

# UPLAND BOROUGH COUNCIL

## MEETING MINUTES

February 14, 2012

The regular meeting of the Upland Borough Council was called to order at 7:00 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, 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. Mrs. Sandra Miazza was excused.

Mr. Ken Stark, consultant for Upland Borough, Ms. Leslie Kravichenko from the Delaware County Times, Chief John Easton of the Upland Borough Police Department, and approximately 15 residents were in attendance.

President Mitchell welcomed everyone and wished all a Happy Valentine's Day. He proceeded to lead in the Pledge of Allegiance to the Flag and a moment of silence followed by roll call.

### 5. Public Comments on Agenda Items Only

Mr. Mitchell addressed everyone noting that Council chose to open the floor up to public comment for agenda items at the beginning of the meeting. He also wanted to make sure everyone turns off their cell phones. No one approached Council.

### 6. Approval of Previous Meeting Minutes

#### A-1 Council Meeting Minutes - January 10, 2012

Mrs. Peterson made a motion to pass the January 10, 2012 meeting minutes as presented. Ms. Crawford seconded the motion. Council unanimously approved the motion.

### 7. Treasurer's Report

#### A-1 Treasurer's Report

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

## A-2 Income Statement

Mrs. Peterson made a motion to accept the Income Statement as presented and Ms. Crawford seconded the motion. Council unanimously voted Aye on the motion.

### 8. Auburn Village Report - Christine Peterson

Mrs. Peterson reported that new back doors will be installed very soon. Mr. Mitchell asked if the doors in the Borough Hall lobby were the sample doors for Auburn Village. Mrs. Peterson confirmed that they were indeed the doors. Mr. Mitchell asked Mrs. Purcival if there has been any input from tenants on the doors. Mrs. Purcival stated she has not received any feedback from the residents. However, the tenants may not know that the doors in the lobby are replacement doors for the Auburn Village units. Mr. Mitchell asked Mrs. Purcival to place signs on the doors for tenants to know what they are intended for.

### 9. Code Official Report/Public Safety Report - Harold R. Peden

#### A -1 Fire Marshall's Report

Mr. Peden relayed the January 31, 2012 report provided by Fire Marshal David Favinger.

#### A-2 Fire Company's Report

Mr. Robert Covey presented the Fire Company's Report. Mr. Covey reported for the month of January 2012 there was 1 fire incidents, 16 non-fire incidents, 22 mutual aid; for total incidents of 39. There were 4 drills for a total activity of 43.

We had 18 assists for fire, 4 cover assignments, 2 C/O and structure, 1 heater, 1 building supply, 2 good intents, 7 fire alarms, 2 fire alarms human error. They had 25 daytime running hours, 18 night time and the average runner was 7.

#### A-3 Code Officer's Report

Mr. Peden noted progress. He stated that Mr. Hunter and he were working on a proper format to present to the public beginning next month.

### 10. Building & Grounds Report - Christine Peterson for Sandra Miazza

Mrs. Peterson made a motion to approve the purchase of the awning for the buildings in the amount of \$ 17,175.00. Ms. Crawford seconded the motion. Council unanimously voted Aye on the motion.

11. 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 January 2012, in the amount of \$ 183,343.80. Mr. Peden seconded the motion. Council voted Aye on the motion with exception of abstention for the following: Mr. Peden for check number 27598, Mrs. Peterson for check numbers 27585 and 27641, and Mr. Mitchell for check number 27590.

A-2 Approval of Auburn Village Bills

Ms. Crawford made a motion to approve the Auburn Village bills for the month of January 2012 in the amount of \$ 26,307.21. Mr. Peden seconded the motion. Council voted Aye on the motion with exception of abstention from Mr. Mitchell for check number 5066.

A-3 Motion to Exonerate Tax Collector

A. Per Capita Taxes for 2011 - \$ 550.00

Ms. Crawford made a motion to exonerate the Tax Collector for the 2011 Per Capita Taxes in the amount of \$ 550.00 and Mrs. Peterson seconded the motion. Council unanimously voted Aye on the motion.

B. Single Per Capita Taxes for 2011 - \$ 5,016.00

Ms. Crawford made a motion to exonerate the Tax Collector for the 2011 Single Per Capita Taxes in the amount of \$ 5,016.00 and Mrs. Peterson seconded the motion. Council unanimously voted Aye on the motion.

