

UPLAND BOROUGH COUNCIL

MEETING MINUTES

May 13, 2014

The meeting of the Upland Borough Council was called to order at 7:05 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. Harold Peden, Ms. Moira Crawford, Mr. Leland Hunter, Mrs. Sandra Miazza, Mr. Daniel Smith, Mayor Michael Ciach, Mr. Charles Catania, Sr., P.E., Mr. Robert O'Connor, Esq., and Shirley Purcival, Borough Manager/Secretary/Treasurer.

Mr. Ken Stark, Reporter, Ms. Leslie Krowchenko, Reporter from the Delaware County Times, Deputy Chief Nelson Ocasio, and approximately twenty-four residents/guests were also in attendance.

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

Mr. Peden made a motion to take the meeting out of the normal order of business. Mrs. Crawford seconded the motion. All Council voted Aye on the motion verbally.

Out of Normal Order of Business

Proposed Resolution No. 5 of 2014 - Mr. Peden
- To Hire a Full Time Chief of Police

Mr. Peden made a motion to pass and adopt Resolution No. 5 of 2014, hiring Nelson Ocasio as the full-time police chief, effective immediately. Ms. Crawford seconded the motion. Mrs. Peterson abstained from the vote while all other Council voted Aye on the motion.

Swearing In of Chief of Police - Nelson Ocasio

Mayor Ciach performed the swearing in of Chief Nelson Ocasio. After a round of applause and photographs taken, the new Chief asked to address Council and the audience. Chief Ocasio wanted to thank Council for having confidence in him for doing this job. This is a very big opportunity, with big responsibility and he will not let them down. He also wanted to thank all his officers, if it wasn't for them, he would not be where he is and we wouldn't look as good as we do. "These guys do a tremendous job 24/7" and it reflects positively on him and the community. He wanted to thank his family for their support.

Swearing in of Full-Time Officer - Officer Michael Curran

Mayor Ciach performed the swearing in of Full Time Officer Michael Curran. After a round of applause and photographs taken, Officer Curran asked to address Council and the audience. Officer Curran stated he wanted to express his gratitude for Council for bringing him back and having faith in him as an officer. He wanted to thank the public and pledge to everyone as he plans to stay within the Borough for many, many years. He continually supports the new Chief; and he wanted to pledge to continue to do everything he is capable of doing in keeping Upland safe.

Swearing In of Part-Time Police Officer - Christopher Naegele

Mayor Ciach performed the swearing in of part time Officer Christopher Naegele. A round of applause was provided by Council and guests.

Mrs. Peterson asked to have Chuck Boyd, Patrick White and Peter Hartshorn address Council. Mrs. Peterson stated that Council has received a letter from Lee Emmi at the Mane Image. She continued that she wanted to take this opportunity to read the letter. "Tonight it gives me great pleasure to announce that in this day and age when compliments are few and far in between, there are three highway men that received a big thank you from one of our local businesses; which is The Mane Image." Mrs. Peterson continued "our men noticed, while repairing an inlet on Eighth Street, that the curbing running alongside the Borough easement, was in disrepair and created a safety hazard. Once discovered, our men, in coordination with our Borough Manager and the owner of the beauty shop, worked out a schedule to allow this work to be done without any interruption to The Mane Image's business. The owner-operator of the Mane Image wishes to thank the Borough and its' staff for the way our men went about correcting the problem and how well they worked within our business in Upland." Mrs. Peterson stated she is really proud of the guys, they are doing a tremendous job. She presented gifts to the Highway Department men, on behalf of the Mane Image's owner Lee Emmi. Council and the audience provided the men with a round of applause and congratulatory remarks.

Normal order of business resumed at 7:20 p.m.

5. Public Comments on Agenda Items Only

No one responded.

6. Approval of Previous Meeting Minutes

Ms. Crawford made a motion to approve the Council Meeting Minutes of April 22, 2014 and Mrs. Miazza seconded the motion. All Council voted Aye on the motion verbally.

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 Mrs. Miazza seconded the motion. Council unanimously voted Aye on the motion.

8. Auburn Village Report - Christine Peterson

Mrs. Peterson stated the next phase of the back storm doors and screen doors will hopefully begin the first week of June.

Mr. Mitchell addressed the audience to let them know that there are agendas on the table for them to follow along to.

9. Public Safety Report - Harold R. Peden

A -1 Fire Marshall's Report

Mr. Peden read the Fire Marshall's Report for April 2014 Report into record.

