

MINUTES                      REGULAR MEETING OF UPLAND BOROUGH COUNCIL

DATE                              May 10, 2016

TIME                                7:00 P.M.

PLACE                            Upland Municipal Building, 224 Castle Avenue

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

PLEDGE OF ALLEGIANCE / MOMENT OF SILENCE

President Peterson led the Pledge of Allegiance and a moment of silence.

ROLL CALL

Mrs. Peterson – Present; Ms. Crawford – Present, Mr. Dennon – Present; Mr. McClintock – Present, Mr. Hunter – Present; Mrs. Miazza – Excused; Mr. Mitchell – Present; Mayor Ciach – Present; Daniel Archdeacon, P.E., Catania Engineering – Present; and Mr. Robert E. O’Connor, Esquire – Present.

GUESTS/RESIDENTS IN ATTENDANCE

Officers of the Upland Police Department, Mr. Ken Stark, Reporter, Ms. Leslie Krowchenko, Daily Times Reporter, and approximately (10) ten residents/guests were also in attendance.

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*Out of Normal Order of Business*

- Motion to Hire Part time Police Officers
  - Jevin Downs, William Welsh and Carl White

Ms. Crawford made a motion to hire Jevin Downs as a part time Police Officer. Mr. Dennon seconded the motion. Roll call was taken: Mr. Dennon – Aye; Mr. McClintock – Aye; Mr. Hunter – Aye; Mr. Mitchell – Aye; Ms. Crawford – Aye; and Mrs. Peterson – Abstain. Motion carries.

Ms. Crawford made a motion to hire William Welsh as a part time Police Officer. Mr. Dennon seconded the motion. Roll call was taken: Mr. Dennon – Aye; Mr. McClintock – Aye; Mr. Hunter – Aye; Mr. Mitchell – Aye; Ms. Crawford – Aye; and Mrs. Peterson – Abstain. Motion carries.

Ms. Crawford made a motion to hire Carl White as a part time Police Officer. Mr. Dennon seconded the motion. Roll call was taken: Mr. Dennon – Aye; Mr. McClintock – Aye; Mr. Hunter – Aye; Mr. Mitchell – Aye; Ms. Crawford – Aye; and Mrs. Peterson – Abstain. Motion carries.

- Swearing in Part-Time Police Officers
  - Jevin Downs, William Welsh and Carl White

Mayor Ciach swore in each new part time police officer, Jevin Downs, William Welsh and Carl White. Council and the audience provided a round of applause and congratulatory remarks for each new officer. An opportunity was given for pictures.

- Resolution No. 8 of 2016: Resignation/Appointment to Council
  - Richard McClintock
  -

Mr. Dennon read Resolution No. 8 of 2016 – Resignation of Councilman Harold R. Peden and the appointment of Mr. Richard McClintock. Mr. Dennon made a motion to appoint Mr. Richard McClintock, and Mr. Mitchell seconded the motion. Roll call was taken: Mr. Dennon – Aye; Mr. McClintock – Abstain; Mr. Hunter – Aye; Mr. Mitchell – Aye; Ms. Crawford – Aye; and Mrs. Peterson – Aye. Motion carries.

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Back in the normal order of business at 7:13 p.m.

5. Public Comments on Agenda Items Only

No one responded.

6. Approval of Previous Meeting Minutes

A-1 Council Meeting Minutes – April 12, 2016

Ms. Crawford made a motion to accept the Council Meeting Minutes of April 12, 2016 as presented. Mr. Dennon seconded the motion. Verbally, all Council voted Aye. Motion carries. Copies included with minutes.

