

# UPLAND BOROUGH COUNCIL

## MEETING MINUTES

APRIL 13, 2010

The regular meeting of the Upland Borough Council was called to order at 7:02 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, Ms. Moira Crawford, Mr. Dennis Walls, Mayor Michael Ciach, Mr. Charles Catania, Sr., P.E., Mr. Robert O'Connor, Esq. and Mrs. Shirley Purcival, Borough Manager/Treasurer/Secretary was present. Mrs. Georgianna Hicks was absent due to a death in the family.

Mr. Ken Stark from the Delaware County Daily Times and the families of Officer Joseph Norcini and Officer Shawn Stiver were present and approximately 6 residents were also present.

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

At this time, the normal order of business was suspended for the swearing in of part-time Police Officers Joseph Norcini and Shawn Stiver.

Mayor Ciach had the honor of swearing in Officers Joseph Norcini and Shawn Stiver. Borough Council and the Mayor congratulated Officers Norcini and Stiver and welcomed them to the Upland Police Department.

Since Detective Curran was present, Mayor Ciach wanted read into the record a notification praising Detective Curran for his excellent work assisting the Chester Detectives and the CID in an incident where gun shots were fired and a woman was found shot in a home invasion in the 500 block of West 24<sup>th</sup> Street, and behind the Armory where another victim was found shot. The persons responsible were apprehended and the Mayor and Council congratulated Detective Curran on his fine detective work.

President Mitchell returned to the normal order of business at 7:10.

### 5. Approval of Previous Meeting Minutes

A-1 Council Meeting Minutes – April 13, 2010

Ms. Crawford made a motion to approve the minutes for March 9, 2010. Mrs. Miazza seconded the motion. Council unanimously approved the motion.

6. Treasurer/Manager Report – Shirley Purcival

- A-1 Treasurer's Report
- A-1a) Income Statement
- A-2 Manager's Report

Mrs. Miazza made a motion to approve A-1 through A-2. Mrs. Peterson seconded the motion. Council unanimously approved the motion.

7. Auburn Village Report – Christine Peterson

- A-1 Motion to authorize the Borough Engineer to bid out for Auburn Village Truck

Mrs. Peterson made a motion to authorize the Borough Engineer to bid out for Auburn Village Truck. Ms. Crawford seconded the motion. Council unanimously approved the motion.

Mrs. Peterson reported there will be an Auburn Village Committee Meeting within the next two weeks after a date is acceptable to everyone and the residents will be invited to attend.

At this time Mrs. Peterson reported we are having problems with the pipes under the kitchen floors cracking and the floors have to be replaced. Some were not done correctly and a member of our Highway Department, (Patrick White) who has worked in the field for 5 years was sent in to teach our Maintenance Foreman how to do the job properly which will save us time and money.

8. Code Official Report – Leland Hunter

- A-1 Fire Marshall's Report – Dave Favinger

Mr. Hunter read a letter from the Fire Department requesting permission to hold their annual Tag Day to help defray their day to day expenses.

Mr. Hunter made a motion to approve the Fire Company's request and Mrs. Peterson seconded the motion. Council unanimously approved the motion.

- A-2 Fire Chief's Report – Dan Smith

For the month of March, 2010 there were 2 fire incidents, 14 non-fire incidents, 21 mutual aid and 3 drills for a total activity of 40. There was \$3,000.00 in

structure damage, \$2,000.00 in content damage and \$8,000.00 in vehicle loss for a total of \$13,000.00 for the month.

There were 20 assists for fire, 1 cover assignment, 1 assist the ambulance, 1 fuel spill, 2 gas leaks, 1 electric fixture, 4 fire alarms, 2 control burns, 1 C.O. detector, and 2 good intent.

One fire incident was a kitchen fire at a single family dwelling and we had one vehicle fire.

We had 18 ½ hours of service for the month, 22 day time, 14 night time with an average runner of 7.

The Chief reported two of our members will be returning and we are sending two members to Delaware State Fire School to receive their certifications.

At this time President Mitchell wanted to address the reasons for the Borough requesting an audit and wanted to assure Chief Smith the Borough is not requesting the audit to see how much money the Fire Company has in the bank, but to determine if the Fire Company can “stand on their own two feet”. Since the Borough owns the building, land and equipment the Borough would like to determine if the Fire Company can afford to run on its own and afford to pay their bills.

