

UPLAND BOROUGH COUNCIL

MEETING MINUTES

MAY 24, 2011

The regular meeting of the Upland Borough Council was called to order at 7:00 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. Sandy Miazza, Ray Peden, Mrs. Georgianna Hicks, Ms. Moira Crawford, Mr. Charles Catania, Sr., P.E., Mr. Robert O'Connor, Esq. and Mrs. Shirley Purcival, Borough Manager/Treasurer/Secretary was present. Mayor Michael Ciach was absent due to illness.

Mr. Ken Stark from the Delaware County Times and Mr. Willie McGonigle of Community Spirit were present along with approximately eight residents.

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

President Mitchell called attention to the two awards in front of him which were presented to two of our officers from the Philadelphia Crime Commission for outstanding service and valor to the call of duty. The two officers were Mike Curran and Anthony DeLuise. Mr. Mitchell invited everyone to take a look at them. President Mitchell noted this is the first award, like this that we have had.

5. Approval of Previous Meeting Minutes

A-1 Council Meeting Minutes - April 26, 2011

Ms. Crawford made a motion to approve the April 26, 2011 Meeting Minutes. Mrs. Miazza seconded the motion. Council unanimously approved the motion.

A-2 Motion to approve Bid Opening Minutes for Auburn Village Concrete Project - May 10, 2011

Ms. Crawford made a motion to approve the Bid Opening Minutes for Auburn Village Concrete Project - May 10, 2011. Mr. Peden seconded the motion. Council unanimously approved the motion.

A-3 Motion to approve Bid Opening Minutes for:  
2011 Street Improvements  
&  
Auburn Village/MacQueen Hall Roofing & Window  
Improvements - May 20, 2011

Mr. Peden made a motion to approve the Bid Opening Minutes for: 2011 Street Improvements & Auburn Village/MacQueen Hall Roofing & Window Improvements - May 20, 2011. Ms. Crawford seconded the motion. Council unanimously approved the motion.

6. Treasurer's Report  
A-1 Treasurer's Report

Mrs. Miazza made a motion to approve the Treasurer's Report. Mr. Peden seconded the motion. Council unanimously approved the motion.

A-2 Income Statements

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

7. Auburn Village Report - Christine Peterson

Mrs. Peterson reported we are working on the shingle repairs which is progressing nicely.

8. Code Official Report - Leland Hunter

Mr. Hunter reported he has sent out numerous letters regarding high grass and weeds and trash.

Mr. Hunter also reported he is in the process of touring the Borough to see where the water company's diggings need to be repaired.

A-1 Fire Marshall's Report - Dave Favinger

President Mitchell asked if everyone had reviewed the Fire Marshall's Report and if there were any questions. There were none.

A-2 Fire Chief's Report - Dan Smith

President Mitchell asked to leave this open as Chief Smith may be out on a call.

9. Public Safety Report - Leland Hunter

Mr. Hunter reported progress.

10. Building & Grounds Report - Sandy Miazza

Mrs. Miazza reported progress.

11. Finance & Insurance Report - Moira Crawford

A-1 Approval of General Fund Bills - \$ 204,569.79

Ms. Crawford made a motion to approve the General Fund Bills for the month of April, 2011 in the amount of \$ 204,569.79. Mrs. Hicks seconded the motion. Council approved the motion with Mrs. Peterson abstaining from check # 26439 and check # 26453 and President Mitchell abstaining from check # 26452.

A-2 Approval of Auburn Village Bills - \$ 18,635.59

Ms. Crawford made a motion to approve the Auburn Village Bills in the amount of \$ 18,635.59. Ms. Hicks seconded the motion. Council approved the motion with President Mitchell abstaining from check # 4731.

12. Ordinances & Resolutions Report - Ray Peden

A-1 Motion to Advertise Ordinance No. 3 of 2011 - Certificates of Occupancy

Mr. Peden made a motion to advertise Ordinance No. 3 of 2011- Certificates of Occupancy. Mrs. Miazza seconded the motion. Council unanimously approved the motion.

13. Research & Development - Moira Crawford

Ms. Crawford reported progress.

14. Streets & Equipment - Christine Peterson

Mrs. Peterson reported the flags are up for the Memorial Day Parade.

15. Community Affairs - Sandy Miazza

Mrs. Miazza reported the Memorial Day Parade starts at 9:00 a.m. and afterwards there will be a picnic in the ball park which starts at 11:00 a.m.