A-2 2016 Road Program Bid Minutes – May 5, 2016

Ms. Crawford made a motion to accept the 2016 Road Program Bid Minutes of May 5, 2016. Mr. Mitchell seconded the motion. Roll call was taken: Mr. Dennon – Aye; Mr. McClintock – Aye; Mr. Hunter – Aye; Mr. Mitchell – Aye; Ms. Crawford – Aye; Mrs. Peterson - Aye. Motion carries. Copies included with minutes

7. Treasurer’s Report

A-1 Treasurer’s Report

Ms. Crawford made a motion to accept the Treasurer’s Report as presented. Mr. Mitchell seconded the motion. Verbally, all Council voted Aye. Motion carries. Copies included with minutes.

A-2 Income Statements

Ms. Crawford made a motion to accept the Income Statements as presented and Mr. Mitchell seconded the motion. Roll call was taken: Mr. Dennon – Aye; Mr. McClintock – Aye; Mr. Hunter – Aye; Mr. Mitchell – Aye; Ms. Crawford – Aye; Mrs. Peterson - Aye. Motion carries. Copies included with minutes.

8. Auburn Village Report/ Streets & Equipment –Sandra Miazza

Reports progress.

9. Public Safety Report – William Dennon

A -1 Fire Marshall's Report

Mr. Dennon read the Fire Marshal's Report of April 2016 into record. Copy included with minutes.

A-2 Fire Company's Report

There was no report available.

10. Code Officer's Report - Leland Hunter

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

11. Building & Grounds Report – Sandra Miazza

Reports progress.

12. Finance & Insurance Report – Moira Crawford

A-1 Approval of General Fund Bills - **\$ 167,581.41**

Ms. Crawford made a motion to approve the General Fund Bills for the month of April 2016 in the amount of \$ 167,581.41. Mr. McClintock seconded the motion. Roll call was taken: Mr. Dennon – Aye; Mr. McClintock – Aye; Mr. Hunter – Aye; Mr. Mitchell – Abstain on check number 34402 and Aye on the remainder; Ms. Crawford – Abstain on check number 34347 and Aye on the remainder; Mrs. Peterson - Aye. Motion carries. Copies included with minutes.

A-2 Approval of Auburn Village Bills - **\$ 63,096.62**

Ms. Crawford made a motion to approve the Auburn Village invoices for the month of April 2016 in the amount of \$ 63,096.62. Mr. McClintock seconded the motion. Roll call was taken: Mr. Dennon – Aye; Mr. McClintock – Aye; Mr. Hunter – Aye; Mr. Mitchell – Aye; Ms. Crawford – Aye; Mrs. Peterson - Aye. Motion carries. Copies included with minutes.

13. Ordinances & Resolutions Report – Richard McClintock

Reported progress.

14. Research & Development – Moira Crawford

Ms. Crawford reported for the month of April 2016 there were 4,625 page views with an average of 154 per day and there were 2,067 visitors to the website with an average of 69 per day.

15. Streets & Equipment – Leland Hunter

Mr. Hunter reported that Catania Engineering will be checking into 24<sup>th</sup> Street to find out why every year they need to keep patching; maybe there is an underlying problem there.

16. Community Affairs – Moira Crawford for Sandra Miazza

Ms. Crawford reported the Annual Carnival will be held at Bristol Lord Field beginning on Wednesday, May 25 and ending on Saturday, May 28, 2016. Ride specials for families will be scheduled for Wednesday and Thursday nights. Also, upcoming is the Annual Memorial Day Parade. Following the parade events, the Picnic will be held at the Pavilion and it is hosted by Upland Baptist Church and Resurrection Church.

17. Use & Occupancy Report – Gregory Grillone

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

18. Mayor's Report - Michael Ciach

Mayor Ciach read the April 2016 report into record. Copy included with minutes.

Mayor Ciach also wanted to recognize National Law Enforcement Week; there are many memorials and services this week. There is an event at Rose Tree Park on Wednesday, May 11, 2016 to honor our Law Enforcement. Please remember the fallen and active officers particularly this week.

19. Solicitor's Report - Robert O'Connor

Mr. O'Connor read his report for April 2016 into record. Copy included with minutes.

There was a brief discussion regarding Animal Control. Mr. Grillone will be handling this and will update all when new information is received.

