

UPLAND BOROUGH COUNCIL
MEETING MINUTES
July 7, 2015

The meeting of the Upland 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.

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

Chief Nelson Ocasio of the Upland Borough Police Department, Mr. Ken Stark, Reporter, and approximately twenty (20) residents/guests were also in attendance.

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

Out of the Normal Order of Business at 7:02 p.m.

Ms. Crawford made a motion to hire four (4) part-time police officers. Mr. Dennon seconded the motion. Mrs. Peterson abstained, all other Council voted Aye on the motion.

Swearing in of Part-Time Police Officers

William Gifford
Joshua VanHorn
Matthew Hittinger
David Segich

Mayor Michael Ciach performed the swearing in of part time officers William Gifford, Joshua VanHorn, Matthew Hittinger, and David Segich to the Upland Borough Police Department. After a round of applause and congratulatory remarks, an opportunity for photographs was provided.

Normal order of business resumed at 7:12 p.m.

5. Public Comments on Agenda Items Only

No one responded.

6. Approval of Previous Meeting Minutes

Ms. Crawford made a motion to accept the Council Meeting Minutes of June 9, 2015. Mr. Dennon seconded the motion. All Council voted Aye on the motion.

7. Treasurer's Report

A-1 Treasurer's Report

Mrs. Peterson stated the Treasurer's Report was not available at this time as it is too early in the month.

A-2 Income Statements

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

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

Mrs. Peterson reported progress; we are moving along on the empty units.

9. Public Safety Report – William Dennon for Harold R. Peden

A -1 Fire Marshal's Report

Mr. Dennon read the Fire Marshal's Report of June 2015 into record.

A-2 Fire Company's Report

Mrs. Peterson asked Mr. Dan Smith, Fire Chief, to present the records. Prior to reading the reports into record, Mr. Smith wanted to apologize to Council for not having the reports in a timely manner. Mr. Smith proceeded to read the May 2015 and June 2015 reports into record.

Mr. Dennon made a motion to record and accept the Fire Company's reports into record. Ms. Crawford seconded the motion. All Council voted Aye on the motion.

10. Code Officer's Report - Leland Hunter

Mr. Hunter read his June 2015 report into record. Mr. Hunter is awaiting court dates on pending liens and will also have more liens to be filed.

11. Building & Grounds Report – Christine Peterson for Sandra Miazza

Reports progress.

12. Finance & Insurance Report - Moira Crawford

A-1 Approval of General Fund Bills- \$ **131,933.81**

Ms. Crawford made a motion to approve the General Fund Bills for the month of June 2015 in the amount of \$ 131,933.81. Mr. Dennon seconded the motion. All Council voted Aye on the motion.

A-2 Approval of Auburn Village Bills - \$ **14,675.63**

Ms. Crawford made a motion to approve the Auburn Village Bills for the month of June 2015 in the amount of \$ 14,675.63. **Mr. Dennon seconded the motion.** All Council voted Aye on the motion.

13. Ordinances and Resolutions Report – Ms. Crawford for Harold Peden

A-1 Motion to Pass and Adopt - Ordinance No. 3 of 2015

- Rescinding Chapter 90 “Floodplain Management” and Creating a New Chapter 90 “Floodplain Management – FEMA/NFIP”

Ms. Crawford read the header of Ordinance No. 3 of 2015 record. Ms. Crawford made a motion to pass and adopt Ordinance No. 3 of 2015. Mr. Dennon seconded the motion. All Council voted Aye on the motion.

14. Research & Development - Moira Crawford

Reports progress.

15. Streets & Equipment / Auburn Village Report - Christine Peterson

Mrs. Peterson reported that the Streets Department built up around the Pavilion; they did a really nice job, before it was a safety concern; now people can walk right up to the Pavilion. It looks great.

Mrs. Peterson continued “The storm. For a tiny town, we sure took a big hit. I don’t think I ever remember seeing so many trees down, and I’ve lived here forever. I think our departments; our Police Department, our Fire Department, Council, the residents...everyone came together and did a really great job helping each other out. It was a good thing to see. Unfortunately, we did lose electric for a few days, but it was better than Brookhaven who lost it for five. We’re still working on removing a lot of the big trees we have around. Unfortunately, there are a lot of trees in this town.”