A-2 Fire Company's Report

Mr. Peden asked Mr. Daniel Smith to read the April 2014 report for the Upland Fire Company.

Mr. Smith read the report. They had 1 fire incident, 13 non-fire incidents, 18 mutual aid; for total incidence of 32; with 3 drills for a total activity for the month of 35. They had 17 assists for fire, 1 cover assignment, 2 ambulance-assists, 1 fuel spill, 1 carbon monoxide detector, 1 electric fixture, 5 fire alarms, 1 good intent, 1 assist to police, 1 assist to citizen, and 1 brush fire. We had 26 service

hours for the month; 19 day time and 16 night time with an average runners were 7. Mr. Peden thanked Mr. Smith.

A-3 Resignation of Part Time Police Officer
- Motion to Accept the Resignation of Part Time Police Officer

Mr. Peden stated we had a letter of resignation from one of our part time officers. Mr. Peden made a motion to accept the resignation of the part-time police officer. Ms. Crawford seconded the motion. Mrs. Peterson abstained from the vote while all other Council voted Aye on the motion.

A-4 Update on the Carriage House

Mr. Peden provided an update on the Carriage House project. Mr. Peden mentioned that there is not much to say except we have been chasing the Carriage House Project for a while, trying to see if we could get into the ownership of the Borough and as of now the paperwork and all the efforts that have gone up to the fence. They are supposedly going to sign off on the transfer. They have informed the Commonwealth that we will hear back towards the end of the month, hopefully at the end of this month, this year. Mr. Peden stated that was all he had on the update.

10. Safety / Code Committee - Daniel Smith

A-1 Code Officials Report

Mr. Smith read the April 2014 report into record.

11. Building & Grounds Report - Sandy Miazza

Mrs. Miazza reported progress.

12. 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 April 2014 in the amount of \$ 137,971.66. Mr. Peden seconded the motion. Mr. Smith abstained from check number 31148 and Aye for the remainder. Mrs. Peterson abstained from check numbers 31152 and 31204 and Aye on the rest.

Mr. Mitchell abstained from check number 31106 and Aye for the rest. All other Council voted Aye on the motion.

A-2 Approval of Auburn Village Bills

Ms. Crawford made a motion to approve the Auburn Village Bills for the month of March 2014 in the amount of \$ 10,948.88. Mr. Peden seconded the motion. Mr. Mitchell abstained from check number 31106 and Aye for the rest. All other Council voted Aye on the motion.

13. Ordinances and Resolutions Report - Harold Peden

Mr. Mitchell stated "reports progress."

14. Research & Development - Moira Crawford

Mr. Mitchell stated "reports progress."

15. Streets & Equipment - Christine Peterson

At the beginning of the meeting, Mrs. Peterson addressed this topic. Otherwise, it notes progress.

16. Community Affairs - Sandra Miazza

Mrs. Miazza stated the Carnival begins next Tuesday, May 20, 2014, The Annual Memorial Day Parade and Family Picnic is Monday, May 26, 2014 at the Bristol Lord Field. On June 14, 2014, we will have the Senior's Flea Market and we will have the wrist bands available for the Fourth of July signups. On the Fourth of July, we will have the picnic in the ball park.

17. Use & Occupancy Report - Shirley Purcival

Mrs. Purcival read into record the Use and Occupancy Report for the month of April 2014.

Mr. Mitchell asked if anyone had any questions of the Manager. No one responded.

18. Mayor's Report - Michael Ciach

Mayor Ciach reported for the month of April 2014, a total of 122 citations were issued; total amount of citation fines \$ 13,784.50; we received \$ 2,993.13 from the District Justice Court. Year to date citations totals 341. We had 48 parking tickets issued, 22 sent to the District Court. Also note we received \$ 901.16 from tickets and reports paid and restitution. We received \$ 2,000.00 in PDTs and Smooth Operator. Tow Releases was a total of \$ 660.00. There were 8 motor vehicle accidents, 5 accident reports copied, and total of 369 answered calls for the month with 54 assists. Mayor Ciach reported we had 1 Rape, 1 Sexual Assault, 1 Weapons Charge, 20 Domestic Abuse, 2 Suicides and 11 Narcotics Sales/Possessions.

Mayor Ciach asked Chief Ocasio to read some of the major incidents from April 2014 report into record.

