

UPLAND BOROUGH COUNCIL

MEETING MINUTES

August 30, 2011

The regular meeting of the Upland Borough Council was called to order at 7:15 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, Mr. Harold Peden, Mrs. Georgianna Hicks, Ms. Moira Crawford, Mayor Michael Ciach, Mr. Robert O'Connor, Esq., Mr. Charles Catania, Sr., P.E. and Mrs. Shirley Purcival, Borough Manager/Treasurer/Secretary was also present. Mrs. Sandy Miazza was on vacation.

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

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

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Out of the Normal Order of Business  
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11. Ordinances & Resolutions Report - Ray Peden

A-4 Resolution No. 11 - Hiring of 3 Full Time Police Officers

Mr. Peden made a recommendation to Council to pass and adopt Resolution No. 11 - Hiring of 3 Full time Police Officers. Ms. Crawford seconded the motion. Council approved the motion with Mrs. Peterson abstaining.

Ms. Crawford made a motion to hire two Part Time Police Officers. Mr. Peden seconded the motion. Council approved the motion with Mrs. Peterson abstaining.

Mr. Mitchell turned the meeting over to Mayor Ciach who administered the Oath of Office to both part time police officers, Michael Birney and Craig Scully.

Mayor Ciach then administered the Oath of Office to three full time police officers, Sean Dougherty, Steve Jackson and Nelson Ocasio.

Council congratulated all of the new police officers and Ken Stark took photos of the occasion.

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 Back in the Normal Order of Business  
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5. Approval of Previous Meeting Minutes

A-1 Bid Opening Minutes - June 30, 2011

Ms. Crawford made a motion to approve the Bid Opening Minutes of June 30, 2011. Mr. Peden seconded the motion. Council unanimously approved the motion.

A-2 Council Meeting Minutes - July 5, 2011

Ms. Crawford made a motion to approve the July 5, 2011 meeting minutes. Mrs. Hicks 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 as presented. Ms. Crawford seconded the motion. Council unanimously approved the motion.

A-2 Income Statement

Mrs. Peterson made a motion to accept the Income Statement as presented. Ms. Crawford seconded the motion. Council unanimously approved the motion.

7. Auburn Village Report - Christine Peterson

Mrs. Peterson stated she would wait until the Engineer's Report was given.

8. Code Official Report/Public Safety Report - Leland Hunter

Mr. Hunter reported on a sink hole on Second Street caused by the Chester Water and noted it has been reported.

Mr. Hunter stated he is having a problem with Penndot regarding Upland Avenue and 907 22nd Street and no one wants to cooperate and let him know when they are going to repair the sidewalk. Mr. Hunter stated he has pictures and the Borough Manager will get them to the Solicitor.

President Mitchell asked Mr. Catania if he had any information on 907 22nd Street. Mr. Catania replied it is the same situation as the Upland Avenue project.

President Mitchell asked Mr. Catania if it will be corrected and Mr. Catania noted that PennDOT thinks so.

#### A-1 Fire Chief's Report - Dan Smith

Dan Smith reported for the month of July 2011 there was 1 fire incident, 10 non-fire incidents, 12 mutual aid for a total incidents of 23 and 2 drills for a total activity of 25.

There was \$ 4,000.00 of vehicle loss in the month of July. There were 11 assists for fire, 1 cover assignment, 1 ambulance assist, 1 fuel spill, 1 gas leak, 2 fire alarms, 1 controlled burn and 3 good intent calls, 1 citizen assist and 1 vehicle fire.

We had 14.7 hours in service for the month, 10 day time, 15 night time, 1 cover up with an average runner of 6.

President Mitchell asked the Chief how the membership was. Chief Smith stated they have one applicant they will be voting on this month. Membership is holding steady and last month they brought in one new member.

President Mitchell wanted to know if the Borough Manager was in touch with Chief Smith regarding the new doors. Chief Smith replied yes.

At this time, President Mitchell stated Council wants to give one of the old police cars to the Fire Department and he will work out the details on the maintenance at a later date.

Chief Smith thanked Council for their support during last week's flood. Chief Smith also wanted to thank Mrs. Purcival, the Borough Manager. He also thanked Trainer Borough Board of Health for the food and water they supplied to Fire Companies in the area.

President Mitchell and Council thanked Chief Smith and the Fire Company for all their hard work.

President Mitchell wanted Chief Smith to know the Streets Committee and the Borough Manager has filed for next year's block grant and is looking at connecting the Mulberry Street project to Hill Street. This will permit emergency vehicles better access to the upper end of town.

9. Building & Grounds Report - Shirley Purcival for Sandy Miazza

Mrs. Purcival reported we are installing an air conditioner for the Borough Hall lobby.

