

MINUTES REGULAR MEETING OF UPLAND BOROUGH COUNCIL

DATE January 10, 2017

TIME 7:00 P.M.

PLACE Upland Municipal Building, 224 Castle Avenue, Upland PA

CALL TO ORDER Vice-President Crawford called the Regular Meeting of the Upland Borough Council to order at 7:00 p.m.

PLEDGE OF ALLEGIANCE / MOMENT OF SILENCE

Vice-President Crawford led the Pledge of Allegiance and a moment of silence.

ROLL CALL

Mrs. Peterson – Excused (per Ms. Crawford, due to a family emergency); Ms. Crawford – Present, Mr. Dennon – Present; Mr. McClintock – Present, Mr. Hunter – Present; Mrs. Bush – Present; Mr. Mitchell – Absent; Mayor Ciach – Present; Daniel Archdeacon, Catania Engineering – Present; and Mr. Robert E. O’Connor, Esquire – Present.

GUESTS/RESIDENTS IN ATTENDANCE

Acting Police Chief Michael Irely, Mr. Ken Stark, Reporter, and approximately eleven (11) residents/guests were also in attendance.

5. Public Comments on Agenda Items Only

No one approached Council.

6. Approval of Previous Meeting Minutes

 A-1 Council Meeting Minutes –December 27, 2016

Mr. McClintock a motion to approve the Council Meeting Minutes from December 27, 2016. Mrs. Bush seconded the motion. Roll call was taken: Mr. Dennon – Aye; Mr. McClintock – Aye; Mr. Hunter – Aye; Mrs. Bush – Aye; Ms. Crawford – Aye. Motion carries. Copy included.

7. Treasurer’s Report

 A-1 Treasurer’s Report – December 2016

Mr. McClintock made a motion to accept the December 2016 Treasurer’s Report as presented. Mr. Dennon seconded the motion. Roll call was taken: Mr. Dennon – Aye; Mr. McClintock – Aye; Mr. Hunter – Aye; Mrs. Bush – Aye; Ms. Crawford – Aye. Motion carries. Copy included.

A-2 Income Statements – December 2016

Mr. McClintock made a motion to accept the Income Statement of December 2016 for General Fund. Mr. Dennon seconded the motion. Roll call was taken: Mr. Dennon – Aye; Mr. McClintock – Aye; Mr. Hunter – Aye; Mrs. Bush – Aye; Ms. Crawford – Aye. Motion carries. Copy included. Motion carries. Copy included with minutes.

Mr. McClintock made a motion to accept the Income Statement of December 2016 for Auburn Village. Mrs. Bush seconded the motion. Roll call was taken: Mr. Dennon – Aye; Mr. McClintock – Aye; Mr. Hunter – Aye; Mrs. Bush – Aye; Ms. Crawford – Aye. Motion carries. Copy included. Motion carries. Copy included with minutes.

8. Auburn Village Report – Richard McClintock

Mr. McClintock reported progress.

9. Public Safety Report – William Dennon

A -1 Fire Marshall's Report

Mr. Dennon read the Fire Marshal's Report of December 2017 into record. Copy included with minutes.

A-2 Fire Company's Report

There was no fire company report available.

10. Code Officer's Report - Leland Hunter

Mr. Hunter read the December 2016 into record. Copy included with the minutes.

11. Building & Grounds Report – Judith Bush

Mrs. Bush reports progress.

12. Finance & Insurance Report – Richard McClintock for Moira Crawford

A-1 Approval of General Fund Bills – **\$ 127,104.89**

Mr. McClintock made a motion to approve the General Fund Bills for the month of December 2016 in the amount of **\$127,104.89**. Mr. Dennon seconded the motion. Roll call was taken: Mr. Dennon – Aye; Mr. McClintock – Aye; Mr. Hunter – Aye; Mrs. Bush – Aye; Ms. Crawford – Aye. Motion carries. Copy included.

