

UPLAND BOROUGH COUNCIL
MEETING MINUTES
November 10, 2014

The meeting of the Upland Borough Council was called to order at 7:00 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. Daniel Smith, Mayor Michael Ciach, Mr. Robert O'Connor, Esq., and Shirley Purcival, Borough Manager/Secretary/Treasurer. Mrs. Purcival stated Mr. Charles Catania, Sr., P.E. will be late.

Mr. Ken Stark, Reporter, Police Chief Nelson Ocasio, and approximately three (3) residents/guests were also in attendance.

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

Mr. Mitchell asked if we will do the Block Grant without Mr. Catania. Mrs. Purcival confirmed.

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

2015 Community Development Block Grant Public Hearing

- Council Input on CDBG Funds for Year 2015
- Public (Input) Comments on CDBG Funds for Year 2015
- Motion to Pass and Adopt Resolution No. 18 of 2014
 - Application to Participate in the Community Development Block Grant Program (CDBG)

Mr. Mitchell stated that to his understanding that during the Caucus meeting prior to Council meeting, the general consensus for the CDBG money was for Eighth Street to take priority. Mr. Mitchell asked "Was that everybody's intent?" Some Council members replied "Yes." Mr. Mitchell asked Mrs. Purcival if that was the only thing we needed on that. Mrs. Purcival stated "To see if there was any public input." Mr. Mitchell asked "Is there anyone from the public that has any input on the CDBG money?" After no response, Mr. Mitchell stated "Hearing that, we'll refer back to the local grant to go to the Eighth Street Project." Mrs. Purcival stated "Yes, Priority One." Mr. Mitchell stated "With the understanding, to be used for the demolition of the house, and anything else for the parking." Mrs. Purcival stated "Parking lot and the short-cut through to the Station." Mr. Mitchell stated "Very good. That includes capping off sewers and all that." Mr. Mitchell continued "I need a motion on that." Mr. Smith stated "Mr. President, I would like to make a motion to pass and adopt Resolution No. 18 of 2014." Ms. Crawford seconded the motion. All Council unanimously voted Aye on the motion.

Normal order of business resumed at 7:05 p.m.

5. Public Comments on Agenda Items Only

No one responded.

6. Approval of Previous Meeting Minutes

A-1 Council Meeting Minutes - October 14, 2014

Mrs. Crawford made a motion to accept the Council Meeting Minutes of October 14, 2014 as presented. Mrs. Miazza seconded the motion. All Council voted Aye on the motion.

7. Treasurer's Report

A-1 Treasurer's Report

Mrs. Peterson made a motion to accept the Treasurer's Report as presented and Mr. Peden seconded the motion. All Council voted Aye on the motion.

A-2 Income Statement

Mrs. Crawford made a motion to approve the Income Statements and Mrs. Miazza seconded the motion. All Council voted Aye on the motion.

8. Auburn Village Report - Christine Peterson

Mrs. Peterson stated the only thing she really has is the railing are going in for those houses that have many steps and for the seniors. The project is going well.

9. Public Safety Report - Harold R. Peden

A-1 Fire Marshall's Report

Mr. Peden read the Fire Marshall's Report for October 2014 Report into record. Also noted that the Fire Marshall will provide the Solicitor a final list of non-compliant rental properties for 2014 on December 1, 2014.

A-2 Fire Company's Report

Mr. Peden requested Dan Smith to read the October 2014 report for the Upland Fire Company. Mr. Smith read the report. They had 0 fire incidence, 8 non-fire incidences, 18 mutual aid; for total incidence of 26; with 2 drills for a total activity for the month of 28. They had 18 assists for fire, 1 motor vehicle accident, 1 ambulance assist, 2 fire alarms, 3 good intent, 1 assists to citizen. They had 18.3 hours in service hours for the month; 18 day time and 10 night time, with an average runner of 6." Mr. Mitchell stated "Thank you, Dan." Mr. Peden thanked Mr. Smith. Mr. Peden stated "That is all we have tonight, Mr. President." Mr. Mitchell replied "Thanks, Ray."

Mr. Mitchell asked Mr. O'Connor if he will be on the lookout for the report on December 2nd; Mr. O'Connor confirmed. Mr. Mitchell asked Mr. O'Connor if he will report back to us the outcome. Mr. O'Connor stated he would.

10. Safety Committee - Daniel Smith

Mr. Smith reported progress.

11. Code Officer's Report - Leland Hunter

Mr. Hunter read the October 2014 report into record.

