

**Clifton Heights Borough Council  
Meeting Minutes  
September 15, 2015**

**Present:**

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

**Absent:**

Anthony Casadei, Council President

**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**

**Public Comment:**

Fred Rich, 82 Chester Ave., requested a vote to withdraw the January 2014 citation that was issued to him. He said that Mr. Tartaglia was never able to produce the ordinance, statute or regulation authorizing the physical inspection of rental properties. He said that he has been forced to retain an attorney, which has already cost him over \$2,000. He said that he has cooperated and Mr. Tartaglia is the one who is breaking the law, and he shouldn't have to be spending this money to defend himself.

Mr. Catania said that the matter is pending in Common Pleas Court and Mr. Tartaglia is under instruction not to respond because the proper place to respond would be the court hearing. He said that his recommendation is not to respond tonight, and they will provide him a written response.

Councilwoman Papale said that they just received the documentation that he provided, and she, for one, is not prepared to vote on anything tonight.

**Meeting Minutes:**

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

**Mayor's Report:**

Mayor Kelly announced that Friday, October 2<sup>nd</sup> would be the Fire Prevention Open House at the Fire Station at 7pm. He encouraged all to attend.

Mayor Kelly noted that the 9/11 ceremony was a great event. He said that the Clifton Heights Boys Club had all of the weight division teams down to attend the ceremony, and he was very impressed by that. He asked everyone to always remember that day from 14 years ago.

Mayor Kelly said that in light of the shooting of the Ridley Park police officer, in which he was saved by his bulletproof vest, he was happy to report that every member of the Clifton Heights Police Department is equipped with a bulletproof vest. He said that there is a fund that has been contributed to keep all of our officers safe.

### **Police Report:**

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

### **Fire Report:**

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

### **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 Papale; and carried unanimously by a roll call vote of 7-0. (Resnick – yes, Humphreys – yes, Berry – yes, Martin – yes, Peterson – yes, Papale – yes, Tumolo – 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 the Road Program was substantially completed, and he would generate a punch list & the work should be completed within two weeks. He said that he would recommend payment upon completion.

A motion was made by Councilwoman Berry to authorize payment for the Road Program upon completion; seconded by Councilman Martin; and carried unanimously by a roll call vote of 7-0. (Resnick – yes, Humphreys – yes, Berry – yes, Martin – yes, Peterson – yes, Papale – yes, Tumolo – yes.)

Mr. Kelly said that the site work bid opening was held today for the Highway Department Garage project. He said that he recommends that the contract be awarded to Couzins of North Wales for the bid amount of \$272,364.

A motion was made by Councilman Martin to award the site work contract for the Highway Department Garage Project to Couzins of North Wales for the bid amount of \$272,364; seconded by Councilwoman Berry; and carried unanimously by a roll call vote of 7-0. (Resnick – yes, Humphreys – yes, Berry – yes, Martin – yes, Peterson – yes, Papale – yes, Tumolo – yes.)

Mr. Kelly said that they had received notice to proceed from OHCD for the 2015 CDBG playground project.

A motion was made by Councilman Martin to authorize the Engineer to advertise and solicit bids for the project; seconded by Councilwoman Berry; and carried unanimously by a roll call vote of 7-0. (Resnick – yes, Humphreys – yes, Berry – yes, Martin – yes, Peterson – yes, Papale – yes, Tumolo – yes.)

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.

Mr. Catania said that this would be an item that they would have to vote on at this month's meeting and next month's meeting, so he wanted to ask a few questions.

Mr. Catania asked Mr. Kelly if new maps were adopted.

Mr. Kelly said that new FIRM maps were adopted through FEMA & PEMA on September 2<sup>nd</sup>.

Mr. Catania asked where they could be accessed.

Mr. Kelly said that they could be accessed through the FEMA website.

Mr. Catania asked what the maps show.

Mr. Kelly said that they show certain elevations, most significantly a 100-year flood elevation & a zone, so that properties along the zone or floodplain could be viewed. So homeowners could view if they are in a floodplain and if they need to have flood insurance.

Mr. Catania asked how they would purchase that.

Mr. Kelly said that they would do that through their mortgage company, and the mortgage company and insurance provider would also confirm that the home is with the zone X.

Mr. Catania said that the ordinance that they are going to vote on tonight is being recommended by the State and Federal government, and they are required to do this as part of their zoning code. He asked if this was part of the continuing effort to put more emphasis on storm water management.

Mr. Kelly said that it was part and parcel to that, but more closely associated with Sandy, when they discovered that there was not enough insurance monies to make the repairs that resulted from that storm.

