

UPLAND BOROUGH COUNCIL
MEETING MINUTES

October 13, 2015

The meeting of the Upland Borough Council was called to order at 7:01 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 Mr. Harold Peden, Ms. Moira Crawford, Mr. William Dennon, Mayor Michael Ciach, Robert O'Connor, Esq., and Gregory Grillone, Borough Manager/Secretary/Treasurer. Gregory Grillone announced Mr. Leland Hunter, Mrs. Sandra Miazza and Mr. Charles Catania, Sr., P.E. were absent from the meeting.

Mr. Ken Stark, Reporter, and approximately eight (8) residents/guests were also in attendance.

President Mitchell led the Pledge of Allegiance to the Flag. Mayor Ciach asked all present to a moment of silence, for Council and the audience, to remember Sergeant Morris Albany, who 39 years ago today, was killed in the line of duty trying to stop a robbery. In the midst of the robbery, Sergeant Albany was able to get off a shot and had wounded the robber. The robber was prosecuted and given a life sentence. A moment of silence was observed followed by a roll call.

Out of Normal Order of Business

President Mitchell turned the meeting over to Mayor Ciach. Mayor Ciach asked Council to accept the resignation of a part time officer, in form of a motion. Mr. Peden made the motion and Ms. Crawford seconded the motion. Mrs. Peterson abstained from the motion but all other Council present voted Aye.

Mayor Ciach presented a certificate of Educational Achievement to Police Chief Ocasio. Chief Ocasio earned 65 credits towards a degree and/or the introduction of a new method or device, to improve departmental procedures. After a round of applause and pictures, President Mitchell returned to the normal order of business.

5. Public Comments on Agenda Items Only

No one responded.

6. Approval of Previous Meeting Minutes

A-1 Council Meeting Minutes – September 8, 2015

Ms. Crawford made a motion to accept the Council Meeting Minutes of September 8, 2015. Mr. Peden seconded the motion. Mrs. Peterson abstained as she was not present for the meeting on September 8, 2015. All other Council present voted Aye on the motion.

7. Treasurer's Report

A-1 Treasurer's Report

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

A-2 Income Statements

Mr. Mitchell explained the income statements were not available at this time due to the transition of old versus new systems. He stated it should be available tomorrow. If anyone would like to come, please see the Borough Manager to review them.

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

Mr. Mitchell reported progress.

9. Public Safety Report – Harold R. Peden

A -1 Fire Marshal's Report

Mr. Peden read the Fire Marshal's Report of September 2015 into record.

A-2 Fire Company's Report

Mr. Peden asked Dan Smith, to read the reports into record. Mr. Smith read the August 2015 and September 2015 report into record.

President Mitchell asked how membership was at the firehouse. Mr. Smith replied they just had a junior member sign up the other night.

Mr. Mitchell asked Mr. Smith if there was anything the Borough can do to help with membership or anything. Mr. Smith replied the County just had their county-wide event to promote volunteering and Upland incorporated their open house into the event. Mr. Smith stated they had approximately 40 people show up at the open house and one person sign up to become a volunteer firefighter; hopefully they will get additional individuals since the summer is over.

President Mitchell asked if there is anything we can do with our newspaper. Mr. Smith indicated that they recently had something run in the most recent newsletter and that they are doing a lot of fundraisers and will bring attention to their needs.

10. Code Officer's Report - Leland Hunter

Mr. Mitchell reported progress.

11. Building & Grounds Report – Sandra Miazza

Mr. Mitchell reported progress.

12. Finance & Insurance Report –Moira Crawford

A-1 Approval of General Fund Bills- **\$ 124,855.49**

Ms. Crawford made a motion to approve the General Fund Bills for the month of September 2015 in the amount of \$ 124,855.49. Mrs. Peterson seconded the motion. Mr. Mitchell abstained from check number 33494 and Aye on all the rest. All other Council voted Aye on the motion.

