

UPLAND BOROUGH COUNCIL

MEETING MINUTES

AUGUST 27, 2013

The meeting of the Upland Borough Council was called to order at 7:01 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 Ms. Moira Crawford, Mr. Leland Hunter, Mr. Harold Peden, Mr. Daniel Smith, Mr. Charles Catania, Sr., P.E., Mr. Robert O'Connor, Esq., Borough Solicitor, and Ms. Shannon Strigle on behalf of Mrs. Shirley Purcival, Borough Manager/Treasurer/Secretary. President Edward Mitchell announced that Councilwoman Sandra Miazza and Mrs. Shirley Purcival, Borough Manager/Treasurer/Secretary was excused due to vacation.

Mr. Ken Stark, Reporter, and approximately ten 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. Mitchell turned the meeting over to Mayor Ciach.

Out of Normal Order of Business - Mayor Ciach

Mayor Ciach stated that before he started with the presentation, he wanted to invite Mike Avellino to address Council. Mr. Avellino wanted to mention that he is from the Marine Corps League and wanted to invite everyone to their Pig Roast on September 7, 2013 and also to their monthly breakfast on the third Sunday of every month. His main reason to address Council was to present a Certificate of Appreciation acknowledging the Borough Council for all its help. After the presentation, a round of applause was offered by council and those in attendance. Mr. Ken Stark took pictures of Mayor Ciach, President Mitchell and Mr. Avellino.

Proclamation Honoring Doug and Marsha Scott

Mayor Ciach stated the next order of business he had a service presentation for which he had Shannon hold for the agenda until today and he apologizes if it is in anyone's absence but we had an incident back in July that he wanted to bring to everyone's attention. Mayor Ciach read the proclamation into record where it recognized Doug and Marsha Scott, residents of Upland and volunteers of the Upland Fire Company; for which they had helped a 77 year-old resident when she was in need. After a round of applause, Mr. Ken Stark took pictures of Mayor Ciach presenting the Proclamation to Doug and Marsha Scott.

5. Public Comments on Agenda Items Only

Mr. Mitchell asked if anyone wanted to address Council regarding agenda items only. There was no audience participation.

6. Approval of Previous Meeting Minutes

A-1 Council Meeting Minutes - July 2, 2013

Ms. Crawford made a motion to approve the Council Meeting Minutes of July 2, 2013 meeting minutes and Mrs. Peterson seconded the motion. Council unanimously voted Aye on the motion.

A-2 Bid Opening Minutes - August 19, 2013
- *Upland Firehouse Addition*

Ms. Crawford made a motion to approve the Bid Opening Minutes from August 19, 2013 and Mr. Peden seconded the motion. Mr. Dan Smith abstained from the motion while other Council present voted Aye on the motion.

7. Treasurer's Report

A-1 Treasurer's Report

Ms. Crawford made a motion to approve the Treasurer's Report and Mr. Peden seconded the motion. Council unanimously voted Aye on the motion.

A-2 Income Statement

Ms. Crawford made a motion to approve the Income Statement. Mr. Peden seconded the motion. Council unanimously voted Aye on the motion.

8. Auburn Village Report - Christine Peterson

Mrs. Peterson reported progress.

9. Public Safety Report - Harold R. Peden

A -1 Fire Marshall's Report

Mr. Peden read the Fire Marshall's July 2013 Report into record.

A-2 Fire Chief's Report

Mr. Peden requested that Dan Smith present the Fire Chief's Report. Mr. Smith presented the report for the month of July 2013. There were 2 fire incident, 12 non-fire incidents, 13 mutual aids; for total incidents of 27 and 4 drills for a total activity of 31. We had \$ 6,000.00 for the month in vehicle damage. There were 9 assists for fire, 3 cover assignments, 1 air bank call, 1 motor vehicle accident, 1 ambulance assist, 6 fire alarms, 1 good intent, 3 assists to police, 1 vehicle fire, and 1 mulch fire. We had 20.5 hours in service for the month; 16 daytime and 15 night time with average runners of 7.

Mr. Peden stated that was all he had. Mr. Mitchell thanked him.

