

**Clifton Heights Borough Council  
Meeting Minutes  
February 21, 2017**

**Present:**

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

No opening public comment.

**Meeting Minutes:**

A motion was made by Councilman Humphreys to accept the January 2017 meeting minutes as presented; seconded by Councilwoman Tumolo; 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 welcomed back the Clifton Quarterly and said that it was a job well done.

Mayor Kelly said that the dip at Oak Ave. & Springfield Rd. was paved over and corrected. He said that he called and spoke to State Rep. Jamie Santora, and by the next evening, the dip was fixed. He thanked everyone for working together.

Mayor Kelly said that Sergeant Robert McCaughn was honored the previous evening by the Upper Darby Police Department for his commitment to duty for his assistance in responding to a robbery on the evening of Saturday, May 14, 2016. He said that Sergeant McCaughn heard the dispatch go out with the description of the fleeing vehicle and located and followed the vehicle with lights and sirens and stopped the vehicle & recovered the money, and the actor was charged with robbery & other charges. He thanked Sergeant McCaughn and the Police Department for a job well done.

**Police Report:**

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

**Fire Report:**

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

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

A motion was made by Councilman Humphreys to accept the treasurer's report and pay the bills; seconded by Councilman 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.)

**Manager's Report:**

Mr. Tartaglia covered all of his items in his report at Caucus and had no action items.

**Engineer's Report:**

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

Mr. Kelly said that the County aid forms for the 2017 Road Program had been prepared & were ready for submission.

A motion was made by Councilman Martin to authorize the engineer to submit the County Aid forms for the 2017 Road Program; seconded by Councilman Berry; and carried unanimously by a vote of 8-0.

Mr. Kelly said that the 2017 CDBG application had been submitted.

Mr. Kelly said that they received the latest traffic plan design with intersection improvements and site development plans from PENNDOT and Wawa and that they would follow up with any discrepancies or recommendations.

They would be proceeding with the Batchelder property process as well, and they were within the timeframe from contingent approval being provided on January 17, 2017.

Mr. Kelly said that the MS4 permit process would be having changes that require pollution reduction plans and control measures. He said that he provided a memo to Council, and they are encouraged to read and review the new information.

Mayor Kelly asked if there was any possibility of these requirements changing with the newly inaugurated President.

Mr. Kelly said that the MS4 program is run through the EPA & DEP. He said that the program falls under President Nixon's 1973 Clean Water Act, and that it would probably take some time to see any changes to the program if they were made.

Mayor Kelly said it just seemed that it would be untenable to continue with these increases and restrictions and that it would probably end up resulting in an environmental tax that they would have to impose.

Mr. Kelly said that they had received a payment request in accordance with the schedule for the building renovation. He said that Council should expect these requests monthly as they move through the renovations. He said that the project completion date is set at November 30<sup>th</sup>.

A motion was made by Councilman Humphreys to authorize the contractor to be paid as requested according to the contract, totaling \$108,764.78; seconded by Councilwoman Papale; 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 the Engineer's report as presented; seconded by Councilwoman Peterson; and carried unanimously by a vote of 8-0.

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

Mr. Catania presented the Solicitor's report.

Mr. Catania asked to confirm that the change orders for any of the renovations would be presented to Council for approval and that no line item payment would be above the estimated cost.

The engineer confirmed these items.

Mr. Catania informed Council that they would need to consider adopting a resolution for the Borough's tax anticipation note with Republic Bank.

A motion was made by Councilman Martin to adopt Resolution 04-17, accepting a Tax Anticipation Note with Republic Bank in the amount of \$300,000 to be paid back within a year, with a 3.75% interest rate; seconded by Councilman 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.)

Solicitor Catania updated the Borough on the Shahid vs. the Borough of Clifton Heights court case.

He said that Mr. Shahid had been found guilty at District Court for 11 violations and that guilty verdict had been upheld after appeal to the Delaware County Court of Common Pleas. He said that Mr. Shahid has until the end of the month to further appeal that case.

He said that they have a case pending in Federal Court that Mr. Shahid had filed. He said that preliminary objections had been granted, and he had filed again, and they were waiting to hear back. He said he was hopeful that they would have the same outcome.

A motion was made by Councilman Martin to accept the Solicitor's report as presented; seconded by Councilman Berry; and carried unanimously by a vote of 6-0.

### **Old Business:**

Councilwoman Papale reminded Council and residents that the deadline for submissions for the next edition of the Clifton Quarterly would be Tuesday, March 21, 2017.

Councilwoman Papale announced the annual holiday decorating contest winners.

Councilwoman Papale thanked the students in her ward, John Caputo & Keira Whitaker, who helped her to deliver the Clifton Quarterly.

**New Business:**

No new business.

**Ward Reports:**

Councilman Resnick had nothing to report.

Councilwoman Papale announced that the Clifton Heights Swim Club would be hosting a Beef & Beer at the Polish American Club on Saturday, February 25<sup>th</sup>. Tickets would be \$30/person or \$50/couple.

She also announced that the 4<sup>th</sup> of July Association would be hosting a Designer Bag Bingo on Saturday, March 4<sup>th</sup> at 6pm at the Clifton Heights Fire Hall.

Councilman Humphreys said that he was interested in researching the price for hanging flags in the Borough, as Ted Archer helped them hang the holiday decorations in the winter. He would like to have flags hung from Memorial Day through the summer.

A motion was made by Councilman Martin to authorize the Borough to look into purchasing flags to hang; seconded by Councilwoman Papale; and carried unanimously by a vote of 8-0.

Councilman Berry thanked the Chief and Mr. Tartaglia for meeting with the neighbors who had complaints again about the parking at Springfield Rd. & Fairview Ave. He said that he hoped that they had resolved the issues moving forward.

Councilman Martin said that the electric rate reduction companies had been in town, and they received a call that one of the representatives was hounding a homeowner and was insistent that she had to show him her electric bill by law.

Chief Rockenbach said that he was in touch with the company after receiving the complaint and informed the company that he would rescind their permit if they had any more complaints about these tactics that they are using with residents.

Councilwoman Papale said that she was also a victim of this representative, and she felt the pressure that he was placing on her to switch her energy provider.

Chief Rockenbach informed her that she could reach out the PA Attorney General's office to provide them with information about the company and tactics.

President Casadei had nothing to report.

Councilwoman Peterson asked for another status update on 205 Oak Ave.

Mr. Tartaglia said that they spoke to the son who took his mom out of the property. He said that their next plan is to bring someone in to address the roof. He said that he has a timeframe to operate within. He said that he made him aware that addressing the exterior issues would not get him any closer to getting his mom back into the property, because the interior is still uninhabitable.

Councilwoman Peterson said that the neighbor was just asking on the status of the exterior. She said that she would inform the neighbor that they are 30 days into the process, with a plan to address the roof and 60 days left on their docket.

Councilwoman Tumolo had nothing to report.

**Closing Public Comment:**

No closing public comment.

**Adjournment:**

A motion was made by Councilman Martin to adjourn; seconded by Councilman Berry; and carried unanimously by a vote of 8-0.

Respectfully Submitted,

Kimberly A. Duffy  
Clifton Heights Borough Secretary