

UPLAND BOROUGH COUNCIL

MEETING MINUTES

MAY 11, 2010

The regular meeting of the Upland Borough Council was called to order at 7:05 pm by President Edward M. Mitchell. The meeting was held in the Upland Municipal Building.

Present were President Edward M. Mitchell and Vice President Christine Peterson. Present were Council members Mr. Leland Hunter, Mrs. Sandra Miazza, Mrs. Georgianna Hicks, Ms. Moira Crawford, Mayor Michael Ciach, Mr. Charles Catania, Sr. P.E., Mr. Robert O'Connor, Esq. and Mrs. Shirley Purcival, Borough Manager/Treasurer/Secretary was present.

Mr. Ken Stark from the Delaware County Daily Times was present along with approximately 10 residents.

President Mitchell led the Pledge of Allegiance to the Flag and a moment of silence followed by a roll call.

At this time President Mitchell stepped out of the normal order of business and turned the meeting over to Chief John Easton.

Chief Easton gave a brief report on the Police Department's participation in an Internship Program. Chief Easton explained they choose an approved college student from various Universities and Colleges in the area who are afforded time in the Police Department learning law enforcement from A to Z. The students turn their work journals into their Professors to receive full time college credit.

Chief Easton introduced retired Sergeant Baily from the Delaware County Sheriff's Office and Ms. Baily who will be our intern and who is a Criminal Justice Major from Lycoming College.

The next order of business was as follows:

- a. Motion to accept the resignation of Dennis Walls

Mr. Hunter made a motion to accept the resignation of Dennis Walls. Ms. Crawford seconded the motion with regrets. Mrs. Peterson read Mr. Walls letter of resignation into the record. Council unanimously approved the motion.

b. Motion to approve the Appointment of Ray Peden

Mrs. Peterson made a motion to approve the appointment of Ray Peden to fill the vacancy left by the resignation of Dennis Walls and stated Mr. Peden will be an asset with his background in Floodplain Administration as well as Ordinances and Resolutions.

There being no further nominations, Ms. Crawford seconded the motion. Council unanimously approved the motion.

c. Motion to approve Resolution No. 9 – Swearing in of Ray Peden

At this time Judge Miller was called to administer the Oath of Office to Mr. Peden as his wife held the Bible.

Judge Miller also swore in Mr. Frank Sawicki as Fire Police.

Mayor Ciach now read into the record a Mayoral Proclamation recognizing Sonny Johnson for his fine service as volunteer firefighter and the many service positions to the Borough of Upland over the last 50 years.

5. Approval of Previous Meeting Minutes

A-1 Council Meeting Minutes – April 13, 2010

Ms. Crawford made a motion to approve the April 13, 2010 meeting minutes. Mrs. Miazza seconded the motion. Council unanimously approved the motion.

A-2 Bid Opening Minutes – May 7, 2010

Mrs. Miazza made a motion to approve the May 7, 2010 bid opening minutes. Mrs. Peterson seconded the motion. Council unanimously approved the motion.

6. Treasurer/Manager Report – Shirley Purcival

A-1 Treasurer's Report

Mrs. Peterson made a motion to approve the Treasurer's Report. Ms. Crawford seconded the motion. Council unanimously approved the motion.

A-1a) Income Statement

Mrs. Peterson made a motion to approve the Income Statement. Mrs. Hicks seconded the motion. Council unanimously approved the motion.

A-2 Manager's Report

Mrs. Peterson made a motion to approve the Manager's Report. Ms. Crawford seconded the motion. Council unanimously approved the motion.

A-3 Proof of Publication – Ordinance No. 3 – Establish Compensation for Zoning Hearing Board

Mrs. Miazza made a motion to approve the Proof of Publication for Ordinance No. 3 - Establish Compensation for Zoning Hearing Board. Mrs. Peterson seconded the motion. Council unanimously approved the motion.

A-4 Proof of Publication – Bid Opening May 7, 2010 – Road Program & new Utility Truck

Mrs. Peterson made a motion to approve the Proof of Publication – Bid Opening May 7, 2010 for the Road Program and new Utility Truck. Mrs. Hicks seconded the motion. Council unanimously approved the motion.

7. Auburn Village Report – Christine Peterson

A-1 Motion to accept bids for Auburn Village Truck & Road Program

Mrs. Peterson made a motion to reject the bid for the Auburn Village Truck as the F-450 is too large and what we need is an F-350. Mr. Hunter seconded the motion. Council unanimously approved the motion.

Mrs. Peterson made a motion to accept the bid on the Road Program. Mr. Hunter seconded the motion. Council unanimously approved the motion.

Mrs. Peterson made a motion to amend the bid for the Ford F-350 truck. Ms. Crawford seconded the motion. Council unanimously approved the motion.

A-2 Motion to have the Solicitor draw up the contracts for the Road Program

Mrs. Peterson made a motion to have the Solicitor draw up the contracts for the Road Program. Ms. Crawford seconded the motion. Council unanimously approved the motion.

