

**Clifton Heights Borough Council
Meeting Minutes
February 16, 2010**

Present:

Anthony Casadei, Council President
Edward Martin, Council Vice President
Mario Alpini, Councilman
Betsy Berry, Councilwoman
Leona Papale, Councilwoman
Harris Resnick, Councilman
Jane Tumolo, Councilwoman
Robert Penjoke, Councilman

Others Present:

Joseph Kelly, Mayor
Frank Catania, Borough Solicitor
Tony Tartaglia, Code Enforcement/Borough Manager
Chief Walt Senkow, CHPD Police Chief

Pledge of Allegiance

Prayer Led By Mayor Kelly

Public Comment:

Fred Rich, 82 Chester Ave., said that his complaint for the evening was the abandoned cars around town. He said that they raved about the great job that they've been doing at last month's meeting, but he begs to differ. He said that just in his area, walking his dog, he knows of 3 particular cars that have been sitting for months on end. He said that one car on Willowbrook has two flat tires, and the registration expired on 12/31/09. He said that it has been sitting there since November, so it's been sitting there for almost 3 months. He said that down in the Willows there is a cartoon car that has a registration sticker that expired 11/09.

Mayor Kelly said that the Willows were private property.

Mr. Rich said that the other car is also sitting in the Willows with no license plate whatsoever and has been there for at least two months.

President Casadei asked Mr. Rich if the Police Department knew about these cars.

Mr. Rich said that they should because they patrol.

President Casadei asked if he called them and told them about the cars.

Mr. Rich said that he doesn't have to call them because they should be doing their jobs.

President Casadei said that they are doing their jobs.

Mr. Rich said that he has 10 years worth of pictures of abandoned cars that he has been complaining about. He said that several were in front of his house, including one that sat there unregistered and abandoned for 3 months in front of his house and parked 2 feet away from the curb.

Michelle Hartel, 323 Harrison Ave., said that Mr. Poole had passed the website information onto Councilman Alpini who said that he would look into working on the website for the Borough. She asked if a service provider had been contacted and when the website would be up and running.

Councilman Alpini said that he does have a private service contractor that is pretty cheap and offering it for \$90/year, but that he has not been able to get in touch with the right person from the Borough's association because he thinks that the Borough's Association provides the service provider with the fee that they paid to them. He said that they are a little backed up with the snow, but he hopes to have it up and running in the next 30 days.

Mrs. Hartel said that the Columbus Club has a new website, and it didn't take them more than 2 months to get that up and running.

President Casadei said that they definitely want the website, and Councilman Alpini said that is why he asked to take over the project.

Mrs. Hartel said that at last month's meeting Blue Mountain informed them that the market continues to improve for recycling and is paying out to the communities again. She asked how many providers had approached Council about providing bids. She said that she was aware of Blue Mountain. She asked if Council could make a decision about who their provider will be for single stream recycling and when they can start it. She said that she has been coming to meetings for over a year about single stream recycling, and that she thinks that they are one of the few communities, besides Aldan, that has not gone single stream. She said that last meeting it was explained that the bi-metal that they are collecting is being transferred to their trucks because they don't have a place to dump it. Single stream recycling would allow for one pickup. She said that she doesn't understand why they are making the trash men do twice the work by having to transfer the bi-metal after pickups and why they refuse to go single stream.

Numerous Council members said that they were not refusing to go single stream.

Councilwoman Tumolo explained that it was harder for a lot of the Boroughs, which are smaller than the Townships.

Councilwoman Berry said that the representative from Blue Mountain was supposed to come in and let the Borough know where they stood in the hierarchy and when they could get on board and how much money they could possibly get. She said that the meeting was changed because of the snow, so they have to make other arrangements to get her back out.

Mrs. Hartel said that she wants to know when is a specific day when they are going to set up a meeting and why, if the meeting was cancelled, Council isn't saying tonight that they rescheduled it for such and such a date.

Councilman Martin said that they cancelled the meeting because of the snow, and the meeting hasn't been rescheduled yet because they are working on the snow right now.

