT NEED COUNCILMANIC ACTION

None

COMMITTEE REPORTS

MAYOR

Mayor Zalewski was absent

***POLICE CHIEF** – Chief Priscopo was absent. Detective Jones stated that 10 year Police Veteran Steve Adamek was diagnosed with cancer, a benefit will be held on Jan. 21, 2017, flyers will be going out and check Facebook for more info. The venue may be changed to a bigger facility due to the support.

FINANCE

Councilman Maher announced the dates for the 2017 Budget Readings to be Nov. 30, Dec. 8 and Dec. 21.

He thanked all the volunteers that participated in this year's hayride making it another success. The tree lighting ceremony will be Thurs. Dec 1 between 6 and 6:30 with hot chocolate and cookies being served, the Marcus Hook chorus will be here to sing. Lunch with Santa will be Dec. 17 from 12 – 3, Registration deadline is Dec 1.

Councilman Maher read Tax Collector report below.

FIRE/PARKS/ENVIRONMENT

Councilman Cassidy stated Welcome to Trainer's November Public Council meeting: Since our last meeting, I have attended several meetings for the benefit of the Borough. At these meetings I have met people and gotten some information that I will be sharing with Council at our upcoming meetings. Hopefully this information may help in getting us moving in the right direction.

Basketball nets have been put up in Henry Johnson's Park. So far there have been many young people coming up and using them without any incidents. If this continues, we may put some more up in other playgrounds. They will not be "full" court. Thanks to Jennifer Frazier for her concern as she also keeps an eye on the courts in Johnson's Park.

I also want to thank the Borough workers on the work they have done on getting these areas cleaned up and useable.

This may sound like a broken record but there are still people allowing their pets to run loose in the park and are not cleaning up after them.. Some are even out of state. I spoke to one guy who said this park is closer to him than any in Delaware where he lives. He even complimented on how nice the park was. His dog was not on a leash.

Although the laws governing dogs and cats are a little different, one is the same. You cannot allow your cat to go onto others properties and become a nuisance. If this is happening to you, call the Police who in turn will contact the proper authorities in getting the issue corrected.

Some important dates to mark on our calendar are November 26. Marcus hook will be having their Christmas Holiday parade starting at 5pm.

Also, very important is January 21, 2017. There is a benefit for one of our Officers, Officer Steve Adamek. If you cannot make it to the benefit, please contact any officer and make a contribution to this cause.

Today is the 240th birthday of the United States Marines. Happy Birthday.

Councilman Cassidy requested replacing the State flag in Council Chambers.

Members for the firehouse are still needed. Please volunteer your time. The knowledge you will obtain will be beneficial not only later in life, but you may be one to save someone's life or property.

I have recently observed many fire companies being called out to a fire to get enough fireman to respond. This not only leaves the other municipalities unprotected, it takes longer for other companies to get here and some area not familiar with our area as our fireman are not familiar with other areas. This lost time could mean life or death in some cases. When our firemen are dispatched to other municipalities also leaves us vulnerable. This situation is in the treacherous stage. It is not a joke. It could be you, your loved one or your property in jeopardy.

On the job front, all the major department stores are hiring for the Christmas season. This is a good source for some extra money. DiCostanza's Hoagie shop is also hiring for a sandwich maker. I would guess you would have to be fast.

Remember our Veteran's tomorrow and everyone please have a safe and Happy Thanksgiving. Finally, I want to thank every resident who took the time to come out and vote on Tuesday, regardless of how you voted, you voted. Over 700 people came out to vote.

Councilman Cassidy read the monthly fire report for October as follows: Total Alarms 23, Time in Service 8hrs 23mins, Total Man Hours 88hrs, Property Loss 0k, Injuries 0, Fatalities 0, and Pump Operated 1hr 15mins, Alarms 15.

