

MINUTES SECOND MEETING OF UPLAND BOROUGH COUNCIL

DATE May 23, 2016

TIME 7:00 P.M.

PLACE Upland Municipal Building, 224 Castle Avenue, Upland, PA

CALL TO ORDER President Peterson called the Second Meeting of May 2016 for 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

Approximately (5) five residents/guests were also in attendance.

5. Public Comments on Agenda Items Only

No one responded.

6. Approval of Previous Meeting Minutes

A-1 Council Meeting Minutes – May 10, 2016

Ms. Crawford made a motion to accept the Council Meeting Minutes of May 10, 2016 as presented. Mr. Mitchell 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 – Aye. Motion carries.

7. Ordinances and Resolutions Report – Richard McClintock

A-1 Motion to Approve Advertisement of Ordinance No. 3 of 2016  
- *Amending Chapter 173-52; Parking*

Mr. McClintock read Ordinance No. 3 of 2016 into record. Mr. Mitchell moved and accepted the Ordinance as presented for advertisement. Mr. Hunter 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 – Aye. Motion carries.

A-2 Motion to Pass and Adopt Resolution No. 9 of 2016  
- *Amending the Upland Borough Comprehensive Fee Schedule*

Mr. McClintock read Resolution No. 9 of 2016, *Amending the Upland Borough Comprehensive Fee Schedule* into record. Ms. Crawford made a motion to pass and adopt Resolution No. 9 of 2016. Mr. Dennon seconded the motion. Roll call was taken: Mr. Dennon – Aye; Mr. McClintock – Aye; Mr. Hunter – Aye; Mr. Mitchell – Abstained; Ms. Crawford – Aye; and Mrs. Peterson – Aye. Motion carries.

- A-3 Motion to Pass and Adopt Resolution No. 10 of 2016  
 - *Appointment of Francis J. Catania as Additional Special Legal Counsel*

Mr. McClintock read Resolution No. 10 of 2016, *Appointment of Francis J. Catania as Additional Special Legal Counsel*, into record. Mr. Mitchell made a motion to accept as presented and Ms. Crawford 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 – Aye. Motion carries.

8. Building & Grounds Report – Moira Crawford for Sandra Miazza

- A-1 Discussion on Purchasing of Freezer for Pavilion

Ms. Crawford made a motion to approve the purchase of a freezer and electrical work at the Pavilion, not to exceed the total amount of \$1,500.00. Mr. McClintock seconded the motion. Roll call was taken: Mr. Dennon – Aye; Mr. McClintock – Aye; Mr. Hunter – Aye; Mr. Mitchell – Aye; Ms. Crawford – Aye; and Mrs. Peterson – Aye. Motion carries.

9. Old Business

- A-1 Discussion on Animal Control - Contract with Allen Strickler

Mrs. Peterson stated that Council had a discussion on the animal control situation and they discussed the fact that Brandywine SPCA was too much money. Allen Strickler has agreed to take the animals to the Conchester Animal Hospital. The Conchester Animal Hospital will take the current driver's license and phone number of the owner so the Borough can bill back. If the animal is not picked up in three (3) days, then it will go to a rescue.

Mr. Mitchell made a motion to accept the terms as presented. 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 – Aye. Motion carries. Copy of agreement included with minutes.

Mr. Mitchell asked if this included the raccoons. Mrs. Peterson assured it was just dogs and cats. If the wild animal is on your property, and the resident has an issue with the wild animal, the residents would need to call Mr. Strickler themselves and take of the problem.

10. New Business

- A-1 Pennsylvania State Association of Boroughs Conference: June 5 – 8, 2016

Ms. Crawford made a motion to authorize all applicable costs for Council and the Mayor to attend the PSAB Annual Conference in Hershey, from June 5 through June 8, 2016 as per the allowances and restrictions provided by the PA Borough Code. Mr. McClintock seconded the motion.

Mr. Mitchell stated since he was on the Board of PSAB, he is expected in Hershey on June 4. Mr. Mitchell confirmed that PSAB pays for his room. Attendee's expenses, meal and mileage, are usually picked up by the Borough.

**An amended motion** was made by Ms. Crawford to include June 4<sup>th</sup> for Mr. Mitchell's early arrival to the conference as his attendance is required. Mr. McClintock 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 – Aye. Motion carries.

#### A-2 Discussion on Trash Recycling

Mr. Grillone suggested separating newsprint and aluminum cans from other recycling materials. These items are still able to generate money; to offset the cost of the remaining recyclable materials. Mr. Grillone stated that he thinks it would be best not to stop the recycling, but to try our best to continue. Mrs. Peterson stated whatever is feasible. Mr. Grillone stated he will send out a letter to residents; noting July 1<sup>st</sup> as a sensible date to institute the change. Mrs. Peterson suggested the newsletter, Mr. Grillone replied Sure.