Mrs. Hartel said that she understands what the community is facing, but that she just doesn't want to see this roll into next year again and that she thinks that it should be resolved before the summer.

President Casadei said that they definitely want it resolved before this summer.

Councilwoman Papale asked if they could ask Tony Tartaglia, as the acting Borough Manager, to set up an appointment with Blue Mountain.

Councilwoman Tumolo said that they initially put the recycling out for a lot of bidders, and that Blue Mountain was the only company that got back to them because unfortunately they are a smaller Borough.

Mrs. Hartel said that even with one bid they should be able to move forward.

President Casadei said that was correct and that the last time that they had the representative from Blue Mountain out, she explained that it would cost the Borough money to do the single stream recycling.

Mayor Kelly asked Council how long they were planning for the process.

Councilwoman Berry said that they would set up the meeting with Blue Mountain and take it from there.

Mrs. Hartel said that it was during election time when a lot of Council members had that on their agenda for getting re-elected.

Councilwoman Berry said that it wasn't about being re-elected, but about doing what's best for the community.

Bill Wassell, manager of Task Mechanical Systems, 319 E. Berkley Ave., representing the Clifton Heights Business Association as President, announced that the CHBA is backing the Sheriff's Department in kicking off their television show, "Delaware County's Most Wanted." He said that they are inviting the Mayor and Borough Council to join them and other local Business Association's at the event on Wednesday, February 24 from 6 to 9pm at the Bungalow Inn.

Meeting Minutes:

A motion was made by Councilman Martin to accept the meeting minutes as presented; seconded by Councilwoman Berry.

Councilwoman Papale asked about an error on page 10 regarding the motion to appoint Tony Tartaglia as part-time Borough Manager, she said that it read that her response was a yes, but it was actually a no.

I (Kimberly Duffy) informed her that the minutes had already been corrected.

The motion was then carried by a role call vote of 8-0. (Resnick – yes, Alpini – yes, Berry – yes, Martin – yes, Penjuka – yes, Tumolo – yes, Papale – yes, Casadei – yes.)

Mayor's Report:

Mayor Kelly invited the Chief of Police to give some annual commendations.

Chief of Police called Sergeant Martin, Officer McCaughn and Officer Clancy. He said that since he has become Chief, he likes to recognize Officers that he feels are deserving of an Officer of the Year award, which he started in approximately 2003. He said that tonight he would like to present three awards to three deserving Officers.

First award to Sergeant John Martin, a 10 year member of the Police Department – the Department firearms instructor, the outlaw motorcycle gang intelligence officer, a member of the Region I Delaware County SWAT team, an instructor for the SWAT team, an instructor for the CHPD, a certified less lethal instructor, and has been acting in the capacity of a shift supervisor for the last 2 years. He said that he is always the 1st person in the Department to volunteer for assignments, which is very important in the success of any organization.

Second award to Robert McCaughn, an 8 year member of the Police Department with some experience as a shift supervisor in the last few years. His patrol awareness has resulted in a consistent number of high arrests and DUI convictions over the years, as well as summary arrests and misdemeanor arrests. He is the officer who collects the meter money and also serves on the SWAT team.

Third award to Officer John Clancy who has been with the Department for 6 years as a part-time officer. He said that this was a new award, and he has never recognized a part-time officer before. He said that John is the longest tenured part-time officer and is consistently high in his traffic enforcement and has shown a propensity to make numerous drug arrests and keep Clifton Heights among the safer communities.

He recognized each of the officers for their outstanding service and devotion in achieving the goals and objectives of the Clifton Heights Police Department.

Mayor Kelly thanked the officers amid loud applause.

Mayor Kelly said that they have just experienced the most disastrous snowstorms ever, and he wanted to thank the highway men and the trash men who were out there doing their jobs, 24-7. He said that the policemen and firemen were available at all times, and he thinks that he did the best job they possibly could and thanked them all.

Police Report:

A motion was made by Councilwoman Berry to approve the police report; seconded by Councilman Penjuka; and carried unanimously by a vote of 8-0.

