

Minutes
Council Meeting
May 12, 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 Mrs. Sandy Miazza, Mr. Dennis Walls Mr. Leland Hunter, Mrs. Georgianna 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.

Approximately 17 residents attended the meeting. The Pledge of Allegiance to the American Flag was led by President of Council Edward M. Mitchell. The Pledge was followed by a moment of silence.

President Mitchell turned the meeting over the Mayor Ciach for the swearing in of 2 part time Police Officers, Dean Kemp and Pete Manfra.

Mayor Ciach then gave a well deserved thank you to Upland Police Department intern Sam Paul who is a senior criminal justice student at Neuman College in Delaware County. He has responded with our officers to police calls, arrested the violators, processed prisoners, attended court hearings, attended Borough meetings, had first aid CPR, firearms qualifications and other enforcement requirements. Intern Paul has made himself available in the early morning hours and weekends and has rearranged his schedule to take advantage of every opportunity to be present at all times for the experience.

President Mitchell then read a Proclamation stating that: whereas R & R Collision has been a family owned and operated business in the Borough of Upland for many years, whereas R & R Collision has been environmentally conscious in its efforts in running automotive collision repair business, whereas R & R Collision has shown its concern for the Storm Water Management Program in the Borough of Upland, whereas R & R Collision has been commended by the Chester Creek and Crum Creek Association for their participation in the Storm Water Management Program, and therefore be it resolved on behalf of the Borough of Upland, Upland Borough Council and the residents of the Borough of Upland President Mitchell would like to recognize R & R Collision for the month of May 2009 for their contributions to the Upland Borough business community, this 12th day May, 2009. The resolution was signed by the Borough President and Borough Council, and the Mayor.

Borough Manager/Treasurer Shirley Purcival then read a letter she had received from the Chester-Upland School District commending and thanking the Borough employees, especially Patrolman Daniel Dinardo, for their prompt response to an emergency where bus driver Castile Abner suffered a massive heart attack and died while on the school bus. Mr. Abner was transported to CCMC where he was pronounced DOA. The letter stated how consoling it is to be able to count on the Borough at times like this. President Mitchell asked the letter be made part of the permanent record.

President Mitchell then asked for roll call.

President Mitchell asked for a motion to approve the minutes of the April 14, 2009 meeting. Motion made. Council unanimously approved motion.

Treasurer/Manager's Report – Mrs. Shirley Purcival

Miss Crawford made a motion to accept A-1, which is seconded by Mr. Hunter. Council unanimously approved motion.

Income Statement

Miss Crawford made a motion to accept the Income Statement, which is seconded by Mrs. Miazza. Council unanimously approved motion.

Manager's Report

Mr. Hunter made a motion to approve the Managers Report, which is seconded by Mrs. Peterson. Council unanimously approved motion.

Manager Purcival then asked the President to request a motion to accept the resignation of the Recording Secretary, Virginia Sentyz effective May 8, 2009. Motion made. Council unanimously approved motion.

Proof of Publication

Mrs. Peterson made a motion to accept the Proof of Publication, which is seconded by Mr. Hunter. Council unanimously approved motion.

Auburn Village Report – Christine Peterson

Mrs. Peterson reported the results of the tenant survey regarding floors, entrance doors and storm doors. Those in need will be replaced.

The Arbor Lane Roof is complete and looks great. Dave and Doug were sent to check

for roof repairs and out of 22 roofs only 6 need to be repaired.

Code Official Report – Mr. Leland Hunter

Mr. Hunter reported things are going well on the cleaning up division.

Fire Marshall's Report – Dave Favinger

Mr. Hunter made a motion to accept the Fire Marshall's Report which was seconded by Mrs. Peterson. Council unanimously approved motion.

Fire Chief's Report – Dan Smith

For April 2009 Mr. Smith reported 0 fire incidents, 13 non-fire incidents, 18 mutual aid incidents for a total of 31 incidents. There were 3 drills for a total activity of 34. There were 18 assists for fire, 1 motor vehicle accident, 1 wire down call, 6 fire alarms, 1 co detector, 4 good intent. We had 21 hours in service for the month. 18 day time and 16 night time for an average runner of 9.

President Mitchell asked Dan Smith how the membership was going and about the membership application process. Mr. Smith reported the application has their medical information and a doctor's report stating they are healthy to fight a fire. There is an application fee of \$10.00. They are then called in for an interview to determine if they are of sound body. The application is then presented to the membership for a vote. President Mitchell noted that Leland Hunter will act a liaison between Borough Council and the Fire Department.

