

UPLAND BOROUGH COUNCIL

MEETING MINUTES

NOVEMBER 9, 2010

The regular meeting of the Upland Borough Council was called to order at 7:05 p.m. by President Edward M. Mitchell. The meeting was held in the Upland Municipal Building.

Present were President Edward M. Mitchell and Vice President Christine Peterson. Present were Council members Mr. Leland Hunter, Mrs. Sandra Miazza, Mr. Ray Peden, Mrs. Georgianna Hicks, Ms. Moira Crawford, Mayor Michael Ciach, Mr. Charles Catania, Sr., P.E., Mr. Robert O'Connor, Esq. and Mrs. Shirley Purcival, Borough Manager/Treasurer/Secretary was present.

Mr. Ken Stark from the Delaware County Daily Times was present along with approximately 11 residents.

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

5. Approval of Previous Meeting Minutes

A-1 Council Meeting Minutes - October 12, 2010

Ms. Crawford made a motion to accept the October 12, 2010 meeting minutes. Mrs. Miazza seconded the motion. Council unanimously approved the motion.

6. Treasurer's Report

A-1 Treasurer's Report

Mrs. Peterson made a motion to accept the Treasurer's Report. Ms. Crawford seconded the motion. Council unanimously approved the motion.

A-1a) Income Statements

Mrs. Peterson made a motion to accept the Income Statements. Mrs. Miazza seconded the motion. Council unanimously approved the motion.

7. Auburn Village Report - Christine Peterson

Mrs. Peterson reported the new doors are finished and the windows are almost finished and things are going well.

8. Code Official Report - Leland Hunter

A-1 Fire Marshall's Report - Dave Favinger

Mrs. Peterson made a motion to accept the Fire Marshall's Report. Mrs. Hicks seconded the motion. Council unanimously approved the motion.

A-2 Fire Chief's Report - Dan Smith

Chief Smith reported for the month of October there were 2 fire incidents, 33 non-fire incidents, 24 mutual aid for a total incidents of 59 and 3 drills for a total activity of 62. There were 19 assists for fire, 5 cover assignments, 2 motor vehicle accidents, 1 fuel spill, 1 wire call, 5 fire alarms, 2 fire alarms malicious pull, 1 controlled burn, 4 good intent, 1 assist Police and 16 assist citizenry. There was 1 structure fire and 1 brush fire.

There were 36 day times, 26 night time, 152.2 hours of service time for the month with an average runner of 8.

Chief Smith reported that recently we had three members complete fire school which now makes them Senior Level Fire Fighters, Steve Kalichak, Stephanie Johnson and Matt Doyle.

There are three new members to be voted on this Thursday so membership is improving.

Chief Smith wanted to thank the Council Members who came to the Fire Company's Open House. It was an enjoyable night.

President Mitchell asked Chief Smith if there is anything they need from us and he said no. However, he is working with the Fire Marshall on a problem on Main Street.

At this time Mr. Hunter asked if everyone had a copy of the Fire Company's Audit. Mr. Hunter then made a motion to accept the audit. Mrs. Peterson seconded the motion. Council unanimously approved the motion.

Mr. Hunter reported he has court tomorrow to straighten out some violations. Mr. Hunter reported he has been sending out letters on violations and have been getting good results.

9. Public Safety Report - Leland Hunter

A-1 Ratification of the Fraternal Order of Police Lodge 27 Agreement
with the Borough

Mr. Mitchell reported for the audience that A-1 has been tabled until the December 14, 2010 Council Meeting.

10. Building & Grounds Report - Sandy Miazza

Mrs. Miazza reported the office rugs were cleaned from the leak we had.

President Mitchell thanked the Borough Manager for the excellent job she did in securing an insurance payment in the amount of \$ 14,786.57 from this problem.

11. Finance & Insurance Report - Moira Crawford

A-1 Approval of General Fund Bills - \$ 125,831.38

Ms. Crawford made a motion to approve the General Fund Bills for the month of October in the amount of \$ 125,831.38. Mrs. Miazza seconded the motion. Council unanimously approved the motion.

A-2 Approval of Auburn Village Bills - \$ 56,086.67

Ms. Crawford made a motion to approve the Auburn Village Bills for the month of October in the amount of \$ 56,086.67. Mr. Peden seconded the motion. Council unanimously approved the motion.

A-3 Motion to approve first reading of proposed General Fund Budget

Ms. Crawford made a motion to accept the first reading of the proposed 2011 General Fund Budget for income and expenses in the amount of \$ 2,439,166.00. Mr. Hunter seconded the motion. Council unanimously approved the motion.

A-4 Motion to approve first reading of proposed Auburn Village
Budget

Ms. Crawford made a motion to accept the first reading of the proposed 2011 Auburn Village Budget in the amount of \$ 752,105.00. Mr. Hunter seconded the motion. Council unanimously approved the motion.

A-5 Motion to advertise and post proposed budgets

Ms. Crawford made a motion to have the proposed General Fund Budget for 2011 advertised and posted. Mrs. Miazza seconded the motion. Council unanimously approved the motion.

