

UPLAND BOROUGH COUNCIL  
MEETING MINUTES  
February 10, 2015

The meeting of the Upland Borough Council was called to order at 7:02 p.m. by President Edward Mitchell. The meeting was held in the Upland Municipal Building.

Present were President Edward Mitchell and Vice President Christine Peterson. Council members present were Ms. Moira Crawford, Mr. Harold Peden, Mrs. Sandra Miazza, Mr. Leland Hunter, Mr. Robert O'Connor, Esq., and Shirley Purcival, Borough Manager/Secretary/Treasurer. Mr. Mitchell stated Mayor Michael Ciach was excused.

Mr. Ken Stark, Reporter, Leslie Krowchenko, Reporter for the Delaware County Times, Chief Nelson Ocasio of the Upland Borough Police Department, and approximately thirteen (13) residents/guests were also in attendance.

Mr. Mitchell greeted the guests and stated for those individuals that may have never been here before, indicating to those to grab a copy of the agenda, follow along, and for those attending for the swearing in of the police officer, they do not have to stay afterwards. However, they can take pictures if they wish.

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

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Out of the Normal Order of Business at 7:05 p.m.

*Swearing in of Part-Time Police Officer: Samantha Wilding*

Mr. Mitchell turned the meeting over to the Borough Manager, Shirley Purcival. Mrs. Purcival performed the swearing in of part-time police officer, Samantha Wilding. After a round of applause and congratulatory remarks from Council and the audience, pictures were taken. Mr. Mitchell indicated that the family could take pictures as well.

Mr. Mitchell thanked Mrs. Purcival and turned the meeting over to Mr. Peden.

*Motion to Pass and Adopt Resolution No. 3 of 2015: Employment of Part-Time Police Officer*

Mr. Peden began to read the Resolution into record. Mr. Mitchell interrupted, announcing for the newly hired part-time police officer, Samantha Wilding, to stay to make it official.

Mr. Peden read the remainder of Resolution No. 3 of 2015: Employment of Part-Time Police Officer. Mr. Peden made a motion that Resolution No. 3 of 2015 be passed and adopted as presented. Ms. Crawford seconded the motion. Mrs. Peterson abstained while all other Council voted Aye on the motion. Mr. Mitchell stated "Now, it's official." Officer Wilding received another round of applause.

Mr. Peden asked "Mr. President, if I may, I'd like to step down from the podium for a moment." Mr. Mitchell replied "Sure."

Mr. Peden stated "At this time, it is my pleasure and acting as the chairman of the Public Safety Committee and for our Police Chief, I would like to call up Officers Sean Dougherty and William Meyer to come up here for a second." Mr. Peden read into record a citation announcing the officers performed a life-saving heroic act; saving an individual from a heroin overdose. Officer Dougherty and Officer Meyer

were presented the Life Saving Citation Bar. Council and the audience provided the officers a standing ovation and a round of applause. Many congratulatory remarks were offered to Officers Dougherty and Meyer.

*Accept Resignation of Daniel Smith*

Mr. Peden stated “You all have a letter dated January 22nd; a letter of resignation from Mr. Smith. At this time I would like to make a motion to accept Mr. Smith’s resignation with regrets.” Ms. Crawford seconded the motion. All Council voted Aye on the motion.

Mr. Mitchell stated “Also, let the record show, that the nominating committee is in the process of receiving resumes from interested citizens of Upland that would like to fill the position. Shirley, has this been advertised?” Mrs. Purcival replied “It has been.” Mr. Mitchell asked “What was the date on that?” Mrs. Purcival replied “It has been advertised in the Spirit for two (2) weeks.” Mr. Mitchell asked “Do we have a proof of publication on that?” Mrs. Purcival stated “They will get it to us.” Mr. Mitchell replied “Great. In that, did we have a deadline?” Mrs. Purcival replied “Yes, we had the 23rd.” Mr. Mitchell repeated “the 23rd.” Mrs. Purcival stated “We had it advertised for two (2) weeks, starting Wednesday of last, because of how their editions run.” Mr. Mitchell replied “Very good, very good.”

Mr. Peden stated “that is all I have, Mr. President, other than normal order of business.” Mr. Mitchell stated “Okay, so let the record show back in the regular order of business at 7:15 p.m.

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Normal order of business resumed at 7:15 p.m.

5. Public Comments on Agenda Items Only

No one responded.

