

**Clifton Heights Borough Council  
Meeting Minutes  
August 18, 2015**

**Present:** Anthony Casadei, Council President  
Edward Martin, Council Vice President  
Betsy Berry, Councilwoman  
Mike Humphreys, Councilman  
Leona Papale, Councilwoman  
Harris Resnick, Councilman

**Absent:** Karen Peterson, Councilwoman  
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 by Mayor Kelly**

**Swearing-In of Full-Time Officer:**

Mayor Kelly swore in Officer Kevin McAvaney as a full-time police officer for the Borough of Clifton Heights.

**Public Comment:**

John Kelly, 205 S. Springfield Rd., said to Mr. Tartaglia that it has been 10 months since the fire at the house next door to his house.

Mr. Tartaglia said that it does take a long time to deprive someone of their personal property through the legal system. He said that they have arrived at the point where they can condemn it and get bids for it to be taken down.

Mr. Kelly asked about the fines being imposed on the property.

Mr. Tartaglia said that they have stopped all of the fines.

Mr. Kelly asked if he could get copies of the fines.

Mr. Tartaglia said that he could not because they are criminal citations, which are issued for the purpose of having the building removed or repaired and once they enter into negotiations with an attorney, they stop all Court proceedings because the object is to get the building either repaired or removed. He said that Council does not see the citations because they are criminal citations. He said that they have to provide an option for the homeowner because, technically, it is still the homeowner's house. They have the option of taking the

money out of their pocket & repairing it, or they could remove it. But now, they have arrived at the point in the stalemate, where it is up to the municipality to force the issue, and that is what they are requesting from Council tonight.

Mr. Kelly said that his concern is his house, and his wife & his dog.

Mr. Tartaglia said that when the building does come down, they would be responsible through the Borough's bidding process to ensure the stabilization of the wall, and they would have to seal & coat the exterior to ensure that you don't get any water in the basement.

Mr. Kelly said that they are now dealing with water, mold & bugs in the last 3 months.

Mr. Tartaglia said that that is why they are moving forward with the process of taking it down, because they don't believe it can be salvaged at this point.

Mr. Kelly said that he doesn't understand why anything wasn't done when he was calling & complaining about the drug activity in the house.

Mr. Tartaglia said that he thinks he is on a different topic, but that they have progressed through the process to the point where they can move on getting bids for demolition. He said that they had to get confirmation from Allstate, the carrier, that they were denying the claim before they could proceed with taking the building down by force.

Mr. Kelly asked if this process would take another 5 months.

Mr. Tartaglia said that he doesn't believe that it will take that long and that if they can get bids back in a timely fashion that Council would have the opportunity to approve the demolition at September's or October's meeting.

Mr. Kelly asked if they would be notified before the demolition commenced.

Mr. Tartaglia said that they would be notified and his wife could reach out to him with any questions.

Rich DePompeo, 224 E. Broadway Ave., thanked the Police Department for keeping traffic in the Borough under control during the closure of Springfield Rd. He said that they are doing a great job. He also thanked the Borough for addressing the trees and sidewalks on Baltimore Pike.

Council thanked Mr. DePompeo.

### **Meeting Minutes:**

A motion was made by Councilman Martin to accept the July meeting minutes as presented; seconded by Councilwoman Papale; and carried unanimously by a roll call vote of 6-0. (Resnick – yes, Humphreys – yes, Berry – yes, Martin – yes, Tumolo – yes, Casadei – yes.)

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

Mayor Kelly said that he would be asking for Council's approval to prepare for the Pope's scheduled visit at the end of September.

Mayor Kelly thanked a young resident, Kyle Convage, for his work cleaning up in front of his house & than creating a slogan, “One Piece at a Time” to encourage others to clean up as well. Mayor Kelly said that they need more youth like Kyle, with the dedication and care for the community.

Mayor Kelly reminded residents that school would be re-opening before the start of next month’s meeting, and to be careful driving.

Mayor Kelly also thanked the Police Department for a job well done with the traffic control.

Mayor Kelly announced that the Clifton Heights Boys Club season had commenced and that Borough Hall was always open during heat waves.

**Police Report:**

A motion was made by Councilwoman Berry to accept the Police Report as presented; seconded by Councilman Martin; and carried unanimously by a vote of 6-0.

**Fire Report:**

A motion was made by Councilman Humphreys to accept the Fire Report as presented; seconded by Councilman Martin; and carried unanimously by a vote of 6-0.

**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 6-0. (Resnick – yes, Humphreys – yes, Berry – yes, Martin – yes, Tumolo – yes, Casadei – yes.)

**Manager’s Report:**

Mr. Tartaglia said that he had nothing further from Caucus.

**Engineer’s Report:**

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

Mr. Kelly said that they were had received final approval from PENNDOT, and the Road Program should be underway shortly.

Mr. Kelly said that they discussed the Highway Department Garage & CDBG.

Mr. Kelly said that FEMA & PEMA have mandated new requirements for flood insurance through the NFIP, which requires every municipality to make amendments to the existing ordinances or adopt a new ordinance. OHCED has offered their assistance in making these revisions, and he has reduced the ordinance down to a summary, which he will provide to Council for their consideration. The crux of the ordinance creates a position of Floodplain Administrator & is more restrictive as to what can and cannot be done within the floodplain. Additionally it recognizes the latest FIRM maps, which become effective September 2, 2015.

Mr. Kelly said that pursuant to a meeting with Mr. Tartaglia, himself 7 representatives from DEP, he has attached a procedure entitled, “Building Permits & 537 Planning.” DEP would like Council to adopt this as an official procedure to comply with the Sewage Facilities Planning Application.