A-3 Report on Auburn Village Tenant Meeting – May 4, 2010

Mrs. Peterson reported approximately 30 Auburn Village Residents attended the May 4, 2010 meeting. Mrs. Peterson reported there was a lot of positive feedback from the residents regarding our ongoing upgrades.

However, there were several complaints regarding speeding cars, particularly on Willow Way and we have placed a "slow" sign on Willow Way due to the fact there are a lot of children who reside on Willow Way. The Police have been notified as there have also been occurrences of vehicles going the wrong way as Willow Way is a one way street.

A-4 Motion to approve new street light at Dogwood & Elm Lane

Mrs. Peterson made a motion to approve the new street light at Dogwood & Elm Lane, which is a budgeted item. Mrs. Peterson explained when there is a power outage, the area is very dark and this presents a dangerous situation to our senior citizens. This new street light would be equipped with a battery pack to alleviate the situation. Mr. Hunter seconded the motion. Council unanimously approved the motion.

8. Code Official Report – Leland Hunter

Mr. Hunter gave a brief report on four houses he has deemed uninhabitable. Two of those have been corrected, and two are still being worked on.

Mr. Hunter also reported on the ongoing problem of high weeds and grass. Letters are being sent out and he will be following up to determine compliance.

Also, Mr. Hunter presented a letter requesting to have Detective Curran register for a 16 hour on-line course and attend a 24 hours of hands on training in Criminal Justice. Mr. Hunter made a motion to approve this training for Detective Curran in Florida from June 13<sup>th</sup> to June 16, 2010.

President Mitchell questioned whether the airfare, meals and lodging would be paid for and if the only thing we have to pay for is Detective Curran's wages? Mr. Hunter replied that is correct. Mr. Peden seconded the motion. Council unanimously approved the motion.

A-1 Fire Marshall's Report – Dave Favinger

Mr. Hunter reported Fire Marshall Favinger has received four new certificates for fire investigation training he has completed.

## A-2 Fire Chief's Report - Dan Smith

Chief Smith reported that for the month of April 2010 there were 0 fire incidents, 6 non-fire incidents, 13 mutual aid for total incidents of 19. There were 3 drills for a total activity of 22.

We had 12 assists for fire, 1 cover assignment, 1 electric line down, 4 fire alarms and 1 assist Police.

There were 12 day time and 10 night time with 12 hours of service for the month with an average runner of 5.

President Mitchell inquired as to the status of an injured firefighter from Parkside and if there is any liability on our part if Parkside responds to one of our calls. Chief Smith assured President Mitchell this is not an issue.

## 9. Public Safety Report - Leland Hunter

Mr. Hunter reported he has several projects he is working on and things are progressing nicely.

## 10. Building &amp; Grounds Report - Sandy Miazza

## A-1 Motion to approve Fireworks Contract

Mrs. Miazza made a motion to approve the Fireworks Contract for \$ 5,000.00. Ms. Crawford seconded the motion. Council unanimously approved the motion.

## A-2 Motion to approve window treatments - \$ 6,000.00

Mrs. Miazza made a motion to approve window treatments for MacQueen Hall in the amount of \$ 6,000.00. Ms. Crawford seconded the motion. Council unanimously approved the motion.

## A-3 Discuss Park Surveillance Quote

Mrs. Miazza made a motion have new surveillance cameras installed in Bristol Lord Field as the money becomes available. Mrs. Peterson seconded the motion. Council approved the motion with Mr. Peden abstaining from the vote.

11. Finance & Insurance Report - Moira Crawford

A-1 Approval of General Fund Bills - \$ 165,704.99

Ms. Crawford made a motion to approve the General Fund Bills for April 2010 in the amount of \$ 165,704.99. Mrs. Miazza seconded the motion. Council unanimously approved the motion.

A-2 Approval of Auburn Village Bills - \$ 55,833.28

Ms. Crawford made a motion to approve the Auburn Village Bills for the month of April 2010 in the amount of \$ 55,833.28. Mrs. Peterson seconded the motion. Council unanimously approved the motion.

12. Ordinances & Resolutions Report - Georgianna Cassidy-Hicks

A-1 Motion to approve Ordinance No. 3 - Establishing Compensation for members of the Zoning Hearing Board

Mrs. Hicks made a motion to approve Ordinance No. 3 - Establishing Compensation for members of the Zoning Hearing Board. Mrs. Miazza seconded the motion. Council unanimously approved the motion.

A-2 Motion to advertise Ordinance No. 4 - Zoning Changes

A-3 Motion to advertise Ordinance No. 5 - "Floodplain Management"

Mrs. Hicks made a motion to advertise Ordinance No. 4 Zoning Changes and Ordinance No. 5 "Floodplain Management". Mrs. Peterson seconded the motion. Council unanimously approved the motion.

A-4 Motion to approve Resolution No. 10 - Transfer of Funds - \$ 36,690.00

Mrs. Hicks made a motion to approve Resolution No. 10 - Transfer of Funds - \$ 36,690.00. Mrs. Miazza seconded the motion. Council unanimously approved the motion.