6. Approval of Previous Meeting Minutes

A-1 Council Meeting Minutes - January 13, 2015

Mr. Peden made a motion to accept the Council Meeting Minutes of January 13, 2015 as presented. Ms. Crawford seconded the motion. All Council voted Aye on the motion.

7. Treasurer’s Report

A-1 Treasurer’s Report

Ms. Crawford made a motion to accept the Treasurer’s Report as presented and Mrs. Miazza seconded the motion. All Council voted Aye on the motion.

A-2 Income Statement

Mrs. Miazza made a motion to accept the Income Statement as presented and Ms. Crawford seconded the motion. All Council voted Aye on the motion.

8. Auburn Village Report - Christine Peterson *Streets & Equipment*

Mrs. Peterson wanted the minutes to reflect that they have been painting old poles and signs and replacing old worn signs. Mrs. Peterson stated “We will be ordering the signs that we don’t have in stock right now and hopefully start on replacing the worn out signs/crooked signs once spring hits. Hopefully with all that we’ve replaced already, the project will be done soon. Also, we got a delivery of 50 tons of salt and the guys have been doing a good job with keeping up even though we haven’t had a lot of snow, we have had some freezing incidents. So, they have been doing really well with that.”

9. Public Safety Report - Harold R. Peden

A -1 Fire Marshall’s Report

Mr. Peden read the Fire Marshall’s Report for January 2015 Report into record. Mr. Peden made a motion to accept the January 2015 Fire Marshal’s Report as presented. Mrs. Miazza seconded the motion. Council verbally voted Aye on the motion.

A-2 Fire Company’s Report

Mr. Peden asked if there was anyone in attendance to present the Fire Company’s Report. With no response, Mr. Peden stated that we will postpone until the next time. Mr. Mitchell stated “Madam Secretary, will you let the minutes show that no one is here from the Fire Company and send them a memo and ask them to give us a written report. And give them a copy of our schedule. And also, I guess a good time to let the record show that we did have a meeting scheduled; they canceled that.” Mr. Peden replied “Yes. Sir.”

A-3 Motion to Accept Resignation of Part-Time Police Officer - Joshua Keenan

Mr. Peden read a letter, prepared by Chief Nelson Ocasio, announcing the resignation of part time police officer Joshua Keenan, into record. Mr. Peden made a motion that Borough Council accepts Officer Joshua Keenan’s resignation with regrets. Ms. Crawford seconded the motion. Mr. Mitchell asked Chief Ocasio if all the equipment has been returned. Mr. Mitchell asked if Officer Keenan has been paid everything he was owed. Mrs. Purcival confirmed he was. All Council verbally voted Aye on the motion.

10. Code Officer’s Report - Leland Hunter

Mr. Hunter stated “Council has before them a copy of my report for January. And you will notice now we have an assistant which I very much need and appreciate. He is doing a heck of a job for us. HE is doing one great job; he is still in training.” Mr. Hunter also mentioned that the Borough gave them another code car. Mr. Hunter mentioned that so far this year, there are no liens.

Mr. Hunter read his January 2015 report into record.

11. Building & Grounds Report - Sandra Miazza

Mrs. Miazza stated she had a few things. We had heavy cleaning done at the Police Station two weeks ago. In the Council Chambers, we had the curtains and all were vacuumed. The rugs in Offices and Council Chambers were shampooed. Upstairs, in MacQueen Hall, Mrs. Miazza is in the process of cleaning all the closets and cabinets and everything up there.

12. Finance & Insurance Report - Moira Crawford

A-1 Approval of General Fund Bills

Ms. Crawford made a motion to approve the General Fund Bills for the month of January 2015 in the amount of \$ 99,211.35. Mrs. Miazza seconded the motion. Mrs. Miazza abstained from check number 32253 and Yes on everything else. Mr. Peden abstained on check number 32263 and Aye on everything else. Mr. Mitchell abstained 32299 and Aye on everything else. All other Council members voted Aye on the motion.

A-2 Approval of Auburn Village Bills

Ms. Crawford made a motion to approve the Auburn Village Bills for the month of January 2015 in the amount of \$ 51,282.87. Mr. Peden seconded the motion. All Council voted Aye on the motion.

13. Ordinances and Resolutions Report - Harold Peden

A-1 Motion to Pass and Adopt Resolution No. 2 of 2015

*- Creation of the Position of Assistant Code Officer: William Kirby*

Mr. Peden read Resolution No. 2 of 2015, Creation of Position of Assistant Code Officer: William Kirby into record. Mr. Peden made a motion that Resolution No. 2 of 2015 be passed and adopted this 10th day of February as presented. Ms. Crawford seconded the motion. Mrs. Miazza abstained from the motion and all other Council voted Aye on the Motion.