A motion was made by Councilwoman Berry to adopt the DEP's "Building Permits & 537 Planning" as official procedure; seconded by Councilman Martin; and carried unanimously by a vote of 6-0.

A motion was made by Councilman Martin to authorize the Borough Engineer to solicit bids for the demolition of 207 S. Springfield Rd.; seconded by Councilwoman Berry; and carried unanimously by a vote of 6-0.

A motion was made by Councilwoman Papale to authorize the Engineer to prepare & solicit bids for a slip lining contract to repair a sanitary pipe on Broadway Ave.; seconded by Councilman Resnick; and carried unanimously by a vote of 6-0.

A motion was made by Councilman Martin to accept the Engineer's Report as presented; seconded by Councilwoman Papale; and carried unanimously by a vote of 6-0.

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

Mr. Catania presented the Solicitor's report.

Mr. Catania said that Mayor Kelly has the power under the Pennsylvania Emergency Management Services Code to declare the existence of a State of Emergency in Clifton Heights Borough. The Chief recommended at Caucus that the Mayor adopt this Resolution declaring a State of Emergency in the Borough from September 26<sup>th</sup> to September 28<sup>th</sup>.

Mayor Kelly declared the existence of a disaster emergency in the Borough of Clifton Heights, in advance of the National Special Security Event (NSSE) that will be impacting the Philadelphia metropolitan area on or about September 26<sup>th</sup> to September 28<sup>th</sup>. He also noted the Fire Department would be manning emergency services throughout the entire weekend and staffing & staying at the Firehouse.

A motion was made by Councilwoman Berry to adopt the Emergency Resolution for September 26<sup>th</sup>-28<sup>th</sup>; seconded by Councilman Martin; and carried unanimously by a vote of 6-0.

Mr. Catania said that a copy of the official Civil Service Rules & Regulations was signed and delivered to Chief Rockenbach to become part of the official permanent record. He noted that they were last amended in April 2015.

Mr. Catania said that he would work with Mr. Tartaglia and Mr. Kelly about recovering the Borough's costs for the property. He said that he will order a title search and see how much underwater the property is financially.

Mr. Catania explained that the Floodplain ordinance is part of a continuing effort of FEMA and PEMA to focus communities' attention to the health of the streams, and the stormwater issue. It is a part of a larger effort to shift the costs of dealing with the consequences of stormwater management from the Federal & State government onto the local government. He said to expect more of these actions moving forward, and they can discuss the ordinance more specifically and the duties of floodplain administrators. He said that it is an effort by the Federal & State government to change the way stormwater is managed by forcing communities to do certain things.

A motion was made by Councilwoman Berry to accept the Solicitor's report as presented; seconded by Councilwoman Papale; and carried unanimously by a vote of 5-0.

### **Old Business:**

No old business.

### **New Business:**

A motion was made by Councilwoman Berry to approve the appraisal of the Glenwood Ave. area & the park at Baltimore Pike and Springfield Rd.; seconded by Councilman Martin; and carried unanimously by a vote of 6-0.

### **Ward Reports:**

Councilman Resnick announced that the Boy Scouts would be hosting their annual food drive on Saturday, November 7<sup>th</sup> (dropping bags off) and Saturday, November 14<sup>th</sup> (picking up donations & sorting them at Borough Hall).

Councilwoman Papale noted that she was not present at last month's meeting, so she wanted to say that the 4<sup>th</sup> of July celebration was a tremendous success, all aspects of the event. She thanked the Fourth of July Committee for all of their hard work throughout the year to prepare for the event, she said that the Committee's President, Jen Trout, has resigned, and that they, as always, are in need of volunteers.

Councilman Humphreys thanked everyone for the well wishes during his time in the hospital.

Councilwoman Berry reminded all residents that the playgrounds close at dusk. She said that if there were any residents who were concerned with activity in these playgrounds after dark to please contact 911 because the Police Department does consider these items a priority.

Councilman Martin commended the Police Department for the remarkable detail that they have provided during the SEPTA construction.

President Casadei had nothing to report.

### **Closing Public Comment:**

Fred Rich, 82 Chester Ave., said that Allstate Insurance denied the fire claim at 207 S. Springfield Rd. because it was listed as a single family home, when in reality it was being used as a rental property. He asked if that is why they refused the claim.

Mr. Tartaglia said that is what they told him.

Mr. Rich said that it would be Mr. Tartaglia's responsibility to know which homes are rentals and which homes are single family homes in our community. Mr. Rich said that he is also friendly with Mr. Kelly, and Mr. Kelly was complaining about that property long before the fire. He said that he complained about drug activity and people coming and going, and now the family is forced to suffer because he didn't act on the information that was being provided to him.

Bonnie Callahan, 235 Woodbridge Rd., asked why a copy of the Code Enforcement report was not included at the meeting. She said that she always had to prepare a report for the meetings when she worked in the office. She said that she called in a complaint two weeks ago, and nothing has been addressed since her call. She said that there is a house on Crestwood with a trampoline in the front yard above the 4 feet fence, and it has 5 foot high grass. She asked who was answering the code complaints.

Mr. Tartaglia said that he wasn't aware of the complaint.

Mrs. Callahan said that she knows of 2 other people who emailed with pictures and he responded to them that there is no ordinance for trampolines.

Mr. Tartaglia said that they do not have a trampoline ordinance.

Mrs. Callahan said that pools are not allowed on the front lawn, so now they need to do something about trampolines.

Mr. Tartaglia said that it would be up to Council to decide if they would like to create an ordinance restricting trampolines.

**Adjournment:**

A motion was made by Councilman Martin to adjourn; seconded by Councilwoman Berry; and carried unanimously by a vote of 6-0.

Respectfully Submitted,

Kimberly A. Duffy  
Clifton Heights Borough Secretary