10. Code Official Report - Leland Hunter

A-1 Code Officer's Report

Mr. Hunter read his July 2013 report into record. Mr. Hunter stated they had eight liens with three pending at the current time.

11. Building & Grounds Report - Sandra Miazza

Mr. Mitchell stated that Mrs. Miazza reported progress; as she is on vacation.

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 approval for the month of July 2013 in the amount of \$ 171,797.24. Mr. Smith seconded the motion. Mrs. Peterson abstained from check number 29950 and Aye on the rest. Mr. Mitchell abstained from check number 29900 and Aye on 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 July 2013 in the amount of \$ 20,013.02. Mrs. Peterson seconded the motion. Mr. Mitchell abstained from check number 5734 and Aye on the rest. All other Council voted Aye on the motion.

13. Ordinances and Resolutions Report - Harold R. Peden

- A-1 Motion to Pass and Adopt Resolution No. 15 of 2013
 - *Authorize the Treasurer to Transfer Monies for General Expenses*

Mr. Peden made a motion to pass and adopt Resolution No. 15 of 2013 as presented. Ms. Crawford seconded the motion. Council unanimously voted Aye on the motion.

- A-2 Motion to Pass and Adopt Resolution No. 16 of 2013
 - *Non-Uniformed Pension Plan Funding Requirements for Budget Year 2014*

Mr. Peden made a motion to pass and adopt Resolution No. 16 of 2013 as presented. Ms. Crawford seconded the motion. Council unanimously voted Aye on the motion.

- A-3 Motion to Pass and Adopt Resolution No. 17 of 2013
 - *Police Pension Plan Funding Requirements for Budget Year 2014*

Mr. Peden made a motion to pass and adopt Resolution No. 17 of 2013 as presented. Ms. Crawford seconded the motion. Council unanimously voted Aye on the motion.

- A-4 Motion to Pass and Adopt Resolution No. 18 of 2013
 - *Authorize Treasurer to Transfer Monies for Reese Center's Roofing, Electrical Repairs/Upgrades and Security*

Mr. Peden made a motion to pass and adopt Resolution No. 18 of 2013 as presented. Ms. Crawford seconded the motion. Council unanimously voted Aye on the motion.

- A-5 Motion to Advertise Ordinance No. 3 of 2013
 - *Creating Chapter 148 "Satellite Dish Antennae (SDA's)"*

Mr. Peden made a motion that Ordinance No. 3 of 2013 be approved for advertisement with intent of passing said ordinance at our October meeting as presented. Ms. Crawford seconded the motion. Council unanimously voted Aye on the motion.

14. Research & Development - Moira Crawford

Ms. Crawford reported for the month of July 2013; "We had 2,856 page views with 1,191 visitors, so we had approximately 38 visitors, per day, to the website. Our Photo Bucket account now has 87 albums; we added July 4th festivity photos, The Blue Rocks Game

and also photos today from the Charter School. That's it Mr. President." Mr. Mitchell replied "Very good, very good; good report."

15. Street & Equipment - Christine Peterson

Mrs. Peterson wanted to give everyone a quick synopsis of what's going on at Second Street. "We have a bee's nest down there. Shannon and I have been working together the last couple of days. Part of the tree is on someone's property and part of the tree is in the street. So, we have bees in both places. Basically, Shannon has spoken to two (2) different pest control companies who came out. Our normal pest control company came out first; they suggested we call a beekeeper. Shannon has spoken with three (3) beekeepers. Our regular pest control told us that they were protected, and the beekeeper said they are not protected. Orkin told us that they are probably going to leave in a day or two; they are twenty-five feet up but they are located in an area near a pole with wires. They are generally not aggressive unless there is an issue, they will swarm. I guess our initial reaction was to get rid of them so no one got stung. However, going back and forth, Orkin is now suggesting that we leave them alone for a day or two, and see what happens. They will go in and take care of it, however they will need our bucket truck and it will be night work. So, right now, we came to the conclusion, that we will leave it go for a day or two and see what happens. And Shannon did a very good job with that."

Mr. Peden asked "So, you say they are not protected?" Mrs. Peterson replied "They are not-protected." Mr. Peden asked if they know what kind of bees they are.

