

**Clifton Heights Borough Council**  
**Meeting Minutes**  
**July 19, 2016**

**Present:**

Anthony Casadei, Council President  
Edward Martin, Council Vice President  
Ronald Berry, Councilwoman  
Mike Humphreys, Councilman  
Leona Papale, Councilwoman  
Harris Resnick, Councilman  
Jane Tumolo, Councilwoman

**Absent:**

Karen Peterson, Councilwoman

**Others Present:**

Joseph T. Kelly, Mayor  
Francis 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:**

Steve Goetz, 109 Academy Rd. and Clifton Heights Boys' Club president, said that he had heard that Council said that they didn't have the information about the Boys' Club's fundraisers. He said that he wanted to present a list of their fundraisers and activities so that they could be aware of what is going on up at the field. He said that he hasn't sent a letter for the carnival for the last few years, and he apologizes for that. He said that without the fundraisers that they run, they would not be able to run the football organization. He said that they don't get any help from the town for their program, and the fundraisers are what keep them operating.

Mayor Kelly interjected that although the Borough may not make a monetary donation to the Boys' Club, they certainly fund the police protection for the carnival. He asked Chief Rockenbach if he knew the figures offhand.

Chief Rockenbach said that it was probably around \$7,000 for the carnival details.

Mr. Goetz said that he apologized for his wording but without the fundraisers, he wouldn't be able to uniform the kids. He said that he had to use his fundraising money this year for the scoreboard which has been on the verge of falling down for the past two seasons. He said that he has asked for help over the years, but he had to use the fundraiser money and invest \$7,100 into moving the scoreboard that could have fallen down. He said that the fundraisers keep his program running, and that he is in this town together with the Council members and the Mayor to help the community. He continued that football season starts August 1<sup>st</sup>. He thanked the Rams Head, Clam Tavern, Murray's Bar, Brett Martino & Dave Moskowitz Electric for their support of the organization.

Councilman Resnick asked how much it cost to run the Boys' Club.

Mr. Goetz said that he would have to breakdown the figures, but he could certainly do that over the next month.

Councilman Humphreys said that he had been discussing with Mr. Goetz and the Boys' Club about sitting in some meetings.

Mr. Goetz said that he had been thinking about that, and he doesn't sit in on the Borough's meetings, and so he doesn't think that's the best idea, but he would be happy to reach out to him if they are in need of help. He said that their meetings mainly consist of going through football and cheerleading issues, and that would be a waste of his time to have to sit through that. He said that he would be happy to reach out if there were field issues or other concerns.

Councilwoman Papale said that the Boys' Club is looking for the support of the community and Council at these fundraisers.

Terry Bruno, 58 N. Penn St., said that she has two concerns. One is rental properties allowing 14 or more people to live in a home; the other is with so many businesses closing in the town and yet a particular homeowner has filed for a reassessment for all 8 of his properties in the town and received reductions totaling over \$100,000 combined. She asked how that is allowed to happen when they are trying to bring revenue into the town.

Mayor Kelly explained that the Borough does not control the reassessment process. He said that happens before the County because it affects the County taxes, school district taxes and Borough taxes. He said that they usually fight substantial deductions and hire the School District/School Board because they receive the majority of the taxes. He said the school district hires an attorney, the district/borough get appraisals and the homeowner gets appraisals, and 9 out of 10 times, the Borough loses. He said that it is the Board of Assessment that hears these cases. He said that if the Borough could control the assessments, this wouldn't be happening.

Mrs. Bruno asked why the businesses are leaving town. She noted Harvey's and Michael's Hair Salon as two recent businesses to either close or announce they were closing.

Mayor Kelly said that he wished he could answer the question as to why the businesses are leaving. He said that they've had a comprehensive plan drawn up and experts review the town and the reports. He said that the issue he has heard most cited is that people are not shopping in local businesses. He said that Harvey moved for a bigger location and a bigger parking lot. He said that if they could have kept him here and given him their parking lot, they would have. He said that they cannot explain why, and the businesses are staying vacant because if you're a business investor and you're investing your money, you need to ensure a return on that investment. He said what initially built this town was that it was a mill town. He said that there was a school in the middle of the town. He said that a lot of the businesses that were in the middle of the "downtown" district fed off of the school. He said that when the school left and the mills closed, it has become more difficult to keep mom and pop stores in the community. He said that the landlords are trying to rent the properties to no avail.

