

UPLAND BOROUGH COUNCIL

MEETING MINUTES

DECEMBER 14, 2010

The regular meeting of the Upland Borough Council was called to order at 7:08 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 and Mr. Willie McGonigle from Community Spirit were present along with approximately 12 residents.

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

A Presentation by Widener University

President Mitchell asked if anyone was in attendance from Widener University. President Mitchell said they may be running late and wanted to move on.

B The following Police Officers will be receiving awards:

Officer Brian Boyd
Officer Anthony DeLuise
Officer Dean Kemp
Officer Steve Jackson
Officer Joseph Norcini

Out of the normal order of business President Mitchell turned the meeting over to Mayor Ciach.

Mayor Ciach stated this evening we have citations and awards to present and asked Chief Easton to come forward to help with the presentation.

Mayor Ciach announced the first set of unit citations to be presented are for Officer Brian Boyd, Officer Dean Kemp, Officer Steve Jackson and Officer Joseph Norcini.

The Mayor announced these unit citations are being presented for going above and beyond their duties during the flood.

The Mayor asked Chief Easton to read a letter commending Officer Anthony DeLuise, who is the recipient of the next award, for his service above and beyond the call of duty when a routine traffic stop turned into a pursuit into Chester City and was actually an armed robbery in progress.

During the traffic stop Detective Michael Curran was hit by the car and Officer DeLuise rendered aid before the pursuit took place. Bullets were being exchanged and Officer DeLuise ran through the bullets and apprehended the suspect putting himself in harm's way in order to protect and serve the Borough and his fellow Officers.

C Honor Joseph Ferguson

Mayor Ciach announced that on October 31, 2010 Mr. Joseph Ferguson was recognized by the Delaware County Sports Hall of Fame for his contribution to baseball in Delaware County.

Mayor Ciach presented Mr. Ferguson with a plaque in his honor. Mr. Ferguson thanked Council.

President Mitchell called for a return to the normal order of business

5. Approval of Previous Meeting Minutes

A-1 Council Meeting Minutes - November 9, 2010

Ms. Crawford made a motion to approve the November 9, 2010 meeting minutes. Mrs. Miazza seconded the motion. Council unanimously approved the motion.

6. A-1 Treasurer's Report

Mrs. Peterson made a motion to accept the Treasurer's Report as presented. Mr. Peden seconded the motion. Council unanimously approved the motion.

A-1a) Income Statements

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

A-2 Proof of Publication (3)

Mr. Mitchell asked if everyone reviewed the Proof of Publications and if anyone had any questions. There were none. Council unanimously approved the publications.

7. Auburn Village Report - Christine Peterson

Mrs. Peterson made a motion to pay Ellis Construction \$ 46,827.00 which is the final payment for the windows in Auburn Village. Mr. Peden seconded the motion. Council unanimously approved the motion.

8. Code Official Report - Leland Hunter

Mr. Hunter reported he has been very busy since the last Council meeting. Tomorrow he has two hearings.

Mr. Hunter also wanted to remind the public, this year, if it snows and people block parking spaces we will take away whatever is in the street.

A-1 Fire Marshall's Report - Dave Favinger

Everyone reviewed the Fire Marshall's report and no one had any questions.

A-2 Fire Chief's Report - Dan Smith

Chief Smith reported for the month of November there were 2 fire incidents, 13 non-fire incidents, 16 mutual aid for a total incidents of 31. There were 3 drills for a total activity of 34.

We had 12 assists for fire, 4 cover assignments, 1 motor vehicle accident, 1 wires down, 4 fire alarms, 2 fire alarms with human malicious pull, 5 good intent and 1 single family fire.

We had 27.8 hours of service for the month, 15 day time, 19 night time and the average runner was 7.

Chief Smith reported to Council that for the past year there have been eight fire alarms with human malicious pull and all of them, except one, have come from 900 Main Street and from the same person. The Fire Company is working with the Police to correct the situation.

President Mitchell asked if under the amended Nuisance Ordinance there was anything to cover this problem. Mr. Peden replied no.

Chief Smith stated that a separate Ordinance would have to be enacted. Mr. Peden asked Chief Smith to have the Fire Marshall call him.

Borough Manager Purcival stated she felt the best thing to do is have the Fire Marshall Favinger, Chief Smith, the Police and Mr. Peden get involved in a new Ordinance.

Chief Smith stated he is working on this with the Fire Marshall and Mr. Peden reminded Chief Smith he needs to be involved in the process.

Chief Smith reported they have closed out the Fund Drive for the Upland Fire Company for the year 2010 which would be 2009 year end.