A-2 Approval of Auburn Village Bills – \$ 57,219.73

Mr. McClintock made a motion to approve the Auburn Village Bills for the month of December 2016 in the amount of \$ 57,219.73. Mrs. Bush seconded the motion. Roll call was taken: Mr. Dennon – Aye; Mr. McClintock – Aye; Mr. Hunter – Aye; Mrs. Bush – Aye; Ms. Crawford – Aye. Motion carries. Copy included.

13. Ordinances & Resolutions Report – Richard McClintock

A-1 Motion to Authorize Borough Manager to Advertise Ordinance No. 1 of 2017
- Authorizing the Condemnation of #2 Hill Street

Mr. McClintock made a motion to authorize the Borough Manager to advertise Ordinance No. 1 of 2017, authorizing the condemnation of #2 Hill Street. Mrs. Bush seconded the motion. Roll call was taken: Mr. Dennon – Aye; Mr. McClintock – Aye; Mr. Hunter – Aye; Mrs. Bush – Aye; Ms. Crawford – Aye. Motion carries.

14. Research & Development –Judith Bush for Moira Crawford

Mrs. Bush reported for the month of December 2016, the website had 5,499 page views, with an average of 177 per day. There were 3,284 visitors with an average of 104 per day. Photographs from the Senior Citizen's Holiday Luncheon were added to the website.

15. Streets & Equipment – Leland Hunter

Mr. Hunter reports progress.

16. Community Affairs – Judith Bush for Moira Crawford

Mrs. Bush reported the Decoration Contest winners. Mr. Novak, Church Street resident, was the first place winner of \$100.00; Jason and Jennifer Tarbutton, Juniper Lane residents, were the second place winners of \$50.00; and Elizabeth Collins, Second Street resident, was the third place winner of \$25.00.

Mrs. Bush stated the Soup and Salad Dinner is scheduled for February 18, 2017, 4:00 p.m. until 6:00 p.m. at MacQueen Hall. Tickets are available to purchase at the Borough Offices. The prices are: children under 10 years old are \$5.00, Senior Citizens are \$7.00 and Adults are \$10.00.

17. Future Projects – Edward Mitchell

Ms. Crawford noted progress.

18. Use & Occupancy Report – Gregory Grillone

Mr. Grillone read into record the Use and Occupancy Report for the month of December 2016. Copy included with minutes.

19. Mayor's Report – Mayor Michael Ciach

Mayor Ciach read the December 2016 Mayor's Report into record. Copy included with minutes.

20. Solicitor's Report - Robert O'Connor

Mr. O'Connor read his report for December 2016 into record. Copy included with minutes. Mr. O'Connor wanted to thank Officer Dougherty for his help with a summary appeals hearing matter.

21. Engineer's Report – Daniel Archdeacon for Elizabeth Catania

Mr. Archdeacon read his report for December 2016 into record. Copy included with minutes.

22. Old Business

A-1 Lenni Electric Corp. – Oak Lane Street Light Installation

Mrs. Bush made a motion to accept the bid on the Lenni Electric Corp. of \$719.00 to place a light at the site where one use to be in vicinity of Oak Lane. Mr. Dennon seconded the motion. Roll call was taken: Mr. Dennon – Aye; Mr. McClintock – Aye; Mr. Hunter – Aye; Mrs. Bush – Aye; Ms. Crawford – Aye. Motion carries.

23. New Business

There was no new business.

24. Floor Open to Public

Mr. Novak, Church Street resident, approached Council. His concerns were of the use of fire pits; are permits needed as he uses one in the rear of his property, on the hill. Ms. Crawford suggested Mr. Novak call Mr. Grillone the next day to follow up on this matter.

Mr. Novak also stated his concern regarding the ordinance pertaining to car covers and the prohibited use of such. As Mr. Novak explained as a few people have classics, and use them to protect their vehicle. Ms. Crawford replied she would look into this matter and that they, Council, will need to discuss as a group.

Mr. Novak also stated his concern of individuals riding their bikes erratically in the area of his property; individuals with rude behavior. Those that are causing this nuisance are individuals not from Upland. He stated he spoke to the Police about this. They advised him to call 911, but by the time the Police get to the location, the kids are no longer there. Ms. Crawford asked Acting Chief Irely if he had any information to add to this matter. Acting Chief Irely stated he has not heard of these complaints, however, it does not mean that it hasn't happened. Acting Chief Irely stated this matter would fall under State Law.