Mrs. Peterson advised Mr. O'Connor to touch base with Mr. Grillone regarding the situation with Ellis Construction and the wall project at 6<sup>th</sup> and Main Street.

20. Engineer's Report - Daniel Archdeacon, P.E. for Catania Engineering

Mr. Daniel Archdeacon provided a report. Copy included with the minutes.

Mr. Archdeacon recommends the award to A. F. Damon the project of 2016 Road Program.

Mr. Mitchell asked Mr. Archdeacon if Council has a right to reject or change the vendor on the 6<sup>th</sup> Street Wall project. We seem to have difficulties of getting answers from Ellis. Mr. Archdeacon stated they

would need to look at the specs, and needs further advisement. Mrs. Peterson stated for Mr. Grillone to get in touch with Robert and Dan regarding this problem.

A-1 Motion to Award to A.F. Damon for the 2016 Road Program - \$82,480.00

Ms. Crawford made a motion to award A.F. Damon the 2016 Road Program in the amount of \$ 82,480.00. Mr. McClintock seconded the motion. Roll call was taken: Mr. Dennon – Aye; Mr. McClintock – Aye; Mr. Hunter – Aye; Mr. Mitchell – Aye; Ms. Crawford – Aye; Mrs. Peterson - Aye. Motion carries. Copies included with minutes

21. Chester Upland School Board Representative

There was no one present from the school board.

22. Old Business

A-1 Sunnyside House – Upland Avenue  
- Discussion/Motion on the Acceptance/Rejection of Demolition Permit of Sunnyside House

Mrs. Peterson stated that Council needs to decide if they plan to go with the Historical Commission's recommendation that we do not give Crozer the demolition permit on Sunnyside House or if Council wants to accept the permit application.

Ms. Crawford made a motion to accept the Historical Commission's recommendation and reject the demolition permit of Sunnyside House. Mr. Mitchell seconded the motion. Roll call was taken: Mr. Dennon – Aye; Mr. McClintock – Aye; Mr. Hunter – Nay; Mr. Mitchell – Aye; Ms. Crawford – Aye; Mrs. Peterson - Aye. Motion carries.

23. New Business

A-1 Motion to Cancel Second Meeting of the Month – Monday, May 23, 2016

Mrs. Peterson stated not to cancel at this time.

A-2 Discussion on the Replacement of the Police Motorcycle - Co-Stars Contract

Ms. Crawford made a motion to replace the Police motorcycle under a Co-Stars contract. Mr. Mitchell seconded the motion. Roll call was taken: Mr. Dennon – Aye; Mr. McClintock – Aye; Mr. Hunter – Aye; Mr. Mitchell – Aye; Ms. Crawford – Aye; Mrs. Peterson - Aye. Motion carries.

Mr. Grillone asked if we had an estimated cost. Mrs. Peterson stated we will look into Co-Stars and see what they have to offer. Mrs. Peterson asked what we got back from the insurance. Mr. Grillone replied approximately \$ 23,000.00.

## 24. Floor Open to Public

Ms. Marge Billingsley, Upland Avenue resident, approached Council. Her concern was the sewer lateral she had done on her property. The contractor she used, a contractor that was listed on the borough's list on sewer lateral contractors, informed Ms. Billingsley that she had a few roots in the line, but everything else was great. Mrs. Peterson confirmed that the Borough had offered a list of contractors. Ms. Billingsley confirmed she was given a list of three (3) contractors. The contractor informed her that the plumbing inspector in Upland is picky and that he will probably just tell her to get the line jetted. Ms. Billingsley informed Council it did not pass the inspection by the plumbing inspector and the estimate she received to replace the lateral was \$ 9,200.00.

Mrs. Peterson stated that unfortunately, she was not prepared to answer Ms. Billingsley at this time, as she has not seen anything or talked to anyone about this situation. Ms. Billingsley asked what her next step would be. Mrs. Peterson replied she should speak with Mr. Grillone. He will take her number and we will find out what is going on, what happened. Perhaps we can get an answer from the plumbing inspector. Ms. Billingsley stated that she also had a copy of the USB.

