

# UPLAND BOROUGH COUNCIL

## MEETING MINUTES

December 13, 2011

The regular meeting of the Upland Borough Council was called to order at 7:08 p.m. by President Edward Mitchell. The meeting was held in the Upland Municipal Building.

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

Mr. Ken Stark, reporter from the Delaware County Times, Chief John Easton of the Upland Borough Police Department and Mr. Dan Smith, Fire Chief from the Upland Fire Company along with approximately 11 residents in attendance.

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

### 5. Approval of Previous Meeting Minutes

#### A-1 Council Meeting Minutes - November 9, 2011

Ms. Crawford made a motion to pass the November 9, 2011 meeting minutes as presented and Mrs. Miazza seconded the motion. Council unanimously voted Aye on the motion.

### 6. Treasurer's Report

#### A-1 Treasurer's Report

Ms. Crawford made a motion to accept the Treasurer's Report to be accepted as presented and Mrs. Miazza seconded the motion. Council unanimously voted Aye on the motion.

#### A-2 Income Statement

Mrs. Miazza made a motion to accept the Income Statement to be accepted as presented and Mrs. Hicks seconded the motion. Council unanimously voted Aye on the motion.

7. Auburn Village Report - Christine Peterson

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

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

Fire Marshal

Mr. Hunter wanted to share positive feedback regarding Upland Fire Company's attendance at a Philadelphia muster on October 23, 2011. Upland received 2 best place awards, 5 first place awards, 2 second place awards, and 1 third place award. With a round of applause by Council and public, congratulatory remarks were noted by President Mitchell and all on a good job well done.

Fire Chief's Report - Dan Smith

Chief Smith reported for the month of November 2011 there were zero fire incidents, 17 non-fire incidents, 15 mutual aid; for total incidents of 32. There were 4 drills for a total activity of 36.

We had 13 assists for fire, 2 special assignments, 3 motor vehicle, 1 ambulance assist, 1 fuel spill, 1 appliance, 2 electrical fixtures, 5 fire alarms, and 4 good intents. We had 18.7 hours of service for the month, 21 daytime, 15 night time and the average runner was 7.

Mr. Mitchell inquired about membership status and Mr. Smith replied it is holding the same with no prospects. Mr. Smith mentioned that they held their meeting last Thursday and no one was voted in as volunteer and that the officers will remain the same for calendar year 2012. Mr. Mitchell asked if Mr. Smith can supply an updated list of officers with contact information to Shirley, Borough Manager, for our files. Mr. Mitchell offered assistance to Mr. Smith for the firehouse, if needed.

9. Building & Grounds Report - Sandra Miazza

The tot lot project is completed. Lighting in the Municipal Building will be replaced by Aungst Electric. Mr. Kennedy confirmed that the wall at Borough Hall is almost complete.

10. Finance & Insurance Report - Moira Crawford

A-1 Approval of General Fund Bills

Ms. Crawford made a motion to approve the General Fund bills for the month of November 2011, in the amount of \$161,434.67. Mrs. Hicks seconded the motion. Council voted Aye on the motion with exception of abstention for the following: Mr. Hunter check number 27434, Mr. Peden check number 27382, Mrs. Miazza check numbers 27312, 23788, 27434, and 27462, Mrs. Peterson check numbers 27392, 27445 and 27442, and Mr. Mitchell check number 27304.

#### A-2 Approval of Auburn Village Bills

Ms. Crawford made a motion to approve the Auburn Village bills for the month of November 2011 in the amount of \$34,515.10. Mr. Peden seconded the motion. Council voted Aye on the motion with exception of abstention for the following: Mrs. Miazza check number 4999 and Mr. Mitchell check number 4983.

#### A-3 Reading of 2012 Proposed Budgets

Ms. Crawford read the 2012 Proposed Budgets for Auburn Village for Income totals \$ 755,400.00 with expenses of \$ 755,400.00 and the General Fund for 2012 for Income totals \$ 2,681,548.00 and expenses \$ 2,681,548.00.

#### A-4 Motion to Pass and Adopt 2012 Auburn Village Budget

Ms. Crawford made a motion to pass and adopt the 2012 Auburn Village Budget. Mrs. Miazza seconded the motion. Council unanimously voted Aye on the motion.

