

**Clifton Heights Borough Council  
Meeting Minutes  
November 18, 2014**

**Present:**

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

**Others Present:**

Joseph T. Kelly, Mayor  
Chuck McDonald, Acting Solicitor  
J.P. Kelly, Engineer  
Cynthia Leitzell, Treasurer  
Timothy Rockenbach, Chief of Police  
Tony Tartaglia, Borough Manager/Code

**Pledge of Allegiance**

**Prayer Led by Mayor Kelly**

**Public Comment:**

Fred Rich, 82 Chester Ave., asked Mr. McDonald what had happened with the mediation hearing that was supposed to take place within the last few months regarding his challenge to the annual inspection of rental properties.

Mr. McDonald said that a letter was sent and addressed to Mr. Rich's address at 82 Chester Ave. on October 15<sup>th</sup> that the matter had been scheduled for December 10<sup>th</sup>, but that they are trying to have a mediation scheduled with the Center for Resolution. He said that information and the contact information with direction to contact them at 610-566-7710 was included in the letter. He said that Mr. Rich would need to contact them for scheduling.

Mr. Rich said that he should not be responsible for contacting them, they should contact him.

Mr. McDonald said that he doesn't believe that it works that way.

Mr. Rich said that it would be the responsibility of Solicitor Catania and the Borough Council to arrange that mediation. He said that he has not heard anything in 2 months and it's been 7 months since the original District Court hearing.

Mr. McDonald repeated the letter that Mr. Rich was sent and explained that the parties, plural, need to agree, so he would have to be a party to scheduling and contacting the Center for Resolution.

Mr. Rich said that Solicitor Catania set up the meeting and he agreed to go to mediation.

Mr. McDonald said that he would need to contact the Center for Resolution to agree to go to mediation.

Mr. Rich asked what the need for mediation was when Mr. Tartaglia has been conducting annual inspections of rental properties with no authority. Mr. Rich said that he personally likes all the members of Borough Council, but he is upset with them because they are not doing their jobs. He said that they were elected and put their hand on the Bible and swore to uphold and defend the Constitution of the United States of America, and Inspector Tartaglia is violating the 4<sup>th</sup> Amendment to the Constitution, the right to privacy of individuals, and no one is doing anything.

President Casadei informed Mr. Rich that his time was up.

Mr. Rich said that they should order Mr. Tartaglia to cease and desist with his illegal inspections.

Leona Papale, speaking on behalf of Claudia Fagioli, 132 E. Berkley Ave., "I come before Council to share with you a worthy event that for many years I, myself, have taken for granted. No big deal. Every year Harris Resnick and his Boy Scouts collect non-perishable food during the Thanksgiving holiday. Harris asked me if I could get some of the Golden Hearts Social members or some of my friends to help out with the ground work. I was able to recruit a few volunteers. I confess I didn't put my best effort to his request. How much help would he need? When I got to the Borough Hall this past Saturday at about 10am, things were in full operation. Piles of bags that were collected were depositing inside the Hall. From there, they were put on tables and examined for expiration dates. Expired items are not accepted. A written tally of acceptable items was kept and brought into the Council room. From there, I didn't know how things were handled, as I checked expiration dates. I was in awe how smooth this undertaking was working out; people from all over, adults and children, quietly working together to get the job done. There was nothing political or religious about it; just good people rendering their time without any personal gains. In all of this, I would like to recognize and thank Harris Resnick and his group for carrying out this event year in and year out. That could make a difference in someone's Thanksgiving holiday and yes, it is a big deal. God willing, I hope to help out next year and invite all others to join the Boy Scouts in this project. There were about 90 people helping. Hopefully it can double next year."

A motion was made by Councilwoman Papale to dedicate a page of the minutes to Harris Resnick and his Boy Scouts Troop for their efforts with their Thanksgiving Food Drive.

Harris Resnick said that they had 95 volunteers and 9,200 pieces of food. He said that one of his fellow Scouters said that they would need a bigger room next year.

Margaret "Bonnie" Callahan, 235 Woodbridge Rd., asked when and who audits the minutes. She said at the September meeting President Casadei asked Mr. Tartaglia if he was aware that the light posts were out on Baltimore Pike. She said that believed that his answer was that yes, there were two. She said that was totally deleted from the minutes.

