

MINUTES REGULAR MEETING OF UPLAND BOROUGH COUNCIL

DATE July 12, 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. President Peterson wanted to honor and remember the passing of Councilwoman Miazza. President Peterson wanted to recognize her unwavering dedication to Upland Borough, the Council and all the residents. President Peterson stated that she will be truly missed.

ROLL CALL

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

GUESTS/RESIDENTS IN ATTENDANCE

Acting Police Chief of Upland Police Department, Michael Irely, Fire Chief Dan Smith, Mr. Ken Stark, Reporter, Ms. Leslie Krowchenko, Daily Times Reporter, and approximately ten (10) residents/guests were also in attendance.

Out of Normal Order of Business at 7:03 p.m.

- Resolution No. 11 of 2016 - Motion to Accept Resignation of Judith Bush, Vacancy Board Member & Appoint Sandra Deldeo

Mr. Dennon read the Resolution No. 11 of 2016, Motion to Accept Resignation of Judith Bush, Vacancy Board Member & Appoint Sandra Deldeo, into record. Mr. McClintock made the motion to accept and pass Resolution No. 11 of 2016. Mr. Mitchell seconded the motion. Roll call was taken: Mr. Dennon – Aye; Mr. McClintock – Aye; Mr. Hunter – Aye, Mr. Mitchell – Aye; Mrs. Peterson - Aye. Motion carries.

- Resolution No. 12 of 2016 - Motion to Appoint Judith Bush to Unexpired Council Position Term of Sandra Miazza

Mr. Mitchell read the Resolution No. 12 of 2016, Motion to Appoint Judith Bush to Unexpired Council Position Term of Sandra Miazza, into record, noting effective date of July 12, 2016. Mr. Mitchell made the motion to accept and pass Resolution No. 11 of 2016. Mr. Hunter seconded the motion. Roll call was

taken: Mr. Dennon – Aye; Mr. McClintock – Aye; Mr. Hunter – Aye, Mr. Mitchell – Aye; Mrs. Peterson - Aye. Motion carries.

Mayor Ciach performed the swearing in ceremony of Sandra Deldeo, Vacancy Chairwoman. A round of applause and pictures were taken. Mrs. Deldeo resumed her seat in the audience.

Mayor Ciach performed the swearing in ceremony of Judith Bush. After a round of applause and pictures, Mrs. Bush took her seat at Council.

Regular Order resumed at 7:10 p.m.

5. Public Comments on Agenda Items Only

Mr. Geraghty, Church Street resident, approached Council regarding his concerns of the sewer lateral ordinance; he stated once promised to be tabled then passed against the resident's wishes. Mr. Geraghty read when Delcora took over the operations and waste water treatment from Chester City in 1971. In summation, Mr. Geraghty stated his consistent opposition on the sewer lateral testing and it infringes on his right as a homeowner.

President Peterson stated that several people asked her to look at the sewer lateral ordinance and readdress it. There was a committee formed to evaluate and to try to make it easier on the homeowner. President Peterson stated there are other boroughs and townships surrounding us that are implementing the sewer lateral testing.

Mayor Ciach stated there is a provision to clean the line first; before recording it to help to view the line more precisely. Mayor Ciach noted he is aware of several pieces of legislation from the State that are trying to propose this as well as a piece to be added to potential inspections down the road. Some of the municipalities have started doing this on their own, prior to the State or the broker adding it to the inspection process. "What we are trying to do is protect the resident and the future resident as well."

Plumbing Inspector, Tom Kennedy, was present and tried to clarify, in simpler terms, the reasoning of the sewer lateral ordinance; it is part of the property maintenance code. This code includes the line from the house to the curb. If you took the dirt away from the front yard, your lateral is from the foundation wall to the street. I would be able to see if there was something wrong; but we can't see it." It must be jetted before the camera work so we can view any potential problems." Tom Kennedy continued "You need to take care of this as it is part of the property maintenance code."

Mr. Geraghty mentioned about Main Street, between 10th and 11th Streets; per Mr. Geraghty this has been sinking area and there will be problems if not fixed.

Mr. Richardson, Mulberry Street resident, asked if under the area of the agenda for New Business; pay increase for the Acting Police Chief Michael Irely, does this mean he will be appointed the new chief? President Peterson replied "It does not. What it means is that he has been doing the job and we will pay him for doing the job." Mr. Richardson noted he mentioned before about a national search for a police chief as well as a local officer, with plenty of experience, Glen Greenwalt. Mr. Richardson asked what committee is going before Senate regarding the sewer lateral inspectors. Mayor Ciach replied he is trying to get the House Bill numbers and once he does he will provide this to Mr. Richardson.