Mr. Smith had a question on the Crimes section of the Mayor's Report. He asked if the crimes are happening in the community or if this information taken from Crozer. Chief Ocasio confirmed these are crimes that are happening in our Borough, our jurisdiction; actually crimes occurring in our neighborhood. Mr. Smith thanked Chief Ocasio for the explanation.

Mr. Mitchell stated "What we are seeing as the Police Department continues to make us aware of what we are doing, and as Council on appropriations and when you look at the budget for the Police Department, this is not the old Upland. This is a whole new kind of day, a whole new thing here. I keep referring to 22 rapes last year that Mike was involved with, that is just unheard of for Upland from when I was growing up."

Chief Ocasio mentioned about the fatal accident they responded to last year. When they were dispatched there, they were dispatched for an incident; for an accident. When the Police arrived, Chief Smith from the Upland Fire Company was there as well and we were just treating this as an accident. We did not know all the circumstances. It was not discovered for about 30 minutes or so, we found out, the guy took a gun round down at 9th and Kerlin in the neck and attempted to drive himself to CCMC and in doing so, he apparently lost consciousness and veered off into the other side of traffic, and hit a metal barrier. Mr. Smith stated it was a ballard pole, installed in the corner. Chief Ocasio continued to explain the driver took the pole out. His passenger was in the vehicle, and her skull went through the windshield. "So this is the stuff we are seeing today. This is only part of it. And this was on the day shift." Crimes usually happen during the night time hours. Chief Ocasio further explained that some of the shooters now are females. "In the past, there was a certain standard we had to look out for. It is not the case anymore. Now we have females that are the shooters." He continued "So now we have to worry about if that little girl could potentially have a gun. So it is very dangerous out there."

Mayor Ciach wanted to thank Council for their indulgence and wanted to include the Chief. As he wanted to give credit where credit was due; the department is doing a great job. Mayor Ciach wanted to bring attention to the fact that we received four new computers. They were donated by Traux Construction Company. The flat screens will be used in the Fall and in afterschool program for our youth in the PAL program. There was also a 22 inch flat screen television donated. Mayor Ciach wanted to recognize Officer Curran for his role in soliciting the donated equipment. "That speaks volumes to how well dedicated, or how dedicated, he is to the PAL program."

19. Solicitor's Report - Robert O'Connor

Mr. O'Connor read the Solicitor's Report for April 2014 into record.

20. Engineer's Report - Charles Catania

Mr. Catania stated he had just one item. The addition/renovations of the Upland Fire House are moving along. We have one item for approval of payment; payment #5 for the general contractor in the amount of \$ 50,332.00.

A-1 Motion for Approval of Payment for Fire House Addition -
Contract #1, General Construction for Columbus Construction,
LLC; Fifth Installment, Amount of \$ 50,332.00

Mrs. Peterson made a motion for approval of payment for Fire House Addition - Contract #1, General Construction for Columbus Construction, LLC, fifth installment in the amount of \$ 50,332.00. Ms. Crawford seconded the motion. Mr. Smith abstained while all other Council voted Aye on the motion.

21. Old Business

Mr. Mitchell asked if there was any old business. No one responded.

22. New Business

Mrs. Peterson made a motion to approve up to \$ 4,200.00 for the pump repairs on Truck #57-2. Mr. Peden seconded the motion. Mr. Smith abstained while all other Council voted Aye on the motion.

Ms. Crawford made motion to authorize the Solicitor to bid on a property at the Judicial Tax Sale on Thursday, May 15, 2014, up to but not to exceed the amount

of \$ 35,000.00. Mrs. Miazza seconded the motion. Council unanimously voted Aye on the motion.

Mrs. Peterson read a letter from Mrs. Joan Siple. There is a copy in the minutes. Mr. Mitchell requested Mrs. Purcival to make sure everyone gets a copy in their file. Mrs. Purcival confirmed.

Mr. Dan Smith made a motion to cancel the second meeting of the month. Mrs. Miazza seconded the motion. All Council voted Aye on the motion verbally.

23. Floor Open to Public

Mrs. Raikowski, resident of Fourth Street, approached Council to inquire about how a person would obtain to get a handicap space. Mr. Mitchell explained that you would begin by getting your doctor to declare the need for it, fill out the necessary PennDot paperwork, have it notarized. You would get either a handicap placard or a permit tag. After that, you give a copy to the Borough Manager, we send to the Police Department for verification. Once approved, the Highway Department will mark the space with a sign. It is a simple process.

