

**Clifton Heights Borough Council
Meeting Minutes
July 15, 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
Frank Catania, 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

President Casadei thanked everyone for their thoughts, prayers and cards during his last six months of illness.

Public Comment:

Fred Rich, 82 Chester Ave., said that he requested a hearing before Borough Council at last month's meeting to voice his challenge to the citation that was issued against him for failure to comply with the notice of annual inspection of his rental property. He said that he believes he has the procedural right to a hearing and is still requesting that.

Mr. Catania said that his understanding is that he has appealed the matter before Judge Perfetti to Delaware County Common Pleas Court. He asked if he was not asking for that to happen now.

Mr. Rich said that he felt that it was his procedural right to have a hearing before Council before having a hearing before Judge Perfetti, and he was denied that proper procedure.

Mr. Catania said that Mr. Rich was entitled to come and make public comment about his topic, but that there was a separate enforcement proceeding started with citations filed in front of Judge Perfetti, and rulings were issued and appealed to Common Pleas Court. He said that Mr. Rich can make comments about that issue, but there is no mechanism to give Mr. Rich a hearing.

Mr. Rich said that he felt that he had the right to a hearing before the citations were issued, and he was denied that right.

Mr. Catania said that he has filed an appeal, and a hearing is scheduled for Wednesday, August 6th. He said that the Borough's witnesses are going to be unable to attend, so he is going to request a continuance. He asked if he would consent to a continuance, which Mr. Rich agreed to. Mr. Catania said that he would contact him about meeting before the hearing to discuss his issues and files.

Mr. Rich said that his 2nd issue is that last month, he filed a complaint against Inspector Tartaglia for refusing to provide him with a Freedom of Information request that he had submitted to him regarding the two rulings that he cited in Judge Perfetti's Court. He said that he cited rulings in Chicago and Pennsylvania that he said legitimized the annual inspections of rental properties. He said that this was instrumental in Judge Perfetti ruling against him, and he requested a copy of the rulings and has refused to provide the copies. He said that he returned and requested the rulings again last week and was denied. He said that Mr. Tartaglia lied in Court, and now he has to go to Common Pleas Court and represent himself because he doesn't have the money for an attorney.

Mr. Casadei said that he was making accusations without proof, and told him that his time was up.

Fran Smith, 33 W. Berkley Ave., is in attendance with her neighbors because they are concerned about their town. She drives through the town and sees houses for sale, vacant businesses, shabby & uninviting buildings. She said that they are hoping for a turnaround, a successful sprucing up of the town, so it becomes a place where businesses want to be. She said that the taxes have been going up, but the worth of the houses has not followed the same ascension. She said that she and her neighbors would like to help and get involved. She said that the committees are full, the website is not updated. She said that she hopes that there is a plan. She asked if they could have a town meeting with everyone in Clifton to let them know what is going on, perhaps a question and answer session. She asked them all to remember why they got into government and not to be complacent. She asked if they could add some flowers to Nick Micozzie Park.

Mr. Catania said that they are doing their best with what they have, and that it is not just a Clifton Heights problem, but a problem that all surrounding communities are faced with on the business front. He said that taxes go up because expenses go up, just like any household's expenses go up from year to year. The Borough is also paying more for electric, insurance, gas.

Mayor Kelly explained that they have had firms come in to try and bring businesses to the Borough. He said that they have small businesses coming in, but they have traffic and congestion issues that they are trying to correct with PENNDOT. He said that the redevelopment committee is a separate entity from the Borough Council and he believes that Mr. Micozzie is now the Chair of the Committee.

Residents offered to be part of the process and be any help that they could be to the Council.

Meeting Minutes:

A motion was made by Councilwoman Berry to accept the June meeting minutes as presented; 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.)

Mayor's Report:

Mayor Kelly thanked the Fourth of July Committee for all of their hard work for a successful parade and fireworks show. He wished everyone a happy and healthy summer.

