

Minutes
Council Meeting
July 8, 2008

- I. A regular scheduled meeting of the Borough Council was called to order at 7:00 p.m. by Vice President Christine Peterson. The meeting was held in the Upland Municipal Building.
 - A. Present were: Vice President Christine Peterson, Council members Mrs. Sandy Miazza, Ms. Moira Crawford, Mrs. Georgianna Hicks, Mr. Lee Hunter and Mr. Dennis Walls. 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 Edward Mitchell was on vacation and not present.
 - B. Approximately ten residents attended the meeting and Fire Chief Dan Smith.
- II. The Pledge of Allegiance to the American Flag was lead by Vice President Christine Peterson. The Pledge was followed by a moment of silence.
- III. Moment of Silence
- V. Vice President Christine Peterson asked for a motion to accept the Minutes of the Council Meeting of June 24, 2008.

Mrs. Miazza offered a motion to accept the Minutes of Council Meeting of May 13, 2008, which is seconded by Mrs. Hicks.

Council unanimously voted aye on the motion.

VI. Treasurer/Manager's Report - Mrs. Shirley Purcival

Mr. Walls made a motion to accept the Treasurer/Manager's Report, Items A-1 through A-2. Mrs. Miazza seconded the motion.

Council unanimously voted aye on the motion.

VI. A-4 Award to Borough Council Members:

Vice President, Christine Peterson presented an award to Mr. Hunter and Mr. Walls who attended the P.S.A.B. Conference at Seven Springs Resorts.

VII. Auburn Village Report - Mr. Dennis Walls

Mr. Walls stated the Auburn Village Committee has inspected a half dozen homes along with the Borough Manager through the month of June. Tenants from Golden Lane and Fern Lane have asked our committee if something could be done with the mulberry trees in the area. Their droppings have stained the parking lots for years and the kids have brought it into the homes.

Mr. Walls stated he talked with the borough foreman, Chuck Boyd and he has told us that his men can cut down these trees in that area. Also, re-paving should start tomorrow.

Mr. Walls stated he thought the borough would have to hire a contractor to cut down these trees, but the foreman indicated his crew could do the work.

Vice President, Christine Peterson asks if we have the necessary equipment to do that job.

Borough Manager, Mrs. Purcival stated we were going to take it step by step.

Mr. Walls stated he had nothing further.

VIII. Public Safety - Mr. Leland Hunter

A. 1 Mr. Hunter offered a motion to accept the Fire Marshall's Report, which was seconded by Mrs. Miazza.

Council unanimously voted aye on the motion.

A.2 Fire Chief Dan Smith stated there were 0 Fire Incidents, 12 Non-Fire Incidents, 18 Mutual Aid for a total incidents of 30. There were 3 drills for a total activity of 33. We had 15 assists, 2 cover up, 1 rapid intervention call, 2 motor vehicle accidents, 1 pediatric rescue, 2 fuel spills, 1 gas leak, 1 electric fixture, 3 fire alarms, 2 good intent. We had 22.6 hours in service for the month, 17 day time, 16 night time, 2 cover ups with an average runner of 7.

XI. Building and Grounds Report - Mrs. Sandra Miazza

Mrs. Miazza stated progress.

X. Finance and Insurance Report - Ms. Moira Crawford

Ms. Crawford stated the invoices for approval from the General Fund were in the amount of \$28,762.18. Ms. Crawford offered a motion for approval of payment of these invoices, which is seconded by Mr. Walls.

Council unanimously voted aye on the motion.

Ms. Crawford stated the invoices for approval for the Auburn Village were in the amount of \$3,155.84. Ms. Crawford offered a motion for approval of payment of these invoices, which is seconded by Mr. Walls.

Council unanimously voted aye on the motion.

XI. Ordinances and Resolutions - Mrs. Georgianna Hicks

Mrs. Hicks offered a motion to accept Resolution #25 of 2008 authorizing the Treasurer to transfer Thirty Thousand Dollars (\$30,000.00) from the PLGIT Trust Account into Wachovia Bank, which is seconded by Mrs. Miazza.

Council unanimously voted aye on the motion.

XII. Research and Development Report - Mrs. Georgianna Hicks

Mrs. Hicks stated the Upland Borough website is going well. She just received an e-mail from the webmaster who sent me information on the cost. Mrs. Hicks will complete the necessary paper work. Once we get everything copied and sent to him we should be up and running hopefully by the end of August he can put it together.

Vice President, Christine Peterson asks if it will be ready in August or September?

Mrs. Hicks stated, September 1st. I have no doubt it will be ready by then. It's just a matter of getting out the small things. We have everything we need. The Webmaster might have questions on the things sent to him.