Mr. Richardson, Mulberry Street resident, approached Council.

Mr. Richardson: Last time I said I would be back. Any word on the security check?

Mrs. Peterson: I'm sorry, there's still no comment.

Mr. Richardson: I wanted to thank you for taking care of the 12<sup>th</sup> & Mulberry Street parking/stop sign. I requested a Right-To-Know for tonight's bills and I was denied. I would like to have it in writing, from the Borough, why they denied it; so I can see what I can do.

Mrs. Peterson: Mr. Grillone, why did we deny it?

Mr. Grillone: It wasn't denied, we have five (5) days to respond, number one, and typically, a township or a borough does not release the bills list until it's approved by Council. You certainly can have it tomorrow.

Mr. Richardson: But if I come to Council tonight, and I want to see the bills for April. You're saying I cannot see them.

Mr. Grillone: They were not approved, number one...

Mr. Richardson: They are not approved, but can I see them to review the bills.

Mr. Grillone: You can but we also have five (5) days to respond.

Mr. Richardson: Okay, you have five (5) days. That is why I am asking. I will give you five (5) days to respond.

Mr. Grillone: You will have that tomorrow. I don't need five (5) days.

Mr. Richardson: Well, I won't be around tomorrow. But anyway, that takes care of that. The next thing is evaluations and personnel. I know the Mayor is supposed to be taking care of the police department; who evaluates the others?

Mrs. Peterson: Well, that would typically be the Chief taking care of the police department evaluation. The Mayor would evaluate the Chief, the Borough Manager would evaluate the rest of the personnel.

Mr. Richardson: Okay. Our personnel that drive the Borough trucks - do they have GPS's so the Borough can keep track of them?

- Mrs. Peterson: The Borough does not have GPS, however, we do have a form that they do have to fill out. Every day with their starting mileage, their ending mileage and where they have gone.
- Mr. Richardson: Okay. My next question - what is the average cost to outfit a police officer?
- Mrs. Peterson: With feed back from other council members; We did provide their vest for years, but because the vest is so much now; the officer is now responsible for the vest and we provide their rig. We do provide uniforms, however, there is a fee of \$25 taken out their pay every week. If the officer stays 18 months, the money is reimbursed to them; if the officer does not stay for the 18 months, the Borough keeps the money.
- Mr. Richardson: Regarding the March bills; Tri-County Comfort Systems. Is this the plumbing inspectors company?
- Mrs. Peterson: That is correct.
- Mr. Richardson: The plumbing inspector?
- Mrs. Peterson: Yes Sir.
- Mr. Richardson: The next, Logan Technologies. I assume they have 7 service contracts; that is just from March 2016 bills. I come up with a total of \$ 2,332.00 for the quarter and approximately \$ 9,000 for the year just for the Reece Center, Kent Lane, Pavilion, Carriage House, and Castle Avenue.
- Mrs. Peterson: And also for the Police.
- Mr. Richardson: Yes.
- Mrs. Peterson: That is for burglary, fire...for everything.
- Mr. Richardson: Okay the next thing. I would like to see Council to really take a good look at this sewer ordinance. First of all, the people in the borough turned it down when you had your meeting. You even told the people that it wasn't going to happen. You did some corrections; revising it to reflect when someone moves. And my next question is, only one person at that table that can answer these questions, because he knows more about the sewers in Upland, then the engineering, then anybody. Mr. Mitchell. Is it possible for you to answer some of my questions?
- Mrs. Peterson: It depends on your questions. Go ahead.
- Mr. Richardson: My questions – what communities flow through Upland?
- Mr. Mitchell: The tail end of Toby Farms, Brookhaven, on the upper end of Chester, Parkside... On the lower end of town, your end of town, all go through the Crozer Run, behind the firehouse, under the creek (other inaudible).
- Mr. Richardson: Does that go into the City of Chester?
- Mr. Mitchell: Yes.
- Mr. Richardson: Does the Borough of Parkside have this ordinance?
- Mr. Mitchell: I don't know.
- Mr. Richardson: I don't think they do. Does Brookhaven have it?
- Mr. Mitchell: I don't know.
- Mr. Richardson: Does Chester Township have it? Does the City of Chester have it? We have the Borough of Upland enforcing this ordinance, but we have all these other communities flowing through. I think we should really take this into consideration. And plus, what is in the ordinance where you can appeal the inspector's decision?
- Mr. Mitchell: Jesse, what are you trying to say?
- Mr. Richardson: What I'm trying to say is, people should have the right to appeal. His interpretation is the only interpretation.
- Mr. Mitchell: Okay.