MUNICIPAL BUILDING/RECREATION

Councilman Mathews was absent

PUBLIC SAFETY/BOH

President Beck read October Code Enforcement report as follows: issued 3 building permits, 0 Contractor licenses, 13 C/O's, 1 zoning permits and numerous BOH and property maintenance violations sent out, which are being handled. 7 grass violation notices were sent out and 8 vacant properties have been cut by the Borough. Numerous notices have been sent out and 3 citations issued.

COMMUNITY OUTREACH/NEWSLETTERS

Councilwoman Burgos has information for LIHEAP, what prisoners need to know about Social Security and portable care applications, Social Security and working while disabled and how they can help.

COMMUNITY REDEVELOPMENT

Councilman Ed McDaniel stated he may have an interested buyer in the Community Center.

HIGHWAY/STREET LIGHTS

Councilman Miley stated that if anyone sees a street light out to get the pole # and call the Borough to report it.

CODE ENFORCEMENT OFFICER

Charley Remaley stated McCarthy Tire has completed the Conditional Use Application for the lot next door to them.

TAX COLLECTOR

Councilman Maher read the monthly report for October as follows: Total uncollected as of 10/31 is \$103,790.55. Total collected as of 10/31 is \$1,102,738.19. Total outstanding bills are 163.

SCHOOL BOARD DIRECTOR

Mary Magaw was absent

MONROE ENERGY

Adam Gattuso stated The Tier 3 heavy haul was scheduled for Wed but has been postponed. Friday the 18th is now scheduled for the first move. Adam will be available to answer any questions after tonight's meeting.

ENGINEER

Eileen stated the ADA Ramp contract needs to be signed, no other formal action needed. There is \$12,825.00 available from County Aid; that leaves a balance of \$4,675.00 with approx. \$1700.00 in Engineer fees which leaves \$6,375.00 and assume liquid fuels will be used to pay. Council confirmed to use Liquid Fuels money. CDBG application is coming due in January 2017.

Engineer's Report

▪ **Trainer Pointe**

The developer completed the final paving of Union Street on November 1. We are working with them regarding final punch-list items.

Regarding the Developer's request for a waiver for installing site lights on each lot, we are awaiting the Borough's response including input from Charley Remaley for changing 3 existing Street Lights to LED and installing a new LED light on the existing pole in front of Union St.

The developer is arranging to install the street lights.

The plans call for no parking signs along the North side of Third Street by note, however, the plans were not specific as to location of number of signs. There are several areas in between existing driveways where residents park currently. We recommend these remain available for parking and a "no parking here to corner" sign be added near the intersection with Price Street.

We indicated to the developer we would review with Council and let them know of the consensus.

The developer advised he will install the sign during our next site observation.

Damaged concrete pad next to Lot 16: The developer provided evidence from Google that the pad was damaged prior to construction. We will discuss with the Borough.

• **Monroe Energy**

Tier 3 Low Sulphur – Phase 1A ULSG Construction and Facilities Erosion Control Permit Project is underway.

▪ **Infrastructure Items**

- Baker Street and Yates Ave.

PennDOT suggested we review other roadways within the Borough that may possibly qualify for being added to their inventory. If Baker and Yates are the only two roadways to add we will respond to PennDOT accordingly.

➤ Sidewalk heaved next to tree at 10th and Langley: We reviewed and to address this the tree should be removed and portions of the curb and sidewalk replaced.

▪ **200 Price Street-Metro Container**

Construction is underway.

We are requesting the Borough/Solicitor forward escrow account information.

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

We reviewed outstanding punch-list items with the developer at the site on October 14. We forwarded an updated list to the developer and are awaiting a schedule for completion.

▪ **2016 County Highway – ADA Curb Ramps**

We sent the award letter to Moore Outdoor Rejuvenation on October 17. The bonds were submitted and we can now fully execute the contracts. Moore expects to commence work by mid-November. **We will present the contracts for the Borough’s execution at tonight’s meeting and then finalize the Application for Project Approval to PennDOT. Upon PennDOT’s approval we will issue the notice to proceed to the contractor and confirm their schedule.**

▪ **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.