Building and Grounds – Sandra Miazza

It was reported there have been electrical upgrades in the Borough Hall and the Pavillion as a result of a power surge.

Four port-a-potties were put in the ball field on May 11, 2009. The carpets in the offices and foyer were cleaned. The sign was installed in Auburn Village and outside Borough Hall. We are still waiting for the pots for Kerlin Street.

Mrs. Miazza made a motion to rent an ice machine from Ajax Ice for \$125.00. The motion was seconded and unanimously approved by Council.

Finance & Insurance Report – Moira Crawford

Ms. Crawford presented the April bills for approval from the general fund and made a motion to approve the April bills. Mrs. Peterson seconded the motion. Council unanimously approved the motion.

Ms. Crawford made a motion to approve the April invoices for Auburn Village which was seconded by Mrs. Peterson. Council unanimously approved the motion.

Ordinances & Resolutions Report – Georgianna Cassidy-Hicks

Mrs. Hicks made a motion to accept Resolution 8 for The Upland Borough Council to form a Fireworks Committee. The committee members to serve would be Sandy Miazza, Georgianna Hicks, Moira Crawford, Chief Dan Smith, Dave Favinger and Officer Dan Dinardo. Mrs. Miazza seconded the motion. Council unanimously approved the motion.

Research & Development Report – Moira Crawford

Ms. Crawford wanted to make sure that everyone who has e-mail addresses has the name link in order access the web site, also, if you notice the web site e-mail is not working, please call and let her know as she has a different system and may not know if its down.

It was reported that Mrs. Hicks wanted to know if we could put the resolutions on the web site as we have the ordinances and minutes already listed. This will be discussed as it will be a big project.

Photos of the Caleb Pusey Clean Up Day have been added to the web site as well as other activities in the Borough. Also, the public is invited to call or e-mail Ms. Crawford with information or photos to add the web site.

Streets & Equipment Report-Christine Peterson

Mrs. Peterson reported that 100 flags have been put up in the Borough.

There has been an emergency at the 21st Street storm inlet. The inlet collapsed and required \$5,425.00 to replace.

The LED Traffic Signal Project which has been budgeted has started.

Mrs. Peterson made a motion to correct A-2 from Highway Manager to Borough Manager and increase the salary to \$68,000.00. Miss Crawford seconded the motion. Council unanimously approved the motion.

Community Affairs Report – Sandy Miazza

Mrs. Miazza reported that Saturday, May 16, 2009 is clean up day for Upland and Election Day is Tuesday May 19, 2009.

The Memorial Day Parade is Monday May 25, 2009 starting at 9:00 at the Upland Baptist Church followed by a picnic in the ballpark. This event is sponsored by the Upland Baptist Church and The Life Resurrection Church.

Mrs. Miazza made a motion to hire Schaefer Fireworks for the Labor Day Celebration at a cost of \$5,00.00. This was voted on last month and approved for not less than \$5,000.00 and not more than \$6,000.00. Miss Crawford seconded the motion. Council unanimously approved the motion.

June 13, 2009 the Seniors will be holding their annual Cake Bake from 10:00 am to 2:00 pm. in MacQueen Hall.

The Blue Rocks baseball game for August 22, 2009 has been booked. There will be 35 children and their chaperones attending.

There will be a softball tournament on Saturday May 23, 2009. Refreshments will be served.

There will be a Flea Market on June 20, 2009 in the ball field. Anyone interested can check the web site or pick up an application at Borough Hall.

Mrs. Peterson made a motion that the Borough spend not more than \$10,000.00 on the extension of the Christmas Tree and banners for the poles. This has been budgeted. Miss Crawford seconded the motion. Mr. Mitchell wanted to know how tall the tree will be and if you could see it from I-95? The tree will be 22 feet high and visible from I-95. Council unanimously approved the motion.

Mrs. Miazza wanted to know if the notices for Clean up Day are out and Mrs. Purcival reported they will be out twice that week.

Use and Occupancy Report – Shirley Purcival

Mrs. Purcival reported that 7 units passed inspection and received certificates and a total of 8 units failed their inspection this month with no units receiving a temporary U & O. A total of \$1,320.00 was deposited into the General Fund for these inspections.

Mr. Mitchell asked if there any questions and asked for a roll call. Council unanimously approved the report.