10. Finance & Insurance Report - Moira Crawford

A-1 Approval of General Fund Bills - \$ 164,036.84

Ms. Crawford made a motion to approve the General Fund Bills for the month of July in the amount of \$ 164,036.84. Mrs. Hicks seconded the motion. Council approved the motion. Mrs. Peterson abstained from check # 26784 and President Mitchell abstained from check # 26788.

A-2 Approval of Auburn Village Bills - \$ 37,294.27

Ms. Crawford made a motion to approve the Auburn Village Bills for the month of July in the amount of \$ 37,294.27. Mr. Peden seconded the motion. Council approved the motion. President Mitchell abstained from check # 4821.

11. Ordinances & Resolutions Report - Ray Peden

A-1 Motion to advertise Ordinance No. 4 - Private Sanitary Sewer Lateral Connections

Mr. Peden made a motion to advertise Ordinance No. 4 - Private Sanitary Sewer Lateral Connections. Ms. Crawford seconded the motion. Council unanimously approved the motion.

President Mitchell noted this Ordinance has been worked on for 2 ½ years by Mr. Peden, Mrs. Purcival, Delcora and Catania Engineering. President Mitchell thanked Mr. Peden, Mrs. Purcival and Delcora for all the time and effort put into this Ordinance which is sorely needed to upgrade a system that was put here in 1939.

A-2 Motion to advertise Ordinance No. 5 - Wastewater Treatment

Mr. Peden made a motion to advertise Ordinance No. 5 - Wastewater Treatment. Ms. Crawford seconded the motion. Council unanimously approved the motion.

A-3 Motion to approve Resolution No. 10 - Transfer of Funds

Mr. Peden made a motion to adopt Resolution No. 10 - Transfer of Funds as presented. Ms. Crawford seconded the motion. Council unanimously approved the motion.

A-5 Motion to approve Resolution No. 12 - Transfer of Funds

Mr. Peden made a motion to adopt Resolution No 12 - Transfer of Funds. Ms. Crawford seconded the motion. Council unanimously approved the motion.

A-6 Motion to approve Resolution No. 13 - Funding Cost of the Police Pension Plan.

Mr. Peden made a motion to adopt Resolution No. 13 - Funding Cost of the Police Pension Plan. Ms. Crawford seconded the motion. Council unanimously approved the motion.

A-7 Motion to approve Resolution No. 14 - Funding Cost of the Non Uniformed Pension Plan

Mr. Peden made a motion to adopt Resolution No. 14 - Funding Cost of the Non Uniformed Pension Plan. Ms. Crawford seconded the motion. Council adopted the Resolution. Mrs. Peterson abstained.

A-8 Motion to approve Resolution No. 15 - Borough Surplus Property

Mr. Peden made a motion to adopt Resolution No. 15 - Borough Surplus Property. Mrs. Peterson seconded the motion. Council unanimously approved the motion.

Mr. Peden reported to Council the Zoning Task Force have had 13 meetings since August of 2010. There will be approximately two more meetings before they have the draft they need. The final draft should be ready for review in the first quarter of 2012.

12. Research & Development - Moira Crawford

Ms. Crawford reported a spike in the number of visits during the weekend flood issue. During the 27th & 28th we tripled the amount of visits to the website.

There has been a lot of new information added to the current news section, such as information about the candle light service to commemorate the 10th anniversary of 9/11. Also information for students and families regarding internet use for families who qualify, school tax collection and photos of recent events.

13. Streets & Equipment - Christine Peterson

Mrs. Peterson stated she will wait for the Engineer's report.

14. Community Affairs - Shirley Purcival for Sandy Miazza

Mrs. Purcival reported that Mrs. Miazza would like remind everyone of the fireworks to be held at dusk at the ball field for Labor Day.

On Sunday September 11th a candle light vigil which starts at 7:00 p.m. at the Memorial in Bristol Lord Field to commemorate the tenth anniversary of the attacks on our country.

On September 24th we are having a spaghetti dinner in MacQueen Hall.

October 29th we will have our Halloween events.

15. Use & Occupancy Report - Shirley Purcival

Mrs. Purcival reported for the month of July five units failed their inspection and six units passed their inspection.

A total of \$ 1,250.00 was deposited into the General Fund for Use & Occupancy.

A-1 Recommendation on lateral tv-ing & entertain motion on recommendation

Mrs. Purcival asked for Council's consideration to enter into a contract with Tri-County Comfort System. The contract would be for Auburn Village in the amount of \$25,000.00 and for each home in the Borough \$ 100.00 per inspection for a lateral not to exceed 100 feet. We have not gone into the details if the lateral is longer than 100 feet.

Mr. Peden made a recommendation to authorize the Borough Manager to work with the Engineer to come up with a contract with Tri-County Comfort System. Ms. Crawford seconded the motion. Council unanimously approved the motion.

