

MINUTES

REGULAR MEETING OF UPLAND BOROUGH COUNCIL

DATE

March 10, 2020

TIME

7:00 P.M.

PLACE

Upland Municipal Building, 224 Castle Avenue, Upland, PA

CALL TO ORDER

President Peterson called the Regular Scheduled Meeting for Upland Borough Council to order at 7:00 p.m.

PLEDGE OF ALLEGIANCE / MOMENT OF SILENCE

President Peterson led the Pledge of Allegiance and a moment of silence.

ROLL CALL

Mrs. Peterson – Present; Ms. Crawford – Present, Mrs. Kerns – Present; Mrs. Bush – Present; Mrs. Deldeo – Absent; Mr. McClintock – Present; Ms. Gertner – Present; Mayor Dennon – Present; Mr. Daniel Archdeacon, P.E., Catania Engineering – Present; Mr. Robert E. O’Connor, Esquire – Present; and Michael Ciach, Borough Manager/Secretary/Treasurer - Present.

GUESTS/RESIDENTS IN ATTENDANCE

Police Chief Michael Irely, Fire Chief/Fire Marshall Daniel Smith and approximately six (6) guests were in attendance.

5. Motion to Hire One (1) Full-Time Police Officer

A-1 Motion to Approve and Adopt Resolution No. 6 of 2020

- *Hire Lawrence Porter as a Full Time Police Officer*

President Peterson entertained a motion to hire Lawrence Porter as a Full Time police officer. Mr. McClintock made the motion; Ms. Crawford seconded the motion. Roll call was taken: Roll Call was taken: Mrs. Kerns – Aye, Mrs. Bush – Aye; Mr. McClintock – Aye; Ms. Gertner– Aye; Ms. Crawford – Aye; and Mrs. Peterson – Abstained because of her employment.

Ms. Gertner read Resolution No. 6 of 2020 into record. President Peterson stated she went out of order; she entertained the motion to hire a full time officer. Mr. McClintock made a motion, Ms. Crawford seconded the motion. Roll call was taken: Roll Call was taken: Mrs. Kerns – Aye, Mrs. Bush – Aye; Mr. McClintock – Aye; Ms. Gertner– Aye; Ms. Crawford – Aye; and Mrs. Peterson – Abstain.

Out of Normal Order of Business at 7:05 p.m.

Out of Normal Order of Business

Swear-In Full-time Police Officer

- *Lawrence Porter*

Mayor William Dennon performed the swearing in of Lawrence Porter as a full time officer. Congratulatory remarks and applause was offered by Council and the audience.

Return to Normal Order of Business at 7:11 p.m.

6. Public Comments on Agenda Items Only

No one addressed Council.

7. Approval of Previous Meeting Minutes

A-1 Council Meeting Minutes – February 11, 2020

President Peterson asked if there were any questions on the Council Meeting Minutes of February 11, 2020.

Ms. Crawford made a motion to approve the Council Meeting Minutes of February 11, 2020. Mrs. Kerns seconded the motion. Roll Call was taken: Mrs. Kerns – Aye, Mrs. Bush – Aye; Mr. McClintock – Aye; Ms. Gertner– Aye; Ms. Crawford – Aye; and Mrs. Peterson – Aye.

A-2 Bid Opening Minutes (Upland Municipal Park Restroom) – March 10, 2020

Ms. Crawford made a motion to approve the Bid Meeting Minutes for the Upland Municipal Park Restrooms of March 20, 2020. Mrs. Kerns seconded the motion. Roll Call was taken: Mrs. Kerns – Aye, Mrs. Bush – Aye; Mr. McClintock – Aye; Ms. Gertner– Aye; Ms. Crawford – Aye; and Mrs. Peterson – Aye.

8. Treasurer's Report

A-1 Treasurer's Report

President Peterson if any questions on the Treasurer's Report. With no questions, Ms. Crawford made a motion to accept the Treasurer's Report as presented. Mr. McClintock seconded the motion. Roll Call was taken: Mrs. Kerns – Aye, Mrs. Bush – Aye; Mr. McClintock – Aye; Ms. Gertner– Aye; Ms. Crawford – Aye; and Mrs. Peterson – Aye.