Mayor's Report – Michael Ciach

Mayor Ciach reported the 1st Town Watch meeting will be held on May 23, 2009 for all the current applicants and anyone who wishes to join. The application is on the web site for anyone who wishes to join and may be dropped off at the Borough Hall. Mayor Ciach will be calling current applicants to notify them of the meeting. Also, pictures will be taken prior to the meeting for the youth ID badges.

Police Report – April 2009 – Mayor Ciach

Sixteen parking tickets issued. The amount received from the DJ from the previous month is \$2,325.62. Total calls answered were 174 and last month we had 2 assaults – 11 thefts and burglaries – 5 disorderly conducts and 3 DUIs.

Total citations issued 143. Total amount in fines \$15,003.50. The Borough's share is half totaling \$7,501.75.

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Mrs. Miazza asked if the thefts are from the stores such as the Family Dollar. It was reported by Mayor Ciach that most of the thefts are "snatch and grab" from the stores and they have their eyes on 1 individual in particular.

Public Safety – Mayor Ciach

Mayor Ciach reported that with the hiring of 2 new part-time Police Officers our total is now 4 full-time Officers and 7 part-time Officers. Bike patrols and foot patrols will start on May 23, 2009, Memorial Day weekend. The unmarked car is now in service which Investigator Curran uses for investigations. The light bars on the police cars keep burning out and we need to consider new LED light bars for the police cars.

The Fire House has ordered their air packs and the LED lights for 6th Street and the CCMC area for emergency vehicles.

President Mitchell inquired as to the status of the LED light bars. Manager Purcival stated she submitted a grant to DCED for police radio's, and that she has been working along with the Police Chief and Mrs. Peterson to get a better price from a vendor who, it is hoped, will pay for one of the light bars. President Mitchell inquired if this was a matched grant and Manager Purcival stated it is not. The Borough would have to pay for one light bar. The grant is for \$10,000.00 and they are currently negotiating with the vendor on the price. President Mitchell asked what the high end and low end was? Mayor Ciach reported that the company in Eddystone who wanted \$14,000.00 and the

organization Mrs. Purcival is currently working with initially offered us \$8,800 and he subsequently went down to \$8,300.80. This price is for the police radios and 1 light bar. President Mitchell said this would give us approximately \$2,000.00 for a light bar.

Manager Purcival stated they were still in negotiations and the prices were estimates. President then called for a motion to approve the light bar expense not to exceed \$2,000.00. Mrs. Miazza made a motion to approve not more than \$2,000.00 for the light bar. Mrs. Peterson seconded the motion. Council unanimously approved the motion.

Mayor Ciach reported on the source of the grant, he received a phone call from Senator Pileggi's office to try to set a meeting date and if anyone has any projects or ideas to discuss with Senator Pileggi let him know by next week.

Solicitor's Report – Robert O'Connor

Mr. O'Connor reported that preparation of the contracts for the Police Station which will be tomorrow.

He also reported that he sent out the response to the annual Auditor letter.

Mr. Hunter made a motion to rectify a decision which was made last month to terminate the contract between Upland Borough and Clayton Towing Mrs. Miazza seconded the motion. Council unanimously approved the motion.

Engineer's Report – Charles Catania, Sr.

There were four bids for the resurfacing project and the low bidder was A.F. Damon, Inc. of Upland who came in at \$37,225.00. Mr. Catania recommended Council award the contract to A.F. Damon, Inc. Mrs. Miazza made a motion to accept the bid of A.F. Damon and Mrs. Peterson seconded the motion. Council unanimously approved the motion.

Mr. Catania then reported that once the Police Station contracts have been executed he will set up a construction date. All of the contractors have been notified and are anxious to start. The last item for Mr. Catania was concerning the H2O Grant, the flood control project for the Chester Creek, the application that was submitted back in February, we have been advised that the decision will be made by the State Board in July of this year and we will know if we have been successful.

President Mitchell stated he wanted to go back to the audit report for a moment, and that upon review the 35 issues in the report they all were "squeaky clean". Mr. Mitchell also wanted to make note of all the hard work and many hours devoted by Council which made it possible. Mr. Mitchell also noted that things are turning around in the Borough resulting in a cleaner and safer borough.