A-2 Motion to Pass and Adopt Resolution No. 4 of 2015

*- Begin and Activate the Necessary Civil Service Testing and Interview Process to Identify Qualified Candidates for the Position of Upland Police Corporal*

Mr. Peden read Resolution No. 4 of 2015, Begin and Activate the Necessary Civil Service Testing and Interview Process to Identify Qualified Candidates for the Position of Upland Police Corporal into record. Mr. Peden made a motion that Resolution No. 4 of 2015 be passed and adopted as presented. Ms. Crawford seconded the motion. All Council voted Aye on the motion.

14. Research & Development - Moira Crawford

Ms. Crawford reported that the website for the month of January 2015 had 4,368 page views with 2,152 visitors. There were approximately 69 visitors a day. We are still in the process of redesigning the website but we are getting closer. We have all the information now and it will be submitted on Thursday

to PSAB; so hopefully within the next month, and perhaps at the next meeting, we will have a new website.

16. Streets & Equipment - Christine Peterson

*Auburn Village Report*

Mrs. Peterson stated "Well Mr. President, since I have already read my Streets Committee report in Auburn Village, and will read the Auburn Village report now."

Mrs. Peterson mentioned that for Auburn Village, we've ordered new cabinets to start the year and continuing to replace now, the bad cabinets. "We are also continuing our railing project for the seniors and those houses with a lot of steps that need them. And we are also in the process of doing new fire extinguishers in all the units. And that is all I have for tonight. Thank you."

17. Community Affairs - Sandra Miazza

Mrs. Miazza asked when the Police will have the next children's identification card session. Chief Ocasio replied that he could talk to the Mayor and set up something soon. Mrs. Miazza's concern was that in April, the Easter Bunny Breakfast is scheduled; and she wants the kids to have their IDs by then. Mrs. Miazza asked "But I was wondering, the ones that don't have their ID's, can we make them pay to get in?" Mr. O'Connor confirmed. After some discussion, Mr. Ken Stark will place the information in the newsletter, informing the Borough residents that if the children do not have their ID for this event, the children charge will be a \$3.00 fee for those under the age of 12 years old and the adults charge will remain at \$ 5.00.

It was confirmed by Mrs. Peterson that the Police will hold another event for the Borough children to receive their identification cards.

Mrs. Miazza stated that on February 28, 2015 there will be a fundraiser, the Soup and Salad Dinner from 4 p.m. to 6 p.m. On March 16, 2015, the Seniors Saint Patrick's Day luncheon is scheduled. This event will have all the traditional fare; ham, cabbage, potatoes, the whole bit and is free for all seniors in the Borough. March 21, 2015 is the fundraiser Oldies but Goodies; April 4, 2015 is the Easter Egg Hunt followed by the Easter Bunny Breakfast. May 19th through May 23rd is the carnival and on May 25, 2015 is the Memorial Day Parade followed with the Picnic in the Park.

18. Use & Occupancy Report - Shirley Purcival

Mrs. Purcival read into record the Use and Occupancy Report for the month of January 2015. Mr. Mitchell asked if there were any questions of the Borough Manager. No one replied.

19. Mayor's Report - Michael Ciach

As Mayor Ciach was not in attendance, Mrs. Peterson read the report into record. There were 77 citations issued: 71 traffic and 6 non-traffic, the amount received from the DJ court is \$2,783.20; our current year-to-date citations are at 77. We had 48 parking tickets issues, 24 were sent to the DJ, 6 motor vehicle accidents and 4 reports copied. The amount of tickets, reports paid, and restitution is \$ 842.45; tows for this month were \$ 450.00. We had a total of 329 calls answered with 44 assists.

20. Solicitor's Report - Robert O'Connor

Mr. O'Connor read his report for January 2015 into record.

Mr. O'Connor reiterated information about the Charter School and Mr. Tribble. He has got nothing accomplished on this topic. Mr. Mitchell stated that this has taken so long, and a lot of people do not even know what we're talking about. "This is in reference to a \$ 25,000.00 donation for a motorcycle that was being purchased by the Chester Community Charter School for the excellent work the police department was doing and traffic control during the startup days when they first opened. We have the motorcycle. It has been in a couple parades around the county. This guy zeroed in on us, he is just not paying anything. So, chalk it off. No sense to keep going after it. I don't have any problems saying forget it, but this is Upland. We have a long memory here."

