

**Clifton Heights Borough Council  
Meeting Minutes  
Tuesday, May 15, 2012**

**Present:**

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

**Absent:**

Mike Humphreys, Councilman

**Others Present:**

Joseph T. Kelly, Mayor  
Francis J. Catania, Solicitor  
J.P. Kelly, Engineer  
Tony Tartaglia, Borough Manager/Code

**Pledge of Allegiance**

**Prayer Led By Mayor Kelly**

**Public Comment:**

Greg Hartel, 317 Harrison Ave., said that he just wanted to bring a tree on the downhill side of Fairview Ave. in Diamond Street Park to everyone's attention. He said that there is huge Oak tree that is dead with barely any foliage that looks like it will fall towards the Oak Ave. side of the street.

President Casadei asked if this is one of the trees that they looked at last year.

Mr. Tartaglia said that it was not, that the last time they were out there was after the ice storm the year before. He said that he will send the arborist out there to get his opinion. He said that he would ask Council to authorize him to have it removed now if it is dead.

A motion was made by Councilman Martin to authorize the Borough Manager to remove the oak tree along Fairview Ave. if it is determined to be dead by the arborist; seconded by Councilwoman Berry; and carried unanimously by a vote of 7-0.

Mr. Hartel said that there is a PECO pole right in front of the tree that he is referencing and the pole is numbered 614.

President Casadei told Mr. Hartel that he could always call Borough Hall with any issues such as this one and that he did not need to wait for the meeting.

Mayor Kelly thanked Mr. Hartel.

Rich DePompeo, 224 E. Broadway Ave., said that he sent some information up to Borough Hall and he sees that some items are being worked on. He said that he hoped everyone had a chance to read his issues. He said that he doesn't think that they are issues that need to be brought before Council but that he asks that it become a team effort. He said that his issues are not just Council issues but things that residents of the Borough need to address. He said that any assistance Council could provide to address the issues he presented to them would be greatly appreciated. He said that his concerns are property values going down and maintenance issues. He said that he also has some issues with the Code Enforcement Department, and that he would appreciate any attention being paid to those issues.

Fred Rich, 82 Chester Ave., passed around photos. He said that at last month's meeting (April 17, 2012), he challenged Tony Tartaglia's claim from the January 2012 Council meeting that he checked on trash being left out on weekends in the 3<sup>rd</sup> and was unable to find any instances of this happening. He said that Mr. Tartaglia claimed that if he found any violations, he issued citations. Mr. Rich claimed this was an outright lie and that Mr. Tartaglia has never issued any trash citations in his 16 year tenure as Code Enforcement Officer (that Mr. Rich is aware of). He said that he challenged Mr. Tartaglia last month to produce copies of any trash citations that he has issued during the past 16 years. He asked Mr. Tartaglia if he had any citations.

President Casadei told Mr. Rich to address Council and not Mr. Tartaglia.

Mr. Rich said that he asked him to produce copies at last month's meeting. He asked if he had any copies again. He said that he should have citations to back up his claims. He said that additionally, he finally issued fliers to notify residents that trash cannot be put out until 6pm the night before scheduled pick up in trash cans with lids. He asked when they were going to start enforcing the requirements. He said that the pictures that he provided are mostly from this past weekend. He asked again when they would start enforcing the requirements and said that it was an absolute disgrace. Mr. Rich said that one of the offenders is two doors down from President Casadei and that this happens with the trash almost every weekend.

### **Meeting Minutes:**

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

Councilman Martin asked if he could announce that Councilman Humphreys was absent because he had arthroscopic surgery on his knee.

### **Mayor's Report:**

Mayor Kelly announced that the Veterans' Association Memorial Day Ceremony would be taking place on Monday, May 28<sup>th</sup> at the monument on Baltimore Pike at 10am. He said that it would be the same kind of ceremony as last year, but that the plan would be to return to the full-blown parade next year.

He announced that the PAL and Boys Club would be hosting their annual carnival from May 21<sup>st</sup> to May 26<sup>th</sup>. He said that this is the major fundraiser for the town's youth organizations and asked everyone to try and support this event. He also said that anyone causing trouble or planning to cause trouble at the carnival would be dealt with severely.

He reminded residents that school would be out shortly in June and that the children would be out. He also reminded everyone that the playgrounds would be closed at dark. He wished everyone a nice summer and wished good luck to the soon-to-be graduates. He said that there was a scholarship function at the Bungalow the night before and that it was a successful event. He said that he believes that it was their biggest event to date and that 25 young men and women received scholarships totaling around \$18,000. He thanked the scholarship committee, Michelle Hartel, Jackie Dadonna and Councilman Martin for their work with this event.

Mayor Kelly reminded residents to address their grass during the season and that the Borough would do their part to try and track down homeowners of vacant properties.