16. Community Affairs – Moira Crawford for Sandra Miazza

Ms. Crawford reported the July 4th festivities at the Bristol Lord Field went off very well, despite some rain. Everyone seemed to enjoy themselves.

The next event from Community Affairs will be the Youth Magic show on Saturday, August 22 from 3 p.m. to 5 p.m. We will have a magician there, with pizza and ice cream after the magician is done. The Annual Labor Day Fireworks is on Sunday, September 6 at dusk. The Upland Fire Company will be selling some items at the event. The Spaghetti Dinner, previously scheduled for September 26, is canceled.

17. Use & Occupancy Report – Gregory Grillone

Mr. Grillone read into record the Use and Occupancy Report for the month of June 2015. There were no questions for the Borough Manager.

18. Mayor's Report - Michael Ciach

Mayor Ciach read the June 2015 report into record.

Mayor Ciach turned the meeting over to Police Chief Ocasio. Mrs. Peterson asked if Police Chief Ocasio had anything to report. He did not have anything to report.

19. Solicitor's Report - Robert O'Connor

Mr. O'Connor read his report for June 2015 into record. Mr. O'Connor mentioned when he learns any updates on the non-compliant landlords, he will report.

20. Engineer's Report - Charles Catania

Mrs. Peterson stated Mr. Catania had to leave early; therefore no report.

21. Old Business

There was no old business.

22. New Business

A-1 Block Party Request – Resurrection Life Church

Mrs. Peterson stated we approved Resurrection Life Church's request last year. Ms. Crawford made a motion to approve Resurrection Life Church's Block Party on August 8, 2015, 1 p.m. to 7 p.m. Mr. Dennon seconded the motion. All Council verbally voted Aye on the motion.

A-2 Motion to Cancel Meetings July 14, July 28 and August 11, 2015

Mr. Hunter made a motion to cancel the meetings. Ms. Crawford seconded the motion. All Council voted Aye on the motion.

Ms. Crawford asked for confirmation that the next Council meeting will be on August 25, 2015 at 7 p.m., with Caucus at 6 p.m. Vice-President Peterson confirmed.

A-3 Parade Committee Update

Mr. Dennon provided an update on the Parade Committee for next year. Along with the Police Chief and the Fire Chief; there are three residents that volunteered. Denise Crawford, of Willow Way, Kris Anthony of Arbor Lane, and Vincent Long Jr., from Fern Lane. We are still working to get more people to volunteer. Mrs. Peterson asked if he would do letters. Mr. Dennon replied he will send letters to update all to keep them informed and he will also pass it along to Council to keep them informed as to when we will all meet.

23. Floor Open to Public

Mr. Ballard, Mulberry Street resident, approached Council with his concern of his use and occupancy inspection and sewer lateral inspection. His letter to Council, a copy of a letter from his realtor and a copy of a letter drafted by the master plumber is on record. This was provided to everyone on Council as well as to the Plumbing Inspector and to the Recording Secretary.

Mr. Ballard requested the inspection deficiencies to be rescinded for the sole purpose of settlement. Mrs. Peterson stated what Mr. Ballard is requesting is extensive and unfortunately, without speaking to the inspectors, Mrs. Peterson cannot grant that request. Mrs. Peterson asked if he wanted to set up a meeting with Borough Manager and/or inspectors. Mr. Ballard's vacation schedule, as well as the schedule for the inspectors, seem to conflict.

Mr. Ballard's stated that he believes that the deficiencies listed on the inspection report are ridiculous. He stated that he looked at the videos, there is not damage to the sewer pipe or the trap; and it is not even listed on this list of deficiencies. Mrs. Peterson stated that she respected Mr. Ballard's opinion; again, she stated that she could not give him an answer to something she does not know.

Mr. Ballard's concern was that Council just canceled all the meetings until later part of August; he needs an answer sooner. Mrs. Peterson stated that the Borough Manager is here Monday through Friday. She stated she is sure the inspectors would work with his schedule. Mrs. Peterson offered to be present at any future meeting if Mr. Ballard wanted him to be. Mrs. Peterson stated that we will process the Right-to-Know request.