Mrs. Bruno asked about the first issue with the tenants.

President Casadei asked her to discuss that with Mr. Tartaglia and that he would look into it further.

Mrs. Bruno said that she discussed it with him last night.

Mr. Catania asked if she could provide him with an address list of the properties if she had it with her.

Mrs. Bruno said that she had the list with her.

Bonnie Callahan, 235 Woodbridge Rd., said that she called yesterday to report a large pole in the middle of Crestwood, and she would like to know what the outcome was.

Mr. Tartaglia said that Upper Darby has claimed responsibility for that, and they are going to take control of filling the pothole and repairing the sewer line.

Mrs. Callahan said that she received her response to her Right-to-know request, and she wanted to follow up with that and ask when Mr. Tartaglia was hired on an as-needed basis as Borough Manager and Code Enforcement Officer. She said that he makes \$24,000/year for Code Enforcement and \$24,000/year for Borough Manager, but works on an as-needed basis. She asked what that as needed entails. She wanted to know if it was 5 hours per week, 20 hours per week for each position. She said that her request was denied for any other information, but as a taxpayer, she would like to know when he is working. She also asked how she would go about getting a copy of the monthly bill and treasurer's report list that is ratified by Council each month.

Mr. Tartaglia said that as soon as the document is approved tonight, it becomes a public document and she can come in and request a copy the next day.

Mrs. Callahan asked if she could get prior months as well.

Mr. Tartaglia said that they have them all, but they made need to reprint copies for her depending on her requests.

Fred Rich, 82 Chester Ave., said that he had requested an updated accounting of the cost of the Glenwood Ave. project to transfer the salt shed and the highway department equipment. He said that area is zoned residential. He asked if they had that information tonight about that project.

President Casadei asked if he had filled out a right to know request.

Mr. Rich said that he requested the information yesterday and he doesn't need to fill out a right to know request.

Mr. Rich said that they should have that information available to the taxpaying residents and it should be public knowledge. He asked how much it cost to this point. He said that in other words, Tony Tartaglia applies for a \$1.5 million loan last year with Republic Bank to specifically renovate this municipal building and instead of doing that, he diverted those funds to transferring the highway department equipment and salt shed to a zoned residential area on Glenwood Ave. He said that Mr. Tartaglia never presented the plans to Clifton's planning committee or zoning board. He said that Mayor Kelly told the Glenwood Ave. residents at the November 2015 Council meeting that he had never seen the plans.

Mayor Kelly said that was correct.

Mr. Rich said that other members of Council also said that they had not seen the plans, but they let Mr. Tartaglia proceed with the costly project, which was built on a zoned residential property because Mr. Tartaglia never applied to the Zoning Board for a variance to convert the property to commercial zoning. He said that they will probably have another tax increase next year to pay for this costly project.

Mayor Kelly asked Mr. Rich if he was at the Committee meeting just prior to the start of this meeting where it was reported that the Borough's first application to the RAC program is being reviewed for completion from the State Auditor.

Mr. Rich said that doesn't matter because it never went to the Borough's planning committee or Zoning Board.

President Casadei said that his time was up.

### **Administrative Actions:**

Mr. Catania said that the first item of business is that the Chief and civil service commission members are interested in moving forward with having the Civil Service Commission solicit applications for the police test. They have a member of the Civil Service Commission whose term has expired, which is Mr. Borelli. He said that there is a vacancy, and they would need someone appointed to make it a 3 member commission. It would be appropriate to nominate someone to serve the term on the commission.

A motion was made by Councilman Berry to nominate James M. Sharkey to the 6 year term on the Clifton Heights Civil Service Commission from the vacancy created by the expiration of Mr. Borelli's term on the commission; nomination seconded by Councilman Martin.

Mr. Berry presented Mr. Sharkey's resume with a master's degree in Public Administration from West Chester University and a bachelor of science in Criminal Justice from Temple University. He teaches security and related subjects and is certified as a law enforcement and security trainer in the state of Pennsylvania.

The nomination was carried unanimously by a roll call vote of 7-0. (Resnick – yes, Humphreys – yes, Berry – yes, Martin – yes, Tumolo – yes, Papale – yes, Casadei – yes.)

