

**Clifton Heights Borough Council
Meeting Minutes
Tuesday, October 16, 2012**

Present:

Anthony Casadei, Council President
Edward Martin, Council Vice President
Betsy Berry, Councilwoman
Mike Humphreys, Councilman
Leona Papale, Councilwoman
Harris Resnick, Councilman
Jane Tumolo, Councilwoman

Others Present:

Joseph T. Kelly, Mayor
Francis J. Catania, Solicitor
J.P. Kelly, Engineer
Timothy Rockenbach, Chief of Police
Tony Tartaglia, Borough Manager/Code

Pledge of Allegiance

Prayer Led By Mayor Kelly

Public Comment:

No opening public comment.

Bid Opening – Municipal Waste Bid:

Frank Catania, Borough Solicitor, announced that two bids were received in response to the request for proposal for trash bids. He opened the first one and said that it was from Solid Waste Services, Inc., who is doing business as J.P. Mascaro & Sons. He said the bid was received in the Borough on October 12, 2012 at 11:05am. Mr. Catania reviewed the documents and said that the bidder has bid on all the options. He said that a surety bond and bid bond were both attached. It also included history on the company, a certificate of liability insurance, an equipment list, background on the company, and letters from the Federal Motor Carriers' Safety Administration, among other information. He read the bid amounts. 1 year contract - \$295,779. 2 year contract – 605,244. 3 year - \$928,332. 4 year - \$1,613,760. He said that there was no bid for the bulk pickup once or twice a year, but one bulk item per household per week is included in A, B, C & D.

Mr. Catania opened the second bid received, from Suburban Waste Services, Inc. He said it included the proposal, qualifications and experience, the vehicle list, insurance information, and the bid bond. He said that it all appeared in order. He read the bid amounts. 1 year contract - \$207,000. 2 year - \$414,000. 3 year - \$621,000. 5 year - \$1,035,000. He said that the bulk items are included in the price.

Mr. Catania said that it appears to him on price alone that Suburban Waste Services, Inc. has the lower bid on each yearly contract.

Councilman Martin asked what the annual cost would be for the 5 year contract.

President Casadei said that it was \$207,000, the same amount as a one year contract.

Mr. Catania asked if he would like the documents reviewed or if they would like to take action tonight.

Councilman Martin said that he would like to take action tonight.

Mr. Catania asked the Borough Manager if he had a recommendation.

Mr. Tartaglia said that if Mr. Catania was comfortable with the bid documents, he didn't see any reason to put it off.

Councilman Martin asked about the bulk pickup and it saying once or twice a year. He said that they are currently doing pickups on a monthly basis.

Mr. Catania explained that the bulk pickup was for one or two days of separate pickup for just bulk items. He said that the contract included that each household could have one bulk item per week.

Mr. Tartaglia said that the one bulk item per week was usually for the 2nd pickup day per week because that was the lighter day for pickup, generally.

Councilman Resnick asked about the recycling.

Mr. Tartaglia said that this particular contract was for trash only and that they would be putting together a separate RFP and bid process for the recycling. He said that the recycling contract would be very small compared to the trash contract.

A motion was made by Councilman Martin to award the trash bid to Suburban Waste Services, Inc. for a term of five years; seconded by Councilwoman Papale; and carried unanimously by a roll call vote of 7-0. (Resnick – yes, Humphreys – yes, Berry – yes, Martin – yes, Tumolo – yes, Papale – yes, Casadei – yes.)

Mr. Catania returned the bid documents to the Borough Manager.

Meeting Minutes:

A motion was made by Councilman Berry to accept the September meeting minutes and the October 4th special meeting minutes as presented; seconded by Councilwoman Papale; and carried unanimously by a roll call vote of 7-0. (Resnick – yes, Humphreys – yes, Berry – yes, Martin – yes, Tumolo – yes, Papale – yes, Casadei – yes.)

Mayor's Report:

Mayor Kelly said that Halloween would be celebrated in Clifton Heights on Halloween day, October 31st. He said that trick or treating would be from 6-8pm. He said that the police would be out in full force for the week.

He announced that the Clifton Heights Boys Club would be having their homecoming on the upcoming weekend. He asked residents to support them on the fun day at the field on Saturday, October 20th.

He thanked the Fire Department for a great open house during Fire Prevention week. He thanked the Police Department for being there as well and doing the finger printing.

Police Report:

A motion was made by Councilman Martin to approve the police report as presented; seconded by Councilwoman Berry; and carried unanimously by a vote of 7-0.

Fire Report:

A motion was made by Councilman Martin to accept the fire report as presented; seconded by Councilwoman Papale; and carried unanimously by a vote of 7-0.

Code Enforcement Report:

A motion was made by Councilman Humphreys to approve the code enforcement report as presented; seconded by Councilman Martin; and carried unanimously by a vote of 7-0.