Fire Report:

A motion was made by Councilwoman Papale to approve the fire report; seconded by Councilman Martin; and carried unanimously by a vote of 8-0.

Code Enforcement Report:

A motion was made by Councilwoman Berry to approve the code enforcement report as presented; seconded by Councilman Martin; and carried unanimously by a vote of 8-0.

Treasurer's Report/Bill List:

A motion was made by Councilman Martin to accept the treasurer's report and pay the bills as funds become available; seconded by Councilwoman Tumolo; and carried by a roll call vote of 8-0. (Resnick – yes, Alpini – yes, Berry – yes, Martin – yes, Penjuka – yes, Tumolo – yes, Papale – yes, Casadei – yes.)

Manager's Report:

No Manager's Report.

Engineer's Report:

A motion was made by Councilman Martin to accept the Engineer's Report as presented; seconded by Councilwoman Tumolo.

Councilman Alpini said that last month he had asked about the Engineer looking into some of the storm water inlets that they have that are not connected. He mentioned the one on Wynncliffe with the pipe that goes nowhere and said that James had mentioned a couple that are over by Broadway and Glenwood.

Mr. Kelly explained that they did a report and sent it to the Manager and that he could get a copy of that for him if he needed it. He asked which one in particular he was referring to because there were a couple of them.

Councilman Alpini said that he was 1st made aware of one that was all blocked up right below Walnut Street on Wynncliffe Ave on the right hand side about ¾ of the way down the hill. He said that John and James went to clean it out and discovered that there is no outlet pipe.

Mr. Kelly said that is one of them and that there is another on Glenwood and Broadway. He said that when they were put in, they were put in as a California system, which has a low-rate seepage bed with the purpose

to reduce surface water and get it down below the surface of the street. He said that when money became available, they could be tied into the system.

Councilman Alpini asked if there were supposed to be exits at the bottom of them.

Mr. Kelly said that the one did have a stone bottom at one point.

President Casadei asked if they were put in as French drains originally.

Mr. Kelly said that is another name for them, and he is referring to them as California drains, but they are the same thing. He said that this is a system to relieve surface pressure and get the water below grade and off of the street.

Councilman Alpini asked if they should maintain these things or freshen them up. He asked if that is what needed to be done.

Mr. Kelly said absolutely.

Councilman Alpini asked if he recommended them doing that now because apparently the two that he is referring to just filled up and did not do what they are supposed to be doing.

Mr. Kelly said that they should be cleaned up and looked at, but he would recommend waiting until after the snow melts. He noted that these particular drains were not involved with the MS4 program. He said that the MS4 program deals with quality of water, not quantity.

Councilman Alpini asked if this was something that he would check out in the next 30-60 days or if there was something else that they needed to do.

Mr. Kelly said that if anyone observes them start to fail, they should definitely look into it, but in general they should look into them once they have warmer weather.

After questions, the motion approve the Engineer's report was carried unanimously by a vote of 8-0.

Solicitor's Report:

Mr. Catania requested an Executive Session involving the Darby Creek Joint Authority, the status of the Local 835 Union negotiations and the sanitary sewer repair item from the Engineer's report.

Administrative Action:

No Administrative Actions.

Old Business:

Councilwoman Papale said that they had received quite a few resumes regarding the Borough Manager position and was told that they would discuss that in the Executive session as well.

New Business:

Councilman Martin said that given the horrendous conditions of the entire Borough, but in particular the common driveways behind row homes, he would ask if the Borough could have the highwaymen go up and down the alleys with some salt spreader because it is a tremendous hazard for everyone in the Borough.

Mr. Catania said that this item was discussed at the Caucus meeting, and that this is, in fact, a public safety issue and public health issue, especially since some of the Borough's vehicles use those alleys to collect trash.

He said that it would be appropriate to make a motion to authorize the Borough Manager to use salt as needed to provide access to those areas and avoid any public safety issues.

A motion was made by Councilman Martin to authorize the Borough Manager to use salt as needed on common driveways and access areas throughout the Borough to clear ice and avoid public safety issues; seconded by Councilwoman Tumolo; and carried unanimously by a vote of 8-0.