Patricia Pell, Second Street resident, approached Council. She spoke about problem with kids playing basketball. These kids have been playing basketball ball for a long time. They broke a window recently. Ms. Pell called the Police and the dispatcher said “unless you saw who did it, there is nothing the Police could do.” Ms. Pell also mentioned about the rudeness of the kids, not moving out of the way for oncoming cars; when they decide to move, you get a dirty look. Also, she mentioned about how the kids knock on her door, telling her to move her car so it can accommodate them playing their sport. “If the resident does not move their car, you find dents in the hood of the car.” President Peterson stated that we do have an ordinance against the basketball courts.

President Peterson asked Officer Irej if he had any information to provide. Officer Irej stated the Police did go down to that area and they did speak with the residents and kids in the area. As for the 911 dispatch, Officer Irej stated “I would be very disappointed if they made that statement.” Mr. Hunter relayed a time when he was the active Code Officer and experienced the same type of behavior from the kids in that area; foul language. Mr. Hunter complained to Nelson (Ocasio), and he took care of the problem; the result a fine in the amount of over six hundred dollars. Ms. Pell stated that some of the kids were not even from this area; they have no respect for your property. Mayor Ciach asked if Ms. Pell has called the police. She replied “I did, but they don’t do anything; they don’t come around.” Mr. McClintock asked “The Police, they don’t show up?” Ms. Pell replied “No, they don’t come around.” Mr. McClintock stated that the Acting Police Chief was standing right behind her and he will give you his word that he will straighten that out. Officer Irej stated he understood her frustration, he will review the ordinance, he will take Ms. Pell’s number before they left tonight and he will take care of this problem by the end of the week. Ms. Pell stated that she appreciated that. Officer Irej did state that there have been some issues in that area that he is aware of.

Mr. Richardson stated that we have those ordinances; isn’t the job of the Police Department and the Mayor to make sure they are enforced? President Peterson stated that the Police Department does have a copy of the ordinances. He (Michael Irej) is Acting Chief of Police and he is trying to acclimate himself with the ordinances as he was previously a detective for which he was not on active patrol.

Peter Gemborys, Second Street resident, approached Council. He wanted us to know that there was a big limb on the roadway. He called the Police, they took his number and instructed him to wait outside to meet the officer. Mr. Gemborys stated he waited and the Police did not show up. However, the highway crew happen to be driving down the street and removed the limb. Mr. Gemborys stated that he has called the Police on many occasions to report his car being broken into. Mr. Gemborys stated the reply from the Police was the same, “if you didn’t see who did it, we can’t help.” Acting Police Chief Irej stated he personally handled the call today about the limb in the street. The call came into him at 1309 (1:09pm). Acting Chief Irej wanted all to know that they had been dispatched at 1247 to Crozer Hospital, for an armed bank robbery, just prior to that call. And also, at 1310, they were dispatched to a car fire. Acting Chief answered the original call at 1410; that was 1 hour and 1 minute after the original call came in. Mayor Ciach stated residents can call the Borough offices in these types of situations, during regular business hours. Mr. Gemborys stated that the office closes between 12 pm to 1 pm, therefore, he tried to called the police.

6. Approval of Previous Meeting Minutes

A-1 Council Meeting Minutes – June 14, 2016

Mr. McClintock made a motion to approve the Council Meeting Minutes from June 14, 2016. Mr. Mitchell seconded the motion. Roll call was taken: Mr. Dennon – Aye; Mr. McClintock – Aye; Mr.

Hunter – Aye; Mrs. Bush – Abstain; Mr. Mitchell – Aye; Mrs. Peterson – Aye. Motion carries. Copy included with minutes.

7. Treasurer's Report

A-1 Treasurer's Report - June 2016

Mr. McClintock made a motion to approve the Treasurer's Report as presented. Mr. Mitchell seconded the motion. Roll call was taken: Mr. Dennon – Aye; Mr. McClintock – Aye; Mr. Hunter – Aye; Mrs. Bush – Aye; Mr. Mitchell – Aye; Mrs. Peterson – Aye. Motion carries. Copy included with minutes.

A-2 Income Statements – June 2016

Mr. Mitchell made a motion to approve the Income Statements as presented. Mr. Hunter seconded the motion. Roll call was taken: Mr. Dennon – Aye; Mr. McClintock – Aye; Mr. Hunter – Aye; Mrs. Bush – Aye; Mr. Mitchell – Aye; Mrs. Peterson – Aye. Motion carries. Copy included with minutes.