A-2 Income Statements

President Peterson asked if any questions on the Income Statements. With no questions, Ms. Crawford made a motion to accept the Income Statements as presented. Mr. McClintock seconded the motion. Roll Call was taken: Mrs. Kerns – Aye, Mrs. Bush – Aye; Mr. McClintock – Aye; Ms. Gertner– Aye; Ms. Crawford – Aye; and Mrs. Peterson – Aye.

A-3 Manager's Report

President Peterson asked if there were any questions on the Manager's Report. With no questions, President Peterson asked if all were in favor of accepting the Manager's Report; verbally all voted Aye, no Nays.

9. Auburn Village Report - Richard McClintock

President Peterson stated Mr. McClintock reports progress.

10. Public Safety Report – Richard McClintock

A-1 Fire Marshal's Report – February 2020

Mr. McClintock asked Mr. Smith for his report. Fire Marshal read his February 2020 report into record. Mr. Smith also mentioned that ten fire companies were recently audited by the State's Attorney General's office. In Delaware County, Upland Fire Company was one of two (2) fire companies; the other company was Concord, to receive zero deficiencies in their most recent State Relief Audit. Mr. Smith stated paperwork was submitted to the Pennsylvania Office of the State Fire Commissioner for grant received in the value of \$ 11,646.38 for the purchase of Personal Protective equipment.

A-2 Fire Company's Report – February 2020

Fire Chief Dan Smith read his February 2020 report into record. Copy included.

11. Code Officer's Report – Richard McClintock

Mr. McClintock read the February 2020 Code Officer's Report into record. Copies included. President Peterson asked Mr. Ciach where we were with 21st Street & 22nd Street. Mr. Ciach's reply was inaudible. However, President Peterson stated letters were sent on February 7th. President Peterson instructed Mr. Ciach to follow up with the Code Enforcer regarding this ongoing situation of trash & debris in the alleyways of West 21st and West 22nd Streets.

12. Building & Grounds Report – Judith Bush

A-1 Upland Baptist Church – Splash Garden Update

Mrs. Bush presented and read a letter to Council from Pastor Brenda Shaw, Upland Baptist Church. Copy included.

In summation, the newly appointed directorship at Upland Baptist Church did not approve the sale of the parking lot, to Upland Borough, for the placement of the proposed splash garden. After some discussion from Council, the idea for a water activity is still on the table and will be pursued.

13. Finance & Insurance Report - Moira Crawford

A-1 Approval to Ratify Payment of General Fund Bills:

- February 11, 2020 through March 10, 2020 – \$ **119,915.82**

Ms. Crawford made a motion to ratify payment of the General Fund bills from February 11, 2020 through March 10, 2020 in the amount of \$ 119,915.82. Mr. McClintock seconded the motion. President Peterson asked if there were any questions on the General Fund bills. With no questions, she asked for a roll call. Roll call was taken: Mrs. Kerns – Abstain on check number 39623 and Aye in the remainder; Mrs. Bush – Aye; Mr. McClintock – Aye; Ms. Gertner – Aye; Ms. Crawford – Aye; and Mrs. Peterson – Aye.

A-2 Approval to Ratify Payment of Auburn Village Bills:

- February 11, 2020 through March 10, 2020 - \$ **57,375.05**

Ms. Crawford made a motion to ratify payment of the Auburn Village invoices from February 11, 2020 through March 11, 2020 in the amount of \$ 57,375.05. Mr. McClintock seconded the motion. President Peterson asked if there were any questions on the Auburn Village bills. Hearing none, she asked for a roll call. Roll call was taken: Mrs. Kerns –Aye; Mrs. Bush – Aye; Mr. McClintock – Aye; Ms. Gertner– Aye; Ms. Crawford – Aye; and Mrs. Peterson – Aye.