Mayor Kelly swore in James Sharkey to his term on the Civil Service Commission.

Mr. Catania asked if the process had started for the police hiring.

Chief Rockenbach said that applications would close this Friday, July 22.

### **Meeting Minutes:**

A motion was made by Councilman Martin to accept the June 2016 meeting minutes as presented; seconded by Councilman Berry; and carried unanimously by a roll call vote of 7-0. (Resnick – yes, Humphreys – yes, Berry – yes, Martin – yes, Tumolo – yes, Papale – yes, Casadei – yes.)

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

Mayor Kelly congratulated the 4<sup>th</sup> of July Committee on a job well done with the annual Independence Day festivities. He said that parade was a great success and that despite being delayed by a night, he heard that the fireworks were great as well.

Mayor Kelly said that he would like to make a statement on a serious note. He said that what is going on in this country and is saddening and disappointing to everyone. He said that our Police Department represents the Borough and provide the safety and security for residents. He said that the country lost police officers in Dallas and Louisiana and that every night our policemen put on their vests and go out and patrol the neighborhoods to protect and serve us. He asked everyone to thank the Police Department with a smile and

asked everyone to keep them in their prayers during the turmoil throughout the country. He thanked our department for doing a remarkable job in trying times.

[Applause]

**Police Report:**

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

**Treasurer's Report/Bill List:**

A motion was made by Councilman Martin 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, Tumolo – yes, Papale – 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 the Road Program had been delayed in order to provide time to fix a downspout on Radnor Ave., but they expected the work to start in the middle of August.

He said that the rest of his report was addressed in caucus.

A motion was made by Councilman 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. Catania presented the Solicitor's report.

Mr. Catania said that they discussed the police department's collective bargaining agreement in Executive Session. He said that they will begin that process, and he has been in contact with Mr. Chupein, and they will move forward.

Mr. Catania said that there was a Federal lawsuit that had been filed that he had reported on for the last several months, Shahid vs. Clifton Heights. He said that that first complaint was dismissed based upon the Borough's motion, and now his second amended complaint has been dismissed. He said that this arises out of Mr. Shahid's disagreement with some of the Code issues that were raised regarding his property, but the Court supported the Borough's Code Enforcement effort, as did the Federal Court. He said that matter is resolved unless he appeals to the Third Circuit.

**Action Items:**

A motion was made by Councilman Martin to adopt Resolution 06-16, approving an amendment to section 4.5 of the Civil Service Code to amend the 10 veterans' points as being added to the total score, both oral and written; seconded by Councilman Berry; and carried unanimously by a roll call vote of 7-0. (Resnick – yes, Humphreys – yes, Berry – yes, Martin – yes, Tumolo – yes, Papale – yes, Casadei – yes.)

A motion was made by Councilman Martin to adopt Resolution 07-16, acknowledging receipt and acceptance of delivery of the market study completed on behalf of the Delaware Valley Regional Planning Commission by AKRF Inc. and the Delaware County Planning Department; seconded by Councilman Berry; and carried unanimously by a roll call vote of 7-0. (Resnick – yes, Humphreys – yes, Berry – yes, Martin – yes, Tumolo – yes, Papale – yes, Casadei – yes.)

A motion was made by Councilman Martin to adopt Resolution 08-16, a resolution recognizing the Boy Scout Troop 111 leaders for their community involvement, particularly their annual Thanksgiving Food Drive; seconded by Councilman Berry; and carried unanimously by a vote of 7-0.

Mayor Kelly presented the Resolution to the Boy Scout 111 leaders who were in attendance.

Councilman Resnick announced that they would be doing their food drive on the 2<sup>nd</sup> and 3<sup>rd</sup> weekend of November this year and that the food would benefit St. Charles, St. Eugene, St. Stephen, Community Presbyterian and any other local church in Clifton that wanted to be a part of the program. He said that it is a very labor intensive drive, and they are always in need of volunteers.