8. Auburn Village Report

Reports progress.

9. Public Safety Report – William Dennon

A -1 Fire Marshall's Report

Mr. Dennon read the Fire Marshal's Report of June 2016 into record. Copy included with minutes. Mr. Favinger's report indicated that the Business Inspections will begin in July.

A-2 Fire Company's Report

Fire Chief Dan Smith read the June 2016 report into record. Copy included with minutes. Chief Smith offered gratitude to Council for helping out with the tree/bush removal. President Peterson replied "You're welcome. Thank Greg."

10. Code Officer's Report - Leland Hunter

Mr. Hunter read the June 2016 into record. Copy included with the minutes. Mr. Hunter acknowledged Peter Hartshorn and Tim (Peticca) for helping out with the branch removal.

11. Building & Grounds Report

President Peterson reported progress.

12. Finance & Insurance Report – William Dennon for Moira Crawford

A-1 Approval of General Fund Bills - **\$ 91,637.37**

Mr. Dennon made a motion to approve the General Fund Bills for the month of June 2016 in the amount of \$ 91,637.37. Mr. McClintock seconded the motion. Roll call was taken: Mr. Dennon – Aye; Mr. McClintock – Aye; Mr. Hunter – Aye; Mrs. Bush – Aye; Mr. Mitchell – Abstain from 34589, 34643 and 34648, and Aye on the remainder; Mrs. Peterson – Aye. Motion carries. Copies included with minutes.

A-2 Approval of Auburn Village Bills - **\$ 50,494.25**

Mr. Dennon made a motion to approve the Auburn Village Bills for the month of June 2016 in the amount of \$ 50,494.25. Mr. McClintock seconded the motion. Roll call was taken: Mr. Dennon – Aye; Mr. McClintock – Aye; Mr. Hunter – Aye; Mrs. Bush – Aye; Mr. Mitchell – Aye; Mrs. Peterson – Aye. Motion carries. Copies included with minutes.

13. Ordinances & Resolutions Report – Richard McClintock

A-1 Motion to Pass and Adopt Ordinance No. 3 of 2016
- *Amending Chapter 173-52; Parking*

Mr. McClintock read Ordinance No. 3 of 2016 into record. Mr. Dennon seconded the motion. Roll call was taken: Mr. Dennon – Aye; Mr. McClintock – Aye; Mr. Hunter – Aye; Mrs. Bush – Aye; Mr. Mitchell – Aye; Mrs. Peterson – Aye. Motion carries.

A-2 Motion to Authorize Borough Manager to Advertise Ordinance No. 4 of 2016
- *Amending Chapter 150 “Sewers”, Subsection 18, C, Paragraph (1) of Article II
“Private Sewer Lateral Connection”*

Mr. McClintock read Ordinance No. 4 of 2016 into record. Mr. McClintock made a motion to advertise Ordinance No. 4 of 2016. Mr. Dennon seconded the motion. Roll call was taken: Mr. Dennon – Aye; Mr. McClintock – Aye; Mr. Hunter – Aye; Mrs. Bush – Aye; Mr. Mitchell – Aye; Mrs. Peterson – Aye. Motion carries.

President Peterson asked “Mr. Kennedy, didn’t we talk about people being able to get a temporary U&O?” Mr. Kennedy replied that information was already in the original ordinance.

14. Research & Development – Moira Crawford

President Peterson reported progress.

15. Streets & Equipment – Leland Hunter

Mr. Hunter reported that the Highway Department has been busy; all the sidewalks and curbs all done. They have removed several tree branches throughout the Borough. Mr. Hunter reported progress.

16. Community Affairs – Moira Crawford

President Peterson reported progress. President Peterson stated “Fortunately, tomorrow I can redo the committees and next month have better reports.”

17. Use & Occupancy Report – Gregory Grillone

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

18. Mayor’s Report - Michael Ciach

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

19. Solicitor’s Report - Robert O’Connor

Mr. O’Connor read his report for June 2016 into record. Copy included with minutes.

20. Engineer’s Report – Daniel Archdeacon for Elizabeth Catania

Mr. Archdeacon read the report for June 2016 into record. Copy included with the minutes.