The percentage of returns has been decreasing. For instance, businesses have only given 7.81%. Out of sixty four businesses in the Borough only five have responded back to the Borough. Out of sixty one apartments, two have responded. However, 20.62% of the residents have responded and 16.67% of non-resident owners have responded which brings the total this year to 17.02%.

For the year 2009 the total percentage was 18.65%, in 2008 the total was 19.40% and in 2007 the total was 20.90%. We are steadily decreasing and one of the upsetting factors is the businesses, especially after the flooding.

President Mitchell asked Chief Smith how the membership was doing. Chief Smith responded that last month two people were proposed and will be voted on in January.

President Mitchell questioned what that brings us up to and felt that seven average runners were good. Chief Smith stated that daytime calls are still hurting a little and we have some members who are working on some drivers. People are starting to train a little more but now that winter is here, it is a little harder because you can't pump the water; however they are becoming more familiar with the equipment.

President Mitchell asked Chief Smith if there was anything the Fire Company needs that Council could help with. Chief Smith replied no.

9. Public Safety Report - Leland Hunter

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

Mr. Peden made a motion to ratify the new Agreement between the Fraternal Order of Police Lodge 27 and the Borough Police Department. Ms. Crawford seconded the motion. Council unanimously approved the motion.

A-2 Ratification of the Fraternal Order of Police Lodge 27 Agreement
with Police Retirees

Mr. Peden made a motion to ratify the new Agreement between the Fraternal Order of Police Lodge 27 with the Police Retirees. Mrs. Miazza seconded the motion. Council unanimously approved the motion.

Mr. Peden asked that Council join him in congratulating the Committee that worked on the negotiations. Mr. Peden felt it was one of the best contracts he has ever seen and thanked the Committee as well as the Borough Manager.

10. Building & Grounds Report - Sandy Miazza

Mrs. Miazza reported on the improvements to Council Chambers. The wall has been taken down and the fireplace conversion to gas is complete. We are waiting for the new window treatments.

11. Finance & Insurance Report - Moira Crawford

A-1 Approval of General Fund Bills - \$ 208,139.46

Ms. Crawford made a motion to approve the November General Fund Bills in the amount of \$ 208,139.46. Mrs. Miazza seconded the motion. Council approved the motion with Mr. Mitchell abstaining from check # 25821.

A-2 Approval of Auburn Village Bills - \$ 24,893.70

Ms. Crawford made a motion to approve the November Auburn Village Bills in the amount of \$ 24,893.70. Mrs. Peterson seconded the motion. Council unanimously approved the motion.

A-3 Motion to approve the second reading of Proposed General Fund
Budget and adopt budget

Ms. Crawford made a motion to approve the second reading of the Proposed General Fund Budget and adopt the budget in the amount of \$ 2,439,166.00. Mrs. Peterson seconded the motion. Council unanimously approved the motion.

A-4 Motion to approve the second reading of Proposed Auburn Village
Budget and adopt budget

Ms. Crawford made a motion to approve the second reading of Proposed Auburn Village Budget and adopt the budget in the amount of \$ 752,105.00. Mrs. Miazza seconded the motion. Council unanimously approved the motion.

12. Ordinances & Resolutions Report - Ray Peden

A-1 Motion to approve Ordinance No. 7 - Tax Levy

Mr. Peden made a motion to adopt Ordinance No. 7 of 2010 - Tax Levy. Ms. Crawford seconded the motion. Council unanimously approved the motion.

A-2 Motion to approve Resolution No. 19 of 2010 - Application to Participate in the Community Development Block Grant Program

Mr. Peden made a motion to adopt Resolution No. 19 of 2010 - Application to Participate in the Community Development Block Grant Program. Ms. Crawford seconded the motion. Council unanimously approved the motion.

A-3 Motion to approve Resolution No. 20 - Transfer of Funds - \$ 64,173.00

Mr. Peden made a motion to adopt Resolution No. 20 of 2010 - Transfer of Funds \$ 64,173.00. Ms. Crawford seconded the motion. Council unanimously approved the motion.

A-4 Motion to approve Resolution No. 21 - Employee Compensation

Mr. Peden made a motion to approve Resolution No. 21 of 2010 - Employee Compensation. Ms. Crawford seconded the motion. Council approved the motion with Mrs. Peterson abstaining from voting on the Police Clerk position and Mr. Mitchell abstaining from the Tax Collector position.

A-5 Motion to approve Resolution No. 22 - Appointed Positions

Mr. Peden made a motion to approve Resolution No. 22 of 2010 - Appointed Positions. Mrs. Hicks seconded the motion. Council unanimously approved the motion.

A-6 Resolution No. 23 - Advertisement of Proposed Ordinance

Mr. Peden made a motion to approve Resolution No. 23 of 2010. Mrs. Miazza seconded the motion. Council unanimously approved the motion.