The Carnival starts June 14<sup>th</sup> and we are also having a July 4<sup>th</sup> celebration.

16. Use & Occupancy Report - Shirley Purcival

Mrs. Purcival reported for the month of April one unit passed their inspection, three units failed and a total of \$ 525.00 was deposited into the General Fund for those inspections.

17. Mayor's Report - Michael Ciach

Mayor Ciach was absent due to illness, so Mrs. Peterson gave the report.

Mrs. Peterson reported that for the month of April the total number of citations issued were 55, traffic - 39, non-traffic - 16.

The total citation fine was \$ 5,107.00 and the amount received from DJ's court for the previous month was \$ 1,618.14.

The total previous count for citations was 353, current is 55 and the total to date is 408.

Parking tickets issued is 4, motor vehicle accidents was 5, accident reports copied was 5.

The amount of tickets paid was \$ 260.00, parking tickets sent to the DJ was 2.

The total number of calls answered was 341, and total assists was 48.

18. Solicitor's Report - Robert O'Connor

Mr. O'Connor had two items to report, the first was the Kirby Lawn Care contract and the second was the bid award contracts.

Mr. O'Connor reminded Council to review the confidential portion of his report.

19. Engineer's Report - Charles Catania

A-1 Recommendation of Bids

Mr. Catania reported the low bid for concrete replacement for Auburn Village was Ellis Construction with a low bid \$ 34,900.00.

Mr. Catania recommended the award of that contract to Ellis Construction.

Mr. Catania reported the low bid for the 2011 Street Improvement Program was A.F. Damon with a low bid of \$ 36,718.75.

- Mr. Catania recommended the award of that contract to A.F. Damon.
- Mr. Catania reported the low bid for the MacQueen Hall Roofing & Window Improvements the low bid was from Ellis Construction for \$ 45,100.00.
- Mr. Catania recommended the award of that contract to Ellis Construction.
- Mr. Catania reported the low bid for the Auburn Village Roofing Rehab was from ARK Builders with a low bid of \$ 22,160.00.
- Mr. Catania recommended the award of that contract to ARK Builders.
- Mrs. Peterson made a motion to approve the low bid for the Auburn Village Concrete Project. Mrs. Miazza seconded the motion. Council unanimously approved the motion.
- Mrs. Peterson made a motion to approve the low bid for the 2011 Street Improvement Program. Ms. Crawford seconded the motion. Council unanimously approved the motion.
- Mrs. Peterson made a motion to approve the low bid for the Auburn Village Roofing and Window Improvements. Mr. Peden seconded the motion. Council unanimously approved the motion.
- Mrs. Peterson made a motion to approve the low bid for the MacQueen Hall Roofing and Window Improvements. Ms. Crawford seconded the motion. Council unanimously approved the motion.
- Mrs. Peterson made a motion to have the Solicitor draw up the contracts. Ms. Crawford seconded the motion. Council unanimously approved the motion.
- Mrs. Peterson made a motion to purchase the air cards for the MDT modem for the police cars. Mrs. Hicks seconded the motion. Council unanimously approved the motion.
- Mrs. Peterson made a motion to have the Engineer draw the request for proposal for the outsourcing of trash pickup. Ms. Crawford seconded the motion. Council unanimously approved the motion.
20. School Board Representative - Richard McClintock
- No report at this time.

## 21. Old Business

There was no old business at this time.

## 22. New Business

Mrs. Peterson made a motion to change June's Council Meeting date to Monday June 13, 2011 due to the carnival. Ms. Crawford seconded the motion. Council unanimously approved the motion.

## 23. Floor Open to Public

The first person to address Council was Lynda Miller from 1022 Hill Street.

Ms. Miller noted she lives next to the Upland Shopping Center and said she has complained before and nothing gets done.

Trucks are coming into the shopping center at 5:00 a.m. and the bedrooms of her house are on that side and the trucks and their back up alarms are going off and the windows are open and it's very noisy.

Ms. Miller also noted the parking lot is always full of trash from the stores and when the wind blows, the trash always ends up in her yard.

Also, people congregate in the parking lot and blast their radios, Ms. Miller said she calls the police and they do respond.

President Mitchell told Ms. Miller that after she called to complain, Mrs. Purcival contacted the landlord and he was not in.

President Mitchell asked Ms. Miller to give it a couple of days to see what we can work out. Also, regarding the trash, President Mitchell will have the Code Enforcement Officer investigate. President Mitchell noted the trash has been an ongoing problem and in the past the landlord has been very cooperative and has hired people to clean the parking lot.