- A-3 Approval to Ratify Payment of the PLGIT Procurement Credit Card Purchases:
- o February 11, 2020 through March 10, 2020 - **\$ 7,696.60**

Ms. Crawford made a motion to ratify payment of the PLGIT Procurement Credit Card purchases from February 11, 2020 through March 10, 2020 in the amount of \$ 7,696.60. Mr. McClintock seconded the motion. President Peterson asked if there were any questions on the PLGIT Procurement Credit Card Purchases. With no questions, she asked for a roll call. Roll call was taken: Mrs. Kerns –Aye; Mrs. Bush – Aye; Mr. McClintock – Aye; Ms. Gertner– Aye; Ms. Crawford – Aye; and Mrs. Peterson – Aye.

A-4 Motion to Exonerate Tax Collector

- A. Year 2019 Real Estate \$ 190,113.68
(\$ 172,830.63 plus penalty of \$ 17,283.05)

Ms. Crawford made a motion to exonerate the Tax Collector for delinquent 2019 Real Estate Taxes in the amount of \$ 190,113.68; \$ 172,830.63 plus penalty of \$ 17,283.05. Mr. McClintock seconded the motion. Roll call was taken: Mrs. Kerns –Aye; Mrs. Bush – Aye; Mr. McClintock – Aye; Ms. Gertner– Aye; Ms. Crawford – Aye; and Mrs. Peterson – Aye.

- B. Year 2019 Trash Tax \$ 17,671.50
(\$ 16,065.00 plus penalty of \$ 1,606.50)

Ms. Crawford made a motion to exonerate the Tax Collector for delinquent 2019 Trash Taxes in the amount of \$ 17,671.50; \$ 16,065.00 plus penalty of \$ 1,606.50. Mr. McClintock seconded the motion. Roll call was taken: Mrs. Kerns –Aye; Mrs. Bush – Aye; Mr. McClintock – Aye; Ms. Gertner– Aye; Ms. Crawford – Aye; and Mrs. Peterson – Aye.

- C. Motion to Allow Borough Manager to Forward Delinquent Trash Taxes to Delinquent Tax Collecting Agency

Ms. Crawford made a motion to allow the Borough Manager to forward the delinquent Trash Tax to the Delinquent tax collecting agency. Mr. McClintock seconded the motion. Roll call was taken: Mrs. Kerns –Aye; Mrs. Bush – Aye; Mr. McClintock – Aye; Ms. Gertner– Aye; Ms. Crawford – Aye; and Mrs. Peterson – Aye.

14. Ordinances & Resolutions Report – Abigail Gertner

- A-1 Motion to Pass and Adopt Resolution No. 7 of 2020
- Application to the Delaware County Council for County Liquid Fuel Tax Funds 2020 – Roadway Program

Ms. Gertner read Resolution No. 7 of 2020, Application to the Delaware County Council for County Liquid Fuel Tax Funds for year 2020 into record. Ms. Gertner made a motion to pass and adopt Resolution No. 7 of 2020. Mr. McClintock seconded the motion. Roll call: Mrs. Kerns – Aye, Mrs. Bush – Aye; Mr. McClintock – Aye; Ms. Gertner – Aye; Ms. Crawford – Aye; and Mrs. Peterson – Aye. Motion carries.

15. Research & Development – Julie Kerns

Mrs. Kerns reported on Ms. Crawford's reports:

- 1) Website for February 2020 – New Google Analytics Reports are now available:
 - a) Visitors – 711 visitors with 954 sessions, 3,386 page views
 - b) Acquisition Overview Report:
 - i) 365 were organic (searched by borough name)
 - ii) 207 were direct (searched by website name)
 - iii) 123 were social (via Facebook)
 - iv) 29 were referral (other website mentions)
 - c) Overview by Devices Used to Access:
 - i) 358 (50.35%) - Desktop
 - ii) 323 (45.43%) - Mobile
 - iii) 30 (4.22%) - Tablet
- 2) Email transfers are still pending.

16. Streets & Equipment – Judith Bush

Mrs. Bush reported a Street Sweeper will be on hand for demonstrations on Thursday, March 12th to see if we can employ this company, two (2) times per year, spring and fall.