**Police Report:**

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

**Code Enforcement Report:**

A motion was made by Councilwoman Berry to approve the code enforcement report; 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 Councilwoman Papale; and carried unanimously by a roll call vote of 7-0. (Resnick – yes, Berry – yes, Martin – yes, Peterson – yes, Tumolo – yes, Papale – yes, Casadei – yes.)

**Manager's Report:**

Mr. Tartaglia said that in addition to what they went over in Caucus the other night, he believed that Frank Catania would be providing an update on 500 E. Broadway Ave. He also said that he wanted to thank J.P. Kelly and James Salmon and the Highway Department for the work that they did down at Darby Creek and getting the slip line in place before there were any incidents of pollution in the Creek itself. He said that J.P. Kelly would have the particulars, but that J.P. Kelly delivered to him a complete history and file on the project, which they will forward to their insurance carrier to see what kind of coverage they might have to help offset the cost the repair project.

He said that the website that they viewed the other night is ready for publishing with Council's approval.

He said that they also had one other item that was approved by the Finance Committee, which they should have a note of in their folders, which is Global Connect. He said that as they discussed in Finance Committee, this service would allow them to be in touch with all of the residents in Clifton Heights via phone and the service could be used for emergency and non-emergency situations alike. He said that it would cost the Borough roughly \$1,714 to access the

service for the year. He said that both he and the Finance Committee recommend moving forward with the Global Connect service.

A motion was made by Councilman Martin to approve the Borough entering into a year contract with the Global Connect system with an estimated cost to the Borough of approximately \$1,714; seconded by Councilwoman Tumolo.

Councilman Resnick asked if the fee limited the number of the times that they could use the system.

Mr. Tartaglia said that it did not.

After questions, the motion was carried unanimously by a vote of 7-0.

A motion was made by Councilman Martin to approve the publishing of the Borough's website; seconded by Councilwoman Papale; and carried unanimously by a vote of 7-0.

Mayor Kelly commended Council on moving forward with Global Connect. He said that he thought that they would provide a huge service to the town and the residents.

Councilwoman Papale said that she also wanted to comment because this issue had been brought to Council's attention previously about being able to reach out to residents, especially the older residents and especially with the recent weather related issues they were faced with. She said that she thought this was a tremendous step in addressing those concerns and moving Clifton into the future.

Councilman Berry said that she wanted to note that the new website would be [www.cliftonheightsboro.com](http://www.cliftonheightsboro.com).

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

### **Engineer's Report:**

J.P. Kelly said that as the Borough Manager noted, the sewer main break has been repaired. He said that approximately 1,000 lineal feet of 18" has been lined and accordingly all reports have been submitted to the Borough and to the DEP. He said that they expect to have an analysis of the I&I completed and submitted to the Darby Creek Joint Authority and Delcora by the end of the week. He said that the contractor has submitted his invoice for the work completed in the total amount of \$285,000. He said that considering all work was completed in a timely manner under an emergency basis with no punch list items, he recommends that the contractor is paid in full.

A motion was made by Councilman Martin to authorize the full payment of \$285,000 for the sewer main break repairs that were completed; seconded by Councilwoman Berry.

Councilman Martin said that he has been on board for many situations like this over the years, and that this was the fastest action and reaction that he has ever seen.

Mr. Kelly said that he agrees that it went very smoothly and very quickly.

President Casadei said that the price for 1,000 lineal feet was also very reasonable.

After comments, the motion was carried unanimously by a vote of 7-0.

Mr. Kelly said that his other item was for the sanitary sewer rehab on Baltimore Pike. He said that all of the contract items have been satisfactorily completed and that he recommends the final payment of \$47,800 to be approved and paid. He said that they had been waiting on contract finalizations on this one.

A motion was made by Councilman Martin to approve the final payment on the Baltimore Pike sanitary sewer rehab in the amount of \$47,800; seconded by Councilwoman Berry; and carried unanimously by a vote of 7-0.

Councilwoman Berry asked if they had an updated list for the Road Program for the year.

Mr. Kelly said that it has been submitted and that it is being compared to what the water company is doing this year and what they propose to do next year and that once that is complete, they will be able to finalize the list.

Mr. Tartaglia said that they will be meeting with the water company and other utilities next Wednesday at 1:30pm at Borough Hall to coordinate all of the Road Program and see what they will be working on and what they will pave and if we can coordinate a schedule together.

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

### **Solicitor's Report:**

Mr. Catania said that he drafted and submitted a copy of the escrow agreement that Council requested with Brubacher Excavating in anticipation of next week's meeting. He said that they will make sure that is signed before Brubacher does any work and that the escrow is deposited with the Borough.