Ms. Crawford made a motion to have the proposed Auburn Village for 2011 advertised and posted. Mrs. Miazza seconded the motion. Council unanimously approved the motion.

Mr. Hunter asked whose budget was this? Mr. Mitchell replied it's the Borough Managers.

12. Ordinances & Resolutions Report - Ray Peden

A-1 Motion to Advertise Proposed Ordinance No. 7 of 2010 - Tax Levy

Mr. Peden made a motion to advertise Proposed Ordinance No. 7 of 2010 - Tax Levy. Mrs. Peterson seconded the motion. Council unanimously approved the motion.

A-2 Motion to Approve Resolution No. 18 of 2010 - Transfer of Funds

Mr. Peden made a motion to approve Resolution No. 18 of 2010 - Transfer of Funds in the amount of \$ 56,610.00. Mrs. Miazza seconded the motion. Council unanimously approved the motion.

13. Research & Development - Moira Crawford

Ms. Crawford reported we had 600 hits in the month of October, approximately 19 hits per day to the web site. Since we started the web site we had 10,712 hits. Our Photo Bucket account we had 14,075 file views for the month of October with 1,868 album visits.

Photos from the Halloween Party have been added courtesy of Ken Stark and George Patterson.

Also added to the web site, the Act 44 disclosure form for entities providing professional service to Upland Borough's Pension System. Trash collection will be on Friday November 12, 2010 due to the Veterans Day Holiday.

We are also changing the web site as the current system is not working so PSAB is changing it to Word Press, they are working on it and it should be done this weekend.

14. Streets & Equipment - Christine Peterson

Mrs. Peterson reported we had a street cleaner come out after the flood and after several rains to sweep all of Upland Avenue. Since Kerlin Street was still packed with mud we had Kerlin Street swept also.

Mrs. Peterson also reported we are looking at the possibility of Widener building several soccer fields. President Harris has been out of the country, however the project is still on the table and a feasibility study is in the works and will be presented to the Planning Committee for review.

Mrs. Peterson commented this is very exciting for us because hopefully it will bring more business into the area.

We are looking to have the Upland Shopping Center cleaned up and the possibility of having a Starbucks and a restaurant in there. Also Kerlin Street would be cleaned up as well.

The students who are soccer players will coach the Borough's children and Upland will be able to have a soccer team for our children.

There has been discussion on constructing a dome to keep the noise down.

Mr. Mitchell commented on what a wonderful opportunity this is for the Borough.

15. Community Affairs - Sandy Miazza

Mrs. Miazza reported the Halloween Party was a success with a big turnout.

Our next event is the tree lighting ceremony which will be held on November 26th at 6:00 p.m. with refreshments after. Santa will be on hand to distribute gifts. So far 80 children have signed up to attend.

Mrs. Peterson commented on the wonderful job the Community Events Committee does and how hard Mrs. Miazza works on all the activities which are for free for the children, and how disheartening it is when we have a fundraiser like the spaghetti dinner which pays for the events we have for the children and the same handful of people show up, many of them being our seniors.

Mrs. Peterson thanked Mrs. Miazza for all her hard work for the children.

16. Use & Occupancy Report - Shirley Purcival

Mrs. Purcival reported for the month of October 10 units received a Certificate of Occupancy, 3 units failed and a total of \$ 1,300.00 was deposited into the General Fund for these inspections.

17. Mayor's Report - Michael Ciach

The Mayor reported that for the month of October there were 217 citations issued and the total amount in fines was \$ 30,896.00 half of which is the Borough's share. Year to date we had 1,561 citations issued.

There were 7 parking tickets issued, 21 motor vehicle accidents, 21 reports and the amount received from the DJ's court was \$ 2,532.38. The total calls answered were 275 and 25 assists.

18. Solicitor's Report - Robert O'Connor

Mr. O'Connor had no public report at this time, but reminded Council to read the confidential portion of the Solicitors Report.

19. Engineer's Report - Charles Catania

A-1 Auburn Village Roof/Window Replacement Invoice Approval

Mr. Catania reported we received the second invoice from Ellis Construction in the amount of \$ 64,173.00 for the work that was done.

It appears that the window portion of the contract will be completed in about one week's time.

It was mentioned that the tenants have been extremely cooperative which has expedited the project.

Mrs. Miazza made a motion to approve payment to Ellis Construction in the amount of \$64,173.00. Mrs. Peterson seconded the motion. Council unanimously approved the motion.

20. School Board Representative

President Mitchell announced that this Thursday our Municipal Board Director will be sworn in at Chester Upland School District and next month we will have a report.

21. Old Business

There was no old business at this time.

22. New Business

A-1 Cancel second meeting of the month

Mrs. Peterson made a motion to cancel the second meeting of the month. Mr. Hunter seconded the motion. Council unanimously approved the motion.

A-2 Motion to Advertise a C.D.B.G. hearing for the December Council Meeting

Mrs. Peterson made a motion to advertise a C.D.B.G. hearing for the December Council Meeting. Ms. Crawford seconded the motion. Council unanimously approved the motion.