A-2 Recycle stickers

Mrs. Purcival reported we now have available recycling stickers to be placed on the extra trash cans residents may place on any extra can they may use for recycling.

### A-3 PECO Attachment Agreement

Mrs. Purcival also reported on the PECO Attachment Agreement which gives us the ability to attach an item to their poles for \$ 120.00 a year.

We have sent in the initial check and all the necessary paperwork to get the process started.

#### 16. Mayor's Report - Michael Ciach

Mayor Ciach reported for the month of July the total citations issued were 223, traffic violations were 186 and traffic violations were 37.

The total citation fines were \$ 26,014.00 and the amount received from the DJ court was \$ 1,089.54.

There were eleven parking tickets issued, three motor vehicles and three accident reports copied

There were 347 calls answered and the total assists were 48.

Mayor Ciach wanted to take the opportunity to thank the Fire Company and the and the Police Department and FEMA for helping our residents.

President Mitchell asked Chief Smith to let the Fire Company know what a great job they did with the flood.

#### 17. Solicitor's Report - Robert O'Connor

##### A-1 Recommendation on roof award for Auburn Village

President Mitchell asked for a motion to accept recommendation on roof award for Auburn Village.

Mr. Peden made the motion to accept recommendation on roof award for Auburn Village. Ms. Crawford seconded the motion. Council unanimously approved the motion.

##### A-2 Entertain Motion to withdraw bid award from ARK Builders

Ms. Crawford made a motion to withdraw bid award from ARK Builders. Mrs. Hicks seconded the motion. Council unanimously approved the motion.

A-3 Entertain Motion to award bid on A Frame roof to second lowest Bidder and have Solicitor draw up contracts

Mrs. Peterson made a motion to award bid on A Frame roof to second lowest

Bidder and have Solicitor draw up contracts. Ms. Crawford seconded the motion. Council unanimously approved the motion.

Mr. O'Connor reminded Council to review his report and thanked Council for the invitation to attend the employee picnic and stated he had a really nice time.

18. Engineer's Report - Charles Catania

A-1 Discussion of trash outsourcing bids

Mr. Catania reported on the bids for the trash outsourcing bids was awarded to B & L Disposal Service of Wallingford. Their bid was approximately \$ 90,000.00 a year.

Mr. Catania recommended the bid of B & L Disposal be accepted.

President Mitchell wanted to know if there was a performance bond with the bid. Mr. Catania replied there was.

A-2 Recommendation to award Trash Bid and have Solicitor draw up contracts

Mrs. Peterson made a motion to award the trash bid to B & L Disposal Service and have Solicitor draw up contracts. Ms. Crawford seconded the motion. Council unanimously approved the motion.

A-3 Motion to authorize Engineer to bid parking lots in Auburn Village (26 spaces)

Mrs. Peterson made a motion to authorize the Engineer to advertise the bid for the (26) parking spaces in Auburn Village. Ms. Crawford seconded the motion. Council unanimously approved the motion.

19. School Board Representative - Richard McClintock

Mr. McClintock could not attend tonight's meeting as he was attending a Chester Upland School Board Meeting.

## 20. Old Business

President Mitchell stated for the last four years we have been dealing with Oak Lane maintenance of the area.

We have found out it is not a dedicated street, we own a right of way to Oak Lane.

The people living there, four houses on Main Street, the parking lot and the last two houses on Oak Way own the alley.

President Mitchell stated all the years we've been maintaining the area and it's not even ours.

The Borough Manager will be getting in touch with the Engineer to find out how we can get the residents to maintain what they own.

Mr. Peden wanted to thank the Board of Directors and the Fire Company for all their hard work in moving the antiques out of the Pusey Plantation and storing them in the firehouse and also for moving the items in the school house to the second floor.

## 21. New Business

## A-1 Mutual Aid Agreement with Delaware County Sheriff's Office

Mrs. Peterson made a motion to approve the Mutual Aid Agreement with Delaware County Sheriff's Office. Ms. Crawford seconded the motion. Council unanimously approved the motion.

## 22. Floor Open to Public

Ms. Therese Mallory from Lansdowne was the first to address Council regarding support of H.R. 1489. Ms. Mallory feels this is a very important piece of legislation which will put an end to Wall Street bailouts.

At this time President Mitchell gave special thanks to Robert Powell from Delcora for all his help during the process of the completion proposed Ordinance No. 4 dealing with the lateral issues.

23. Adjournment

There being no further business at this time Mrs. Peterson made a motion to adjourn. Ms. Crawford seconded the motion. The meeting was adjourned at 8:20 p.m.

Respectfully submitted,

Shirley Purcival,  
Borough Manager

Linda Saylor  
Recording Secretary