13. Research & Development - Moira Crawford

Ms. Crawford reported that for the month of April we had 586 hits to the web site. Since the web site was started we have had 7,245 hits to the web site. The Photo Bucket account had 7,427 files views with 115 album visits. Since the inception of the Photo Bucket account we have had 285,442 files views with 1,285 album visits.

New photos have been added of the additional War Memorial and pavilion construction. Ms. Crawford thanked George Patterson for the photos.

14. Streets & Equipment - Christine Peterson

At this time Mrs. Peterson read into the record Resolution No. 9 accepting the resignation of Dennis Walls and the appointment of Harold R. Peden to the Upland Borough Council.

Mrs. Peterson made a motion to accept Resolution No. 9. Mrs. Hicks seconded the motion. Council unanimously approved the motion.

Mrs. Peterson reported the curbs and drains are finished.

The paving of the Police Station and Borough Hall parking lot will be started on Thursday and finished on Friday.

Several new signs are scheduled to be placed around the Borough, two of which will be placed in Auburn Village that state "No Ball Playing" as residents have complained of damage to their vehicles.

15. Community Affairs - Sandy Miazza

Mrs. Miazza reported the Borough will be having its annual Clean Up Day on Saturday, May 22, 2010.

May 31, 2010 is our annual Memorial Day Parade starting at 9:00 am followed by a picnic in the ball field.

June 8 through June 12, 2010 we will be having a carnival in the ball field from 6:00 to 10:00 pm.

July 4, 2010 we will be having our annual festivities for Upland Borough Residents starting at 11:00 am in ball field.

16. Use & Occupancy Report - Shirley Purcival

Mrs. Purcival reported for the month of April there were ten Use & Occupancy Certificates issued. Three units failed their inspections this month and four units received a temporary U & O.

A total of \$ 1,200.00 was deposited into the General Fund Account for Use & Occupancy.

17. Mayor's Report - Michael Ciach

Mayor Ciach reported for the month of April there were 207 citations issued totaling \$ 21,588.00 half of which is the Borough's share. As of this date there have been 514 citations issued.

There were 9 parking tickets issued, 8 motor vehicle accidents and 4 reports copied. The amount received from the DJ court is \$ 2,729.96.

The total calls answered were 281 and there were 3 assists.

Mayor Ciach again thanked Sonny Johnson for his many years of service to the community.

18. Solicitor's Report - Robert O'Connor

A-1 Approval letter from Planning

Mr. O'Connor reported he will be updating the auditor letter as requested by the Borough Manager.

The lawn care contract has been finalized for 2010.

Mr. O'Connor also reviewed the Floodplain Ordinance as written by Mr. Peden and stated he thought it was well written and looked good.

Mr. O'Connor also spoke to Minsec about obtaining any leftover lumber and materials from their location.

On April 29, 2010 Mr. O'Connor had a meeting with Mr. Cordes from the County and Mr. Hackett. Mr. Hackett will be drafting a lease addendum, which will include a legal description of the ground to be leased, a lease of the property from the County to the Borough. There will be an additional meeting with Mr. Catania to prepare a feasibility study.



## 19. Engineer's Report - Charles Catania

## A-1 Motion to release Performance Bond # 8212-91-83

Mr. Catania recommended the Performance Bond for B. J. Allen Phantom Fireworks be released as the work under the Penndot permit has been completed. Penndot has agreed to extend the existing Performance Bond in lieu of the Maintenance Bond.

Mrs. Peterson made a motion to release Performance Bond # 8212-91-83. Mrs. Miazza seconded the motion. Council unanimously approved the motion.

## 20. Old Business

There was no old business.

## 21. New Business

A-1 Motion to cancel 2<sup>nd</sup> Council Meeting

Mrs. Peterson made a motion to cancel the 2<sup>nd</sup> meeting of the month. Mrs. Miazza seconded the motion. Council unanimously approved the motion.

## A-2 Motion to reschedule June's Council Meeting from June 8, 2010 to June 7, 2010

Mrs. Peterson made a motion to reschedule June's Council from June 8, 2010 to June 7, 2010.

Mrs. Peterson made a motion to reschedule July's meeting from July 13, 2010 to July 27, 2010.

Ms. Hicks seconded the motion. Council unanimously voted to approve the changes.

## 22. Floor Open to the Public

Shannon Strigle asked whether we could provide a link to suicide prevention on our web site. Ms. Crawford asked to have the information e mailed to her and she would be sure to have it placed on the web site.

Judge Miller also addressed Council to thank them for the lettering on the Police Station naming it as the Kenneth N. Miller Law Center. Judge Miller stated he was extremely moved when he saw it.

23. Adjournment

There being no further business at this time, Mrs. Peterson made a motion to adjourn the meeting. Mr. Hunter seconded the motion.

The meeting was adjourned at 7:50 pm.

Respectfully submitted,

Shirley Purcival,  
Borough Manager

Linda Saylor,  
Recording Secretary