Ms. Miller noted the problem with that is they clean it between 1:30 and 3:30 in the morning creating more noise.

President Mitchell again asked Ms. Miller to give the Borough Manager a few days to contact the landlord and to give her phone number to the Borough Manager and the Borough Manager will contact her.

Ms. Miller also stated that tractor trailers park overnight in the parking lot and wanted to know if this was permissible.

Mrs. Peterson informed Ms. Miller we have residents who drive the trucks for a living and since tractor trailers are not allowed on Borough Streets the Manager of the Shopping Center has given them permission to park in the Upland Shopping Center parking lot.

President Mitchell wanted to know if any of them were refrigerator trucks and Ms. Miller replied, not to her knowledge.

Ms. Miller also informed President Mitchell that people go to the bathroom on the side of the building and they don't care if people are sitting outside and see them.

President Mitchell said it would be looked into.

The next person to address Council was Liz Banner from 1026 Hill Street.

Ms. Banner said she can hear the noise from the Upland Shopping Center with her windows closed. Ms. Banner expressed her frustration with getting this noise problem resolved.

Ms. Banner also stated the shopping center is having their trash removed at 2:00 a.m. She has been in touch with the police and feels the noise ordinance is being misinterpreted.

Ms. Banner also noted she called the police because the tenants renting the house next to her were selling drugs. She was assured the call would remain anonymous; however they approached her and asked her why she called the police on them.

The tenants were not evicted for a month after that and Ms. Banner felt very unsafe, and expressed concern that the police department did not keep her call anonymous.

Mrs. Peterson assured Ms. Banner that the Officer who responded did not reveal her name.

The third person to address Council was Constance Bennett from 416 W. 21<sup>st</sup> St.

Ms. Bennett came to Council to inform them of the problem she is having with bed bugs and all the money she has spent on exterminators and sprays.

Ms. Bennett feels the problem is coming from 418 W. 21<sup>st</sup> St. Ms. Bennett says

the landlord will not do anything to have the problem rectified and even though

8

she paid an exterminator herself, the problem keeps re-occurring because 418 W. 21<sup>st</sup> St. refuses to hire an exterminator.

Mrs. Miazza asked if she owns her house and she does, but the people at 418 W. 21<sup>st</sup> St. are renters.

Another unidentified resident of 21<sup>st</sup> St. said the whole block is infested, even across the street.

President Mitchell asked the Borough Manager to call all the landlords and bring them in for a meeting as soon as possible, because unless every house is done at the same time, the bed bugs will move from house to house.

The resident wanted to verify that Upland has a 9:00 p.m. curfew and President Mitchell said that was correct.

The resident complained that children are outside making noise at 2:00 a.m.

Mrs. Peterson asked the resident if she calls 911 and the resident replied she is tired of calling the police.

Mrs. Peterson explained at that time of day there is usually only one officer on duty and the resident needs to call 911 if she needs help with this problem. Mrs. Peterson explained the officer can't be everywhere and doesn't know there is a problem unless she calls.

The next person to address Council was Timothy Bennett from 416 W. 21<sup>st</sup> St. Mr. Bennett wanted to know who is in charge of the alleyway behind the whole 400 block of W. 21<sup>st</sup> Street as far as snow removal is concerned.

Mr. Hunter explained that each individual home owner is responsible for their own snow removal.

Mr. Bennett also asked Council how many times 21<sup>st</sup> St. is supposed to be plowed, because it was only plowed once during the snows of last winter.

Mr. Hunter pointed out one of the problems is people shoveling out spots for their cars and throwing the snow in the street.

Mr. Bennett noted that many hospital employees park on their street and it makes it difficult to find a place to park.

Mrs. Purcival stated we can make a request to Crozer that their employees not park there, but it's a public street and we can't restrict parking.

9

Mr. Bennett also wanted Council to know a lot of residents are putting their trash in the alley instead of out front and it sits there for months.

The residents at 408 and 422 W. 21<sup>st</sup> Street leave their trash in the alley instead of out front.

Code Enforcement will look into the problem.

24. Adjournment

There being no further business at this time Mrs. Peterson made a motion to adjourn the meeting. Ms. Crawford seconded the motion. The meeting was adjourned at 7:42 p.m.

Respectfully submitted,

Shirley Purcival,  
Borough Manager

Linda Saylor,  
Recording Secretary