At 7:10 p.m., Mr. Mitchell went out of normal order of business, at Mr. Hunter's request. Mr. Hunter presented Mrs. Sandra Miazza, Committee Chair for the Community Affairs Committee, a trophy to thank her from the Upland Seniors Club; a symbol of her dedication and help to the Seniors' Club.

Council and the audience provided a congratulatory round of applause to Mrs. Miazza.

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

12. Building & Grounds Report - Sandra Miazza

Mrs. Miazza noted progress.

13. 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 October 2014 in the amount of \$ 201,597.01. Mr. Peden seconded the motion. All Council 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 October 2014 in the amount of \$ 17,929.41. Mrs. Miazza seconded the motion. All Council voted Aye on the motion.

A-3 Motion to Accept the First Reading of the 2015 Proposed Budget for General Fund

Ms. Crawford announced they had a balanced budget for the year 2015. The proposed budget for the general fund for income is \$ 2,902,955.00; and for expenses for the general fund, it is \$ 2,902,955.00. Ms. Crawford made a motion to accept the first reading of the 2015 Proposed Budget for the General Fund. Mrs. Miazza seconded the motion. All Council unanimously voted Aye on the motion.

A-4 Motion to Accept the First Reading of the 2015 Proposed Budget for Auburn Village

Ms. Crawford announced the proposed budget for Auburn Village for income is \$ 778,000.00; and for expenses for Auburn Village it is \$ 778,000.00. Ms. Crawford made a motion to accept the first reading of the 2015 Proposed Budget for Auburn Village. Mrs. Miazza seconded the motion. All Council unanimously voted Aye on the motion.

- A-5 Motion to Authorize the Borough Manager to Advertise the 2015 Proposed Budgets for General Fund and Auburn Village and to Post for Public

Ms. Crawford made a motion to authorize the Borough Manager to advertise the 2015 Proposed Budgets for General Fund and Auburn Village and to Post for the Public. Mr. Peden seconded the motion. All Council unanimously voted Aye on the motion.

- A-6 Motion to Purchase Candy Canes for the Fire Company/Santa

Ms. Crawford made a motion to purchase candy canes for the Fire Company/Santa. Mrs. Peterson seconded the motion. All Council unanimously voted Aye on the motion.

14. Ordinances and Resolutions Report - Harold Peden

- A-1 Motion to Approve Ordinance No. 4 of 2014
- Amending Chapter 126-4, Prohibited Acts; Subsection B; Item 7; Construction Work or Activities

Mr. Peden read Ordinance No. 4 of 2014; Amending Chapter 126-4 Noise, Prohibited Acts; Subsection B; Item 7; Construction Work or Activities. Mr. Peden made a motion that Ordinance No. 4 of 2014 be passed and adopted as presented. Mrs. Miazza seconded the motion. All Council voted Aye on the motion.

- A-2 Motion to Approve Ordinance No. 5 of 2014
- Amending Chapter 48-2, Definitions; Animal Control

Mr. Peden read Ordinance No. 5 of 2014; Amending Chapter 48-2, Definitions; Animal Control. Mr. Peden made a motion that Ordinance No. 5 of 2014 be passed and adopted as presented. Ms. Crawford seconded the motion. All Council voted Aye on the motion.

- A-3 Motion to Advertise Ordinance No. 6 of 2014
- Fixing Tax Levy or Rate for the Fiscal and Calendar year 2015

Mr. Peden read Ordinance No. 6 of 2014; Fixing Tax Levy or Rate for the Fiscal and Calendar year 2015. Mr. Peden made a motion to approve Ordinance No. 6 of 2014 for advertisement with the intent of adoption at the December 2014 meeting. Ms. Crawford seconded the motion. All Council voted Aye on the motion.

Mr. Mitchell stated “This is the 28th year that we had two mills without a tax increase. It speaks volumes for this Council, and I know we joke around a lot about it, but seriously, we’ve done a very good, conservative job of holding the line while at the same time improving numerous services in the community, throughout the entire community. And it makes it easy for me to sit here, and I know I beat you all up at some times; it makes me feel good to know that everyone is on the same team when it comes to looking out for everyone’s best interest. And thanks a lot. This is good stuff.”

A-4 Motion to Advertise Ordinance No. 7 of 2014
- Parking Services Tax; Amending Chapter 162, Section 3, Imposition of the Tax

Mr. Peden read Ordinance No. 7 of 2014; Parking Services Tax; Amending Chapter 162, Section 3, Imposition of the Tax. Mr. Peden made a motion to approve Ordinance No. 7 of 2014 for advertisement with the intent to be adopted at the December 2014 meeting. Ms. Crawford seconded the motion. All Council voted Aye on the motion.