A-3 Motion to approve Employee Christmas Bonuses

Ms. Crawford made a motion to approve the Employee Christmas Bonuses. Mrs. Miazza seconded the motion. Council approved the motion with Mrs. Peterson abstaining.

A-4 Motion to purchase Christmas Candy Canes

Ms. Crawford made a motion to purchase Christmas Candy Canes. Mrs. Peterson seconded the motion. Council unanimously approved the motion.

A-5 Motion to approve \$ 200.00 donation to the Senior Club for their Christmas Dinner

Mr. Hunter made a motion to approve \$ 200.00 donation to the Senior Club for their Christmas Dinner. Mr. Peden seconded the motion. Council unanimously approved the motion.

A-6 Discussion of future purchase of trash truck

President Mitchell recommended we do some fact finding, get prices, figure out what we need and get our Highway Department involved to find out what will work best for them.

President Mitchell asked Mrs. Purcival to gather the information and prepare a report for Council.

At this time President Mitchell wanted to announce that Joseph Ferguson was admitted to the Baseball Hall of Fame of Delaware County last week. President Mitchell was very proud of Mr. Ferguson and he will be honored at next month's meeting.

23. Floor Open to the Public

Judge Kenneth Miller who resides at 3413 Oak Lane was the first person to address Council.

Judge Miller congratulated Council on the fine job they do in the community.

Judge Miller expressed excitement over the development of Bell's property however, Judge Miller wanted to know if Ken Stark from the Daily Times should report it in the paper or wait until Widener announces it.

President Mitchell asked Ken Stark if he could hold off for a while as we are in the preliminary stages of talking as we do not have a definite plan and things are still in the talking stage.

Mr. Reggie Duncan from 1000 Church Street was the next to address Council. Mr. Duncan is the founder of the Upland Borough Youth Department known as the Upland Regulators which consists of a group of 5 to 12 year olds who play football. Mr. Duncan reported we had one team who made the playoffs for the first time in 20 years.

Mr. Duncan praised Mayor Michael Ciach for all his help with the team and presented Mayor Ciach with a commemorative Pop Warner football for his service and support.

Mrs. Rosalyn Santucci from 430 9th Street was the next person to address Council regarding the notice she received in her mailbox regarding the Ordinance restricting shrubbery over four feet high. Mrs. Santucci wanted clarification on the definition of shrubbery and read a letter she had prepared voicing her concerns.

Mr. Peden stated there is no hedge ordinance at this point and he shares some of the same concerns as Mrs. Santucci. The Ordinance has been tabled until further notice.

Mrs. Santucci wanted to know who put the notice in her mailbox. Mr. Peden felt it was someone who wanted to scare people.

Mr. Santucci felt the article in the paper was vague. He also felt that the aesthetic value of the homes is being attacked.

President Mitchell pointed out that the house where all this started had hedges so high you could not see the house number and this is a safety concern from the Fire Company's point of view, however the ordinance has been tabled and as long as the homeowner and the Fire Marshall are in communication, there is no reason to be concerned.

The next person to address Council was Rita Reber from 826 Upland Avenue. Ms. Reber wanted Council to know for the last six months she has had a leak in her residence and her basement has been affected. She is afraid to turn on the heat because mold spores will be spread throughout the house.

Mrs. Purcival reported the inspectors have given the landlord one week to install a sump pump.

Ms. Reber feels the leak is coming from the house next door and not up through the floor and that a sump pump will not be effective.

Ms. Reber wants the Borough to find the source of the leak and force the landlord to fix the leak.

Mrs. Purcival reported when Ms. Reber brought the problem to the attention of the Borough several different avenues were taken through Mr. Hunter and Mr. Ferguson. Mr. Ferguson set up a meeting with Mr. Kennedy and Mr. Skulski who went to the home to inspect. The owner, Mr. Khan met with the inspectors. After they checked the home, they felt it was ground seepage issues and Mr. Kahn has agreed to install a sump pump for the tenant. Mr. Kennedy will check with Mr. Kahn this Friday to see what progress has been made.

Ms. Reber wanted to know where the water would be pumping to and from. Mr. Mitchell pointed out it is not Council's job to know plumbing specifics. He stated Mr. Tom Kennedy is the plumbing inspector and she needs to give him a chance to inspect the problem.

Ms. Reber wanted official paperwork stating the inspector had been there and Mr. Mitchell pointed out she is not the owner therefore, all official paperwork is given to the owner.

Mrs. Purcival stated she has tried to talk to Ms. Reber numerous times to explain the progress we are making and also explain she can withhold her rent in an escrow account, this was in between hang ups and her raising her voice.

Ms. Reber stated to Mrs. Purcival she is no longer paying rent or escrowing her rent. Mrs. Purcival suggested she talk to the local Magistrate to reinforce what she has suggested to Ms. Reber.

24. Adjournment

There being no further business at this time, Mrs. Peterson made a motion to adjourn the meeting. Mrs. Miazza seconded the motion. Council unanimously approved the motion. The meeting was adjourned at 8:10 p.m.

Respectfully submitted,

Shirley Purcival,
Borough Manager

Linda Saylor,
Recording Secretary