Mr. Richardson It's either that or the highway. And I think this ordinance should only come about if (inaudible), then only Upland should adopt it.

Mrs. Peterson Okay, if you are moving on as far as the sewer laterals, I'm going to tell you that we will take that under advisement and we are going to discuss it.

Mr. Richardson Thank you. Okay, the next thing is Civil Service. You have a position, I believe, of detective. Are there any criteria for this position? And, do they have to take a test? Is there any written test for the police officers, for the new police officers? Written, oral, physical? Will the Civil Service Commission handle that?

Mrs. Peterson It's actually an investigator, which is an appointed position. When it was a detective, yes, there was a test with that. And yes, the Civil Service does test for full time officers, any rank and positions that are not appointed.

Mr. Richardson Do we advertise for full time positions?

Mrs. Peterson We normally promote from within, as many departments around here do.

Mr. Richardson The next thing, when you go to pick the Chief, as this is my own personal opinion; most of you have two (2) years left because new council will be coming in two (2) years; You have the money, what about going for a search for a Chief? And on that Committee, have one (1) civilian. And I am not the civilian. I was offered the Civil Service, Mr. Mitchell offered it to me back in 2008. I said no. I think you all really, really, need to give the Police Chief deep, deep thought and consideration. Also in March bills, there was Gloucester County Police Training.

Mrs. Peterson Mrs. Peterson explained that it is cheaper cost to send the police officers to some training in New Jersey than in Pennsylvania; \$35.00 per class versus \$200-300.

Mr. Richardson Are they being trained in laws of Pennsylvania?

Mrs. Peterson Yes sir, they are getting certifications in general police issues, yes.

Mr. Richardson In 2012, there was a resolution passed that set aside 50/50, including parking tax, Has this been changed?

Mrs. Peterson No.

Mr. Richardson No; so it's still 50/50. I did a breakdown of the Armory. The Borough spent over \$309,000.00 on the Armory. That does not include the labor the Borough men put in there during the weekends and all. We have the best security system. What I have is \$29, 435.00 for security at the Armory. Was that put out by bids?

Mrs. Peterson Is that March's bills?

Mr. Richardson No this was from 2013. This is a list of all the resolutions. These were all done by resolutions.

Mrs. Peterson Oh, you got those off the website.

Mr. Richardson Yes.

Mrs. Peterson Okay. So, I'm sorry, what was your question?

Mr. Richardson So, the question is, Resolution No. 3, February 12, 2013, \$ 29,435.00. Was that put out...you probably won't be able to tell me off the top of your head...was that put out for bids?

Mrs. Peterson I don't have that answer.

Mr. Richardson There's another one for security \$ 32,840.00; Resolution No. 9 April 9 2013. Was that put out for bid?

Mrs. Peterson I'm not going to have any comment on any bills that are under Logan Technology.

Mr. Richardson Okay. For the Armory, Tri-County was paid \$ 13,850, (inaudible) paid \$ 36,000, Volpone Roofing \$ 7,000.00, DelVal Overhead doors \$ 5,000.00, electrician \$ 11,000.00...(inaudible).