A-5 Motion to Pass and Adopt Resolution No. 17 of 2014
- Ratify and Affirm the Elimination of Members' Contributions to the Police Pension Plan for Year 2015

Mr. Peden read Resolution No. 17 of 2014; Ratify and Affirm the Elimination of Members' Contributions to the Police Pension Plan for Year 2015. Mr. Peden made a motion that Resolution No. 17 of 2014 be passed and adopted as presented. Ms. Crawford seconded the motion. All Council voted Aye on the motion.

15. Research & Development - Moira Crawford

Ms. Crawford stated the website, for October 2014, we had 5721 page views to the website, 2,438 visitors with approximately 88 visitors per day. We added Caleb Pusey Welcome Day photos and the Youth Halloween Party. "And we are still continuing to work on a different format for the website."

Mr. Peden stated "And may I add, she does a great job. Mr. Peden stated she, Ms. Crawford, deserves a lot of praise for that because that is not an easy job to do.

16. Streets & Equipment - Christine Peterson

Mrs. Peterson mentioned for those did not know, they are picking up leaves a couple times a week. Mr. Peden asked if they could put the leaves out anytime. Mrs. Peterson replied, with confirmation from Mrs. Purcival, yes they can. Mrs. Purcival added "weather permitting." Ms. Crawford mentioned "on Tuesday, Wednesday, and Thursday." Mrs. Purcival stated "We started actually today with diligence. We did it last week and we are starting today and we will keep on going until that last leave is done." Mr. Stark asked why we started early. Mrs. Purcival replied "Because the weather was beautiful today, we did go out today."

17. Community Affairs - Sandra Miazza

Mrs. Miazza stated this Saturday, November 15th is the Seniors' Holiday Dinner, it starts at 6 p.m. The Tree Lighting and the Kid's Christmas Party is on November 28th, it begins at 6 p.m. Mrs. Miazza stated they had 110 kids signed up.

Mr. Peden asked Mr. Smith if Santa can get a ride with the fire company. Mr. Smith replied "Absolutely."

18. Use & Occupancy Report - Shirley Purcival

Mrs. Purcival read into record the Use and Occupancy Report for the month of October 2014. Mr. Mitchell asked if anyone had any questions of the Borough Manager. No one responded.

19. Mayor's Report - Michael Ciach

Mayor Ciach stated that before he began the Mayor's Report, he wanted to "personally thank everyone for their support for the last several months." Mayor Ciach continued "I thank everyone for their patience, their support. And now that the election is over, I can publicly thank everyone. I appreciate everything all you have done. And with that being said, the police report for the month of October..." Mr. Mitchell interjected "Michael, I will accept that but let me say this to that. We thank you for having the guts to stand up and run for good government. It takes a lot of courage to do what you did and it takes a hell of a man to stand there and be cheerful a week later after a defeat, after you put so much time and energy and effort into it. You did good. And don't lose sight of the fact that it's right there, go do it again. The same energy from us will be there for you again." Mayor Ciach replied "The way I look at it, there is a win in every loss, and actually we succeeded in getting the attention in six (6) towns that hasn't been done before." Mr. Mitchell stated "Well, I will say this. I've heard your name mispronounced so many times, from Mayor Ci-ak-ey to Cha-che, but hey listen, they went in there and one thing for sure, there's a very intelligent elector out there, because they know how to split their votes; all over Delaware County. It is just not here. Keep that spirit up, don't let it down because we are behind you." There was a round of applause from Council and the audience.

Mayor Ciach reported "There were 100 citations issued, in the amount of \$ 4,812.50. The amount received from the district court was \$ 3,055.77. Year-to-date citation totals 955, parking tickets issued are 43, the amount sent to the DJ's were 24. There were 9 motor vehicle accidents, 6 accident reports copied, 357 calls answered with 7 assists. Total call to date of year 2014 is 3,975. There is a supplemental written report; if everyone could review that at their leisure." Mayor Ciach turned the microphone over to the Chief Ocasio.