17. Community Affairs – Moira Crawford

Ms. Crawford reported on Saturday, February 15, 2020 they had their Annual Soup & Salad dinner at McQueen Hall. They had a very good turn out and they raised over \$1,300.00; it was the best turn out since they started this event.

Upcoming Events to include:

Designer Bag Bingo – scheduled for Saturday March 14, 2020. This is a “bring your own food and beverage event”. Some tickets are still available for purchase at the Borough office, via Julie, Judy or Moira. Cost is \$ 30 or if purchased at the door, price is \$ 35. There will be basket raffles, 50/50, bonus bag game tickets available for purchase.

Senior Citizen's Free Ham & Cabbage Luncheon – scheduled for Monday, March 16, 2020 at Noon at the MacQueen Hall. This is a free event for Borough senior citizens.

18. Use & Occupancy Report – Michael Ciach

Borough Manager Michael Ciach read the Use and Occupancy report for February 2020 into record. Copy included.

19. Mayor's Report – Mayor Dennon

Mayor Dennon read the Mayor's Report into record for the month of February 2020. Copy included.

President Peterson asked if Chief Irey would like to address Council. Chief Irey stated for public safety, he has been in contact with Crozer Keystone in regards the Coronavirus. Also, the Chief stated they submitted a grant application to try to retrieve at least 75% of the newly hired officers. Chief Irey also reached out to Episcopal Place to ensure they have procedures in place in preparation of the Coronavirus. Chief Irey will continue to work on securing those procedures.

20. Solicitor's Report - Robert O'Connor

Mr. O'Connor stated he had no updates for the month of February 2020.

21. Engineer's Report – Daniel Archdeacon for Lisa Catania

A-1 8th, Hill and Upland Park – Motion to Approve Change Order for Fence Replacement

Ms. Crawford made a motion to approve the Change Order for the Fence Replacement in the amount of \$ 4,500.00. Mrs. Bush seconded the motion. Roll call: Mrs. Kerns – Aye, Mrs. Bush – Aye; Mr. McClintock – Aye; Ms. Gertner– Aye; Ms. Crawford – Aye; and Mrs. Peterson – Aye. Motion carries.

A-2 Municipal Park Bathroom – Award Contracts to Low Bidders as Necessary

As presented and noted in the Bid Minutes, the bids that were received on March 10, 2020 were over-bid. President Peterson entertained a motion to re-bid the project. Ms. Crawford made a motion to authorize the Engineer to Re-Bid the project. Mrs. Bush seconded the motion. Roll call: Mrs. Kerns – Aye, Mrs. Bush – Aye; Mr. McClintock – Aye; Ms. Gertner– Aye; Ms. Crawford – Aye; and Mrs. Peterson – Aye. Motion carries.

A-3 Mulberry Street U-Drain – Approve Engineer to Solicit Quotes for Necessary Repairs (\$ 6,500.00)

Mrs. Bush made a motion to approve the Engineer to solicit quotations for necessary repairs on Mulberry Street, U-Drain. Ms. Crawford seconded the motion. Roll call: Mrs. Kerns – Aye, Mrs. Bush – Aye; Mr. McClintock – Aye; Ms. Gertner– Aye; Ms. Crawford – Aye; and Mrs. Peterson – Aye. Motion carries.

A-4 Borough Hall Roof Repairs – Approve Engineer to Advertise for Bids

Ms. Gertner made a motion to approve the Engineer to advertise for Bids on the Borough Hall Roof Repairs. Ms. Crawford seconded the motion. Roll call: Mrs. Kerns – Aye, Mrs. Bush – Aye; Mr. McClintock – Aye; Ms. Gertner– Aye; Ms. Crawford – Aye; and Mrs. Peterson – Aye. Motion carries.

President Peterson stated for Mrs. Bush to get with the (Police) Chief and decide on the speed bumps/humps. President Peterson continued that if we should need to address the State roads, contact Mr. Archdeacon.