President Mitchell stated he feels if the Fire Company owned itself; it would be more of an incentive to attract quality members who would take pride in the maintenance and upkeep in all aspects of running the Fire Company. The Borough cannot turn over everything to the Fire Company if they cannot afford to run it. President Mitchell made mention of the \$177,000.00 which has come from the Borough in the last two years, and he does not want to compromise the safety of the residents.

9. Public Safety Report – Leland Hunter

Mr. Hunter reported he is busy resolving complaints in the Borough and things are progressing nicely.

10. Building & Grounds Report – Sandy Miazza

A-1 Motion to Approve Fire & Burglar Alarm for Maintenance Garage

Mrs. Miazza made a motion to approve Fire & Burglar Alarm for the Maintenance Garage for \$ 28,720.00 with a deposit of \$ 14,360.00. Mr. Hunter seconded the motion. Council unanimously approved the motion.

At this time Mrs. Miazza reported the painting of the Borough Hall is completed, and now we only need to have upstairs MacQueen Hall painted.

The pavilion is being worked on. The roof is finished and looks very nice. The new War Memorial has been set and is beautiful.

Mrs. Purcival also pointed out she has received prices on the new sign for the Lord Bristol Field and it will be double sided and will say Upland Borough this time.

11. Finance & Insurance Report – Moira Crawford

A-1 Approval of General Fund Bills - \$ 121,851.67

Ms. Crawford made a motion to approve the General Fund Bills for the month of March in the amount of \$ 121,851.67. Mrs. Miazza seconded the motion. Council unanimously approved the motion.

A-2 Approval of Auburn Village Bills - \$ 51,685.40

Ms. Crawford made a motion to approve the Auburn Village Bills for the month of March in the amount of \$ 51,685.40. Mrs. Peterson seconded the motion. Council unanimously approved the motion.

12. Ordinances & Resolutions Report – Christine Peterson for Georgianna Hicks

A-1 Motion to approve Resolution No. 5 – Application to County Liquid Fuels Tax Funds

Mrs. Peterson made a motion to approve Resolution No. 5 – Application to County Liquid Fuels Tax Funds. Mrs. Miazza seconded the motion. Council unanimously approved the motion.

A-2 Motion to approve Resolution No. 6 – Fill Vacancies on Zoning Hearing Board

Mrs. Peterson made a motion to approve Resolution No. 6 – Fill Vacancies on Zoning Hearing Board. Ms. Crawford seconded the motion. Council unanimously approved the motion.

A-3 Motion to approve Resolution No. 7 – Designation of Agent

Mrs. Peterson made a motion to approve Resolution No. 7 – Designation of Agent. Ms. Crawford seconded the motion. Council unanimously approved the motion.

A-4 Motion to advertise Ordinance No. 3 – Establish Compensation for Members of the Zoning Hearing Board

Mrs. Peterson made a motion to advertise Ordinance No. 3 – Establish Compensation for Members of the Zoning Hearing Board. Ms. Crawford seconded the motion. Council unanimously approved the motion.

A-5 Motion to approve Resolution No. 8 - Transfer of Funds in the amount of \$ 33,210.00 to the General Fund

Mrs. Peterson made a motion to approve Resolution No. 8 – Transfer of Funds in the amount of \$ 33,210.00 to the General Fund. Ms. Crawford seconded the motion. Council unanimously approved the motion.

13. Research & Development – Moira Crawford

Ms. Crawford reported for the month of March there were 679 hits to the web site, approximately 22 hits per day. Ms. Crawford reported since the web site was started there have been approximately 6,700 total hits.

For the month of March, our Photo bucket account received 7,003 files viewed with 85 album visits. Since the inception of the Photo bucket account we have had 278,015 file views and 1,170 album visits. Photos of Breakfast with the Easter Bunny have been added along with photos of movie night.

Ms. Crawford reported the web site is continually being updated with new links and information. A new section has been added for Chief Easton.

14. Streets & Equipment – Christine Peterson

A-1 Motion to approve Kirby Lawn Care

Mrs. Peterson made a motion to approve Kirby Lawn Care for landscaping this summer. Ms. Crawford seconded the motion. Council approved the motion with Mrs. Miazza abstaining from the vote.

A-2 Motion to have the Solicitor draw up the contract for Kirby Lawn Care

Mrs. Peterson made a motion to have the Solicitor draw up the contract for Kirby Lawn Care. Ms. Crawford seconded the motion. Council approved the motion with Mrs. Miazza abstaining from the vote.

A-3 Motion for Engineer to bid out for 2010 Road Program

Mrs. Peterson made a motion for the Engineer bid out for the 2010 Road Program. Ms. Crawford seconded the motion. Council unanimously approved the motion.