Mr. O'Connor explained he did talk to Mr. Tribble in January and Mr. Tribble stated that his boss, Mr. Gregorian, thought highly of Mr. Mitchell and wanted to make this donation happen. He expressed also how busy Mr. Gregorian is and that he...Mr. Mitchell interjected "Rob, just send him a letter, thanks but no thanks. Keep it. He will need us way before we need him. It's that simple. He is doing an excellent job with our kids but his commitment was also for that motorcycle, that payment. If he doesn't want to give it, guess what, you don't have to, now. Let him off the hook."

Mr. O'Connor wanted to conclude his report but Mr. Mitchell asked about Marusco property. Mr. O'Connor stated they were looking at the idea of having the property appraised so we would at least be in a better position to make a decision as to whether or not it does or does not make financial sense for us to further entertain their demand or to...Mr. Mitchell stated "Rob, here's my problem. They are making a demand on something that we have the ultimate right to act on. They cannot make any demands. Secondly, we played with this thing now for the last three and a half years. My feelings are that condemnation is going to be cheaper than going into court battling this thing for the next ten years. It's very clear to me, after looking at the records, this property was condemned from the day it was started. The Engineer advised the Borough not to build it. So, there's the first thing. Somebody did not listen to the Engineer and the reason as they didn't listen we are stuck with that problem today. Now we took Baxter's property on condemnation for a similar offense. So my feeling is I do not want to go through the insurance company. This is not something they're going to pay \$ 5,000.00 or \$ 10,000.00 to do. I want to end it. I want to just call their goddamn bluff and shoot them down. Take the property and condemn it. Okay?" Mr. O'Connor replied "Okay." Mr. Mitchell stated "No playing. Just condemn it. And let them fight us and let them take that house, whatever it is worth, we will pay it. And just bulldoze it down and get it off the goddamn street. You know, you were playing with this thing for two years, enough is enough. Does anyone on Council feel differently about that?"

With some conversation between council members, a motion was necessary. Mr. Peden made a motion to condemn Marusco's property and it was seconded by Mrs. Peterson. All Council voted Aye on the motion.

Mr. Mitchell stated "Sorry, Rob, but we went through three years of this and being nice to these people and they are still doing it to us." Mr. O'Connor replied "Okay." Mr. Mitchell asked if anyone had any questions of the Solicitor. No one replied. Mr. O'Connor stated "Thank you. That concludes my report."

21. Engineer's Report - Charles Catania

Mr. Catania stated he had one item. Mr. Catania updated everyone on the job at 4 Eighth Street. A.J. Jurich had started the demolition work. Mr. Catania stated he is pretty well on his way to completing the job; it should be another couple of days until he is completely done with the grading and seeding. So that by the end of the week and we'll probably have that back in our hands. Mr. Catania stated that was all he had to report. Mr. Mitchell asked "Ray, do you have something to say on this?" Mr. Peden stated "I just can't believe we finally have gotten that done." He mentioned that everybody has been working on the thing for over two years. Mr. Peden stated "Trying to get a building knocked down that we should have been able to lean on. And I do mean "lean on" years ago. At any rate, it's done, everybody is happy, I'm happy." Mr. Mitchell replied "Very good, very good. For those who don't know it was the house on Eighth Street that had been in bad shape for years. By the time they got done loading it up today, they put in three and a half gondolas that is how bad that place was. It just crushed, fell down and there it was. It was a pile of heap."

Mr. Mitchell stated "Thanks, Chuck, it was a good job. Ray thanks."

22. Old Business

There was no Old Business addressed.

23. New Business

A-1 Letter from Marine Corp League

Mrs. Peterson read into record a thank you letter from the Marine Corp League. They wish to express their gratitude for the generous monetary gift for which will help them with their 2015 projects.

A-2 Motion to Cancel Second Meeting of the Month - February 24, 2015

Mrs. Peterson made a motion to cancel the second meeting of the month for February 24, 2015. Mrs. Miazza seconded the motion. All Council verbally voted Aye on the motion.

24. Floor Open to Public

No one approached Council.

25. Adjournment

Ms. Crawford made a motion to adjourn. Mrs. Peterson seconded the motion. Council verbally voted Aye on the motion.

The meeting adjourned at 7: 48 p.m.

Respectfully submitted,

Shirley Purcival  
Borough Manager/Secretary/Treasurer

Shannon Strigle  
Recording Secretary