Mrs. Raikowski stated that in this case, a person does not deserve it. Mr. Mitchell asked Mrs. Raikowski if she had information that we did not know, please share. The person Mrs. Raikowski is referring to has a 3rd degree black belt. She teaches and she lifts that leg, she sees her practicing. She wonders who her doctor is, as he is giving her permission to have a handicapped spot. Mrs. Raikowski stated she herself, has nerve damage. She parks up the street and walks, and she knows this certain person has been calling the Borough and complaining that Mrs, Raikowski has a 2-car driveway and why don't she use it. Mrs. Raikowki wanted to state that she does not need to explain to this person or anyone else why she chooses to park on the street. Mr. Mitchell affirmed this. But she wanted to explain to Council, her husband and herself have different hours of work.

Mrs. Peterson further explained that prior to any handicap spots are okayed, we send Highway Department out to see how many there are on the street. "No handicap spot, in Upland, belongs to anyone. A handicap spot belongs to any person that is handicapped."

Mr. Mitchell mentioned he understood the particular area Mrs. Raikowski is referring to. He indicated there are two things happening, as he was there today. That street is marked out wrong from Church Street to Main Street. There are a lot of changes that are going to happen down there. We are going to right the wrong. We have to start somewhere. We have to put the lines in the proper place. They are in the wrong place right now.

After some debate from the resident, Mr. Mitchell explained that we will do what the State tells us to do. "I cannot enforce the law if we are wrong." "Our Police Department does not measure roads. That is why we have an engineer; that is why we have people do things like that, the professional way." Once it is corrected, and it will be corrected immediately, and if you are entitled to a spot, you will get a spot. It is a public street." Mr. Mitchell further explained that if a person should have a visitor that has a handicap tag, they can park in the handicap spot as we recognize that in Pennsylvania as all states do. "She does not own the spot, she does not own the home. The original tag that she had, belonged to her grandmother who does not even have a driver's license. There is a history here that goes way back. So yes, there are a lot of wrongs that we can't make right until we make our stuff right." Mr. Mitchell asked Mrs. Raikowski to give us a chance and we will take care of the Borough's responsibilities.

George Oronzio, resident of Woodside Avenue, approached Council to state the street light in front of his house goes on and off every 5 minutes. He asked that it corrected. Mrs. Peterson stated the Borough Manager will take care of that for you. Mr. Mitchell stated he would get the police department to get the pole number. Mrs. Purcival stated we will retrieve that information and call it in.

Denise Marusco, resident of 310 Tenth Street approached Council. She stated "Good evening Council." Mr. Mitchell replied "Hi. Welcome." Ms. Marusco continued "As you all know I reside down on Tenth Street in Upland." Mrs. Purcival asked if she could speak up. Mr. Mitchell indicated it is a recording. Ms. Marusco stated that it seems that the 300 block of Upland has had an ongoing issue with sewer and now storm water since the school was built. "My understanding was that the school was required to put in a relief pipe, between what we will call manhole A and manhole B on Main Street, which runs under Main Street and it has been witnessed three times spewing. We cannot use our plumbing when it rains heavy; 313 got water up through their toilet on April 30th. We did not get water in our basement. We did not use our plumbing. But when we left on May 1st, which was the next day at 9, we arrived back home about 12:30, Delcora's trucks were on the street playing in manhole A. We went home to a basement full of water, 2 to 3 inches from corner to corner, corner to corner. It was filled." "Now, we had a lateral in our cellar we had a taped recording that our lateral was fine. Delcora looked at the saddle on April 2nd and it was reviewed not broken. We flushed our toilets, we washed our hands, it stunk. We had a meeting with the Borough on April 25th at which time the camera from Delcora was deemed inconclusive. All three of us that live on the street, we cannot use our plumbing every time it rains. 313 and 315 were required to put in check valves at curbside." She continued "I have a really big concern about who allowed this to happen. With the old maps, the old runs seem to run right through our Luken's Run." Ms. Marusco continued indicating the Certificate of Occupancy since October 1991. Last year when the school was built at 11th and