My question is this. Did you take into consideration before, I noticed you have various things done all under the bid limit. Wouldn't it be smart if the borough on

- January 1<sup>st</sup> decide what they were going to do for each project and put it all together instead of \$ 1,000.00 here and \$ 2,000.00 there.
- Mrs. Peterson You have to understand, we got the Armory and had to fix it up. Our intention was to rent it out to pay for the utilities and such up there. However, a few things have fallen through. And it has to meet certain criteria to go in that building.
- Mr. Richardson Okay.
- Mr. Mitchell Madame President if I can? Uncle Sam kind of gave us a pig in a poke hole when we got that. The roof, we had to replace the roof. It was \$ 121,000.00 on a bid we got for \$ 41,000.00 which is way below. We had all new windows put in as the others were cracked; the rifle range, they took out; the lead they took out; there were like a million things wrong with that building.
- Mr. Richardson I have \$ 18,000 for one roofing contractor and \$ 7,000.00 for another contractor.
- Mr. Mitchell We have four (4) buildings up there. I don't know which got what.
- Mrs. Peterson Can I remind you that that was already in process when we came into office?
- Mr. Richardson The Reece Center?
- Mrs. Peterson Correct
- Mr. Richardson Okay, I just wanted answers. My next two (2) questions: Is there any way to remove the two (2) stop signs on Mulberry Street at the intersection of the 11<sup>th</sup> Street extension. Also, is it possible for the borough, since summer is coming, to offer an activity and hot lunch program once again at the ball field.

Mrs. Peterson did reply we will check into the stop sign concern on Mulberry Street. Also, through discussion on the feasibility of recreating the activity/hot lunch program at the ball field, Mr. McClintock was able to provide the reasoning why the program ceased before. After additional discussion, Mrs. Peterson stated that we will check into this as well as mentioning how the Community Affairs Committee offers many activities to the children in the Borough, but we have much hesitancy from the volunteers and even kids to become involved. Mr. Richardson explained that he was a teacher for many years. The hesitancy will be there for volunteers and parent involvement; Mrs. Peterson concurred as well as hesitancy with the children. This should not stop us for trying to do for the children. Mr. Mitchell recalled a time when the one school (daycare) brought up all their charges for the lunch. We were short lunches and they did not follow any park rules or regulations; the school thought they had run of the park during the borough activity session. This was not a good thing. With everyone in agreement, Council will revisit this matter.

Mr. Richardson spoke about the stop signs on Mulberry Street, near the 11<sup>th</sup> Street Extension. Mayor Ciach asked if this was in regards to speeding in that area; as the stop signs were to curtail this dilemma. Mr. Richardson asked Mrs. Deldeo, Mulberry Street resident, if she wanted the stop signs there. She replied no. The stop signs were placed in that area when the extension of 11<sup>th</sup> was paved. However, the 3-way stop signs, two on Mulberry and one on 11<sup>th</sup> Street, do not seem to be helping in the matter of speeding on Mulberry Street. Council will look further into this matter.

Mr. Mitchell asked a question to Mr. Richardson. Since Mr. Richardson will be retiring at the end of June, he thought Mr. Richardson would be the model example to run a lunch-time program for the Borough children during the summer. Mr. Richardson replied "No thank you, sir."

Mr. Paul Michalkiewicz, Ivy Lane resident, stated that the Upland Baptist Church may be a good resource to start a lunch program. Mrs. Peterson replied she spoke to the Church and knows they had to cancel some lunches for lack of attendance. Mrs. Peterson thanked Mr. Michalkiewicz for relaying this information.

25. Adjournment

Ms. Crawford made a motion to adjourn. Mr. Mitchell seconded the motion. Verbally, all Council voted Aye. Motion carries.

The meeting adjourned at 7:51 p.m.

Respectfully submitted,

Gregory Grillone  
Borough Manager/Secretary/Treasurer

Shannon Strigle  
Recording Secretary