President Casadei said that he didn't remember that, but he knows that there were a few out.

Mrs. Callahan said that his answer was not in the minutes.

President Casadei said that he remembers that because that is when he found out about that, when she came to the meeting.

Mrs. Callahan said that when she asked the question in September, he asked Mr. Tartaglia if he was aware that the lights were out, and his recollection was that there were two out. She said that there is nothing in the minutes that he knowingly knew that those lights were out. Mrs. Callahan said that she didn't know that you could audit minutes.

Councilwoman Berry said that there is no such thing as auditing minutes.

Mrs. Callahan said that the question was answered, but it was not put in the minutes.

Mayor Kelly said that they could listen to the minutes.

Mrs. Callahan said that she asked last month about Commonwealth Codes and was told that they were approved by Council on January 6<sup>th</sup>. She said that she looked through all of the minutes, and there was no approval anywhere. She asked if she knew when it was approved.

Councilman Martin said that he thought that was done at the meeting he referenced, but if not he must have been mistaken.

Mrs. Callahan asked about the status of the light post repairs.

J.P. Kelly said that Council authorized an amount not to exceed \$19,000 to get the lights repaired, and he has put out 4 phone solicits for the project, and the lowest phone solicit received for the scope of work was Jim Cleaver of A to U Services for \$17,000, so that material has been ordered. He is expected the poles to be delivered this week, and then they will be installed.

Mrs. Callahan said that she knows that two of the poles were hit by cars. She said that she knows for a fact that the Police Department gave the Borough insurance information. She asked what happened with the insurance money.

Mr. Tartaglia said that the \$7,800 went into the general fund and is part of what will pay to replace the poles.

Mrs. Callahan asked about the one in front of Tires Etc.

Mr. Tartaglia said that is the one that they collected on.

Mrs. Callahan asked about the one in front of Arby's.

Mr. Tartaglia said that he doesn't have any insurance information on that.

Mrs. Callahan said that Commonwealth Code has been doing work in the Borough.

Mr. Tartaglia said that he said this last month and is going to say it one more time that if she is going to bring that allegation, she better come and bring proof. Commonwealth Codes does not work for this Borough, he works for the Borough.

Mrs. Callahan asked who is writing tickets with his name on it that is not him.

Mr. Tartaglia said that under his authorization, one person that works for him is not Commonwealth Code and is working in the Borough training. He said that she is going to accuse the Council for the second straight month of bringing in his private company, which is not the case. He said that he is paid by the Borough to do a job and how he gets that job done is his business.

Mrs. Callahan said that the Borough is paying him and he is paying his employees.

Mr. Tartaglia said that was correct.

Mrs. Callahan said that the Borough does belong to the PA Association of Boroughs. She said that she found some interesting paperwork. She said that most Council people are supposed to go to training sessions and the responsibility and duties of Council. She said that they don't advertise executive sessions in the newspaper, which they are supposed to do. She said that they are supposed to state the reason that they are in Executive Session, which they don't do.

President Casadei said that her time was up.

Councilman Martin said that they receive these items every year, and are very aware of what they are.

### **Meeting Minutes:**

A motion was made by Councilman Martin to accept the October meeting minutes as presented; seconded by Councilwoman Tumolo; and carried unanimously by a roll call vote of 8-0. (Resnick – yes, Humphreys – yes, Berry – yes, Martin – yes, Peterson – yes, Tumolo – yes, Papale – yes, Casadei – yes.)

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

Mayor Kelly thanked the residents of Clifton Heights for their donations for the Boy Scouts' Food Drive. He said that the tree lighting would be on Sunday, December 7<sup>th</sup> at 6pm with the Fire Department, Business Association and Recreation Board. He thanked those groups for what is always a great night.

He thanked the Police and Fire Departments for a job well done and wished everyone a Happy Thanksgiving.

### **Police Report:**

A motion was made by Councilwoman Berry to accept the Police Report as presented; seconded by Councilwoman Papale; and carried unanimously by a vote of 8-0.