President Casadei said that with all of the snow, Emergency Personnel were having problems around town identifying homes. He said that he would like to recommend to the public that they post their address in the front and the back of their homes for their own safety and the ease of arrival for Emergency Personnel.

Ward Reports:

First Ward:

Councilman Resnick said that he was happy to see the attitude of sharing and assistance among neighbors during the post-storm cleanup process.

Councilwoman Papale also noted the cooperation during the snowstorm and commented that she saw Councilman Alpini riding with the highwaymen during the snow removal process on one of the worst night's of the storm.

Second Ward:

Councilman Alpini complimented the highway and sanitation crew. He said that he had the chance to get out with them one night from about 7pm-1am, and they were out there all day with what he's sure were sometimes 16-17-18 hour days for several days in a row. He said that they did all of the work with basically two 4-wheel drive dump trucks and the old green truck out there. He said that they did an outstanding job. And that on top of that, a tractor broke down so that they had no way to get salt in or get salt into the back of the trucks. He said that Mr. Fabrizio used a personal connection to get Joey Bachelder from Hillside Nursery who came in and opened his closed business and lent his tractor to the Borough so that they could get salt in and get it in the back of the trucks. He also mentioned his son who came out and started to help clearing intersections. He said that it was incredible Clifton spirit. He said that the Borough employees really did an exceptional job, and he wasn't sure how they did it with the hours that they were working. He said that they dug out stuck ambulances and SEPTA trucks and just kept going.

Mayor Kelly suggested that Council write a letter to Joey Bachelder and Hillside Nursery to thank him for his assistance.

Councilman Alpini said that he thinks that as neighbors they need to show a little bit of compassion after digging out the parking spots. He said that he lives on a crowded street where there just aren't enough parking spots. He asked the neighbors to please refrain from putting chairs and trash cans and other items in the dugout spots.

Councilwoman Berry concurred with everyone else's statements and said that the workers did an admirable job of getting them through a very difficult situation and she thanks them.

Third Ward:

Councilman Martin agreed that it was a commendable job. He said that he agreed with the Mayor about sending Mr. Bachelder a letter, but also mentioned Jimmy Phillips, who is a contractor out of Aldan. He said that he was running between Clifton and Aldan with his backhoe, helping the Borough until Mr. Bachelder arrived with his tractor.

Mayor Kelly said that he should get a letter as well.

Councilman Martin said that he doesn't think that Jimmy needs a letter because they thanked him numerous times, but he wanted to mention it. He said that he was sure that Jimmy and Mr. Bachelder would do the same thing again at the drop of a hat. He said that he also wanted to mention the passing of Judge Catania, and he had known him personally since 1969. He said that he was an outstanding man and a relative of their Solicitor, Frank Catania. He said that he would like to offer his condolences to the entire Catania family on the tremendous loss because it was a loss for the family and the entire County of Delaware.

A motion was made by Councilman Martin to dedicate a page of the minutes to the memory of the Honorable Francis J. Catania; seconded by Councilwoman Papale; and carried unanimously by a vote of 8-0.

Mayor Kelly congratulated Councilman Martin and his wife Kathy on becoming first time grandparents last night.

President Casadei said that after all of the accolades that were given to their highway and sanitation departments, it galled him to read the article in the newspaper complaining about Clifton Heights and the snow removal. He said that that the highwaymen did a wonderful job.

Fourth Ward:

Councilman Penjuck thanked everyone who did their best during the snow removal.

Councilwoman Tumolo asked for no more snow and thanked the neighbors for banding together during the snowstorms.

Closing Public Comment:

Councilman Alpini asked if they ever found out what was wrong with the tractor.

Mr. Tartaglia said that he would keep him posted.

Councilman Martin said that, just for the record, that tractor was bought just prior to the blizzard of 1996, so it had taken a lot of beatings through the years.