▪ **Roadway Improvements**

We reviewed the roads and will present our recommendations along with an Opinion of Probable Costs.

▪ **A and R Ironworks**

We reviewed a draft grading plan and will pick-up the application and Grading & Erosion Control Plan from the Borough at tonight’s meeting and will review. **We are reviewing plans.**

▪ **800 Main Street**

I provided to Councilman Cassidy, a section of a plan from 1983, prepared by Kelly & Associates, for the reconstruction of Main Street. We will also have copy of plans available at tonight’s meeting. It shows the street right of way including the area striped for parking in front of the homes as a public street. There is an Ordinance section relating to Residential Permit Parking, but that section does not indicate any areas in the Borough where that requirement applies.

▪ **FY 2016 CDBG Project**

Applications are due January 11, 2017. We suggest the Borough begin to develop a list of possible projects.

Councilman Cassidy asked about any contact with Ralph Brown from Peco regarding the road issued in HJ Park due to a Peco project to be repaired. Eileen will touch base with Peco on the matter.

Councilman Maher made a motion to advertise the 2017 CDBG application public hearing to be held at the December 8th Council meeting, Councilman Cassidy seconded the motion. All Councilpersons present voted affirmative.

SOLICITOR

Mike Sheridan stated a motion was needed for an amendment to Ordinance 569 which is a renewal of the 25 year agreement with Solid Waste. Councilman Maher asked what would happen if there became a “green” alternative to solid waste, with entering the agreement. Sheridan stated that there is provision in the agreement that would allow for termination if a better solution would arise. Councilman Cassidy made a motion to amend Ordinance 569, Councilman Maher seconded the motion. All Councilpersons present voted affirmative. Mike Sheridan opened the bids for the Trash Service. The notice was published and 12 hauling companies were sent information. Two bids were received from Mascaro & Sons and B&L Disposal. The bids came in as follows:

Mascaro 2017 \$129,432 and 2018 \$132,804

B & L 2017 \$72,925 and 2018 \$75,115

Councilman Maher made a motion to award the trash hauler contract to B&L Disposal for the years 2017 and 2018, Councilwoman Burgos seconded the motion. All Councilpersons present voted affirmative except Councilman Cassidy who opposed.

The Keller Williams sales agreement for 4121 Penna. Ave. has expired. A decision needs to be made whether to renew. Councilman Miley made a motion to terminate the agreement with Keller Williams, Councilwoman Burgos seconded the motion. All Councilpersons present voted affirmative.

McCarthy Tire has submitted an application for Conditional Use of property with a hearing to be held at the Nov. 30 Caucus. A motion is needed to advertise the hearing. Councilman Cassidy made the motion to advertise the hearing, Councilwoman Burgos seconded the motion. All Councilpersons present voted affirmative.

OLD COUNCILMANIC BUSINESS

None

NEW COUNCILMANIC BUSINESS

Councilman Maher stated that a resident would like to use the Community Center for a fundraiser to install a new ADA ramp to her property on 3rd St. Council agreed to allow the use of the Center.

A discussion about the fate of the Community Center took place. At this time there will be no more rentals, and the rentals already scheduled will be honored.

The procedure to sell the Community Center building will be looked into. A possible subdivision of the property may be needed for the Borough to obtain the benefits of the cell tower.

Councilwoman Burgos stated that someone dumped a load of tires at the Stony Creek (old Witco) property. Officer Jones stated it has been an area widespread problem the Police are aware of.

Councilman Cassidy asked about the illegal occupancy of the VFW building being used as a Church. The property has been posted and the owners have no permits or occupancy certs all have been ignored. Councilman Cassidy made a motion to allow Solicitor Sheridan to file for a

court injunction to resolve the property occupancy issues, Councilman Miley seconded the motion. All Councilpersons present voted affirmative. The Borough has also cited the owners which relieves the Borough of any liability where the property being occupied is concerned.

