

**Clifton Heights Borough Council  
Meeting Minutes  
February 17, 2015**

**Present:**

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

**Present:**

Edward Martin, Council Vice President

**Others Present:**

Joseph T. Kelly, Mayor  
Chuck McDonald, Acting Solicitor  
J.P. Kelly, Engineer  
Stella Economidis, 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., said that his challenge to annual inspections was supposed to go into mediation back in September. He said that it is almost 6 months later and he has heard nothing from the mediation board.

Mr. McDonald said that it was his understanding that the mediator, Tracy Horning, attempted to contact you.

Mr. Rich said that she attempted to contact him before Christmas.

Mr. McDonald said that would mean that his previous statement that he had heard nothing from the mediation board would be incorrect then. He said that the proposed mediation dates are either February 23, 25 or 27.

Mr. Rich said that he is scheduled for Common Pleas Court on February 24, and this meeting was supposed to take place before that, so Mr. Catania will have to file for continuance #4.

Mr. McDonald said that he would have Mrs. Horning contact Mr. Rich again about scheduling.

Mr. Rich said that the scheduling is the responsibility of the Borough. He said that there is no point to the mediation because Mr. Tartaglia has no authority to conduct the annual inspections, and they are all being done illegally. He said that Mr. Tartaglia is violating the 4<sup>th</sup> amendment. He said that he has consulted with a top Real Estate attorney who confirmed everything that he is saying.

President Casadei said that was all hearsay.

Mr. Rich said that his next issue was with the tree down on Chester Ave. that he brought up at last month's meeting. He said that the sidewalk is only 18 inches wide and should be 36 inches wide so that a wheelchair should be able to pass through.

President Casadei told he would get an answer to his question and his three minutes were up.

Mr. Rich said that his time was not up and that no one was sent down there to even look at the tree. He said that the tree has been that way for 19 years.

Mr. Tartaglia said that they did look at the tree and the tree has probably been there for 60 years. He said that there is no such thing as an ADA requirement on a private sidewalk. He said that ADA requirements are specifically for commercial properties. He said that if that were a route between a street and a parking space, then there might be some justification for the complaint. But that is a private sidewalk. He said that there are two ways to approach the tree from the left and from the right and there would be no reason to have to pass it.

### **Meeting Minutes:**

A motion was made by Councilwoman Berry to accept the January 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, Peterson – yes, Tumolo – yes, Papale – yes, Casadei – yes.)

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

Mayor Kelly thanked the highway department for their work on the snow and ice removal during the recent storms.

Mayor Kelly explained that there were some questions regarding the new Ford Explorer police vehicle. He said that they went with the Explorer for the extra room to carry equipment. He said that the newer cruisers, the trunks are a little smaller. He said that the vehicle is just as economical as the cars. He said that they all have 4 cylinder engines.

### **Police Report:**

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

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

Mr. Tartaglia said that his only additional item he had from his report was the action item on the life insurance payment.

A motion was made by Councilwoman Berry to authorize the one-time premium payment for the life insurance policy for the retired police officers; 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 reported that the County Aid forms had been prepared and are ready for Council's consideration and adoption for the 2015 Road Program.

A motion was made by Councilwoman Papale to authorize the engineer to submit the 2015 Road Program Application for County Aid; seconded by Councilwoman Berry; and carried unanimously by a vote of 7-0.

Mr. Kelly said that the CDBG Lighting for the 2014 contract is still waiting for the contractor to start. He said that they expect him to start by the end of the month. He said that it has been delayed a few weeks because of the weather.

Mr. Kelly said that Chapter 94 reports for the DCJA have been completed and submitted, with copies provided to the Borough Manager.

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 7-0.

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

Mr. McDonald presented the Solicitor's Report.

He said that the Tax Revenue Anticipation Note was prepared and provided to the Borough Secretary.