Mr. Catania thanked Mr. Tartaglia, J.P. Kelly and Mayor Kelly for being in Court on Monday for a status conference with Judge Kenney on 500 E. Broadway property. He said that there was a 30 day period of time granted to the owner of the property to produce demolition plans for the job prepared by PA licensed P.E., a signed demolition contract and a proposed demolition schedule. He said that technically gave the owner until Thursday, since that is the 17<sup>th</sup>. He said that the owner technically had somewhat of a proposed demolition schedule, a half signed contract and no plans. He said that Judge Kenney wanted to keep this on a tight schedule, so he requested that they return on Friday at 10:30am. He said that he and J.P. Kelly will appear in Court and if the owner has not submitted demolition plans as requested by the Borough, then the Judge indicated that he would have a hearing next week on the issue. He said that Mr. Kennedy, the CEO of the LLC that owns that property, is out of the country this week and returning Friday night, so he is not sure if they will be able to produce plans or not by Friday. He said that this is continuing to move and the Judge is keeping a constant focus on it.

Mr. Catania said that his next item was the Police arbitration. He said that in the absence of an agreed upon collective bargaining agreement, the parties have agreed to go to arbitration, which will take place on Tuesday, July 3<sup>rd</sup>, commencing at 10am in this room. He said that Mr.

Tartaglia, Tom Anderson and Cindy Leitzell will need to be present. He said that it also would not hurt if there were a couple of Council members present to testify on behalf of the Borough.

Mr. Catania said that there were no Executive Session items and no administrative actions.

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

**Old Business:**

No old business.

**New Business:**

Councilman Resnick said that the Clifton Heights Boy Scouts are preparing for summer camp and this year it would be costing them \$290 per boy, so he is asking Council to donate \$500 to Boy Scouts.

President Casadei asked if he went through the Finance Committee.

Councilman Martin said that he was supposed to present to the Finance Committee and forgot but that he had discussed it individually with the members earlier this evening, and they did not have a problem with it.

A motion was made by Councilman Resnick for the Borough to donate \$500 to the Clifton Heights Boy Scouts; seconded by Councilman Martin; and carried unanimously by a vote of 7-0.

**Ward Reports:**

**First Ward:**

Councilman Resnick had nothing to report.

Councilwoman Papale asked Mr. Tartaglia if they had a schedule for Community Service and when they would be in for possible street cleaning.

Mr. Tartaglia said that Community Service workers are in every Wednesday and the actual scheduling for where they are is done by James Salmon. He said that if she had a priority, she could provide it to him or Peggy and they would pass it along to James.

Councilman Martin said that since Councilwoman Papale brought that up, he wanted to ask if they could get a Borough wide street cleaning project going with Community Service. He said that he put a project together with Pat Caputo years ago to address the streets.

Mr. Tartaglia asked if he wanted to do this during the week or the weekend.

Councilman Martin said that it didn't matter to him.

Councilwoman Berry said that it would probably be easier to put something together during the week because there would be less cars on the streets.

Mayor Kelly said that he thinks that the way Mrs. Caputo and Councilman Martin handled that also involved the residents cleaning up and putting stuff out curbside. He said that it was a special day or weekend, "Clean up Clifton" event.

Councilman Martin said that he didn't have anything specific in mind, that he just wanted to try and get the streets cleaned.

Councilwoman Papale said that he liked the Mayor's recommendation.

Councilman Martin said that he wanted to get a street cleaning in place to start and perhaps they could put it on the website or test out the global connect with the information and get residents involved as well.

### **Second Ward:**

Councilwoman Berry thanked Michelle Hartel for a great scholarship event and wished all of the upcoming graduates a lot of success. She also reminded residents who would be cleaning up their yards not to blow debris into the streets or sewers.

### **Third Ward:**

Councilman Martin had nothing to report.

President Casadei had nothing to report.

### **Fourth Ward:**

Councilwoman Peterson had nothing to report.

Councilwoman Tumolo had nothing to report.

### **Closing Public Comment:**

Michelle Hartel, 317 Harrison Ave., said that she heard Mr. Tartaglia said that they are looking into the insurance to try and help defray the cost of the sewer break repair. She asked when they would know about that since the price is over \$200,000.

Mr. Tartaglia said that they had to wait until they had all of the completed documents in order to submit everything correctly, which they just did a week ago Thursday. He said that he is not sure about the time line from the carrier, but he does know that a few years ago, Aldan had a very similar claim and they were given a percentage of their money back.

Mrs. Hartel said that any amount of money would be helpful. She said that she thought it should be within 90 days.

President Casadei said that the best that they could do is submit all of the paperwork and hope that the insurance company would provide some coverage.

Councilman Martin said that he's not sure how anyone would police making the insurance company respond within a certain time period.

Mrs. Hartel said that she just wanted to see that money go back to the Borough so that it could be used elsewhere if it was possible.

Mayor Kelly said that the money would be going back into the sewer rent account and that is where it came from.

Mrs. Hartel thanked everyone.

**Adjournment:**

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

Respectfully Submitted,

Kimberly A. Duffy

Clifton Heights Borough Secretary