

**Clifton Heights Borough Council
Meeting Minutes
June 17, 2014**

Present:

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

Absent:

Anthony Casadei, Council President

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 Mayor Kelly

Meeting Minutes:

A motion was made by Councilman Humphreys to accept the May meeting minutes as presented; seconded by Councilwoman Tumolo; and carried unanimously by a vote of 6-0.

Public Comment:

Fred Rich, 82 Chester Ave., sent a letter to Council requesting a special hearing to discuss the unauthorized annual inspections of rental properties. He said that there is no ordinance in the Borough authorizing the annual inspection of rental properties and that they have been conducted for the past 18 years with no authority. He asked what they were going to do about Mr. Tartaglia.

Councilman Martin said that they could not comment due to pending litigation.

Mr. Rich said that he also filed a freedom of information act request with Mr. Tartaglia last week to provide the two rulings that he mentioned during his appearance before Judge Perfetti. He said that Mr. Tartaglia noted a ruling in Chicago and Pennsylvania that legitimized the inspection of rental properties, and he filed a request for copies of those rulings. He said that Mr. Tartaglia flat out refused to provide the rulings and ordered him out of the office.

Mr. Catania said that Mr. Rich is a resident and taxpayer of the Borough and as such is entitled to make a public comment during this portion of the meeting. He said that it is not a question and answer session, but a public comment. He said that he has made his comment. He said that he did send a letter to the Borough that will be answered in turn. He said that he is also involved in litigation with the Borough that he has appealed to Media with a hearing date set. He said that he has advised Council as such, so that they shouldn't have public discussion with you when involved in litigation.

Mr. Rich asked if he was going to get a response to his Freedom of Information Act request.

Mr. Catania said that any letters that he sent to the Borough would be responded to.

Mayor's Report:

Mayor Kelly reminded residents that school is out and kids are out on the streets. He asked everyone to drive carefully and keep an eye out for the children. He asked for the residents support for the upcoming Fourth of July parade and fireworks. He said all of it was done through the work of the volunteers and the generous donations from residents and businesses.

General Business:

Mr. Catania said that the Borough had received a letter or resignation from Councilman Hugh McElhenney effective June 1, 2014.

A motion was made by Councilwoman Papale to accept Councilman McElhenney's letter of resignation; seconded by Councilwoman Berry; and carried unanimously by a vote of 6-0.

Mr. Catania said that there was a vacancy in the 1st ward seat and it would now be in order to make nominations to fill that vacancy.

A motion was made by Councilwoman Berry to appoint Harris Resnick to fill the vacant council seat in the 1st ward; seconded by Councilwoman Peterson; and carried unanimously by a vote of 6-0.

Mayor Kelly swore Councilman Resnick in and had him execute his affidavit attesting that he has lived in the Borough for at least one year.

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 7-0.

Fire Report:

A motion was made by Councilwoman Papale to accept the Fire Report as presented; seconded by Councilwoman Peterson; and carried unanimously by a vote of 7-0.

Code Enforcement Report:

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

Manager's Report:

The manager said that all of his items were covered in caucus.

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

Engineer's Report:

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

Mr. Kelly said that the bid opening for the Road Program was held June 12th, and they received three bids. His recommendation is that the bid be awarded to InCon with a base bid of \$65,877.50.

A motion was made by Councilwoman Berry to award the 2014 Road Program bid to InCon; seconded by Councilwoman Papale; and carried unanimously by a roll call vote of 7-0. (Resnick – yes, Humphreys – yes, Peterson – yes, Tumolo – yes, Papale – yes, Martin – yes.)

Mr. Kelly said that he had prepared a grant application for CDBG to replace the sidewalks on Baltimore Pike. Council would have to authorize his office to submit the application for State funds to replace and repair sidewalks in the Baltimore Pike business district.

A motion was made by Councilwoman Berry to approve Resolution 14-06, authorizing the engineer to apply for a grant to replace sidewalks in the Baltimore Pike business district; seconded by Councilman Humphreys; and carried unanimously by a roll call vote of 7-0. (Resnick – yes, Humphreys – yes, Peterson – yes, Tumolo – yes, Papale – yes, Martin – yes.)

A motion was made by Councilwoman Berry to accept the Engineer's Report as presented; seconded by Councilwoman Papale; and carried unanimously by a vote of 7-0.

Solicitor's Report:

Mr. Catania said that at the suggestion of the Borough Manager, they are asking to add Peggy Moran to the list of check signors since she is at the office during business hours.

A motion was made by Councilwoman Berry to add Peggy Moran as an authorized Borough check signor and to authorize the execution of any documents provided by financial institutions to complete that process; seconded by Councilwoman Peterson; and carried unanimously by a roll call vote of 7-0. (Resnick – yes, Humphreys – yes, Peterson – yes, Tumolo – yes, Papale – yes, Martin – yes.)

Mr. Catania said that he is working with the Borough Manager to complete lien filings on the properties that the Borough had to complete work at because they refused to respond to notices.

He said that he is also working with the Borough Manager to address the tax assessment appeal filed by the owner of the Rockbourne Building. He said that there is some factual information provided by him about his lack of permits which is inconsistent with the information that the Borough has.

Mr. Catania said that in addition to the Rockbourne tax assessment appeal, the Polish American Citizens' Club has two active tax assessment appeals presently being negotiated with the School District, as well as one at 401 Cherry Street and 38 Maple that are subject to appeal.

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

Old Business:

No old business.

New Business:

No new business.

Ward Reports:

Councilman Resnick thanked everyone for welcoming him back.

Councilman Humphreys asked everyone to be careful with the kids running around up by the field.

Councilwoman Berry had nothing to report.

Councilwoman Peterson had nothing to report.

Councilwoman Tumolo had nothing to report.

Councilwoman Papale asked with the impending demolition of 500 East Broadway Avenue, if they could please keep the residents in the know with any information that they received. She asked if they could possibly have a town meeting prior to the demolition to give the residents a better idea of what exactly would be taking place.

Mr. Tartaglia said that they could definitely have a meeting or they could inform the residents by letter. He said that they have been issued demolition permits, they have baited for the rats, and repaired the sanitary sewer line. He said that they would have to bait again for the rats within 10 days of the start of demolition. He said that as soon as he received information from the contractor about when the start date would be, he would put a letter out to the entire block and let them know the intention and timeline of the contractor.

Councilman Martin said that they could have a meeting prior to the demolition. He asked residents to stay in contact with the Borough Manager about a time that would be convenient for them to address concerns.

Councilman Martin reported that Peggy Moran celebrated the birth of her first granddaughter the previous evening.

Closing Public Comment:

None.

Adjournment:

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

Respectfully Submitted,

Kimberly A. Duffy
Clifton Heights Borough Secretary