C. Real Estate Taxes for 2011 - \$ 11,384.12

Ms. Crawford made a motion to exonerate the Tax Collector for the 2011 Real Estate Taxes in the amount of \$ 11,384.12 and Mrs. Peterson seconded the motion. Council unanimously voted Aye on the motion.

D. Trash Tax for 2011 - \$ 10,543.50

Ms. Crawford made a motion to exonerate the Tax Collector for the 2011 Trash Tax in the amount of \$ 10,543.50 and Mrs. Peterson seconded the motion. Council unanimously voted Aye on the motion.

A-4 Motion to Allow the Borough Manager to Report Delinquent Taxes to Berkheimer and Credittec

Ms. Crawford made a motion to allow the Borough Manager to report delinquent taxes to Berkheimer and Credittec. Mr. Peden seconded the motion. Council unanimously voted Aye on the motion.

12. Ordinances and Resolutions Report - Harold Peden

A-1 Motion to Pass and Adopt Ordinance No. 2 of 2012  
- Amending Chapter 160 "Taxation"

Mr. Peden read Ordinance No. 2 of 2012 then made a motion to pass and adopt as presented. Mrs. Peterson seconded the motion. Council unanimously voted Aye on the motion.

A-2 Motion to Pass and Adopt Resolution No. 1 of 2012  
- Comprehensive Fee Schedule

Mr. Peden made a motion to pass and adopt Resolution No. 1 of 2012 as presented. Mrs. Peterson seconded the motion. Council unanimously voted Aye on the motion.

A-3 Motion to Pass and Adopt Resolution No. 2 of 2012  
- Delaware County 2011 Hazard Mitigation Plan

Mr. Peden made a motion to pass and adopt Resolution No. 2 of 2012 as presented. Mrs. Peterson seconded the motion. Council unanimously voted Aye on the motion.

A-4 Motion to Advertise Proposed Ordinance No. 3 of 2012  
- Creating Chapter 53 "Blight Control"

Mr. Peden a motion to advertise proposed Ordinance No. 3 of 2012 as presented. Mrs. Peterson seconded the motion. Council unanimously voted Aye on the motion.

A-5 Motion to Approve Plumbing Inspector to attend P.A.C.P. Certification Class for Lateral Inspections and Grading in Pittsburgh

Mr. Peden made a motion to approve the Plumbing Inspector to attend the course as presented. Mrs. Peterson seconded the motion. Council unanimously voted Aye on the motion.

13. Research & Development - Moira Crawford

Ms. Crawford offered a brief report for the month of January 2012. The website had 3,544 page views. The Photobucket account had 6,183 file views with 941 album visits.

14. Street & Equipment - Christine Peterson

A-1 Approval to Purchase Radar Speed Street Signs

Ms. Crawford made a motion to purchase 2 radar speed street signs. Mr. Peden seconded the motion. Council unanimously voted Aye on the motion.

15. Community Affairs - Sandra Miazza

Mr. Mitchell stated that item #15 had been deleted for this evening.

16. Use & Occupancy Report

Mrs. Purcival read into the record the Use and Occupancy Report for the month of January 2012.

17. Mayor's Report

Mayor Ciach reported for the month of January 2012, a total of 91 citations were issued, 75 traffic and 16 non-traffic. Total amount of fines equal \$25,818.00 with \$1,914.68 received from the District Justice Court. There were 31 parking tickets issued, 3 motor vehicle accidents, accident reports copied were 2, total calls answered were 234 with 29 assists. Year-to-date citations written were 75.

18. Solicitor's Report - Robert O'Connor, Esq.

Mr. O'Connor reported an update on the Savoy property. Some code issues have been resolved. Regarding 1100 Main Street, it was a typo. It should indicate 1100 Hill Street. There were some electrical problems at this property as far as he knows; some of the problems have been taken care of.

19. Engineer's Report - Charles Catania, Sr., P.E.

Mr. Catania sought permission to bid out a project for lateral inspections for the 75 two-story buildings, and 6 one-story buildings in Auburn Village Homes. Mr. Peden made a motion that the Engineer be authorized as presented. Ms. Crawford seconded the motion. Council unanimously voted Aye on the motion.

