

Minutes  
Council Meeting  
June 9, 2009

A regular scheduled meeting of the Borough Council was called to order at 7:03 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. Sandy Miazza, Mr. Dennis Walls, Mrs. Georgiana Hicks, Ms. Moira Crawford, Mayor Michael Ciach, Mr. Charles Catania, Sr., P.E., Mr. Robert O'Connor, Esquire and Mrs. Shirley Purcival, Borough Manager/Treasurer Secretary were present.

President Mitchell wanted to step out of the normal order business and opened the floor to Mr. Jay Wills, Special Counsel for the new Police Station.

Mr. Wills then spoke of the affirmative vote at last months Council meeting to award TD Bank its \$850,000.00 General Obligation note. In accordance with the terms and provisions of the Pennsylvania and Local Government Unit Debt Act, the Borough is now obligated to formally enact an Ordinance authorizing the issuance of the general obligation note to TD Bank, affixing the date, interest and maturity thereof, making covenant to the pertainment of the debt service and pledging its full faith, credit and taxing powers of the Borough.

The specifics of TD Bank's general obligation note are as follows:

Loan Amount - \$850,000.00

Purpose – The provide funds to construct a new 2,000 sq. ft. – 2 story Police Station adjacent to the Borough Hall on municipally owned property.

There will be a 6 month draw period in which draws will be monitored by a TD Bank Officer.

Rate – The sum is fixed at a tax free rate of 4.83%

Terms - This loan will be interest only, for a period of 6 months to be followed by 239 monthly principal and interest payments of approximately \$5,563.92 based on an initial tax free rate of 4.83% with a 20 year amortization schedule. There will be one final payment whereby all principal and interest due will be payable at that time.

This loan will have a recall option, or a reset option after 60 months, which means that after 5 years, potentially TD Bank will then review the current cost of funds, specifically the bond equivalent yield in the United States Treasury Securities to determine whether to adjust or reset the loan interest rate. If TD Bank fails to reset the loan after 5 years the interest rate remains at 4.83% throughout the 20 year loan.

This is an unsecured loan. The loan will be supported by full faith, credit, and the taxing powers of Upland Borough. This loan note will be a general obligation of the Borough and we are adopting an Ordinance which will authorize the issuance of the note. The Borough will pledge its full faith and credit to secure the repayment thereof. Once the Ordinance is adopted, the Borough will then need to secure the approval of the Pennsylvania Department of Community and Economic Development.

Mr. Wills then stated that once the Ordinance is approved he will contact the Pennsylvania Department of Community and Economic Development and will forward to them the series of documents being executed this evening, and hopefully DCED will give its approval. We have a tentative settlement date of June 30, 2009. Council President Mitchell, Vice-President Peterson and Borough Manager Purcival will be required to attend.

This loan will have interest only payments for the first 6 months. Full interest and principal payments will begin on January 1, 2010 at approximately \$5,500.00 per month.

During the 6 months between July 1, 2009 and December 31, 2009, we will be able to draw it out based on invoices from the contractors who were awarded the bids. Invoices will be prepared, approved by the Borough Engineer then submitted to TD Bank for payment.

Mr. Wills asked if anyone had any questions.

Mayor Ciach questioned whether the interest amount during the first 6 month is just on the amount of money drawn. Mr. Wills stated that it was, and that principal and interest do not start until January 1, 2010.

President Mitchell asked Council if they had any questions for Mr. Wills. All replied no. Mrs. Hicks made a motion to accept Ordinance #2 of 2009, Ms. Crawford seconded the motion. Council unanimously approved the motion.

President Mitchell stated he wanted to take a 10 minute break to execute the necessary paperwork for Mr. Wills.

Council resumed session at 7:40 pm.

President Mitchell announced the paperwork has been signed and the new Police Station project is well underway which met with applause from everyone. Mr. Mitchell thanked Council, the Engineer, the Solicitor and Mr. Wills for all the hard work and the many hours devoted to the project. The President also thanked the Police, Borough Manager and the Engineer for the hard work involved in the design.