Mr. McDonald outlined the proposed mediation dates for the Commonwealth v. Alfred Rich, which are February 23<sup>rd</sup>, 25<sup>th</sup> or 27<sup>th</sup>. He said that there is a trial scheduled for February 24<sup>th</sup> with a continuance request submitted.

Mr. McDonald said that the Commonwealth v. Jamie Avilino was already heard at the District Judge level, but Mr. Avilino has requested a re-hearing on the matter, and he is unsure if that will be granted or not. They are waiting for Judge Perfetti's decision.

He noted that the Borough had entered their appearance on the four Tax Assessment Appeals. The Solicitor for the School District is being the lead counsel on attempting to negotiate a resolution or proceed with the 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:**

Councilwoman Papale said that she wanted to bring up recycling again. She said that she wants to discuss ways to improve their program, the possibility of a newsletter, and the inclusion of the financial benefits of the program. She said she'd like to promote local businesses getting involved with recycling.

President Casadei said that they would need to discuss the business aspect with Frank because those businesses pay for their private trash.

Councilwoman Berry said that the newsletter should outline what is and is not acceptable.

Councilman Resnick said that he wanted to try and do something with electronic recycling in the spring as well if possible.

Mr. Tartaglia said that there would be an issue with electronic recycling. He said that they can schedule a shredding event, but there appears to be a change in the law for electronic recycling and the companies that used to fund those events have found a loophole in the law, which allows them to step away from funding companies like the one that would come to the Borough and set up and take those items from homeowners. He said that there is currently no company doing that program for free. He said that there is a company called B&L, located in Colwyn, and they are doing Glenolden's recycling 3 times a year for approximately \$1,000. He said that he does not have a solid commitment from B&L for what it would cost to do an electronic recycling program.

Councilwoman Peterson said that she would like the newsletter that goes out to inform residents that they cannot leave televisions outside. He said that some televisions have been sitting out for months at a time. He said that information has to be provided that if they put it out and see that it is not being taken, they need to bring it back in or dispose of it on their own. It is not okay to leave out for months at a time.

### **New Business:**

No new business.

### **Ward Reports:**

Councilman Resnick had nothing to report.

Councilwoman Papale had nothing to report.

Councilman Humphreys had nothing to report.

Councilwoman Berry thanked the Highway Department for an outstanding job with the weather.

President Casadei thanked the Borough Manager and the Highway Department for their work with the snow.

Councilwoman Peterson had nothing to report. She asked if they could prepare something in writing for Mr. Rich to inform him about the sidewalks and the ADA situation.

Councilwoman Tumolo had nothing to report.

**Closing Public Comment:**

Suzanne Briddes, 319 Austin Dr., asked if the Council had ever considered hosting a Q&A with the community. She said there seemed to be a lot of misinformation throughout the community, and she thought that might be helpful to inform residents on situations.

President Casadei said that residents are always welcome to call Borough Hall with issues, and they can also come and speak at the meetings. He said that they need to call ahead to speak at meetings, so that they can provide an answer to their issues/questions.

Bonnie Callahan, 235 Woodbridge Ave., said that there were a lot of TVs lying out. She outlined the different areas that she saw TVs (Austin Dr., Wynncliffe, alley of Woodbridge & Crestwood). She asked if the Borough could order stickers for recycling.

Councilwoman Berry said that they discussed that at last month's and it was something that they were looking into.

President Casadei asked if they could provide letters to the homeowners about the televisions being left out.

Mr. Tartaglia said that they could pick the televisions up, but the idea of giving tickets for putting out the televisions probably isn't going to fly. He said that they are going to need to come up with a solution to address the problem because it's probably just a mistake of ignorance not malice putting them out. He said that he will look into the cost of providing such a service to the Borough.

Mrs. Callahan asked if there was a chance of doing a newsletter again.

President Casadei said that they were working on it.

Mrs. Callahan said that she thinks that they need to be stricter with the recycling and make the recycling mandatory. She also informed them of a downed sign that could be found by Saint Mark's.

**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