Mr. Archdeacon stated the bids for the CDBG 2014-A, Modular Wall were taken today, July 12, 2016. There was a sole bid in the amount of \$74,600.00 submitted by JMC Contractors. This exceeds the original grant allocation as well as the additional funding approved by OHCD in the amount of \$ 38,500.00. Mr. Archdeacon recommends holding the bid until next meeting to allow for consultation with OHCD.

Mr. Archdeacon also recommends action at the August meeting for the Trach Collection Contract for Years 2017-2022. Also, it is recommended that we re-bid the New 2017 Police Motorcycle.

21. Old Business

- A-1 Motion to Approve the Purchase of Two (2) 2017 Ford Interceptors through Co-Stars Program for Police Department (price not to exceed \$ 73,000.00)

Mr. McClintock made a motion to approve the purchase of the two (2) 2017 Ford Interceptors

through Co-Stars Program for Police Department, price not to exceed \$ 73,000.00. Mr. Dennon seconded the motion. Roll call was taken: Mr. Dennon – Aye; Mr. McClintock – Aye; Mr. Hunter – Aye; Mrs. Bush – Aye; Mr. Mitchell – Aye; Mrs. Peterson – Aye. Motion carries.

22. New Business

- A-1 Motion to Authorize to Pay Acting Chief Michael Irely the Police Chief Salary Rate of \$ 69,000.00 per year, Retroactive to February 23, 2016

Mr. McClintock made a motion to authorize to pay Acting Chief Michael Irely the Police Chief Salary Rate of \$ 69,000.00 per year, Retroactive to **February 24, 2016**. Mr. Mitchell seconded the motion. Roll call was taken: Mr. Dennon – Aye; Mr. McClintock – Aye; Mr. Hunter – Aye; Mrs. Bush – Aye; Mr. Mitchell – Aye; Mrs. Peterson – Abstain. Motion carries.

- A-2 Motion to Accept Proposal of Initial Phase of Repairs to Reese Center Security System by Global Security Systems (\$ 6,295.00)

Mr. McClintock made a motion to accept the proposal of the Initial Phase of repairs to the Reese Center Security System by Global Security Systems in the amount of \$ 6,295.00. Mr. Mitchell seconded the motion. Roll call was taken: Mr. Dennon – Aye; Mr. McClintock – Aye; Mr. Hunter – Aye; Mrs. Bush – Aye; Mr. Mitchell – Aye; Mrs. Peterson – Aye. Motion carries.

- A-3 Motion to Authorize Appraisal of the Crozer Keystone Health System Property acquired by Prospect Medical Holdings, Inc.

Mr. McClintock made a motion to authorize an appraisal of the Crozer Keystone Health System Property acquired by Prospect Medical Holdings, Inc. Mr. Mitchell seconded the motion. Roll call was taken: Mr. Dennon – Aye; Mr. McClintock – Aye; Mr. Hunter – Aye; Mrs. Bush – Aye; Mr. Mitchell – Aye; Mrs. Peterson – Aye. Motion carries.

- A-4 Motion to Cancel Second Meeting of July (7/26/16) and First Meeting of August (8/9/16); Next Council Meeting to be Held on August 23, 2016

Mr. McClintock made a motion to cancel the second meeting of July, 7/26/16, and first meeting of August 8/9/16; and the next Council meeting to be held on August 23, 2016. Mr. Mitchell seconded the motion. Roll call was taken: Mr. Dennon – Aye; Mr. McClintock – Aye; Mr. Hunter – Aye; Mrs. Bush – Aye; Mr. Mitchell – Aye; and Mrs. Peterson – Aye. Motion carries.

Mr. Dennon mentioned the Veteran's Parking Dedication at Sam and Sam's parking lot. There will be a ceremony and a gathering to acknowledge the new parking space dedicated to a Veteran; the space will have a sign and will be marked in purple. Mr. Mitchell mentioned the person's driver's license will indicate if the person is a Veteran.

President Peterson entertained a motion to take our advertisements back to the Daily Times, as some people do not receive the Chester Spirit. Mr. Hunter made the motion and Mr. Mitchell seconded the

motion. Roll call was taken: Mr. Dennon – Aye; Mr. McClintock – Aye; Mr. Hunter – Aye; Mrs. Bush – Aye; Mr. Mitchell – Aye; and Mrs. Peterson – Aye. Motion carries.

23. Floor Open to Public

No one addressed Council at this time.

24. Adjournment

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

The meeting adjourned at 8:30 p.m.

Respectfully submitted,

Gregory Grillone
Borough Manager/Secretary/Treasurer

Shannon Strigle
Recording Secretary