5. A-1 Moira Crawford made a motion to accept the Bid Opening Minutes  
A-2 and the Council Meeting Minutes of May 12, 2009 and Sandy Miazza  
seconded the motion. Council unanimously approved the motion.
6. A-1 Moira Crawford made a motion to accept the Treasurer's Report and  
Georgianna Hicks seconded the motion. Council unanimously approved  
the motion.
- A-1a Sandy Miazza made a motion to accept the Income Statements and Moira  
Crawford seconded the motion. Council unanimously approved the  
motion.
- A-2 Sandy Miazza made a motion to accept the Manager's Report and Moira  
Crawford seconded the motion. Council unanimously approved the  
motion.
- A-3 Sandy Miazza made a motion to accept the Proof of Publication and Moira  
Crawford seconded the motion. Council unanimously approved the  
motion.
- A-4 Moira Crawford made a motion to accept the Proof of Publication on the  
loan obligation. Sandy Miazza seconded the motion. Council  
unanimously approved the motion.

President Mitchell asked the audience if they had a copy of the Agenda so they could follow along.

#### 7. Auburn Village Report – Christine Peterson

Mrs. Peterson made a motion to authorize an engineer to check out the windows in Auburn Village. Sandy Miazza seconded the motion. Council unanimously approved the motion.

Mrs. Peterson reported that the Auburn Village truck is back in service, it needed a fuel rack. The total cost with inspection was \$885.00

#### 8. Code Official Report – Leland Hunter

- A-1 Fire Marshall's Report – Dave Favinger  
Mr. Hunter made a motion to accept the Fire Marshall's Report and Mrs. Peterson seconded the motion. Council unanimously approved the motion.

A-2 Fire Chief's Report – Dan Smith

Mr. Smith reported there was 1 fire incident, 16 non-fire incidents and 16 mutual aid incidents for a total of 33 and 3 drills for a total of 36.

At 900 Main Street, there was \$10,000.00 worth of structure loss and \$1,000.00 worth of content loss. There were 13 assists for fire, 3 cover assignments, 3 motor vehicle accidents, 2 ambulance assists, 1 fuel spill, 2 appliances, 5 fire alarms, 1 CO detector, 2 good intent and 1 vehicle fire. At 31.8 hours, total in-service for the month - 23 daytime, 13 night time and average runners 8.

Mr. Hunter had a complaint regarding rats in a resident's yard coming from the field. He has issued a letter and will be issuing another.

10. Building & Grounds Report – Sandra Miazza

Mrs. Miazza reported that the second wall was put in at Auburn Village and the Borough Hall and the bottom part of the Christmas Tree is in.

President Mitchell made mention of the new sign at Auburn Village and Borough Hall and complimented Shirley Purcival and Sandy Miazza on the design.

11. Finance & Insurance Report – Moira Crawford

A-1 Ms. Crawford made a motion to approve the General Fund Bills in the amount of \$115,524.99 and Mrs. Peterson seconded the motion. Council unanimously approved the motion.

A-2 Ms. Crawford made a motion approve the Auburn Village Bills in the amount of \$15,197.78 and Mrs. Miazza seconded the motion. Council unanimously approved the motion.

13. Research & Development – Moira Crawford

Ms. Crawford reported two new e-mail accounts have been added for the office clerk and the recording secretary. Several photo galleries have been added to the events calendar from Clean-Up Day and Memorial Day picnic photos. A slide show has been added for the War Memorial. Ms. Crawford added a special thank you to Dick McClintock for photos from past parades and George Patterson for photos of the Memorial Day parade and picnic.

Three new links have been added to the Borough's web site: Delaware County Warning System, the Pennsylvania Children's Health Insurance Program (CHIP) and Delaware County Library System.

Also, events for the Upland Baptist Church and the Resurrection Life Church have been added.

Photos for the new employees of the Police Department and the office staff have been added.

New figures for hits on the web site from Photo Bucket are a total of 630 total files, 129,178 total files used since we started it on November 28, 2008 and in the month of May, we had 41,219 files used.

#### 14. Streets & Equipment Report – Christine Peterson

Mrs. Peterson reported that the new pick-up truck will be in within a month and the highway crew is finishing up replacing the street signs, throughout the Borough.

#### 15. Community Affairs Report – Sandra Miazza

Mrs. Miazza reported that the senior's cake bake is Saturday, June 13, 2009 from 10:00 am till 2:00 pm and the Borough had a luncheon for them on Monday which was appreciated.

The flea market scheduled for June 20, 2009 has been cancelled due to lack of response.