XIII. Streets and Equipment Report - Mrs. Christine Peterson

Vice President, Christine Peterson stated the borough is having a problem with graffiti. We have a few children that are spraying all over the place. The Streets and Highway Department is working on cleaning that up and also the Police Department is working on getting it stopped period.

XIV. Community Affairs Report - Mrs. Sandra Miazza

Mrs. Miazza stated the July 4th Celebration went very well. There were a lot of people. The dunk tank was a big success. There was a profit of \$793.50 from the Flea Market.

Mrs. Miazza stated they are working on a trip to the Blue Rocks game for sometime in August for the kids.

Mrs. Miazza stated there will be another Flea Market in the beginning of October.

Vice President, Christine Peterson stated the Flea Market and Fourth of July went very well. Mrs. Peterson stated that Mrs. Miazza worked very hard and did a very good job.

XV. Use and Occupancy Report - Mrs. Shirley Purcival

Borough Manager, Mrs. Purcival stated in the month of June there were thirteen inspections that received Use and Occupancy Certificates. Three units failed the inspections and no unit received a Temporary. Mrs. Purcival stated a total of \$1,530.00 was deposited into the General fund.

Mr. Walls requests whether we could include the names of the owners next to the addresses that were inspected?

Borough Manager, Mrs. Purcival responded that as explained to Councilman Walls the majority of times we do not know who the new owner is. It takes about three months for the monthly deed transfers to come through from Delaware County. The only persons that we know that apply for the inspections are usually the real estate agency or an attorney. If you look at your report, 601 Upland Avenue is a business entity that changed tenants. That is DGC. There is no way of knowing immediately when the secretary does this report who the new owner is.

Mrs. Miazza stated that the addresses are rentals.

Borough Manager, Mrs. Purcival responds some are new tenants, some are sales. The DGC property at 601 Upland Avenue must get a Use and Occupancy Certificate every time a new tenant comes in. Several of these are new owners that real estate agents have set up the inspections for. We wouldn't know until the deed transfer comes over from Delaware County, which again is three months listing who the new owner is.

Mr. Walls offered a motion, which was seconded by Mr. Hunter that the Use and Occupancy Report be accepted.

XVI. Mayor's Report

Mayor Michael Ciach stated the following: Total citations issued were 151. There were \$9,964.00 in fines written. \$4,982.00 comes to the Borough. There were 10 parking tickets issued, 7 motor vehicle accidents. The amount received from the DJ court was \$1,973.89.

There were a total of 227 calls and 22 assists. Also, during the month we had (1) reported rape, (3) assaults with weapons, (13) thefts and (8) vandalism/criminal mischief.

Mayor Michael Ciach read the following message from the newly appointed Chief of Police, John Easton:

I would like to thank everyone for the warm welcome. I look forward to working with everyone and making your neighborhood a safer place. In the near future, I would like you to look for the bike patrols, foot patrols and more police presence.

Please feel free to stop by the police station to speak with myself or any of my officers at any time you have a concern. I also wanted to make note that there was a major drug bust on Main Street not too ago and within the last week, three arrests were made more recently at the same address with two juveniles and one adults.

XVII. Solicitor's Report - Mr. Robert O'Connor

Mr. O'Connor stated the Verizon Cable Franchise agreement has been finalized. The 2008 Road Improvement Contracts will be sent out.

XVIII. Engineer's Report - Mr. Charles Catania, Sr.

Mr. Catania stated the 2008 Road Improvement Program began on Monday and should probably finish up by Friday, July 11, 2008.

Mr. Catania stated we should be getting the okay to proceed on the C.D.B.G. proposal for the Upland Municipal Park probably within the next 30 days getting plans and specs ready.

Mr. Catania stated he was asked a couple of months ago to look at 3715 Clearwater Street. There a couple of resolutions that were brought to our attention by the homeowner. One of them being a full piping job will be done at a little over \$20,000.00 reducing the cost to \$4,500.00.

XIX. Chester Upland School District Report - Mr. Kamp

Mr. Kamp stated he received a letter inviting me to speak for the school district. He did bring this up to the school board and it wasn't received very well by what they said. I guess what I'm trying to say that if there are any questions, it should be brought up at the school board meetings.

Mr. Kamp stated that everyone is welcome to come to the Chester Upland board meetings. We need the community to come to find out what their problems are because there are a lot of changes they are trying to make right now and their running into financial problems.

Vice President, Christine Peterson stated the council will take that under advisement.