Main, we started having water run under our house nonstop. The pump runs continually. We have two pumps. I never had a pump in that house until 2010. When at that time, we disconnected the french drain that runs under the house and we put pumps in. Starting in March of last year, the pump, every now and then would kick off. By May, when the guys were out putting the relief pipe in, the pump was nonstop. Our driveway was never dry. The storm sewer that sits in the back, when you paved the street, has a big puddle to it. Construction that is taking away ground and new buildings having plumbing added to an already overburdened line and comes through the sewer easement, that is under investigation for being illegal. It is not a situation, it is a neglected problem. Ms. Marusco stated she “would like to know how, if this sewer issue has been ongoing as Mr. Catania was quoted in a newspaper article decades ago. I do believe it said you were the Borough Engineer in 1963 and for four and a half years, was diligently working on this. This is 2014.” Ms. Marusco continued “I would like to know, what has diligently been done and the problem that is now on our shoulders. If the powers that be can’t fix it, how do they expect us to fix it. I have proposals, thousands and thousands of dollars, not guaranteeing it will solve the problem. My neighbors have told me that this property, as they were told, a house would never be built there nor behind them at 313 and 315. Right now as it stands, we have been through court from November of 2013 to date with continuances. I do not know what you expect from us, so if you have any solutions or resolutions, I am open.”

Mr. Mitchell stated that since this is under litigation, and it’s going to remain that way until it gets resolved and I do not know what the outcome is going to be, and nobody on this Council can predict that, you’ll get very little of anything out of here other for me to say that during the eight inches of rain we got a couple of weeks ago, when the flooding really took place, there is not an ideal built community anywhere in America that could withstand eight inches of rain without someone getting water in the basement, manholes popping. You talk about Delcora at your end, we had Delcora down the lower end going in about 132 homes. So we have raw sewerage problems all over when you have that much influx of infiltration. Ms. Marusco interrupted and Mr. Mitchell continued “you have a lot of people illegally hooked into the system. That’s why we have adopted the ordinance we did on laterals. So that is where are with that, and that is all I will say on the issue because of the litigation issue. I don’t have an answer to that. Yes, I know where Luken’s Run is, I know where it begins and I know where it ends. The bottom line is it runs right by houses. We know that, it was there when they built the house.” Ms. Marusco stated that it was not there. Mr. Mitchell stated “Luken’s Run has been there a long time.” Ms. Marusco continued “there is an article a few years ago about 2 people coming down with hepatitis, the State cultured the waters in the creek, and they were highly contaminated with raw sewage.” Mr. Mitchell stated “Imagine that, if you go down to the lower end 2 weeks ago, we had our police officers walking in it. We know what raw sewage in the street looks like. We know what it looks like coming through the runs, these are all clean runs; Lukens, Maris and Crozer Runs

are all fresh spring watered runs. Draining from up north of us, high ground. You can almost drink the water, until you get down to here then it gets contaminated with all the blown manhole lids you see where you are at.” Ms. Marusco stated that on June 7th of last year, when we got water, Delcora came out and they unbolted the manhole covers. “It’s the third set of manhole covers that have been on these manholes. I kept asking, why aren’t they bolted down. They never rebolted them back down. Now, I sent a letter to DEP and I also have contacted the Right-to-Know officer in Harrisburg.” Mr. Mitchell stated “I think your approach is right, but this is not the place for that kind of answer. I’m sorry. We can’t answer that. I wish I could.” Ms. Marusco stated “From what I understand, Delcora owns the sewer configuration on our properties. If the school has nothing to do with the sewer line down, two-tenths of driving distance on our block, why was it they that were required to put the relief pipe in that hasn’t failed and lined the sewer configuration that is on our property. Mr. Mitchell stated “the simple math is this. If school is out at 2 o’clock in the afternoon, you can’t blame raw sewage coming from the school in your street cause no one is in the school. Nobody is making a deposit; they don’t all go to the bathroom before they leave school.” Ms. Marusco stated “You took down a three-story house, how much plumbing was added to that line when that school was built. I have articles in newspapers from decades ago, the Uplanders were complaining about having a development put in. Tom Zigler, from Delcora, was quoted that he didn’t think the line should have that much more plumbing added to it. Mr. Catania was quoted that it was a public line and it would be tied in.” Mr. Mitchell stated “I hear your frustrations.” Ms. Marusco stated “I don’t think you do.” Mr. Mitchell replied “Yes. Your concerns are dealing with a building you want something done with the school that wasn’t opened at the time that the problem was being created down at the bottom of the hill.” Ms. Marusco stated “This ground water is a whole different issue that started last year.” Mr. Mitchell stated “Well, I’m sorry that the ground water.” Ms. Marusco interrupted “Back on the 29th and the 30th of April when it poured very heavily, we didn’t get any water. We left at 9 o’clock on Thursday morning, returned home at 12:30, and Delcora was out on the street during that time, playing in manhole A.” Mr. Mitchell stated “Ms. Marusco, you are a very intelligent woman. And you know if the water table is down, if you had no rain for a while, and you get a torrential downpour and it stays around here for two or three day, the water table is full. You have problems at that point. The same time you are having it, we have people down the lower end having the same problem. We have people on top of hills in this town that have water problems.”