Acting Chief Irely stated that Mr. Novak should continue to call the Police when this happens. Mr. Novak will call Acting Chief Irely, on January 11, to discuss this matter further.

Mr. Richardson, Mulberry Street resident, approached Council. Mr. Richardson stated he wanted to thank Mrs. Peterson for supplying the information of the report into the \$8,000.00 investigation.

Mr. Richardson: "Did the Borough receive the real estate transfer tax from the sale of the hospital?"

Ms. Crawford: "Yes, we did."

Mr. Richardson: "Is the Borough going after taxes from July 31 through the end of December for 2016?"

Ms. Crawford: "I don't know if a decision has been made on that yet. I think it was supposed to start January for the taxes. We do have an attorney that is handling all our tax appeal regarding the transfer of the property at Crozer; so that is something we are looking into."

Mr. Richardson: "If they did not receive one for 2016, they will receive one for 2017?"

Ms. Crawford: "Yes, definitely. But it is under appeal at the current time; but we do have an attorney on that."

Mr. Richardson: "This question is for the Solicitor. The President of Council, is the President when they are sitting at the table, correct? When they leave the table, after a Council meeting, unless Council authorizes them to have power to do something or delegate; they are no different than any other Council person here, correct?"

Robert O'Connor: "I am not sure I understand the question."

Mr. Richardson provided further explanation.

Mayor Ciach: "If you go under the Borough Code, there is actually a description on the PSAB website, of what the actual responsibilities and duties are of the Borough Council President, the Vice-President, the Council; whether they are sitting at this table or not. I will send that to you."

Mr. Richardson: "Ok. What I am trying to get at, is these articles that appeared in the paper; I know you cannot talk about it; did the other 5 members of Council authorize this person to do this or did they do it on their own?"

Ms. Crawford: "No comment."

Mr. Richardson: "Somewhere down the line, it's going to be answered, I assume. Also, regarding the turmoil, I was asked to comment on this from the Inquirer, but I refuse. The fact is I do not want to get involved with that."

Mr. Richardson also mentioned his hope that Council will publish the bills at the meeting so the public has a chance to review instead of completing a Right-To-Know request.

Mr. Richardson: "And that is another thing this Borough gets carried away with, the Right-To-Know."

Ms. Crawford: "I will let President Peterson know your concern and see if there is a way we could have the bills put out. I know the reasoning behind it, as they were not approved

yet. We didn't vote on them and that is why they weren't put out. They are made public afterwards, but I will speak with her regarding this."

Mr. Richardson made comment to that if the bills were put out; Council would have another set of eyes on them; referring to the bills paid to the Technology firm now in question.

Mr. Richardson mentioned the bicycles.

Mr. Richardson: "The Borough was so kind to open up Eleventh Street; I don't know why you did it, but you did it." "It was supposed to be used for emergency use. I've seen one ambulance go up and not with their lights on." "The kids come flying down that hill. There is a stop sign and no one stops."

"I told the Police Chief before, the people are not stopping there. My neighbor, thankfully he has a driveway, would not be able to park in front of his house because you put the lines in front of his house. The street was always closed, until this group came; not all of you."

"And my last thing is, Mr. McClintock, Mrs. Bush and Mr. Dennon has nothing to do with this; you told people upstairs the sewer lateral ordinance was done, and you turn around; it's not the same ordinance but it's an ordinance that affects every homeowner in Upland that wants to sell their home."

"And my last gripe is my concern about the Borough getting involved with the development of the Charter School. I don't think any other borough government gets involved with things like that." The residents up there on Main Street did not want it, no one wanted it. At 3:00 p.m., it's a mad house up there.

25. Adjournment

Mr. McClintock made a motion to adjourn. Mrs. Bush seconded the motion. Verbally, all Council voted Aye. Motion carries.

The meeting adjourned at 7:35 p.m.

Respectfully submitted,

Gregory Grillone
Borough Manager/Secretary/Treasurer

Shannon Strigle
Recording Secretary