XX. Old Business

None

XXI. New Business

A.1 Vice President, Christine Peterson stated that a resignation letter was submitted by William Kirby, the Borough Health Inspector. Mrs. Peterson asks for a motion to accept the letter of resignation with regret.

Mrs. Hicks offered a motion, which was seconded by Mrs. Miazza that the resignation letter of William Kirby be accepted.

The Council unanimously voted aye on the motion.

Mr. Walls asks that a letter be sent to Mr. Kirby thanking him for his years of service.

Vice President, Christine Peterson directs Borough Manager, Mrs. Purcival to send Mr. Kirby a letter of thanks.

A.2 Vice President, Christine Peterson refers to Resolution #16 of 2008 - Code Enforcement Committee that was adopted on May 13, 2008 and asks for a motion to approve the appointment of the following council members: Chairperson, Mr. Hunter along with President Mitchell and council member, Mrs. Miazza.

Mrs. Hicks offered a motion, which was seconded by Mr. Walls that the Code Enforcement Committee members be accepted.

The Council unanimously voted aye on the motion.

Vice President, Christine Peterson refers to the confusion over the curfew in Upland Borough. A lot of people are not sure when curfew is.

Vice President, Christine Peterson stated curfew is from 9:00 p.m. to 6:00 a.m. for anyone under the age of 18 that is not with an adult outside.

A. 3 Vice President, Christine Peterson asks for a motion to cancel the second meeting of the month.

Mrs. Hicks offered a motion, which is seconded by Mrs. Miazza to cancel the second meeting of the month.

Council unanimously voted aye on the motion.

XXII. Floor Open to the Public

Paul Keeseey - 3721 Clearwater Lane

Mr. Keeseey states this is his first council meeting and that he has spoken to a few council members pertaining to a problem with water on his property. Mr. Keeseey states the engineers have been at his home surveying the situation and Mr. Keeseey would like to find out what recommendations the engineer has and what the borough plans on doing about the problem and also wants to bring to your attention that no one, to my knowledge has been out to look at my property.

Mr. Keeseey states he has taken pictures of his property and asks permission to show them to council. Mr. Keeseey states this is a serious problem that he and his wife are facing.

Mr. Keeseey continues and states that when he first moved into his home, he had no cracks. There were no settlement cracks in his property and it was purchased from the original owners and the house is over fifty years old. Mr. Keeseey states he now has a crack across his living room ceiling and a severe crack across the back bedroom wall directly below that bedroom wall is a crack, in what he believes to be the foundation of his property and he believes this is all due to water that is laying underneath of his house that is coming from neighboring yards.

Mr. Keeseey states he has a three pad driveway out front the largest of which has a crack in the center of it. Mr. Keeseey states he has two broken pads on the walkway on the side of his property now and again, it is all because water is getting under there, is freezing and is busting the walkway up.

Mr. Keesey asks council to refer to the photographs he distributed to them and asks if they take note of the walkway in the back of the property and asks if they notice several inches of water. That is where he tore a walkway out because it was busted in order to get my Use and Occupancy Permit, he had to replace the pad. If you look at the pictures of the yard, there is no water there, only under the sidewalk and underneath of the property.

Mr. Keesey states he has put four ton of stone where that walkway used to be and four to six inches of concrete, so this will be the third winter. The problem now is that he has a floating walkway. When it freezes in the winter, the walkway rises and creates another problem. Mr. Keesey states he can no longer get out of his back door. That is a safety concern.

Vice President, Christine Peterson addresses Mr. Catania, the Borough Engineer if he has looked at the property in question.

Mr. Catania responds, No. He has only been asked to look 3715 Clearwater Lane and we did that.

Mr. Keesey responds: That is my neighbor and she doesn't have a problem!

Vice President, Christine Peterson states that the Council has not had a chance to review this information. Mrs. Peterson asks Mr. Keesey to given them some time, we will definitely get back to him.

Mr. Keesey responds: I will work with you any way I can. If I have a busted foundation, I'm not fixing it. This is ridiculous! This problem has been ongoing. I spoke to Ed Mitchell about this. Ed Mitchell said permits were issued to somebody to put an addition on a property and that's when we really started getting banged good with that rain water.

Vice President, Christine Peterson asks Mr. Kersey to leave his phone number with Mrs. Purcival.

XXIII. Adjournment

There being no other business before the Council, Vice President, Christine Peterson requested a motion to adjourn.

Mrs. Hicks offered a motion, which was seconded by Mrs. Miazza to adjourn the meeting at 7:27 p.m.

Respectfully submitted,

Shirley Purcival
Borough Manager/Secretary/Treasurer

Virginia M. Sentyz
Recording Secretary