Ms. Marusco stated “I have been there since 1991, maybe a little bit before that, I never, ever, ever have had that happen.” Mr. Mitchell stated “I am going to end this by saying this. Have you ever seen so much snow as we had this winter? Have you ever seen so much water? Have you ever seen so much rain? Have you ever seen so much torrential downpours? Have you ever seen so many hurricanes, tornadoes? Have you ever seen any of that in our lifetime? Never. Okay, the old world is changing. And you have to do something to live with it

and work with it. I don't know the answers to your problems, but we have a whole bunch of similar problems down the lower end. I get water in my house, it comes in the back wall and goes out the front door sometimes." Mrs. Miazza stated in the background she has the same problems. Ms. Marusco stated "The only time I got water in my house is from it coming up through the sewer lines." Mr. Mitchell stated "I'm sorry there's...". Ms. Marusco interjected "Our lines have been checked and the house was required to have back flow valve put in after construction." Mr. Mitchell stated again "I cannot go any further in this conversation because I know the first thing you are going to do, as soon as the minutes are typed, you want it for your lawyer. So, I have to stop at this point because I can't do anything for you. I don't know the answer." Ms. Marusco stated "You have no control over Delcora." Mr. Mitchell stated "Thank you. The bottom line is that I have no control over Mother Nature, I have no control over what God giveth." Ms. Marusco continued "If you have no control over Mother Nature and all this ground water comes and precipitates out of the sky, and you keep building and building, taking the ground away. How do you expect us to control it?" Mr. Mitchell stated "We are kind of land-locked here in Upland. And if you have a plotted ground where you can build something, you're talking about a school that was put there. The school definitely looks better and it's not contaminating, it's not depositing..." Ms. Marusco interrupted "Have you seen the waters that run down off there 'cause I have videos of the sheets of water that just run down the driveway; the puddles of water when cars come down, the spray. The storm sewers are so full that the waters...it's unbelievable." Mr. Mitchell stated "Ms. Marusco, we are going to have to end the conversation because without getting into legal and I do not want our legal and our Engineer getting into something because we do not know where the courts, where you are in the courts. I mean our lawyer may know but that is about it." Ms. Marusco began to talk again but Mr. O'Connor interjected "Your lawyer emailed me. I emailed him back the day after I got his email. Have your lawyer call me. It's a litigation matter, we can't discuss that here."

Mr. Byron Godfrey asked a question "My concern is when the house was built, the lateral was connected; I say only 8 foot from the base of our house to the horseshoe, the sewer system. We are talking only 8 foot before it gets to our house. Now, I have lived there for 3 years and three times water has come up. Now, I want to really try to get this lateral somewhere else, but every plumber I've talked to, they don't know where to run it. And they can't figure out how they got a permit to hook it up that way in the first place, because he said it was illegal. It's just because of the house..." Mr. Mitchell interjected "Okay, let me finally end this by saying this. When it was put in there, it worked up until you had problems with it. So, between then and when you bought it... God Bless you." Mr. Godfrey stated "it has gotten worse because people have added on and you know. But the thing is, three times since I have been there, it has backed up. Now, she's afraid to go to the bathroom when it rains. She's going in buckets. I'm serious." Mr. Mitchell stated "Listen, I'm going to share this with you because when the place was built there wasn't a bottom basement with a toilet and

stuff in there, which somebody put in there after the fact. So, start looking there when that is where the problems were.” Ms. Marusco stated “Excuse me.” Mr. Mitchell stated “I do not studder and that is the end. Thank you very much. Thank you very much for coming. There is nothing else we can say.” Ms. Marusco continued “There is another issue.” Mr. Mitchell stated “No, there are no more issues. I call for an adjournment.” Ms. Marusco continued to talk. Mr. Mitchell stated “There is a motion on the floor to adjourn. There is nothing more I can help you with when you are in litigation. I can’t feed into your court case.”

24. Adjournment

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

The meeting adjourned at 8:07 p.m.

Respectfully submitted,

Shirley Purcival
Borough Manager/Secretary/Treasurer

Shannon Strigle
Recording Secretary