Chief Ocasio wanted to bring to Council's attention that he received some information, last week, from District Attorney's office. Chief Ocasio informed everyone "As you may have seen in the news, Act 139 was passed. Act 139 is authorizing the police officer to utilize Narcan for a heroin overdose. With that being said, I had a phone conference with Jack Whelan and a few other chiefs. Basically what was said to me was by November 24th, they want every officer in the county certified to utilize the actual nasal spray. It goes in the nostril. The way we will receive that training is done via online. Now, if you use this according to the way it is written, if the Narcan is used in with in good faith, and you are assisting someone to bring them back to life, then an officer shall be immune from criminal prosecution and civil liability. Basically, if we use it and someone claims we did something wrong, they can't sue us for it. The County, what they suspect to do is, they want 2 of the actual nasal sprays in each vehicle. They are willing to supply that. Now, they want us, when that supply runs out, as a Borough, to supply it ourselves. From what I understand, it is \$ 20.00 per spray. So as of now, the County is supposed to give some when that time comes. I don't know how much they will give us, if they will do it by cars or officer, I do not know. But that is basically what I got. As of now, 4 people in my department are certified." The course can be taken on iPad or computer.

Mr. Peden asked "Is there a shelf life to that stuff?" Chief replied "I do not know the exact. But if stored properly, it could probably be a few years." Mr. Mitchell asked "Is this similar to the Good Samaritan Act?" Mrs. Peterson replied "It is. They are also going to let a layman do it. Yes, you can take the same

test.” Mr. Mitchell asked if we ever had the need for this. Chief Ocasio replied “It has happened a few times. If we have a call like that, it is usually Parkside coming down or Crozer medics, we never had any delays.” Dan Smith stated “The officers and the fire department and the medics all have brought numerous people back in the Borough using the Narcan. So the Narcan is a very good choice. And with them being on location first, that is why they are trying to make it important for the officer to administer it right away instead of waiting for the medics or anybody else to get there.” Chief Ocasio stated “the only thing different from the medics, they do an I.V. and ours is a nasal spray. And even if they aren’t under the influence, and we make a mistake, my understanding is it doesn’t affect them in any negative way.” Mr. Mitchell stated “Very good.”

Chief Ocasio also stated that they are “ready to go this Saturday, as we said in the newsletter for the I.D.s, so I’m ready to start to print them out.”

Mr. Mitchell stated “Thank you”. Mr. Mitchell asked if anyone had any questions of the Chief. Dan Smith asked “I understand that we are being protected with what Mr. Whelan said, but do we need to write something on a resolution or ordinance for our Borough to protect our officers or is that automatically protected?” Mrs. Purcival, Mr. Mitchell and a few other Council members replied that it’s a State Law; it supersedes.

20. Solicitor’s Report - Robert O’Connor

Mr. O’Connor did not have a public report for October 2014. Mr. Mitchell asked if there were any questions of the Solicitor. Hearing no response, Mr. Mitchell moved onto the next item.

21. Engineer’s Report - Charles Catania

Mr. Mitchell stated he will report progress for Mr. Catania, who is in Eddystone.

22. Old Business

Mrs. Purcival stated that she wanted everybody to know that during a recent meeting with the Highway Department over winter issues, “I was please to present Chuck Boyd with an autograph photo with he and Vince Papale.” It was recently taken at a seminar that all our guys attended. Mr. Mitchell stated “That was a nice photo, I seen it. Very Good.”

23. New Business

A-1 Motion to Authorize a Kind Donation to the Upland Senior Citizen’s Club

Ms. Crawford made a motion to authorize a kind donation in the amount of \$ 400.00 to the Upland Senior Citizen’s Club. Mrs. Miazza seconded the motion. Council voted Aye on the motion, with Mr. Hunter abstaining.

A-2 Motion to Authorize Employee Christmas Bonuses

Ms. Crawford made a motion to authorize the employee Christmas bonuses; \$ 100.00 for full-time and \$ 50.00 for part-time. Mr. Smith seconded the motion. Mrs. Peterson, Mr. Hunter and Mrs. Miazza abstained while all other Council voted Aye on the motion.

A-3 Motion to Cancel Second Meeting of November 2014

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

24. Floor Open to Public

Mr. Fran Riddle, a resident, approached Council. He wanted to let everyone know that his house was recently broken into. Mr. Riddle stated "I wanted to take this opportunity to commend the great work of the Upland Police Department. Not only did they arrest the perpetrator the next day, but in all my dealings with them, they showed me the upmost courtesy and professionalism. Thank you." Mr. Mitchell replied "Thank you very much."

25. Adjournment

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

The meeting adjourned at 7: 58 p.m.

Respectfully submitted,

Shirley Purcival
Borough Manager/Secretary/Treasurer

Shannon Strigle
Recording Secretary