Treasurer's Report/Bill List:

A motion was made by Councilwoman Berry to accept the treasurer's report and pay the bills; seconded by Councilman Humphreys; and carried unanimously by a roll call vote of 7-0. (Resnick – yes, Humphreys – yes, Berry – yes, Martin – yes, Tumolo – yes, Papale – yes, Casadei – yes.)

Manager's Report:

Mr. Tartaglia said that he had nothing new from their caucus meeting.

Engineer's Report:

J.P. Kelly said that the CDBG and the Scally property. They are still waiting to hear about the approvals. The subdivisions that were approved at the last meeting will be recorded by the end of this week. In order to continue to move the process forward, he is requesting permission/authorization to solicit demolition bids.

A motion was made by Councilwoman Berry to authorize the Borough Engineer to solicit demolition bids for the Scally property; seconded by Councilman Martin; and carried unanimously by a vote of 7-0.

Mr. Kelly said that the 2012 Road Program contract has been awarded and executed. He said that PENNDOT granted their approval today, and they expect the contractor to be in town next week and completed by the end of next week.

Councilman Martin asked that the residents be notified.

Mr. Kelly said that as long as everything was okay with Council tonight, the residents would be notified tomorrow.

A motion was made by Councilman Martin to accept the Engineer's report; seconded by Councilwoman Papale; and carried unanimously by a vote of 7-0.

Solicitor's Report:

Mr. Catania said that at the last meeting they adopted some experimental parking regulations for the lot located on Ogden Street, between Baltimore Pike and Broadway Avenue. He said that there is a provision in the Borough's codification that allows for experimental parking regulations for 90 days, and they are 30 days into that now. He said that one of the ways that they could make that change permanent is that we could name that entire lot as an unmetered lot, and then it would be for the use of passenger cars, passenger vans and pickup trucks only. He said that otherwise, they would want to revisit this before the end of the 90 day period to see if there was desire to permanently enact the regulation.

Councilwoman Berry asked what they would have to do make it a non-metered lot.

Mr. Catania said that it would just require a change in the ordinance and naming the lot to the non-metered lot list and advertising the ordinance.

Councilwoman Berry said that she thinks that they should move ahead with that.

President Casadei said that when it says trucks, you would restrict what kind of trucks would be on there.

Mr. Catania said that it reads, passenger cars, passenger vans and pickup trucks only.

Councilwoman Papale said that would mean no commercial vehicles.

Mayor Kelly said that his question apply to passenger vans that are decorated.

Councilman Martin asked if they could word it to encompass no decorations, etc.

Chief Rockenbach said that the status of each vehicle would already be defined by the vehicle code. He said that there wouldn't be a question between a passenger van and panel van. It goes by weight, etc. He said that he spoke to the residents who had the vehicles in question on the lot and within 24 hours, the vehicles in question and an abandoned vehicle were removed from the lot. He said that he explained the circumstances of the experimental parking regulations, and they happily removed the commercial and recreational vehicles. He said that a letter was sent to every resident that does or may use that lot for parking, explaining the outline of the parking regulations. He said that they have not had an issue since that time. He said that he understands that they want to move forward with that on a permanent basis, but that he would point out that the types of vehicles are already determined by the vehicle code.

Councilman Martin said that he would recommend moving beyond with or without windows to determine whether it is a passenger or commercial vehicle, and say that they want to address the decorative part of the vehicles whether or not it is passenger or commercial.

Mr. Catania asked the Chief to send him a copy of the letter that he sent to residents. He continued that his understanding is that Council would like to take the experimental parking regulations that they passed on a temporary basis and make them permanent. He said that he would prepare an example ordinance for them to review at next month's meeting, and they would have time to vote at the December meeting

Mr. Catania said that he received a request to vacate a portion of Holly Street from the plan of streets in the Borough. He said that this is a paper street that was never opened next to 309 E. Broadway Ave, where Mr. & Mrs. Pontarelli live. He said that if there is no objection, he will advertise that for next month's meeting.

Councilwoman Berry asked what was being requested.

Mr. Catania explained that the paper street was a street that was laid out on paper in the plans many years ago, but never opened and never used as a street. He said that the street runs next to the Pontarelli property at 309 E. Broadway.

Councilman Resnick asked if that ran from East Broadway to Baltimore Pike.

Mr. Catania said no, he thinks it just runs to the back of his house.

Councilman Martin said that it doesn't run through because the storage place cuts it off.

Councilwoman Papale said that it does run back to the other houses.

Mr. Catania said that it was an intended street that never was.

Councilman Martin said that he would add that Mr. Pontarelli has been cutting the grass for many, many years instead of the Borough.

Mr. Catania said that he would advertise that if there was no objection.

Councilwoman Papale asked what would happen if some residents used that as a thoroughfare to get to the back of their house for parking.