A-2 Approval of Auburn Village Bills - **\$ 17,029.15**

Ms. Crawford made a motion to approve the Auburn Village Bills for the month of September 2015 in the amount of \$ 17,029.15. Mr. Dennon seconded the motion. All Council voted Aye on the motion.

13. Ordinances & Resolutions Report - Harold R. Peden

A-1 Motion to Pass and Adopt Ordinance No. 4 of 2015
- Amending Chapter 90 “Floodplain Management; Technical Provisions”

Mr. Peden read into record the amended portion of Ordinance No. 4 of 2015, “Chapter 90 “Floodplain Management; Technical Provisions”. Ms. Crawford seconded the motion. All Council voted Aye on the motion.

President Mitchell explained that the agenda items were previously discussed at the Caucus meeting therefore the Council meeting may seem as it goes very fast.

14. Research & Development – Moira Crawford

Ms. Crawford reported for the month of September 2015, the website had a total of 4, 811 page views, with an average of 160 per day. There were a total of 2,359 visitors with an average of 79 per day. Ms. Crawford reported that we now have the most visited day, September 8th with 190 visitors; most likely due to the pictures and video from Labor Day fireworks.

Ms. Crawford announced that new photos were added of Sandy Kirby-Miazza’s fundraiser.

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

Mr. Mitchell reported progress.

16. Community Affairs – Moira Crawford for Sandra Miazza

Ms. Crawford reminded everyone of the Youth Halloween Party October 24th at 4:00 p.m. to 6:00 p.m. The event is for the Borough youth up to the age of 13 years. There will be music,

refreshments and prizes for best costume. Ms. Crawford also stated that “You must provide your Upland Borough I.D. as proof of residence.”

Ms. Crawford continued that Trick or Treating for Halloween will be held in the Borough on Saturday, October 31 between the hours of 6:00p.m. to 8:00 p.m. Also, the Trunk or Treat at the Upland Baptist Church parking lot will be held between the hours of 6:00pm and 7:00 p.m.

President Mitchell directed a question at Chief Ocasio, confirming additional officers on the schedule for that evening. Chief Ocasio confirmed by stating they will have foot patrol and vehicle patrol.

17. Use & Occupancy Report –Gregory Grillone

Mr. Grillone read into record the Use and Occupancy Report for the month of September 2015. President Mitchell asked if there were any questions for Mr. Grillone, our Borough Manager. Hearing no response, Mr. Mitchell continued.

18. Mayor’s Report – Chief Ocasio for Michael Ciach

Mayor Ciach read the Mayor’s Report of September 2015 into record. President Mitchell stated it’s a pretty busy department.

19. Solicitor’s Report - Robert O’Connor

Mr. O’Connor read his report for September 2015 into record.

Mr. O’Connor stated that Mr. George was in attendance this evening regarding 1103 Woodside Avenue. This matter has been before the Borough’s Planning Commission for a while, probably about four (4) meetings. Mr. O’Connor stated this issue was recently re-addressed in August in front of the Borough’s Planning Commission. Mr. O’Connor stated “The Borough Planning Commission unanimously recommended approval of the applicant’s application subject to several conditions; the applicant still needed to go before the Borough’s Zoning Hearing Board to request relief in the form of a dimensional variance for a front yard setback, the applicant is required to submit a storm water operation and maintenance agreement and a planning module exception with approval from Pennsylvania Department of Environmental Protection for new sewage flows and connections will be required. So they are the three (3) conditions. There was another one (1), but the resident did satisfy; a week or two ago, the applicant did get a letter of water availability from Chester Water Authority. With that said, does anyone up here have any questions of me?” President Mitchell replied “Well, It still appears that it’s not in compliance with what everyone agreed on the Engineer’s side of it; what had to be done in order to issue this to go to Zoning.” Mr. O’Connor replied “Well, they can still go to Zoning at any time. The issue here at Borough Council here tonight, is do you or do you not want to approve the decision that was made by the Planning Commission. The Planning Commission made a recommendation to you guys; obviously they are an advisory board. You are welcomed to accept their recommendation or you are welcomed to, not. It’s up to you. But anyway, so if you approve it tonight, if you voted to approve it tonight, you would be agreeing with what the Planning Commission said and you will be giving the applicant the ability to move forward still subject to those conditions. So the fact

that those conditions have not been met doesn't surprise me because, to my knowledge, I don't even know if they applied for zoning relief. I know that they got the letter of water availability and Mr. George is in the back of the room. If you want to hear from him, maybe he can update you on the Storm water Operation Maintenance."