Michelle Hartel, 323 Harrison Ave., said that after last month's Executive Session, Council had made a motion to give Mr. Poole, Borough Manager, 30 days and with the direction of Mr. Catania, there was also the suggestion to appoint Anthony Tartaglia as part-time Borough Manager, and so really there were 2 Borough Managers that they were paying, and she thinks that it was a little premature without a resignation from Mr. Poole. She said that the advertisement for the Borough Manager appeared in Thursday's newspaper and was misprinted, and was resubmitted on Monday stating it was a part-time position and ran for one day. She said that she understood that Leona had said that they received 7 applications, but if a potential applicant had missed that posting of one day, they would not have known. She said it also isn't posted at Borough Hall that they are taking applications for Borough Manager. She asked who was going to make the decision if all of Council would decide and what the procedure would be and when it would be announced – when it is coming down to the final 4 or the final 2.

President Casadei and other members confirmed that Council as a whole would be making the decision. President Casadei continued that before that they made it anywhere near that process, they would have to come up with an itinerary about what they want as far as duties and what the hours will be. He said that the applicants might not go for what they are offering.

Mrs. Hartel asked if that should have been established prior to taking an application.

Councilman Resnick said that he was the one who received the resumes and applications and that he is going to recommend that they advertise the position for another 3 weeks.

Mrs. Hartel asked if they were going to do it for another one day.

Mr. Catania asked if he could interrupt and ask where the information was coming from that it ran once.

Mrs. Hartel said that it was in the Daily Times.

Mr. Catania said that she only saw it once because they have a proof of advertisement that shows that it was run for three days.

Mrs. Hartel said that it was wrong on Thursday and that it was re-run on Monday as a part-time position.

Mr. Catania said that the Daily Times has provided them with a proof of advertisement that it was advertised 3 times – 1/21, 1/25 & 1/28. He said that from what he just heard, Mr. Resnick is going to recommend that they advertise 3 more times.

Councilwoman Papale asked for them to include a Sunday.

Mr. Catania said that they were specifically directed to run the 1st advertisement on a Sunday. He said that it ran the 21st, 25th & 28th but should have run the 21st, 24th & 28th. He said that Mr. Resnick has addressed her concern by recommending that the advertisements be run again.

POST EXECUTIVE SESSION:

Mr. Catania said that as a result of what was discussed in the Executive Session, he was asked by Council to summarize what was discussed.

The 1st item is a motion to authorize President Casadei, who is the Borough's liaison to the Darby Creek Joint Authority to request at tomorrow's meeting that the Authority take all legal action necessary to immediately collect any back due money from any members, including Darby Borough.

A motion was so made by Councilman Martin; seconded by Councilwoman Berry; and carried unanimously by a vote of 8-0.

Councilman Alpini asked why they wouldn't do that automatically.

Mr. Catania said that their legal counsel was newly appointed, but that was a good question.

The 2nd item involves a Borough storm sewer on Rosati's property in the 1st ward, and there has been some deterioration of the soil above the sewer pipe which needs to be stabilized and filled.

A motion was made by Councilwoman Berry to authorize the appropriate Borough officers and officials to obtain estimates for the repair work on the storm sewer on the Rosati's property; seconded by Councilman Resnick; and carried unanimously by a vote of 8-0.

The 3rd item deals with item #1 on the Engineer's report and that is to accept the lowest responsive bid for the sewer repairs subject to the review of the Solicitor and the Engineer and to authorize the Borough Engineer to take any actions necessary to notify the lowest responsible party of its acceptance.

A motion was so made by Councilman Martin; seconded by Councilwoman Berry; and carried unanimously by a vote of 8-0.

The final motion that they discussed was to continue the advertisement for a part-time Borough Manager and in light of that to continue Mr. Tartaglia as the Borough Manager for an additional 30 days.

A motion was so made by Councilman Martin; seconded by Councilman Resnick; and carried unanimously by a vote of 8-0.

Adjournment:

A motion was made by Councilman Martin to adjourn; seconded by Councilwoman Papale; and carried unanimously by a vote of 8-0.

Respectfully Submitted,

Kimberly A. Duffy
Clifton Heights Borough Secretary

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This page of the minutes is respectfully dedicated to the memory of the Honorable Francis J. Catania.