

UPLAND BOROUGH COUNCIL

MEETING MINUTES

September 13, 2011

The regular meeting of the Upland Borough Council was called to order at 7:07 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, Mrs. Sandy Miazza, Mr. Robert O'Connor, Esq., Mr. Charles Catania, Sr., P.E. and Mr. Shirley Purcival, Borough Manager/Treasurer/Secretary was also present. Mayor Michael Ciach was excused due to a work event.

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

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

Out of the Normal Order of Business

President Mitchell turned the meeting over to Dr. Steven E. Lee who wanted to address Council on a proposed Charter School. The proposed location is 1100 Main Street.

Dr. Lee introduced himself and gave a brief overview of his experience educating children.

Dr. Lee joked he thought he would be retired at the age of 58, however his love of educating children drives him to keep giving children who want a good education the opportunity to have one.

Dr. Lee noted that in 2010 there were 30,000 drop outs in the State of Pennsylvania. In 2010 Chester High had 44% drop out rate and this is alarming. Dr. Lee feels we need to create a safe environment which is conducive to learning.

President Mitchell stated this was discussed at the 6:00 p.m. meeting and Council is in agreement with the idea of a Charter School.

President Mitchell noted Council has formed a committee to set up a meeting with the community to work with Chester Community Charter School to bring this to fruition.

Mr. Peden stated the only problem he can foresee is the project would have to be in compliance with Borough Codes and Ordinances.

Mr. George Cordes, attorney for the Charter School assured Council they would comply with every requirement of the municipality.

President Mitchell noted a Charter School is necessary and its time has come and would like to get a meeting set up as soon as possible.

President Mitchell ordered a short break before going back to the normal order of business.

Back to the Normal Order of Business

President Mitchell called the meeting back to order at 7:31 p.m.

President Mitchell announced since there was lengthy discussion on the sewer lateral ordinance there will be a meeting for the general public on Saturday October 1, 2011 at 6:00 p.m. and all are welcomed to attend.

President Mitchell asked Ms. Crawford to put the announcement on the web site.

Mrs. Purcival asked President Mitchell if he would like her to advertise the meeting in the paper and President Mitchell replied yes.

5. Approval of Previous Meeting Minutes

A-1 Council Meeting Minutes - August 30, 2011

Mrs. Hicks made a motion to approve the August 30, 2011 meeting minutes. Ms. Crawford seconded the motion. Council unanimously approved the motion.

A-2 Bid Opening Minutes - September 9, 2011

Mr. Peden made a motion to approve the September 9, 2011 bid opening minutes. Ms. Crawford seconded the motion. Council unanimously approved the motion.

6. Treasurer's Report

A-1 Treasurer's Report

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

A-2 Income Statement

Mrs. Miazza made a motion to accept the Income Statement. Mr. Peden seconded the motion. Council unanimously approved the motion.

7. Auburn Village Report - Christine Peterson

Mrs. Peterson stated her report will coincide with the Engineer's Report.

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

Mr. Hunter reported he is continuing to lien property owners who are not maintaining their properties. One lien has been paid.

Mr. Hunter is still having problems with Penndot with regards to Upland Avenue.

President Mitchell wanted to know what the problem is. Mr. Hunter replied one person says it is not their problem, another person says it might be and Mr. Hunter feels Penndot will fix it when they get around to it.

A-1 Fire Chief's Report - Dan Smith

Chief Smith reported for the month of August 2011 there were zero fire incidents, 16 non fire incidents, 18 mutual aid for a total incidents of 34. There were 3 drills for a total activity of 37.

There were 17 assists for fire, 1 cover assignment, 1 fuel spill, 2 wire calls, 7 fire alarms, 4 good intents, 2 assists to citizens.

We had 77 hours of service for the month, 19 daytime, 18 night time and the average runner was 7.

Chief Smith wanted everyone to know the 77 hours of service was not just sitting in the fire house waiting for calls, but they were actively doing something.

President Mitchell wanted to know how the membership was going and Chief Smith reported last Thursday one new member was brought in.

Chief Smith noted that between the earth quake, the hurricane, the fireworks and the 911 Memorial they have had a very busy month.

President Mitchell suggested Chief Smith work alongside the Charter School Committee to advise on any fire safety considerations.

A-2 Tag Day Date Change

Chief Smith requested a change of date for Tag Day. They would like to have it September 30th and October 1st.

9. Building & Ground Report - Sandy Miazza

Mrs. Miazza reported progress.

10. Finance & Insurance Report - Moira Crawford

A-1 Approval of General Fund Bills - \$ 178,668.40

Ms. Crawford made a motion to approve the August General Fund bills in the amount of \$ 178,668.40. Mrs. Miazza seconded the motion. Council unanimously approved the motion.