President Mitchell stated "Rob, let me stop you here. Last month we had the same subject brought up. And it was not done then, and it is not done now. When we left the meeting, everything was to be done. A couple of minor things dealing with water availability, sewer availability; simple things that were within a two (2) mile radius that we could get an answer to. If we are not ready to move forward to send it to Zoning, we have too many piecemeal things here. They have to meet the guideline to get it there. Am I right or am I wrong?" Mr. O'Connor stated "They need this relief here, the dimensional variance. Basically to obtain approval from the borough, they need to still, submit a storm water operation maintenance agreement. President Mitchell asked "Well, has that been done?" Mr. O'Connor replied "No." President Mitchell replied "Well then stop it. When you get everything in here. We've been going on two (2) or three (3) years, now. Let's finish the job. Let's get it right."

Mr. O'Connor requested Mr. George to approach. President Mitchell stated "No, No, No Mr. George. That was the Planning. That was for the last three (3) years, or two (2) years." Mr. George began to speak, inaudible and President Mitchell stated "No, no, no, please understand. We are not going to let you talk over an issue that should have been corrected, done, sealed, done, ready to go." Mr. George began to speak again "I'm not saying..." President Mitchell stated "No, see you are missing my point." Mr. George spoke again. President Mitchell replied "No, No, you're in my house, you're in my house right now. Okay? We are not going to do that. Thank you. The Planning Commission said this is what we are going to accept as being gospel. And we said 'Sure. Let's do that and let these poor people build their house the way they wanted to. We are all for that.'" Mr. George interjected "Mr. President, I just wanted to...(inaudible)." President Mitchell replied "(Oh) boy, you are not getting it. It's the end. It's over. When you get everything ready, done, signed, sealed, then we'll move forward." Mr. George asked "So, I'm not being afforded an opportunity to... (inaudible)." President Mitchell replied "No, no sir, no sir." Mr. George responded "Okay." President Mitchell further explained "The floor's not open to the public."

President Mitchell asked Mr. O'Connor what else he had to report. Mr. O'Connor read his September 2015 report into record. President Mitchell asked if anyone had any questions for the solicitor. No one responded.

20. Engineer's Report - Charles Catania

President Mitchell asked the Borough Manager if there was on file for the Borough Engineer. Mr. Grillone stated he did not receive anything. President Mitchell responded "Very good."

21. School Board Representative – Chester Upland School Board

President Mitchell stated this is a new item on the agenda. Council has invited our representative, who lives in Upland, from the Chester Upland School District to attend and provide any updates on the recent court battle that some may have read in today's paper. President Mitchell stated "He must have another meeting or got tied up. We'll continue to keep asking for information."

22. Old Business

There was no old business addressed.

23. New Business

A-1 Request to Approve Upland Fire Company Tag Day – November 6, 2015

Mrs. Peterson made a motion to approve Upland Fire Company's Tag Day on November 6, 2015. Ms. Crawford seconded the motion. Council verbally voted Aye on the motion.

A-2 Motion to Approve Donation to the Upland Athletic Club

Mrs. Peterson made a motion to approve the donation to the Upland Athletic Club in the amount of \$ 1,000.00. Ms. Crawford seconded the motion. All Council voted Aye on the motion.

A-3 Request from Our Lady of Charity Church – Concrete Barrier

Tabled

A-4 Motion to Cancel Second Meeting of the Month – October 27, 2015

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

24. Floor Open to Public

No one approached Council.

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 7:30 p.m.

Respectfully submitted,

Gregory Grillone
Borough Manager/Secretary/Treasurer

Shannon Strigle
Recording Secretary