#### A-5 Motion to Pass and Adopt 2012 General Fund Budget

Ms. Crawford made a motion to pass and adopt the 2012 General Fund Budget. Mrs. Peterson seconded the motion. Council unanimously voted Aye on the motion. Mr. Mitchell wanted to mention the most important thing about the balanced budgets is the fact that it does not include a tax increase, as it didn't for the last 25 years. Also, there is no rent increase in Auburn Village this year. Ms. Geraghty of Church Street spoke out of order; noting a comment about tax increases. Mr. Mitchell stated she was out of order and would have to wait for the Call to Citizens.

### 11. Ordinances and Resolutions Report - Harold Peden

#### A-1 Motion to Pass and Adopt Ordinance No. 7

Mr. Peden read the ordinance then made a motion to pass and adopted as presented. Mrs. Peterson seconded the motion. Council unanimously voted Aye on the motion.

A-2 Motion to Pass and Adopt Resolution No. 19

Mr. Peden read the resolution then made a motion to pass and adopted as presented. Mrs. Peterson seconded the motion. Council unanimously voted Aye on the motion.

A-3 Motion to Pass and Adopt Resolution No. 20

Mr. Peden read the resolution then made a motion to pass and adopted as presented. Ms. Crawford seconded the motion. Council voted Aye on the motion with abstentions from Mrs. Peterson, Mr. Hunter and Mrs. Miazza.

A-4 Motion to Pass and Adopt Resolution No. 21

Mr. Peden read the resolution then made a motion to pass and adopted as presented. Mrs. Peterson seconded the motion. Council voted Aye on the motion with one abstention from Harold Peden.

A-5 Motion to Pass and Adopt Resolution No. 22

Mr. Peden read the resolution then made a motion to pass and adopted as presented. Ms. Crawford seconded the motion. Council unanimously voted Aye on the motion.

A-6 Motion to Advertise Proposed Ordinance 1 of 2012

Mr. Peden read the proposed ordinance then made a motion to advertise for passage in January 2012. Mrs. Peterson seconded the motion. Council unanimously voted Aye on the motion.

12. Research & Development - Moira Crawford

Ms. Crawford reported a brief update on the website for the month of November. The website had 2,572 views of the website and our Photobucket account had 17,233 file views with 752 album visits. We have added several new photos to the website and information to the current section for current news. The Borough calendar for 2012 is totally complete, minus any community events that we will work on in the next month, after the holidays. The events will be added then. Mr. Mitchell asked if the increase in views to website was due to all the photos that were added. Ms. Crawford replied that when they place the photos on the website, we incur a major increase of activity for photo views.

13. Street & Equipment - Christine Peterson

Mrs. Peterson reported that the Maintenance Department will continue to pick up leaves until December 28th, provided that the leaves do not freeze over. After that date, residents will be revised to bag the leaves and we will get them during regular trash pickup. Mr. Mitchell asked if that was noted on the website. Ms. Crawford stated most information is on there but will make sure that the end date is listed. She will also note to bag the leaves for pickup thereafter.

14. Community Affairs - Sandra Miazza

Mr. Mitchell wanted to mention that Community Affairs committee had 17 events this past year, and they were flawless. From the carnival, spaghetti dinner, to the senior's events and the ball games for the kids, the Community affairs Committee did a great job. Council and public offered a round of applause.

Mrs. Miazza stated there were 17 different events in 2011. All were a success. Next year, we hope to do a few more events. In January, Mrs. Miazza should have some event dates.

15. Use & Occupancy Report - Shirley Purcival

Mrs. Purcival read in the record the Use and Occupancy Report for the month of November 2011.

Mrs. Purcival also wanted to read into record that we received a letter from the company that is doing the environmental assessment and final draft of finding of no significant impact report of disposal and reuse of the James W. Reese Center. This report has been prepared with the National Environmental Policy Act of 1969 and all the requirements thereof. The final report is now on the website for the public to view. It will be advertised in the Delaware County Times and the Chester Spirit as well as the Library for any public input into this report. After 30 days, then we are hopeful that this will then go forward to the Department of Defense for their review and to be signed off on. Hopefully we are looking at another 30-60 days before we receive notification concerning the Reese Center.