Mr. Catania noted that his last item involved the Clifton Heights Economic Development Corporation property. He said that they are ready to move to closing and have applications pending with the School District and County, and they are going to work it out with the Borough for the outstanding taxes on the property. He said that rather than delay settlement any further, it is his recommendation that the Borough pay the delinquent taxes and then refund the Borough taxes to themselves and make formal application to the County and ask the School District to act on the application that they have already made. He said that he would ask that they pay the taxes instead of seeking forgiveness on them ahead of time, and that would be the purchase price for the property, which he believes is about \$54,000 now. He said that he would try to get it closed within the next couple of weeks with that authorization.

A motion was made by Councilman Berry to authorize the solicitor to move forward with the closing of the purchase of the Clifton Heights Economic Development Corporation properties by paying any delinquent taxes in the purchase price and seeking forgiveness through applications after the purchase as set forth in Resolution 09-16; seconded by Councilwoman Papale; and carried unanimously by a vote of 7-0.

A motion was made by Councilman Martin 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:**

Councilman Berry said that one of the coaches from the Clifton Heights Boys' Club was recently honored and inducted into the Delaware County Sports Hall of Fame. He said that Skip Barnes has 47 continuous years of coaching our kids. He asked Steve Goetz if he could get some information so that he could make a formal presentation at a future meeting.

### **Ward Reports:**

Councilman Resnick asked if the Boy Scouts could use the building during the Food Drive in November.

Councilwoman Papale announced that the American Red Cross would be at Borough Hall on Thursday, August 25<sup>th</sup> from 2pm until 7pm for blood donations. Appointments are preferred and information is posted at borough hall.

Councilman Humphreys had nothing to report.

Councilman Berry had nothing to report.

Councilman Martin had nothing to report.

President Casadei had nothing to report.

Councilwoman Tumolo had nothing to report.

### **Closing Public Comment:**

Fred Rich, 82 Chester Ave., said that he wanted to disagree that he needed a Freedom of Information request to get the information. He said that it should be public knowledge.

Mr. Catania said that if he is requesting a specific request for a document, Pennsylvania law allows for you to make a PA Right to know request, and the Borough is required to respond within 5 days.

Mr. Rich said that it should be public knowledge. Mr. Rich said that Mayor Kelly and the rest of Council should be ashamed of themselves for letting that project go through.

Bonnie Callahan, 235 Woodbridge Rd., said that since the Borough received money for a marketing study, can they find out what the final status of the report was on the town.

Mr. Catania said that she can receive a copy of the report from Sam Haber and he can provide the contact information.

Mrs. Callahan said that in reference to Mayor Kelly saying that no one wants to shop local, she shops everything on Springfield Rd.

Mayor Kelly thanked her.

Mrs. Callahan said she shops Westbrook Park Mark, A&A Signs and Best Quality. She said that no one even acknowledges that those businesses are alive and well up there. She asked why they don't invest some money and put some trash containers up and help them clean up. She said that they could clean up the parking meters, do something to help the viable businesses in our town. She said that the sign that says welcome to Clifton isn't even in the right place and is further down the road, not even acknowledging those businesses as being part of Clifton Heights. She said that they could make those property owners clean the curb lines and invite those businesses to be part of the Borough. She said that Clifton is a viable town, but no one wants to come here to deal with a Council that doesn't care. She asked why Lansdowne is revitalized and Media is booming.

Mayor Kelly said that he doesn't want to get into it, but Media has 3,000 employees that eat and shop in the town every day. He said that if they had 3,000 employees, they could have 20 restaurants in town too.

Mrs. Callahan said that they don't even put any thought into the Borough or know what is going on with their own Boys' Club. She said that they didn't even know that Skip Barnes was being honored.

Mayor Kelly said that they were aware of that and Mr. Berry had it on his agenda to discuss.

Mrs. Callahan asked how many viable businesses were on Springfield Rd.

Mayor Kelly said that he hasn't take count recently, but he would say 14.

Mrs. Callahan said exactly and they're not appreciated.

Mayor Kelly said that he hasn't heard from any of these businesses expressing these sentiments.

Mrs. Callahan said that is because they think you don't care.

President Casadei said that is hearsay.

Mayor Kelly said that they probably think that because she shops there and bad mouths them all the time.

Tony Blanche, Broadway Bar & Grill, invited Council to the Greater Overbook String Band crab dinner on Monday, July 25<sup>th</sup>. Tickets are \$30.

**Adjournment:**

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

Respectfully Submitted,

Kimberly A. Duffy  
Clifton Heights Borough Secretary