### **Fire Report:**

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

### **Manager's Report:**

Mr. Tartaglia said that he had nothing additional to add, but that he would ask that the motions required in the Solicitor's Report be passed tonight.

Mayor Kelly asked if he could elaborate on the report of the playground from the Executive Session.

Mr. Tartaglia said that two of the playgrounds, the one at Penn and Berkley and the one on Church and Broadway, in conjunction with the equipment company, rough sketches have been submitted to Borough Council for their added input. He said that they want to get an idea of what the cost would be and move forward next month with possible authorization.

Mayor Kelly said that the possible cost was around \$40,000.

Mr. Tartaglia said \$35-40,000.

President Casadei also reported that his report included that the main building of 500 East Broadway is finally down.

**Engineer's Report:**

J.P. Kelly presented the Engineer's report.

Mr. Kelly said that he had nothing further from caucus.

A motion was made by Councilwoman Berry to accept the Engineer's Report as presented; seconded by Councilwoman Tumolo; and carried unanimously by a vote of 8-0.

**Solicitor's Report:**

Mr. McDonald said that they have two resolutions for consideration tonight. The first Resolution is for adding Margaret Moran as a signatory to the Borough's TD Bank account. The Borough previously approved a motion, but the bank required a formal resolution.

A motion was made by Councilman Martin to adopt Resolution 15-14, naming Margaret Moran as a signatory on the Borough's TD Bank accounts; seconded by Councilwoman Berry; and carried unanimously by a vote of 8-0.

Councilwoman Berry said that she would follow through with the bank to resolve this.

Mr. McDonald said that the 2<sup>nd</sup> Resolution of the evening would be the Resolution to enter into a purchase agreement with the Delaware County Public Schools Healthcare Trust. This is necessary, as was discussed in caucus, to continue to purchase healthcare for employees at an affordable rate. Due to the Affordable Care Act, Healthcare Insurers are not offering policies to small entities with less than 50 employees, so this is the program that would allow this Borough and 33 other municipalities to enter into a Trust to enjoy that group purchasing power, which would provide essentially the same Health Benefits to the employees at a cost that is much more reasonable to the Borough.

A motion was made by Councilman Humphreys to approve Resolution 16-14, entering into a purchase agreement with the Delaware County Public Schools Healthcare Trust; seconded by Councilman Resnick; and carried unanimously by a vote of 8-0.

A motion was made by Councilwoman Berry to accept the Solicitor's report as presented; seconded by Councilman Humphreys; and carried unanimously by a vote of 8-0.

**Old Business:**

No old business.

**New Business:**

No new business.

**Ward Reports:**

Councilman Resnick thanked everyone who helped with the Food Drive and thanked James Salmon for coming in and helping.

Councilwoman Papale said that she was happy to see the warehouses down at 500 East Broadway. She wished everyone a happy Thanksgiving.

Councilman Humphreys had nothing to report.

Councilwoman Berry thanked Harris and the group of Scouts for everything that they have done for the community and the community itself for being a part of the food drive. She wished everyone a happy Thanksgiving.

Councilman Martin had nothing to report.

President Casadei wished everyone a happy Thanksgiving. He said that he hoped everyone could appreciate how hard Council and their attorneys worked to get the building down at 500 East Broadway.

Councilwoman Peterson wished everyone a nice, happy holiday.

Councilwoman Tumolo wished everyone a happy holiday.

**Closing Public Comment:**

Bonnie Callahan, 235 Woodbridge Rd., said that she provided a packet to everyone. She asked who the Borough's Emergency Management Coordinator was, if they have one.

President Casadei said that Mr. Tartaglia was the Emergency Management Coordinator.

Other Business:

A motion was made by Councilman Martin to adopt the no tax increase preliminary budget as the formal budget for the coming year; seconded by Councilwoman Berry; and carried unanimously of 8-0. (Resnick – yes, Humphreys – yes, Berry – yes, Martin – yes, Peterson – yes, Tumolo – yes, Papale – yes, Casadei – yes.)

**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

This page of the minutes is dedicated to Harris Resnick and his Boy Scouts Troop for their continued annual effort to help those in need with their Thanksgiving Food Drive.