Mr. Mitchell stated they were excited to bring this program to our community, like a 10 year dream, to help our children excel.

16. Mayor's Report - Michael Ciach

Mayor Ciach reported for the month of November 2011, a total of 266 citations were issued, total amount of fines equal \$32,993 with \$1,291.83 received from the

District Justice Court. Year-to-date citations written were 1,591. There were 5 parking tickets issued, 8 motor vehicle accidents, accident reports copied were 8, total calls answered were 111 with 13 assists.

In regards to the Reese Center, Mayor Ciach updated everyone on the PAL program. He has contacted the national chapter of PAL and has obtained information on the program. He will be reaching out to the Police Chief (Easton) this week to sit down and go over our current resources. He will also reach out to the Fire Chief (Smith) to go over the highly requested identification cards for residents.

Mayor Ciach will also have an update from Widener University as to what they plan for that area as well. The soccer group has already reached out to the Upland community as to what they would like in that program.

17. Solicitor's Report - Robert O'Connor

Mr. O'Connor mentioned the public portion of the report will reflect that the newsletter will now be issued monthly, not quarterly. Mr. O'Connor offered an update for the Oak Way issue. He spoke with Mr. Archacki a couple of days ago. There are three residents who we need to speak with to receive approval to modify the lot lines. We had spoken with two of them, and those two are in favor of doing this unfortunately despite 2 letters to the third resident, we have yet to receive a response. He had received some information that the 3rd resident may be out of town. Mr. O'Connor stated that he has worked the best way he could to reach out to Mrs. Geisler, however he is open to any suggestions from Council. Mr. O'Connor wanted to thank Council again for the Holiday Party that was held on December 10, 2011.

Mr. Mitchell spoke about his biggest concern that we are dealing with leaves this month and probably into next month. We are also coming up against snow. So we are tied up with the private property rules. Mr. Mitchell asked if all Council believes this issue poses as safety problem. Mr. Peden stated he knows Mrs. Geisler and will try to speak with her. Mr. Catania stated if that should fail, the Borough should file a declaration to cross that property when/if needed. Mr. O'Connor asked the Council to make a motion to authorize the solicitor to prepare the declaration of taken if Mr. Peden is not successful talking with the homeowner in regards to Oak Way. Mrs. Peterson made the motion and Mr. Peden seconded the motion. All Council were in favor of the motion.

18. Engineer's Report

A-1 Change Order Ratification - Auburn Village Parking Area Expansion

Mr. Catania offered ratification to the Auburn Village Expansion for additional expenses for materials and labor, curb replacement, manhole adjustment, tree removal, and paving along McClintock Drive in Auburn Village section of Upland Borough. Mr. Peden made a motion to approve the change order ratification as outline by our Borough Engineer. Mrs. Peterson seconded the motion. Council unanimously voted Aye on the motion.

Mrs. Miazza asked the amount of difference for this project and Mr. Catania replied it should cost approximately \$18,000. What this does is get you additional space on the west-side of McClintock Drive for which it was not included on the original bid.

19. School Board Representative

Mr. Mitchell informed the public that the Borough of Upland no longer has a representative on the Chester Upland School Board. We fell short by a handful of votes and now we have no one to represent us. We are working on this but the ultimate solution is not easy.

20. Old Business

Mr. Mitchell asked if there was any old business Council wanted to address. No one mentioned any concerns.

21. New Business

A-1 Cancel second meeting of the month

Mrs. Peterson mad a motion to cancel the send meeting of the month. Mr. Peden seconded the motion. Council unanimously voted Aye on the motion.

A-2 Motion to Approve Contract with Animal Protection Board (APB)

Mrs. Peterson made a motion to approve the agreement with the Animal Protection Board. Mrs. Miazza seconded the motion. Council unanimously voted Aye on the motion.

A-3 Committees to Give a State of the Borough Report for January 2012 Council Meeting

Mr. Mitchell explained that this is a simplified version of a progress report for the January 2012 council meeting.

A-4 Motion to Hire Recording Secretary

Mrs. Peterson made a motion to hire the recording secretary. Mrs. Miazza seconded the motion. Ms. Crawford abstained from the vote; all others voted Aye on the motion.

A-5 Motion to Terminate Maintenance Person

Mrs. Peterson made a motion to terminate a maintenance person. Mrs. Miazza seconded the motion. Council unanimously voted Aye on the motion.