Chief Irely stated regardless whether it is a temporary bump, or on a State Road; he spoke with other municipalities and a study will need to be done. President Peterson sought confirmation we could do temporaries as long as it has a study. Chief replied he has not personally seen any on State roads but he will look into that. His understanding was that it was illegal to have temporaries and confirmed a study would need to be done. President Peterson stated to Mrs. Bush that she and Dan need to figure out what we need to do.

22. Future Projects – Sandra Deldeo

President Peterson reported progress.

23. Old Business

President Peterson stated to strike A-1 Buy-A-Brick Program as it was already budgeted.

24. New Business

A-1 Motion to Cancel the Second Meeting of the Month – March 24, 2020

Ms. Gertner made a motion to cancel the second meeting of the month, March 24, 2020. Ms. Crawford seconded the motion. President Peterson asked for a verbal vote; all Council stated Aye, no one opposed. Motion carries.

A-2 Easter Egg Hunt Donation to Upland Athletic Club - \$ 275.00

President Peterson entertained a motion to donate to the Upland Athletic Club, \$ 275.00 for the Easter Egg Hunt. Ms. Crawford read the letter from Donald Kirby, President of Upland Athletic Club, requesting the donation for the Easter Egg Hunt.

Ms. Crawford made a motion to authorize a donation to Upland Athletic Club in the amount of \$ 275.00 for the Easter Egg Hunt. Mrs. Kerns seconded the motion. Roll call: Mrs. Kerns – Aye, Mrs. Bush – Aye; Mr. McClintock – Aye; Ms. Gertner– Aye; Ms. Crawford – Aye; and Mrs. Peterson – Aye. Motion carries.

25. Floor Open to Public

Chief Dan Smith, Upland Fire Company approached Council.

- He asked for an independent engineer to review the flooring at the firehouse as he stated that Lisa Catania seemed uninterested in this topic before, regarding the repairs needed for the flooring. Mr. Smith stated he needed direction to rectify this situation. President Peterson requested Ms. Gertner, Mrs. Kerns and Ms. Crawford to connect with Chief Smith on this issue.

Mr. Leland Hunter, Fourth Street resident, approached Council.

- Mr. Hunter offered his gratitude to Police Chief Irely and the Police Officers as they are doing a great job. People say they never see the police, but he does see them. “Chief, I think you guys are doing a great job.”
- He is concerned regarding the cars still at the Church street address for which he mentioned at the last Council meeting in February. President Peterson asked the Borough Manager if this was taken care of. Mr. Ciach stated he took photos on March 9, 2020. President Peterson asked Mr. Ciach to follow up on this situation as soon as possible. President Peterson stated to Mr. Hunter as he is aware; there is a process for this as it is private property. A write up, then a citation then to court and it would be up to the judge to determine the outcome.
- Mr. Hunter stated that there was another car in the area of 6th and Church streets that had a tarp on it; and there are a large number of vehicles that are either abandoned or unregistered on private property. President Peterson stated once again there is a process; write up, then a citation then to court.
- Tree issue – Mr. Hunter stated that he recalls that at one time, Catania did a study and it was determined that the Oak Way alleyway was ½ Upland and ½ Brookhaven Borough; and the problem tree was on the Brookhaven side. President Peterson asked Mr. Ciach about the Borough taking access over the area in question. Mr. Ciach stated he sent letters to the three (3) property owners and await a response from one owner.

Mr. Hunter continued about all the tree limbs falling in Upland and the Brookhaven side always looks good. How can this be? Why does Upland always need to clean up this area? President Peterson explained to Mr. Hunter that the area is Upland property and we need to take care of it. Also, President Peterson continued by stating if someone threw something in my yard, I will need to take care of it as I don’t want my yard to look trashy.

President Peterson asked if anyone had any other concerns. No one approached Council.

26. Adjournment

President Peterson entertained a motion to adjourn. Mr. McClintock made a motion to adjourn. Ms. Crawford seconded the motion. Verbally, all Council voted Aye, No one opposed. Motion carries.

Council adjourned at 7:45 p.m.

Respectfully submitted,

Michael J. Ciach
Borough Manager/Secretary/Treasurer

Shannon Strigle
Recording Secretary