Mr. Catania asked what the impact would be to the residents of Clifton Heights with the new maps, would there be more or less people in the floodplain or no impact.

Mr. Kelly said that it would have no impact. He said that the Borough needs to adopt this so those with flood insurance can renew their policies.

Mr. Catania asked if this ordinance would limit the building that could be done in the newly defined areas.

Mr. Kelly said that it does. He said that there are certain restrictions, such as prisons, hospitals and mobile homes. He said that ATVs and recreational vehicles would be prohibited. He said if a building is damaged and it needed to be repaired and the cost to repair was 50% or more of the worth of the building, it would be required to be brought into code compliance.

Mr. Catania said that this would address issues such as the tractor trailers at Kmart that have been affected by past storms.

Mr. Kelly said that those vehicles would be required to be moved if a flood was imminent. He said that burden would be on the Borough to notify that vehicles need to be moved though, and the fine for non-compliance was raised to \$600 from \$300.

Mr. Catania said that the ordinance needed to be passed along to the Planning Commission, but Council would need to vote on it tonight to indicate their intent to adopt it.

A motion was made by Councilwoman Berry to adopt the new floodplain ordinance as prepared by the State and FEMA & presented by the Borough Engineer & Solicitor pending the approval of the Borough's Planning Commission; seconded by Councilwoman Papale; and carried unanimously by a roll call vote of 7-0. (Resnick – yes, Humphreys – yes, Berry – yes, Martin – yes, Peterson – yes, Papale – yes, Tumolo – yes.)

Mr. Kelly said that pursuant to authorization from Council at last month's meeting, he solicited bids for the demolition of 207 S. Springfield Rd.

A motion was made by Councilman Martin to authorize the Borough Engineer to award the bid for the demolition of 207 S. Springfield Rd. to A to U services for the bid amount of \$23,338.90; seconded by Councilwoman Papale; and carried unanimously by a roll call vote of 7-0. (Resnick – yes, Humphreys – yes, Berry – yes, Martin – yes, Peterson – yes, Papale – yes, Tumolo – yes.)

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

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

Mr. Catania presented the Solicitor's report.

Mr. Catania reported that they had received 2 newly filed tax assessment appeals with hearings scheduled for September 24<sup>th</sup>. He said that first one was for a property on West Baltimore Ave. owned by Charles Moses with a current assessment of \$442,600 and the 2<sup>nd</sup> for 7 S. Springfield Rd with a current assessment for \$123,860. He said that they are the only two properties that have filed appeals so far this year in the Borough and are both commercial properties.

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 7-0.

### **Old Business:**

No old business.

### **New Business:**

A motion was made by Councilman Martin to approve the printing of 4,800 fliers for the Boy Scouts with a monetary donation of \$150; seconded by Councilwoman Berry; and carried unanimously by a vote of 6-0.

Councilwoman Berry asked if there was an auto body repair shop on Mill St.

Mr. Tartaglia said that there are a number of occupants down on Mill St.

Councilwoman Berry asked if they all had U&Os.

Mr. Tartaglia said that they all did at one point.

Councilwoman Berry asked what was going on with Kernicky's.

Mr. Tartaglia said that they are working to repair the building. He said that they were ordered to replace the concrete & repair the stucco exterior. He said that they have proposed to do some minor work on the inside, but right now they are just working on the exterior.

Councilwoman Berry asked if it was being sold.

Mr. Tartaglia said that they are involved in an agreement of sorts, and he is not aware of the exact breakdown of that agreement.

**Ward Reports:**

Councilman Resnick had nothing to report.

Councilwoman Papale had nothing to report.

Councilman Humphreys said that he was happy to see Sycamore Ave. was paved.

Councilwoman Berry asked if they could have a letter sent to residents about the construction of the Highway Department Garage and salt shed.

Councilman Martin wished everyone that celebrated a happy Jewish new year.

Councilwoman Peterson had nothing to report.

Councilwoman Tumolo had nothing to report.

**Closing Public Comment:**

Fred Rich, 82 Chester Ave., asked about the salt shed and the equipment being moved to Glenwood Ave. and where on Glenwood Ave. it would be going.

Councilman Martin said it would be across from the PAL Building.

Mr. Rich said that, in his opinion, that is virtually the only pristine area left in Clifton Heights, and they are going to move everything there and screw that up.

**Adjournment:**

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

Respectfully Submitted,

Kimberly A. Duffy  
Clifton Heights Borough Secretary