Mr. Catania said that he thinks that they are talking about a different piece of property, but if it was the case, they would have to have a plan showing that. He said this his understanding is that this piece of property is not used for any kind of travel at all and is just some grass.

He said that they talked earlier tonight about the Borough of Clifton Heights vs. Kent Mills. He said that they have received their 5th weekly submission, which does not advance the agreed to Court order at all. He said that he has written to the Judge and asked her to re-list it for a hearing. He said that they have had new citations issued by the Code Department, and the new hearing for that is scheduled for October 29th.

Mr. Catania said that for the JMC Contractors issue, they have given notice of default to the bonding company and now they need to give notice and the opportunity to correct to the

contractor. He said that he will work with Mr. Kelly and Mr. Tartaglia to get the specifics as to what they are asking the contractor to fix and what standard we are asking him to fix it to.

Mr. Catania said that he has heard nothing further from the DEP for the Rockbourne Falls property.

A motion was made by Councilman Martin to accept the Solicitor's report; seconded by Councilwoman Berry; and carried unanimously by a vote of 7-0.

Old Business:

No old business.

New Business:

No new business.

Ward Reports:

First Ward:

Councilman Resnick said that the Boy Scouts would be hosting their annual Food Drive on Saturday, November 17th. He thanked Council for their permission to use the building and said that they would be putting out about 3,000 fliers in Clifton Heights and the surrounding area. He asked Council for assistance in making 1,500 of the fliers to save the Boys Scouts on expenses.

Councilman Martin asked if they would like to use the Global Connect System.

A motion was made by Councilman Martin to okay the printing of fliers and to allow the Boy Scouts to use the global connect system; seconded by Councilwoman Berry; and carried unanimously by a vote of 7-0.

Councilwoman Papale said that she had a concern from the 1st ward regarding the Zoning meetings that are being held. She said that she knows that they are being posted, but some of the residents don't have access to the internet to see when the meetings are. She asked if that is something that they could put on the Global Connect.

Councilman Martin asked Chief Rockenbach about Global Connect being broken down to specific areas.

Chief Rockenbach said that you could go into Global Connect and outline a specific area and have your message delivered to only residents within that area.

A motion was made by Councilwoman Papale to use Global Connect to inform residents of the Zoning Hearing Board meeting for 201 Marple Ave. held in the 1st ward; seconded by Councilman Martin; and carried unanimously by a vote of 7-0.

Second Ward:

Councilman Humphreys asked residents to be careful driving up by Clifton field and to pay attention to all stop signs.

Councilwoman Berry said that she has received numerous requests to look at various street signs throughout her ward, especially children signs. She said that she wants everyone to understand that they are doing the best that they can and are putting them up where they can and where necessary. She wished everyone a safe Halloween and to keep their eyes open.

Mayor Kelly commended her on a good job with all of the street signs.

Third Ward:

Councilman Martin said that he and Tony have been working with the Electric Company on Madison Ave. He asked if there was a stronger avenue that they could go down with them, maybe as strong as filing suit or filing a complaint with the PUC. He said that he has been complaining about the poles for years to no avail. He thinks it's a serious issue and a danger and he doesn't understand why something can't be done about it. He said that PECO keeps saying that they are on the list, but nothing is being done.

Mayor Kelly asked if they had a public relations contact that they could take around.

Councilman Martin said that they met with that guy.

Mr. Tartaglia said that they did meet with that guy and went over the items. He said that it was explained to them at that meeting that if they are due to come here on Tuesday and for whatever reason, there is an emergency or rain. If they don't come, you go to the back of the pile again and start the process over.

Mr. Catania said that the Chairman of the PUC is a Delaware County native, Rob Powelson. He said that they should get his phone number right now and call him tomorrow.

A motion was made by Councilman Martin to request for PECO's opinion on the condition of the poles throughout the town in writing; seconded by Councilwoman Berry; and carried unanimously by a vote of 7-0.

Councilman Casadei asked everyone to be careful on Halloween.

Fourth Ward:

Councilwoman Tumolo had nothing to report.

Closing Public Comment:

Rich DePompeo, 224 E. Broadway Ave., said that he wanted to speak up for two of his neighbors and the request that Lou Pontarelli had made. He said that he knows two neighbors who use that area, one to access her garage and another who has a parking area.

Mr. Catania said that they would have to produce a plan that shows what they are requesting, and he doesn't think that there is any desire to impede others using the area.

Claudia Fagioli, Berkley Avenue, said that she wanted to add to the talk about the poles because she has a pole that needs to be removed from the outside of her house.

Adjournment:

A motion was made by Councilman Martin to adjourn; seconded by Councilwoman Papale; and carried unanimously by a vote of 7-0.

Respectfully Submitted,

Kimberly A. Duffy

Clifton Heights Borough Secretary