Mrs. Peterson stated provided that nobody irritates the honey bees, we should be good. Orkin stated that most likely the bees will not make their home in that tree; and for us to give it a couple of days. Ms. Crawford asked "Has anyone been stung?" Mr. Mitchell replied "No." Mrs. Peterson replied "No one has been stung; the residents of Second Street have complained several times because there were a lot of them...but I think the queen is probably gone now and they will go away."

16. Community Affairs - Sandra Miazza

Mr. Mitchell asked Ms. Crawford if she will provide a quick synopsis of the Community Affairs in Mrs. Miazza's absence. Ms. Crawford stated there are two (2) items that she will report on. "We have the Fireworks scheduled for this Sunday at dusk at Bristol Lord Field. We will be selling some refreshments at the Pavilion; every year we do the same thing." Ms. Crawford also stated "the roads will be closed around 7 p.m. as normal, until after the fireworks are completed. Then we have, September 28th, our Annual Spaghetti Dinner Fundraiser at MacQueen Hall from 4 p.m. and 7 p.m. We will have take-out available for that. That is it, Mr. President." Mr. Mitchell replied "Very good."

17. Use & Occupancy Report - Shirley Purcival

Mr. Mitchell announced the report to be read by Ms. Strigle for Mrs. Shirley Purcival. Ms. Strigle read the Use and Occupancy Report for the month of July 2013. Mr. Mitchell asked if there were any questions of the Acting Secretary. No one presented a question.

18. Mayor's Report - Mayor Ciach

Mayor Ciach stated that he had two (2) reports; the first for the month of June 2013. A total of 96 citations were issued; for a total amount of \$ 14,842.00; with amount received from the District Justice Court of \$ 3,632.26; bringing the year-to-date citations to 745. There were 20 parking tickets issued, 7 motor vehicle accidents with 3 reports copied, and the total of 224 calls and 29 assists.

With follow-up, we have the month of July 2013. There were 131 citations for a total amount of \$ 17,678.00; the amount received from the District Justice Court was \$ 3,528.80; bring the year-to-date at the end of July 2013 to 876 total citations issued. There were 12 parking tickets; 6 motor vehicle accidents and 3 reports copied; 202 calls answered and 26 assists. Mayor Ciach stated that concluded his report. Mr. Mitchell stated "Very good. You guys were a little busy."

19. Solicitor's Report - Robert O'Connor

Mr. O'Connor read into record his July 2013 report.

Mr. Mitchell asked if there were any questions of the Solicitor. Without questions, Mr. Mitchell continued the meeting.

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

A-1 Motion to Approve Fire House Addition

Mr. Catania announced that on August 19, 2013 at 10 a.m., Upland Borough Council received bids for the Upland Firehouse Addition. We had quite a bit of activity and twenty-seven (27) bids total for the contracts. The low bidders for each contract are as follows:

The general construction low bidder was Columbus Construction, LLC at a bid price of \$ 219,709.00. The low bidder for the mechanical construction was Ellis Construction Company in the amount of \$ 45,000.00 and the low bid on the electrical construction was Charles A. Higgins & sons, at a low bid of \$ 50,593.00.

Mr. Catania stated that we have these bids and we have checked, to the best of our ability, the quality of work performed by the low bidders, and we would recommend the contracts be awarded for general to Columbus Construction, the mechanical to Ellis Construction and the electrical to Charles A. Higgins and Sons, Inc. with financing for the contracts to come from the Borough and also, from the fire company. Mr. Catania concluded his report.

Prior to confirming any motion, Mr. Mitchell announced that “when we negotiated the fire house, and the fire truck and the facade for everyone that is here; we had put roughly \$ 240,000.00” (actual \$ 234,000.00) “into the loan with the fire truck for the addition of the bay and the two offices. The price came in for the general construction of \$ 219,709.00. What we are going to do as Council is pay the \$ 219,709.00, and give the remainder of the loan directly to the fire company, because that is what we borrowed and that is our total commitment for that project.”