Mr. O'Connor stated that Council cannot answer his request without looking into the matter as well as they cannot rightfully ignore ordinances that are set in place. Mr. O'Connor reiterated Mr. Ballard's concern of his vacation and time crunch for settlement. Mr. O'Connor stated that his problem with time does not become Council's problem with regard to make a decision this evening. They cannot make a decision this evening. Mr. Ballard asked to speak with the Plumbing Inspector for a few minutes.

Mr. Ballard continued that he has concerns with the use and occupancy inspection and the report does not have the sewer lateral results on there. Since it was not in writing to him, so Mr. Ballard does not think this should prohibit him from passing his inspection for use and occupancy.

The Plumbing Inspector made a few comments. Beginning comments were inaudible. "Generally the use and occupancy is not done until the lateral inspection is completed. They (the contractor) were delayed in getting the video to our offices, so as a courtesy, the use and occupancy was put on the schedule to expedite things for Mr. Ballard." Mr. Ballard contested that the inspection was done the day before and he had the video as he acknowledged when he was there.

Mrs. Peterson stated “Mr. Ballard, we are not going to get any place tonight. This is the first time I am hearing about this. I am not prepared to give you an answer because I don’t know the specifics. If you will call the Borough Manager in the morning, I am certain he can set up a meeting with you or give you the answers that you need. Ok?” Mr. Ballard replied “I would actually prefer, if he has a moment tonight, to speak to him tonight as I am on a plane at 6 o’clock in the morning.” Mrs. Peterson replied “Well, that’s on him. But he has been here since 7 o’clock this morning.”

Mr. Grillone stated that a few minutes would be okay. However, he cannot expect the Borough to drop everything as others have their own commitments. Mr. Grillone stated that he was not clear on the full timing of all of this. “You certainly were in control, from the very beginning, in terms of when your sale is.” Mr. Grillone continued “I am unsure of when the Borough was officially notified of the sale and then begin the process to schedule the various inspections. You had control of that. You certainly can’t now expect the Borough to drop everything that they are doing because you have arbitrarily compressed that time schedule, number one; and number two, you are going to be away for a week, and various other things. And then you made a comment about there is absolutely no problem with the lateral. I mean, that may be someone else’s opinion but the people that we rely on as experts, think that there is.”

Mr. Ballard asked “What aren’t you allowed to have a second opinion?” Mr. Grillone replied “You can certainly go get it videoed from someone else, that’s fine. But there’s clearly, from what I saw and I am not an expert, there’s clearly infiltration in that line. And infiltration is a problem; it represents a failure and a compromise to the integrity to the line.” Mr. Ballard asked “Which video did you watch, June 25th or June 2nd when they first did it? The June 25th video is almost completely clear, I don’t know where you see infiltration in that line. I have looked at that video numerous times. And mainly, I have to let you know that, I don’t appreciate the fact that I believe that I just got called a liar.” Mr. Peterson interjected “Mr. Ballard, no one called you a liar. And we can speak all night. We have no videos, we have nothing. We have your letter. This is the first time we are hearing it.” Mrs. Peterson reiterated that Mr. Ballard should set up a meeting with Mr. Grillone after tonight’s meeting.

Mr. Grillone stated “I want clarification; who called you a liar?” Mr. Ballard replied “Weren’t you just saying that?” Mr. Grillone stated “I said that there is a difference in opinion by the people we rely on as experts and what I saw, there was clearly infiltration in the line. I never called you a liar, I said that perhaps there’s a difference of opinion.” Mr. Ballard apologized for what he said. Mr. Grillone stated “Well, I’m glad you did because I don’t call people liars, alright? I take offense to that. I wanted to make that real clear before we adjourn this meeting.”

Mrs. Peterson stated “Thank you Mr. Ballard.” Mrs. Peterson asked if anyone else had anything to say. No one responded.

24. Adjournment

Ms. Crawford made a motion to adjourn. Mr. Dennon seconded the motion. Council verbally voted Aye on the motion.

The meeting adjourned at 7:55 p.m.

Respectfully submitted,

Gregory Grillone
Borough Manager/Secretary/Treasurer

Shannon Strigle
Recording Secretary