A-2 Approval of Auburn Village Bills - \$ 50,198.93

Ms. Crawford made a motion to approve the August Auburn Village bills in the amount of \$ 50,198.93. Mr. Peden seconded the motion. Council unanimously approved the motion.

11. Ordinances & Resolutions Report - Ray Peden

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

Ordinance No. 4 is tabled at this time. No action will be taken.

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

Mr. Peden made a motion to adopt Ordinance No. 5 - Wastewater Treatment as advertised and presented. Mrs. Miazza seconded the motion. Council unanimously approved the motion.

A-3 Motion to advertise Ordinance No. 6 - Animal Control

Mr. Peden made a motion to advertise Ordinance No. 6 - Animal Control.
Mrs. Peterson seconded the motion. Council unanimously approved the motion.

12. Research & Development - Moira Crawford

Ms. Crawford reported progress.

13. Streets & Equipment - Christine Peterson

Mrs. Peterson stated her report will coincide with the Engineer's Report.

14. Community Affairs - Sandy Miazza

On September 17th Upland Baptist Church will be having their Fall Festival
11:00 a.m. to 3:00 p.m.

Mrs. Miazza reported on September 24th we will be having our Spaghetti Dinner
in MacQueen Hall. Adults are \$ 8.00, Senior Citizens are \$ 6.00 and children
under ten are \$ 4.00.

September 29th is the Grocery Bingo.

October 29th is the Halloween Party for the Borough children in MacQueen
Hall starting at 4:00 p.m.

The Church is having a Trunk and Treat on Monday October 31st from 6:00 p.m.
until 8:00 p.m. the same night we have trick or treat here from 6:00 p.m. until
8:00 p.m.

On November 25th we are having our Tree Lighting and Children's Christmas
Party which will start at 6:00 p.m.

15. Use & Occupancy Report - Shirley Purcival

Mrs. Purcival reported six units failed their inspection this month and nine units
passed their inspection. A total of \$ 1,300.00 was deposited into the General
Fund for these inspections.

16. Mayor's Report - Christine Peterson for Michael Ciach

Mrs. Peterson reported for the month of August the total citations issued was 178.
There were no non traffic violations this month. Traffic violations were 178.

The total citations were \$ 32,811.00 and the amount received from the DJ court was \$ 1,102.43.

The previous citation count is 814, current 178 and the total to date is 992.

There were 7 parking tickets issued, 2 motor vehicle accidents, 3 accident reports copied and the amount of the tickets and reports paid is \$ 105.00 with 3 parking tickets sent to the DJ.

The total calls answered are 287 with 30 assists.

Mrs. Peterson also noted for the Upland Baptist Church's Fall Festival there will be police presence and officers handing out stickers and coloring books to the children.

17. Solicitor's Report - Robert O'Connor

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

Mr. O'Connor reviewed the specs for the Auburn Village Parking Lot and modifying the ARK building contract to get it out to Ellis Construction.

Mr. O'Connor is also reviewing the trash contract.

18. Engineer's Report - Charles Catania

Mr. Catania called for a motion to release and retain a percentage for A.F. Damon for the resurfacing project in the amount of \$ 3,952.07.

Mr. Peden so moved and Ms. Crawford seconded the motion. Council unanimously approved the motion.

Mr. Catania noted we have a release for the new 4th Street playground which is being built with C.D.B.G funding.

We have a request for an invoice payment to Buzz Burger in the amount of \$ 46,533.60. Mr. Catania stated that should be approved and sent to the County O.H.C.D. for payment.

Mrs. Peterson so moved and Mr. Peden seconded the motion. Council unanimously approved the motion.

A-1 Recommendation to award Auburn Village Parking Area Expansion

Mr. Catania stated the low bidder on the Auburn Village parking area expansion was JMC Contractors in the amount of \$ 26,312.00 which will provide thirty additional parking spaces and will be landscaped, paved and lined. Mr. Catania recommended the award of that contract.

A-2 Motion to accept the Engineer's recommendation and have the Solicitor draw up the contract for the parking area expansion

Mrs. Peterson made a motion to accept the Engineer's recommendation and have the Solicitor draw up the contract. Mrs. Miazza seconded the motion. Council unanimously approved the motion.

19. School Board Representative - Richard McClintock

Mr. McClintock expressed his dismay that he is a member of the Board for the Chester Upland School District and he found out the students walked out of the school this morning and he didn't find out until he got to this meeting tonight.

Mr. McClintock handed out the minutes from the School Board's last meeting.

Mr. McClintock noted there is a Board meeting on Thursday night and he will find out why he was kept out of the loop.