Personnel Committee – President Mitchell

President Mitchell called for a vote to increase the salary of the custodian and police secretary by \$2.00 per hour. Ms. Crawford made a motion to approve the increase and Mr. Hunter seconded the motion. Mrs. Miazza abstained from the vote. Mrs. Peterson abstained from the vote. Council approved the increase.

Mrs. Purcival reported she is still interviewing for the position of assistant secretary.

Manager Purcival asked Mr. Mitchell to authorize the Solicitor to draw up the necessary contract for A.F. Damon for the road program. Ms. Crawford made a motion to draw up the contract for A.F. Damon. Mr. Hunter seconded the motion. Council unanimously approved the motion.

Old Business

Miss Crawford made a motion to cancel the 2nd Council Meeting of the month. Mrs. Peterson seconded the motion. Council unanimously approved the motion.

New Business

Ms. Crawford made a motion to accept the \$850,000.00 general obligation term loan option #2 from TD Bank. Mrs. Miazza seconded the motion. Council unanimously approved the motion.

President Mitchell reported on the old 1972 court order on requesting to get out of the Chester Upland School District. Basically, the order establishes 4,000 students, however there is no guarantee that the Borough can petition PDE to withdraw, but the Governor wants to see some corrective action taken on school downsizing, any school that is below 4,000 he wants to start merging together. Mr. Mitchell reported that we are around 4,100 and currently there are 300 graduates and 100 enrolling for the fall year and possibly should petition DPE to get out of the Chester Upland School District.

In 1994 the Pennsylvania Department of Education counted 12,400 students. Today Chester Upland School District has a little over 4,000 students with \$117 million dollar budget. Mr. Mitchell noted we cannot continue to afford that kind of waste. It averages out to around \$27,000.00 per student. Mr. Mitchell made mention that the Pennsylvania Department of Education has been in charge of the school district all this time and the Borough has had enough and needs to send that message.

Last year when Chester Upland merged with the Village Charter School the enrollment was brought up to around 4,500 students now they are back down. We are now prepared to form an official committee, Michael and Sandy have agreed to serve on the committee and Mr. Mitchell is pretty sure the Main Street PTO President to join in our efforts and

form a coalition with Chester Township who is willing to join us in our mission. We have documentation to prove that the system is not working and at this point we may want to think about a surcharge. There are some officials there making \$235,000.00 per year guaranteeing our children an education under the Pennsylvania Constitution and our children are not getting it. It was noted that the school receives a lot of scholarships. President Mitchell hopes Council continues to support this effort. It is hoped that Council will approve the use of the phone system to alert residents of a meeting to be held at Borough Hall to discuss the issue.

Borough Manager Shirley Purcival requested to speak to Council to thank them for her pay increase and has a presentation on behalf of the Pennsylvania Boroughs Association. She stated that it has come to her attention that the Pennsylvania State Association of Boroughs at their 98th Annual Meeting has officially sent Certificates of Attendance to some of our members for attending various conference classes at the State Association. Manager Purcival wanted to thank Council and present them their awards. Awards were presented to Mayor Ciach, Mr. Hunter, Mrs. Peterson, Mr. Mitchell, and Mrs. Crawford.

Floor Open to Public

Deb Funk – 24 Sixth St - resident of Upland and PTO President – On behalf of Main Street School Parent Teachers Organization, teachers, staff and students we wish to express our appreciation to Chief Easton and Officer Curran for their awareness, helpfulness and quick response to Main Street School. You and your staff have supported Main Street's efforts to maintain a safe school environment. It has also been stated your staffs presence around the school during arrival and dismissal time. The children feel less bullied and safe walking to and from school. Everyone wishes to acknowledge your team's efforts and say thank you for a job well done. Thank You

Ray Peden - President of the Caleb Pusey House. Mr. Peden wanted to formally thank Council for the work being done at the Pusey House and also thank the Police Department for a job well done. Also, whoever cuts the grass at the Pusey House is doing fine job and the grass has never looked better. A contract has been obtained for the tree work that needs to be done using the money Council allowed them to have.

Mr. Peden reported there was a burglary at the Pusey House and after about 20 minutes the person was caught. Mr. Peden thanked Chief John Easton.

Adjournment

There being no further business Ms. Crawford made a motion to adjourn the meeting and Mr. Hunter seconded the motion. Council unanimously voted to adjourn the meeting, The meeting was adjourned at 8:04 pm.

Respectfully submitted,

Shirley Purcival
Borough Manager/Secretary/Treasurer

Linda Saylor
Recording Secretary