A-7 Ordinance No. 1 of 2011- Advertisement of Ordinance No. 1 -
Parking Service Tax

Mr. Peden made a motion to advertise Ordinance No. 1 of 2011 - Parking Service Tax. Mrs. Peterson seconded the motion. Council unanimously approved the motion.

A-8 Motion to approve Resolution No. 24 - Transfer of Funds -
\$ 46,827.00

Mr. Peden made a motion to approve Resolution No. 24 of 2010 - Transfer of Funds - \$ 46,827.00. Ms. Crawford seconded the motion. Council unanimously approved the motion.

At this time Mr. Peden announced we have a Resolution No. 25 but suggested that because we haven't heard from Widener University at this time we should wait until we do.

13. Research & Development - Moira Crawford

Ms. Crawford reported the new web site application became effective November 10th and has the web address of uplandboro.org.

The new hit counter totaled 4,581 page views for the month of November. There were 402 unique ip's so we had 402 different visitors with a little over five page views per visit.

The most popular pages are the welcome page, the events section, zoning, officers, the Borough's schedule and the Bristol Lord cameras.

We added the Holiday Celebration to our photo bucket account courtesy of Mr. Ken Stark. There were 12,463 file views and 3,159 album visits.

14. Streets & Equipment - Christine Peterson

Mrs. Peterson reported we have salt and are ready for winter.

15. Community Affairs - Sandy Miazza

Mrs. Miazza reported we had our tree lighting ceremony and Christmas party for the children which was a big success.

We had our employee Christmas Party this past Saturday which was very nice.

We have a New Year's Eve Party scheduled.

There will be a soup and salad scheduled for March 5th.

Mrs. Miazza is looking into prices to take the children to Betty's Bounce possibly in January or February and they will have pizza and drinks.

At this time Mrs. Peterson asked President Mitchell if she could go back and report on how happy she is with Mrs. Purcival who got Penndot to agree to perform road work on part of Sixth Street and Upland Avenue.

President Mitchell also told Mrs. Purcival what a good job she is doing along with the Engineer's Office in preparing the applications for these projects.

16. Use & Occupancy - Shirley Purcival

Mrs. Purcival reported for the month of November there were four units who received certificates and one unit which was commercial. Three units failed their inspection and a total of \$ 500.00 was deposited into the General Fund for these inspections.

President Mitchell and Mrs. Purcival noted the fine job the inspectors do every Friday.

17. Mayor's Report - Michael Ciach

Mayor Ciach reported for the month of November there was a total of 112 citations issued. The total amount in fines is \$ 20,998.00, half of which is the Borough's share. The total citations year to date is 1,673.

There were ten parking tickets issued this month. There were ten motor vehicle accidents and ten accident reports. The amount received from District Court was \$ 2,920.37.

There were 259 calls answered and 23 assists.

18. Solicitor's Report - Robert O'Connor

Mr. O'Connor stated there is no public report at this time and reminded Council to review the confidential portion of his report and let him know if anyone has questions.

Mr. O'Connor told Council how much he enjoyed the Christmas Party.

At this time Mr. O'Connor asked for a motion to ratify the decision made in Executive Session.

Mr. Peden made a motion to ratify the decision made in Executive Session. Ms. Crawford seconded the motion. Council unanimously approved the motion.

19. Engineer's Report - Charles Catania

Mr. Catania reported we have a response from Penndot from the notification which Mrs. Peterson mentioned. They are going to resurface two sections of the State highways within the Borough; Sixth Street from Main Street to Edgmont Avenue and Upland Avenue to the end.

Mr. Catania also reported he certified the liquid fuel road calculation for Marjorie Parris at Penndot.

20. School Board Representative - Richard McClintock

There was no report at this time.

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. Peden seconded the motion. Council unanimously approved the motion.

A-2 Hire Cynthia Romeo for full time

Mrs. Peterson made a motion to hire Cynthia Romeo for full time. Ms. Crawford seconded the motion. Council unanimously approved the motion.

23. Floor Open to the Public

At this time Chief Dan Smith wanted to add to his Fire Chief's Report. Chief Smith reported Santa Claus will be going around this Saturday starting at 11:00 a.m. he will be handing out candy canes, and at 5:00 p.m. he will be going out again with the lights on and sirens blaring.

On behalf of the Officers and members of the Fire Company Chief Smith wished everyone on Council and the office staff a happy and safe holiday.

There were no further comments from the public.

24. Adjournment

There being no further business at this time Mrs. Peterson made a motion to adjourn the meeting and Mrs. Miazza seconded the motion. Council unanimously approved the motion. The meeting was adjourned at 7:50 p.m.

Respectfully submitted,

Shirley Purcival,
Borough Manager

Linda Saylor,
Recording Secretary