Everything is set up for the July 4<sup>th</sup> celebration in the ball park.

Mrs. Miazza complimented Borough Manager Purcival on a wonderful Memorial Day Parade.

#### 16. Use & Occupancy Report – Shirley Purcival

For the month of May, 9 Certificates of Occupancy issued. We had 14 units fail their inspection and 3 units received a temporary U & O with a total of \$1,925.00 deposited in the General Fund for these inspections.

The Flood Control Project, H20 Pa., the Commonwealth Finance Agency who is awarding that funding will meet on July 15, 2009.

## 20. Old Business

President Mitchell asked if there was any old business and Ms. Crawford made a motion to cancel the 2<sup>nd</sup> meeting of the month and Mr. Hunter seconded the motion. Council unanimously approved the motion.

## 21. New Business

- A-1            5% Pay Increase for Chief Easton. Mrs. Miazza made a motion to approve the increase and Ms. Crawford seconded the motion. Council unanimously approved the motion.
- A-2            Hire Linda Saylor - \$14.50 hr. Mr. Hunter made a motion to approve the new hire and Ms. Crawford seconded the motion. Council unanimously approved the motion.
- A-3            Promote Officer Curran to Detective and a \$2,000.00 bonus. Mr. Hunter made a motion to approve the promotion and Ms. Crawford seconded the motion. Council unanimously approved the motion.

President Mitchell gave Chief John Easton the floor. Chief Easton had much praise for Officer Curran and his dedication to the Borough and recommended Council approve the promotion for Officer Curran to Detective. Detective Curran took the floor and expressed to Council how much he enjoys working for the Borough. He also thanked Council and Chief Easton and hopes to continue working for the Borough.

Ms. Crawford made a motion to approve the promotion and bonus for Detective Curran and Mr. Hunter seconded the motion. Council unanimously approved the motion.

- A-4            Salary increase for Foreman C. Boyd - \$1.00 an hour. Ms. Crawford made a motion to approve the motion. Mrs. Miazza seconded the motion. Council unanimously approved the motion.

Mr. Boyd took the floor and thanked Council for the increase and stated he will continue to work hard for the betterment of the Borough.

- A-5 Authorize the proper official to sign the CDBG contract. President Mitchell stated we do not need a motion for this.
- A-6 Authorize the Engineer for Bids – H2O Grant. Ms. Crawford made a motion to authorize the Engineer and Mrs. Miazza seconded the motion. Council unanimously approved the motion.
- A-7 Ratify change order for 6<sup>th</sup> Street parking lot. President Mitchell stated he would entertain a motion to set up a \$30,000.00 fund for paving purposes, newsletter, stone at the Memorial, security cameras and Christmas decorations. Mrs. Peterson made a motion to approve the funds and Mrs. Miazza seconded the motion. Council unanimously approved the motion.
- A-8 President Mitchell called for a motion for the Code Enforcement Official, Mr. Leland Hunter to be assigned a work schedule of Tuesday, Wednesday and Thursday, four hours a day under the supervision of the Borough Manager, at the rate of \$10.00 an hour. Ms. Crawford made a motion to approve the work schedule and Mr. Walls seconded the motion. Council unanimously approved the motion.

## 22. Floor Open to Public

There were not comments from the floor.

## 23. Adjournment

Ms. Crawford made a motion to adjourn and Mrs. Miazza seconded the motion. Council unanimously approved the motion.

Meeting adjourned at 8:15 pm.

Respectfully submitted,

Shirley Purcival  
Borough Manager/Secretary/Treasurer

Linda Saylor  
Recording Secretary

ADDENDUM  
TO  
JUNE 9, 2009  
COUNCIL MEETING MINUTES

MAYOR'S REPORT

Mayor Ciach reported on the resignation of Police Officer Richard Clymer effective June 21, 2009. Mrs. Miazza made a motion to accept the resignation and Mr. Hunter seconded the motion. Council unanimously approved the motion.

For the month of May the total citations were 227. The total in the amount of fines was \$21,188.50, of which the Borough's share is half. To date the total citation count is 2,578. Parking tickets were 12. The amount received from the DJ's courts was \$2,749.80. There were 225 calls answered and 21 assists.

Currently, Town Watch currently has 25 applicants and the Mayor stated his goal is 50 applicants. Mayor Ciach will be having 2 more application drives.