Mrs. Peterson reported she, along with the Borough Manager, Shirley Purcival have been working with PennDot to try to get 6<sup>th</sup> Street repaired, especially by Vista Lane. However, PennDot will not be repaving until next year. They have indicated they will be doing fill-ins in the mean time as we are not on their list for this year.

15. Community Affairs – Sandy Miazza

Mrs. Miazza reported movie night was cancelled due to lack of participation.

Breakfast with the Easter Bunny was a great success and had a great turn out.

On May 22<sup>nd</sup> we are having our Annual Clean-Up Day and we will be sending letters to area businesses requesting donations of water and snacks.

Our Memorial Day Parade will take place on May 31<sup>st</sup>.

We will be having a Carnival from June 8<sup>th</sup> to June 12<sup>th</sup> from 6:00 to 10:00 pm.

The Borough's 4<sup>th</sup> of July celebration will take place again this year with free refreshments for the residents.

16. Use & Occupancy Report – Shirley Purcival

The Borough Manager reported for the month of March we had 4 units receive permanent Certificates of Occupancy. There were four temporary Use and Occupancy issued, and a total of \$ 1,200.00 was deposited into the General Fund for the inspections.

17. Mayor's Report – Michael Ciach

Mayor Ciach reported for the month of March we had 135 total citations issued. The total amount in fines was \$ 11,033.50 half of which is the Borough's share. To date, the total citations are 307. We had 15 parking tickets issued, 5 motor vehicle accidents with 3 copies of the reports.

The amount received from the District Justice Office was \$ 3,553.19. There were 259 total calls answered and 34 assists.

The Mayor gave a census update and as of last week Upland Borough is right on the national median with a 62% return rate. The Mayor will give updates as they become available. To date, the return rate for the County is 64% and the State of Pennsylvania is 67%.

18. Solicitor's Report – Robert O'Connor

Mr. O'Connor asked Council to review the confidential portion of his report.

Mr. O'Connor reported he was in touch with the District Attorney's Office regarding the Megan's Law Web Site and what we could put on the web site. Mr. O'Connor stated it was permissible to put the link on the web site and urged everyone to check it out.

Mr. O'Connor met with Mr. Mark Dambley to discuss Vista Lane during this past month.

At this time, President Mitchell wanted to discuss Vista Lane and the possibility of purchasing it. Mrs. Miazza wanted to know if we own the land and if we would just be purchasing the buildings.

Mayor Ciach stated this would have to be researched by Mr. O'Connor and Mr. Catania. Also, the assessment value of the property must be established to see if it would benefit the Borough.

Some discussion ensued as to the feasibility of the project and agreed much more research is needed before proceeding any further. Mrs. Purcival suggested we may want to contact John Wills.

It was decided to have John Jay Wills research the original agreement to determine what our options are.

There was some discussion regarding the agreement with Phantom Fireworks and Mr. O'Connor that the new attorney for Phantom Fireworks, Michael Maddrin who stated he was going place a bond in approximate amount of \$10,000.00 and start

the road striping within 30 days. There was also some discussion regarding the repair of storm sewer inlet. Phantom Fireworks must also have the left hand turn lane put in after securing all the necessary paperwork.

19. Engineer's Report – Charles Catania

Mr. Catania noted several items in his report have already been discussed, such as the Auburn Village roofs, the Pavilion, the park drain is almost complete and the curb work on Castle Avenue is completed.

The utility closets for 101 Arbor Lane and 300 Front Street have masonry cracks and there seems to be some shifting from the building. Mr. Catania has inspected the units and is preparing the sketch plan to obtain estimates for the repairs.

20. Old Business

There was no old business to discuss.

21. New Business

A-1 Cancel Second Meeting of the Month

Mrs. Peterson made a motion to cancel the second meeting of the month. Ms. Crawford seconded the motion. Council unanimously approved the motion.

22. Floor Open to the Public

Mr. Ray Peden took the floor to report on the course he attended at the FEMA National Emergency Training Center in Maryland on Managing Floodplains through the National Flood Insurance Program. The 32 hour course was very informative.

Mr. Peden thanked Ms. Crawford for the addition of the Floodplain Section on our website and also the link to FEMA website for questions regarding the National Flood Insurance Program.

Unfortunately, the request we had made to the County for CDBG Funds for the Pennock Log House wall repairs was denied.



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 8:10 pm.

Respectfully submitted,

Shirley Purcival,  
Borough Manager

Linda Saylor  
Recording Secretary