#### A-3 Acceptance of Resignation of Part-Time Officer

Mr. Dennon read into record the resignation of a part-time officer. Ms. Crawford 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.

#### 11. Floor Open to Public

John, a member of the Marine Corp League approached Council. His intention was to hopefully receive clarification regarding the wooded area surrounding the Marine Corps League.

Mr. Mitchell spoke regarding his visit to the Marine Corps League and his presentation regarding acquiring the wooded property surrounding the Marine Corp League and the restoration of the Carriage House. There will be an announcement at the next month's meeting. At the MCL meeting, Mr. Mitchell clearly stated Upland Borough made it clear that Upland Borough will not be taking anything away from the Marine Corps League.

John, from the Marine Corps League, stated it was never an issue to lose property, but his concern was the natural habitat in the wooded area between the Marine Corps League and the blacktopped road leading to the old mansion.

Mrs. Peterson stated Upland Borough had no desire to take away the animal's habitat; unfortunately, not all of Council has received the layout of the plan. Mr. McClintock stated he was lost. He understands John's concerns.

Mr. McClintock	Ed, were you up there representing the Borough of Upland?
Mr. Mitchell	Yes, I was.
Mr. McClintock	I was not aware.
Mr. Mitchell	I had told the President of Council what I had done; because at one time the Marine Corps League wanted that.
Mr. McClintock	Well, I know they did.

- Mr. Mitchell Well, unfortunately the Marine Corps League did not have the resources to do anything with it.
- John, Marine Corp League At one time we got the Carriage House and held the lease to the fenced in area. At no time did we ever think about the wooded area; the area between the Marine Corps League and the black-topped area that belonged to the Crozer's at one time. The is another small set of woods, next to the Taylor property and the Carriage House; but what we are talking about right now is the woods along Sixth Street from the one blacktop area that goes back towards the Netherleigh and the other, the Marine corps League. In the middle of this portion, are natural wetlands.
- Mr. Mitchell At one time they were reservoirs and ponds. Whenever a Crozer went to a foreign land, they would bring back trees. We've identified through Styler's Nursery; every tree, every tree of value, every tree of the nuisance; every tree that has to be removed. Some of the old pine shrubs that have fallen over in there. Those trees that have no habitual value, will go.
- John, Marine Corps League I'm aware of trees too. I have been in the horticultural field for 30 years.
- Mr. Mitchell If you look at the overall plot plan, that has been designed and on file here for the last 5 years, it clearly shows where there are more ponding areas, the senior walking trails and path, with the exercise stops through here. Probably, when you look at the monies set aside, still sitting in the PLGIT account for the development of that property, it's probably in excess of \$400,000.00. So, there are plenty of funds sitting there to develop that property. In no way will Marine Corps, and I said it up there, the only question the Marine Corps had up there, will the old people walking on our trails ever cut across into the Armory. Why would that be a question? It is everybody's trail, you can't isolate one time and be part of us another. That is when I broke it off because I knew it wasn't going right.
- Mrs. Peterson You guys invited him up there to discuss this, correct?
- Mr. Mitchell Yes, Mike did.
- John, Marine Corps League I'm the treasurer.
- Mr. Mitchell I was invited to do it.
- Mr. McClintock Did the parks board ever get back to you? I remember, as I sit on the Parks Board, The Marine Corps League was given permission to develop that piece of property. Did they come back to you that the property had been deeded to Upland?
- John Not officially. I mean, at one time they said they were going to. There was a Blue board interest in maintaining it; just talking about the Carriage House and that fenced in area. So, there was no opposition to Upland acquiring the Carriage House, if they desire hopefully they can develop that. Prior to that, that was the only property talked about was the fenced in area. The woods and other is all new. We just heard about it.
- Mrs. Peterson Well, it's been so long coming that not all Council have seen the plot plans, yet. We haven't discussed it; it has taken a very long time. As I said, we have no desire to take the animal's habitat away.
- John, Marine Corps League Basically, we understand we have no control over what Upland wants to do with anything that is Upland's property or what is part of Delaware County's property. We would just like to know what is going on.
- Christine Peterson And, we like working with our neighbors and I don't think that will be a big issue. So, that's fine.
- John, Marine Corps League Thank you, Christine.
- Christine Peterson You're welcome.

12. Adjournment

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

The meeting adjourned at 7:28 p.m.

Respectfully submitted,

Gregory Grillone  
Borough Manager/Secretary/Treasurer

Shannon Strigle  
Recording Secretary