A-6 Motion to Hire New Maintenance Person

Mrs. Peterson made a motion to hire a new maintenance person. Ms. Crawford seconded the motion. Council unanimously voted Aye on the motion.

A-7 Motion to Approve Mingis, Gutowski & Company

Ms. Crawford made a motion to approve Mingis, Gutowski & Company for a contract with fee services of \$13,400 for year ending December 31, 2012, \$13,800 for the year ending December 31, 2013, \$14,200 for the year ending December 31, 2014, and \$14,600 for year ending December 31, 2015. Mr. Peden seconded the motion. Council unanimously voted Aye on the motion.

A-8 Motion to Approve Employee Contracts

1. John Easton

Ms. Crawford made a motion to approve the employee contract for John Easton. Mr. Peden seconded the motion. Council unanimously voted Aye on the motion.

2. Christine Peterson

Ms. Crawford made a motion to approve the employee contract for Christine Peterson. Mr. Peden seconded the motion. Mrs. Peterson abstained from this motion and the remainder of Council voted Aye.

3. Shirley Purcival

Ms. Crawford made a motion to approve the employee contract for Shirley Purcival. Mr. Peden seconded the motion. Council unanimously voted Aye on the motion.

4. Douglas Miles

Ms. Crawford made a motion to approve the employee contract for Douglas Miles. Mrs. Miazza seconded the motion. Mr. Mitchell abstained from this motion and the remainder of Council voted Aye.

5. Cindy Romeo

Ms. Crawford made a motion to approve the employee contract for Cindy Romeo. Mrs. Miazza seconded the motion. Council unanimously voted Aye on the motion.

6. Charles Boyd

Ms. Crawford made a motion to approve the employee contract for Charles Boyd. Mr. Peden seconded the motion. Council unanimously voted Aye on the motion.

7. Patrick White

Ms. Crawford made a motion to approve the employee contract for Patrick White. Mr. Peden seconded the motion. Mrs. Peterson abstained from this motion and the remainder of Council voted Aye.

8. Sandra Miazza

Ms. Crawford made a motion to approve the employee contract for Sandra Miazza. Mrs. Hicks seconded the motion. Mrs. Miazza abstained from this motion and the remainder of Council voted Aye.

9. Leland Hunter

Ms. Crawford made a motion to approve the employee contract for Leland Hunter. Mrs. Hicks seconded the motion. Mr. Hunter abstained from this motion and the remainder of Council voted Aye.

22. Floor Open to Public

Ms. Geraghty addressed Council. As Ms. Geraghty spoke out of order during previous mention budgets, she re-stated that it just burns her up when you say there was no tax increase. You may not view the 1% Earned Income Tax as a tax increase, but to Ms. Geraghty, it's an increase. Ms. Geraghty asked what we collect in taxes each year. Mr. Mitchell explained that 1 mill tax is worth about \$120,000 and we have a 2 mill tax which brings us \$240,000; however we spend 2.1 million dollars. Ms. Geraghty asked if the tax collector gets about 5% of that? Ms. Crawford explained that we only collect about 125,000 per year.

Mr. Mitchell wanted to mention that for the three new employees, their contracts will be ready for them when they complete their probationary periods.

Mr. Stark, Delaware County Times, addressed Council. Mr. Stark stated that after 8 ½ years of covering Upland Borough for the Daily Times, tonight's meeting was the last meeting he would be covering. He wanted to say that during his assignment with Upland, that every member of Council including Mr. Catania, the Manager and Mr. O'Connor, the Police Chief, Fire Chief; all have been extremely cooperative with him. Every question he ever asked, every request he ever made for information, was promptly filled with complete honesty and total disclosure. He just wanted thank everyone. Mr. Mitchell, Council and professional staff returned the thanks with applause for Mr. Stark's accomplishments and years of dedicated service to our community.

23. Adjournment

Mrs. Peterson made a motion to adjourn the meeting. Ms. Crawford seconded the motion. Council unanimously voted Aye on the motion.

The meeting adjourned at 8:05 p.m.

Respectfully submitted,

Shirley Purcival  
Borough Manager/Treasurer/Secretary

Shannon Strigle,  
Recording Secretary