After reviewing the correct balance of the loan for the fire house addition, the total of \$ 234,000.00 remains. This amount is to be allocated for \$ 219,709.00 for the general construction and the balance of \$ 14,291.00 is to be paid directly to the Fire House for the other contracting needs; mechanical and electrical.

The remainder of the contracts, mechanical and electrical, would total \$ 95,593.00. Since we will provide the excess loan money directly to the fire company to offset the mechanical and electrical contracts, the remainder of the balance of \$ 81,302.00 would be the responsibility of the fire company.

Mr. Mitchell stated “One of the things you need to keep in mind is that back during the negotiating times, the transformer that was on site, PECO was going to move it at no cost; so we did not even bother to figure that price in. It was told to us, as a favor to the fire department, it would be moved at no cost. We never estimated that cost, so now it is part of your electrical construction cost. That is the long and the short of what Council has prepared to do by Board Resolutions and by Bond Issue.”

Some discussion pursued as questions arose about what contracts should be drafted at this time. Mr. Catania stated that his suggestions is that all three contracts be drafted with usage of the wording that Council had here, that the remainder of the balance comes from the fire company. Mr. Mitchell stated that \$ 219,709.00 is one motion and then the balance would be what we donate to them.

Mrs. Peterson made a motion to approve the fire house addition for the general contractor in the amount of \$ 219,709.00. Mr. Peden seconded the motion. Mr. Smith abstained while all other Council voted Aye.

Mrs. Peterson made a motion to transfer the balance of the loan to the Fire House to be used for their mechanical and their electrical needs of the new addition and existing building. Ms. Crawford seconded the motion. Mr. Smith abstained while all other Council voted Aye.

Mrs. Peterson made a motion to accept the bid of the mechanical portion of the contract for \$45,000.00 and will be paid by the fire company when financing is available. Mr. Peden seconded the motion. Mr. Smith abstained while all other Council voted Aye.

Mrs. Peterson made a motion to accept the bid of the electrical portion of the contract for \$50,593.00 and will be paid by the fire company when financing is available. Mr. Peden seconded the motion. Mr. Smith abstained while all other Council voted Aye.

A-2 Motion to Authorize our Solicitor to Draw-Up Necessary Documents

Mrs. Peterson made a motion for the Solicitor to draw up all necessary documents pertaining to the contracts of the fire house addition. Ms. Crawford seconded the motion. Mr. Smith abstained while all other Council voted Aye.

21. Old Business

There was no old business addressed from Council.

22. New Business

A-1 Discussion on the Clayton Towing Contract

Mrs. Peterson asked about Clayton Towing matters. Mr. Mitchell stated that it would be deferred until September 10, 2013.

A-2 Approval for Use of Highway Department for Upland Fire Parade Event

Mrs. Peterson asked if we needed to make a motion for the approval of Highway Department to work the Fire Parade. After a brief discussion, Mrs. Peterson made a motion to use the Highway Department for the Upland Fire Company's Parade Event on October 12, 2013. Mr. Peden seconded the motion. Council unanimously voted Aye on the motion.

A-3 Kind Donation to Upland Hurricane Youth Association

Ms. Crawford made a motion to make a kind donation in the amount of \$2,500.00 to the Upland Hurricane Youth Association. Mr. Peden seconded the motion. Council unanimously voted Aye on the motion.

23. Floor Open to Public

Mr. Mitchell asked if there were any questions from the public. There were no comments from the public.

Mrs. Sandy Deldeo approached council with a concern regarding mosquitoes. She stated that the Widener field behind her house is full of mosquitoes. She asked if there was any way we could get Widener to spray for mosquitoes, or who would be responsible for this? Mr. Mitchell stated that the County is responsible for the spraying. Mr. Smith stated he believes Mrs. Deldeo was asking if the County is doing their property, can we get then to do Widener's property too. Mrs. Peterson stated that maybe Widener can get ask the county to do their property, but we can't. Mr. Mitchell stated that we will look into that.

Mr. Peden asked if anyone knew if there was any open standing water on that property. After some discussion, Mr. Peden stated that there may have been a pond on that property before.

24. Adjournment

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

The meeting adjourned at 7:47 p.m.

Respectfully submitted,

Shannon Strigle
Recording Secretary