## 20. Old Business

Mr. Peden wanted to talk about the new/updated zoning code. Approximately 20 months ago, a community task force was initiated. The task force collaborated with the County to develop the first draft of the modernization plan. This plan was approved by Upland's Planning Commission on February 9, 2012. The next step would be to have this reviewed by the Delaware County Planning Department and then there will be a public meeting that reviews that work. Hopefully they can adopt it by the end of May. Mr. Mitchell stated that the zoning maps are outside for all to view.

## 21. New Business

## A-1 Cancel Second Meeting of the Month

Mrs. Peterson made a motion to cancel the second meeting of the month. Ms. Crawford seconded the motion. Council unanimously voted Aye on the motion.

## A-2 Ratify Termination of Probation Personnel

Mr. Peden made a motion to ratify termination of probation personnel. Ms. Crawford seconded the motion. Council unanimously voted Aye on the motion.

A-3/A-4 Motion to Pass and Adopt Resolution No. 3 of 2012  
Resignation of Council Member, Appointment of New Council  
Member

Mr. Peden read Resolution No. 3 that indicated the resignation of Councilwoman Mrs. Georgianna Cassidy-Hicks on January 23, 2012. In her place, Council appointed Mr. Daniel Smith of 629 Patton Avenue to fill the vacant Council position.

Mr. Peden made a motion to approve and pass Resolution No. 3 as presented. Ms. Crawford seconded the motion. Council unanimously voted Aye on the motion.

## A-5 Swearing In of New Council Member

Mr. Mitchell turned the meeting over to Mayor Ciach. Mayor Ciach performed the duty of swearing in Mr. Daniel Smith to Council. Mr. Smith received a round of applause and congratulatory annotations from Council members and professional staff. Mr. Smith signed appropriate papers, then took a seat at the vacant Council seat.

22. Floor Open to the Public

Mr. Dennis Geraghty approached the podium. He expressed his dismay in the recent passing of Ordinance No. 1 of 2012. He believes the passing of this ordinance impedes on personal sovereignty and property rights (of the homeowners). He stressed concern about how Council has handled this Ordinance. It was explained to him by Mr. Mitchell that the sewer lateral inspection is mandatory only if a person sells their home or if a property should convert from a single-family dwelling to a multi-family dwelling or has major improvement. Mr. Mitchell asked Mr. Peden to explain the ordinance to Mr. Geraghty and others. After Mr. Peden furthered the explanation to Mr. Geraghty, he assured Mr. Geraghty that if the language of the ordinance was at all ambiguous, he will look into the matter and try to make it clearer for all to understand. After a brief disturbance, Mr. Geraghty sat down.

Mrs. Geraghty addressed the podium. She stated her dismay of how she interprets Ordinance No. 1 of 2012. Mr. Mitchell responded that Mr. Peden will address this issue and will review the wording in the Ordinance. Mrs. Geraghty asked for explanation of the 2nd meeting of the month. Mr. Mitchell explained that if Council did not complete the business of the first meeting of the month, they carry it into a second meeting, towards the end of the month. Also, sometimes a second meeting is necessary to address emergency issues (e.g.; flood). Mrs. Geraghty asked about the appointment of the new Council member. She did not know it was advertised in neither the newspaper nor the website. Mrs. Geraghty asked if the ordinance would be rewritten. Mr. Peden stated it would be reviewed. Mrs. Geraghty asked for procedures on how to obtain the public sign-in sheets from the October 1, 2011 meeting with Delcora. Mrs. Purcival stated that she needs to complete a Right-To-Know request form.

Kevin Kozlowski, Willow Way resident, addressed the podium and directly to Mayor Ciach. He mentioned about certain vehicles that speed down Willow Way, past his residence while children play out front. He asked Mayor Ciach to address this continuing issue with the Chief of Police. Mayor Ciach told Mr. Kozlowski that he will speak with the Chief about this problem.

23. Adjournment

Ms. Crawford made a motion to adjourn and Mrs. Peterson seconded the motion. Council unanimously approved the motion.

The meeting adjourned at 7:48 p.m.

Respectfully submitted,

Shirley Purcival  
Borough Manager/Treasurer/Secretary

Shannon Strigle  
Recording Secretary