President Mitchell asked Mr. McClintock if the Board understands that we pay almost two million dollars a year and we are getting nothing in return.

Mr. McClintock feels the School Board forgets that many Upland Borough children are students and we are kept out of the loop and he will try to get to bottom of it.

20. Old Business

President Mitchell asked Mrs. Purcival when she gets the report on the transmission of the police car to let him know.

21. New Business

A-1 Terminate Highway Personnel

Mr. Peden made a motion to terminate a highway employee. Ms. Crawford seconded the motion. Council unanimously approved the motion.

A-2 Hire new Highway Personnel

Mrs. Peterson made a motion to advertise for new Highway Personnel. Mrs. Miazza seconded the motion. Council unanimously approved the motion.

A-3 Active Civil Service Commission

President Mitchell stated we now have five full time police officers and by law we must activate the Civil Service Commission.

Mr. Peden made a motion to activate the Civil Service Commission. Ms. Crawford seconded the motion. Council unanimously approved the motion.

A-4 Appointment of Michael Maddren, Esq. as Civil Service Solicitor

Mrs. Peterson made a motion to appoint Michael Maddren, Esq. as Civil Service Solicitor. Mrs. Miazza seconded the motion. Council unanimously approved the motion.

A-5 Discussion on Highway Supervisor's Job Description

Mr. Peden made a motion to accept the Highway Supervisor's Job Description as presented. Ms. Crawford seconded the motion. Council unanimously approved the motion.

Mrs. Peterson wanted to know if we were cancelling the second meeting of the month.

President Mitchell stated after Dr. Lee's presentation to the public, there may be steps to take to speed up the application process, therefore, the second meeting of month will take place on September 27, 2011.

22. Floor Open to Public

The first person to address Council was Mr. Matthew Archacki from 1218 Main Street. Mr. Archacki expressed his frustration to Council regarding a letter he received informing him that Oak Way (the alley behind his house) does not belong to the Borough and will no longer be maintained by the Borough and it must be maintained by the homeowner.

This alley has been maintained by the Borough for many years and recently it was

determined by the Engineer the Borough only has a right of way through the alley and does not own it.

Mr. Archacki feels that if he owns the alley behind his house he is going to fence it off and make it a private driveway.

President Mitchell explained to Mr. Archacki that he cannot do this as we have a right of way.

Mr. Archacki told Council that his attorney, Joe Malley will be contacting the Borough and he will be taking us to court.

Mr. Archacki feels that Upland Borough does not want to deal with trees lining the street as they need to be taken down.

At this time Chief Dan Smith wanted to remind everyone the Fire Company will be having their annual Open House on October 10, 2011 from 6:30 p.m. until 8:00 p.m. All are welcome.

The second resident to address Council was Patricia Evans from 19 7th Street. Ms. Evans wanted to know who was going to enforce the rule that the baseball field closes at dusk.

Ms. Evans stated that at 10:00 and 11:00 at night children are banging on the street signs and the port a potties. When the police are called they chase them away, but the children come back.

Mrs. Peterson told Ms. Evans the rule is enforced however, sometimes we only have one officer on duty and she should call 911.

The third person to address Council was Tom Bryant from 21 6th Street. Mr. Bryant wanted to know what it meant to have the Animal Ordinance advertised.

Mr. Peden explained it had to be advertised in order to act on the ordinance.

The fourth person to address Council was Don Peterson from 13 4th Street. Mr. Peterson has a problem with overgrown grass and weeds at a house across the street from him. He stated our highway department cleaned it up once, but now it's worse than ever. Mr. Peterson stated a house down the street has so many weeds growing on the sidewalk it looks like a yard and stated something has to be done.

The next person to address Council was Carol Lawrence from Mulberry Street. Ms. Lawrence reported that there are four houses on Mulberry Street which are

are in very bad shape. Ms. Lawrence will provide Mr. Hunter with the addresses.

Ms. Lawrence wanted to know why nothing has been done.

President Mitchell will have Mr. Hunter check it out in the morning to see what can be done.

At this time Mr. Archacki addressed Council once again stating he did not mean any disrespect to Council previously. He stated he is willing to work with the Borough to resolve the problem of the rotting trees until we can determine who owns this property.

Mr. Archacki wanted to know why they were staking his property.

At this time Mr. Catania tried to explain they were not staking a property, they were staking a line because the intent of what they were doing was to establish a line where a potential guard rail could be built.

23. Adjournment

There being no further business at this time Mrs. Peterson made a motion to adjourn the meeting. Mrs. Miazza seconded the motion. The meeting was adjourned at 8:35 p.m.

Respectfully submitted,

Shirley Purcival,
Borough Manager

Linda Saylor,
Recording Secretary