Police Report:

A motion was made by Councilman Martin to accept the Police Report as presented; seconded by Councilman Humphreys; 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 Councilwoman Peterson; 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:

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

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

Engineer's Report:

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

Mr. Kelly said that the contractor submitted the necessary bonds for the 2014 Road Program; he said that he will be submitting all of the documents and insurance certificates to PENNDOT for their review and approval.

He said that the CDBG grant application was completed and submitted on time. He said that the Board meets in September, so they would expect to hear from them sometime in October.

He said that he met with OHCD about the CDBG application, and he is requesting Council's authorization to execute the sub-recipient agreement. He said that is an \$80,000 grant to upgrade street lighting. He said that it is for street lighting, but the actual areas have not been designated because they do not know how many lights they would be able to get for the \$80,000. He said that he will know that within the next two weeks, and it has to be within an eligible area, which is most of Baltimore Pike.

A motion was made by Councilwoman Berry to authorize the engineer to execute the agreements needed for the \$80,000 CDBG grant for street lighting; seconded by Councilwoman Papale; and carried unanimously by a vote of 8-0.

Mr. Kelly said that PECO also had grants available for street lighting improvements, and he would be pursuing those as well for the possibility that they would have more money for the street lights.

Councilwoman Berry asked if he knew when PENNDOT planned on starting the work at the corner of Baltimore Pike and Springfield Road.

Mr. Kelly said that they let the bid out on June 2nd and awarded the contract. He said that he has attempted to contact their contact at PENNDOT several times in the past 30 days without success. He said that he would continue to attempt to contact them and keep Council in the loop on any news.

Mayor Kelly said that they received a card that said that they don't expect everything to be completed until 2016.

Mr. Kelly explained that included the resignalization of everything, not just the concrete and paving.

Councilwoman Berry said that her concern is the concrete and paving and hopefully getting it done before winter.

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

Fire Report:

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

Solicitor's Report:

Mr. Catania said that he had 4 tax assessment appeal resolutions that were ready for consideration after discussion in Executive Session. He said that the School District had accepted the tax assessment appeals, and it was the recommendation of the Borough's appraiser and his recommendation to accept the resolutions and settlements.

A motion was made by Councilwoman Berry to accept Resolutions 14-07 & 14-08, setting the assessment for the two properties owned by the Carol Puirfield at 38 Marple Avenue & 401 Cherry Street; seconded by Councilwoman Berry; 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.)

A motion was made by Councilman Martin to accept Resolutions 14-09 & 14-10, setting the assessment for the two properties owned by the Polish American Citizens Association; 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.)

Mr. Catania said that the final administrative matter would be for the Council to approve the Resolution for Council to approve the Finance Committee to determine the minimum balance necessary to be held in any account and to decide the time period that it should be held, and the Finance Committee should determine the amount of petty cash to be held at Borough Hall and to set up a petty cash policy.

A motion was made by Councilwoman Berry to approve Resolution 14-11, authorizing the Finance Committee to determine the minimum balances necessary for accounts and time periods for holding accounts, as well as determining a petty cash policy and the amount of petty cash to be on hand at Borough Hall; seconded by Councilwoman Papale; 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 Councilwoman Tumolo; and carried unanimously by a vote of 8-0.

Old Business:

No old business.

New Business:

Mr. Casadei said that he liked the suggestion of the residents to add flowers to Micozzie Park, and he thinks that is an avenue that they should pursue.

Ward Reports:

Councilman Resnick had nothing to report.

Councilwoman Papale thanked the Fourth of July Committee for a successful Independence Day. She said that is a committee that is always in need of volunteers in the Borough.

Councilman Humphreys had nothing to report.

Councilwoman Berry had nothing to report but asked residents to take a little bit of extra time to keep their property clean and presentable for the sake of all the residents.

Councilman Martin had nothing to report.

President Casadei had nothing to report.

Councilwoman Peterson had nothing to report.

Councilwoman Tumolo had nothing to report.

Closing Public Comment:

None.

Adjournment:

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

Respectfully Submitted,

Kimberly A. Duffy
Clifton Heights Borough Secretary