QUESTIONS AND COMMENTS FROM AUDIENCE

Resident Chuck Miles asked if the Liquid Fuels money comes from the state. He asked what the money could be used for. Eileen Nelson stated it can be used for anything to maintain the streets such as repair, salt, plowing. The Borough gets between 30 and 40 thousand a year. The money is based on the miles of roads maintained and a formula of gas used.

Resident Sue Webb stated she is the resident whose car was urinated on during a Community Center rental expressing how upset she was. She stated the foul language, running the streets yelling and screaming were out of control. She felt sorry for the Officers trying to control the situation.

Resident Mr. Werner stated it is his property that has been damaged by the Trainer Pointe development. He stated the rear pad did have cracks in it but they have since destroyed it. The contractor has been contacted and stating there was pre-existing damage. He replaced part of his property with stone where the developer tore up some blacktop. Mike Sheridan stated there has to be proof of the cause of damages and compare the 2007 pictures to the present. Eileen will take pictures and further look into a solution. Werner stated his fence has also been bent. He is not looking for money, just repairs done.

Resident Marilyn Maher asked who the interested party is in purchasing the Community Center. Councilman McDaniel stated it is a landscape co. for equipment storage.

Resident Kim Sherman asked for a guarantee that the sale of the Community Center to a business will not be a nuisance to the residents of Chestnut St. as it is now. She stated the VFW property has also been a nuisance for parking. It all depends on who buys the Community Center building and what its use will be before any kind of nuisance guarantee can be addressed. She stated she submitted a letter of interest for the Rec Board and wondered how long it takes for an answer as she has heard nothing. Councilman Mathews is absent tonight but it is believed that he has a full board. She was told that volunteers are always welcome and needed.

Jeremy Hunter, owner of Trainer Custom Chemical (Stony Creek, Witco) stated there are issues between the property owners and the borough, which is owed money. He is asking for demolition permits and to lease the property with the Borough's permission. He stated his Attorney is in touch with the Borough Solicitor. The idea is the lease money would go to the Borough to pay all liens, etc. owed. The Borough stated there is an issue with DEP and until they received a letter of clearance from the EP they would not come to any agreement in regards to the property. Charley Remaley spoke with DEP and was told of several outstanding orders against the property and they have a court date set.

Resident Robin Bryant asked how it is decided when and how employees get raises. Councilman Miley stated that it is usually decided in the beginning of the year and put in the budget. She stated the last meeting a raise was given asking why it wasn't done in the beginning of the year. Miley stated the Secretary was overlooked and should have been given a raise in the beginning of the year. Bryant asked if the Secretary would be entitled to another raise at the beginning of next year like everyone else. Councilman Miley said that is not necessarily the case and is a matter to be discussed. She asked what the raises are based on, such as merit. Miley stated it is

honestly based on what the budget can afford. All of Council, together, must decide on raises.

Miley stated the Highway Department will get their raise at the beginning of the year.

A Resident from 5th St. who in the past has had complaints of bad odors in the area. He thanked Solicitor Mike Sheridan for making some phone calls and the problem has so far been resolve.

He expressed his opinion for the Police Department to consider wearing body cameras for the protection of all.

Resident Sue Webb stated the house next to her has been vacant at 928 Chestnut, it had been sold but cleanup and work have again been stopped. She stated there is a lot of trash and debris. Code Enforcement will send a letter to the property owner.

Councilman Cassidy asked what was going on with the mold issue at the garage. ServPro was out to give an estimate and the insurance co. will be out to look at it also. There is also an issue with the ladies room at the Community Center and decided to have ServPro look at that site as well.

ADJOURNMENT

President Regina Beck called for a motion to adjourn at 8:23 pm; Councilperson Cassidy made the motion to adjourn. Councilperson Burgos seconded the motion. All Councilpersons present voted affirmative.

Respectfully submitted,

Victoria Okolowski
Borough Secretary