

**Clifton Heights Borough Council**  
**Meeting Minutes**  
**May 20, 2010**

**Present:**

Anthony Casadei, Council President  
Edward Martin, Council Vice President  
Mario Alpini, Councilman  
Betsy Berry, Councilwoman  
Leona Papale, Councilwoman  
Robert Penjucke, Councilman (arrived late)  
Harris Resnick, Councilman

**Absent:**

Jane Tumolo, Councilwoman

**Others Present:**

Joseph Kelly, Mayor  
Frank Catania, Borough Solicitor  
Tony Tartaglia, Code Enforcement/Borough Manager  
Chief Walt Senkow, CHPD Police Chief

**Pledge of Allegiance**

**Prayer Led By Mayor Kelly**

**Public Comment:**

None.

**Meeting Minutes:**

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

**Mayor's Report:**

Mayor Kelly announced that Memorial Day would be Monday, May 31<sup>st</sup>. He said that there would be no parade this year, but there would be a ceremony at the monument starting at 11am. He said that Baltimore Pike would be closed during the ceremony and that Mike Hall invited the community back to the American Legion after the ceremony. Mr. Kelly said that the parade route was getting sparse and the marchers were getting older, so they determined one ceremony in a fixed place would be the best way to honor the Veterans.

He announced that the Business Association would be hosting their 3<sup>rd</sup> annual flea market and car show this Saturday, May 22<sup>nd</sup> with food vendors and lots of cars. He thanked the Business Association for hosting the event and said that it was a good kick off of the summer activities around town.

He encouraged residents and Council to attend both events.

He announced that the Carnival was also coming the following week. The carnival is the Boys' Club & PAL's biggest fundraiser of the year. He said that the Police would be out in full force. He said that it would be a good time.

He also announced that the Fourth of July Association's Cow Pie Bingo event was still scheduled for Saturday, June 19<sup>th</sup>. He said that it would be \$10 per ticket and they would also have booths on hand.

Mayor Kelly said that his last item was highlighting that there would be a letter going out from him to the residents reinforcing the single stream recycling in Clifton Heights. He said that they already have almost 4 tons. He said that it spells out how involvement can save taxpayers' money and what exactly can be placed in recycling. He complimented the sanitation department for their kindness and reminders on certain recycling fronts (ex. No plastic bags are to be included.)

**Police Report:**

A motion was made by Councilman Martin to approve the police report; seconded by Councilwoman Berry; and carried unanimously by a vote of 7-0. (Councilman Penjuck arrived prior to vote.)

**Fire Report:**

A motion was made by Councilwoman Berry to approve the fire report; seconded by Councilwoman Papale; and carried unanimously by a vote of 7-0.

**Code Enforcement Report:**

A motion was made by Councilman Martin to approve the code enforcement report as presented; seconded by Councilwoman Berry; and carried unanimously by a vote of 7-0.

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

They announced that they were waiting on the treasurer's report & bill list & would return to it after the executive session.

**Manager's Report:**

Mr. Tartaglia said that outside of the report that he sent to Council for the Caucus meeting, he would like to go over one issue in the Executive Session but that he wanted to make them aware of it now. He said that he apparently mishandled a JAG grant. He said that when they had the snow in here, he had asked Walt to handle the JAG grant and he had been in touch with the people in the County and told them by phone that he would be handling it from now on. He said that he didn't realize at the time that that was not the proper thing to do. He said that he would hold the rest for the Executive Session but that he wanted to make sure he made Council aware of the situation.

He said that other than that, he sat down with the Sanitation and Highway workers and went over the new contract. He said that he sat with them and did the year to date retroactive pay and in doing so and going over that, he found that there was an error in 2009 and that they were 7-9 cents short of what they had agreed to pay them for the period. He said that he went back through the collective contract and sat with young Jim Salmon and came up with a spreadsheet and calculated numbers. He said that they are going to be in the area of high fives maybe one 600 dollar of retro pay for 2010 and then checks for around \$185 issued to them for years 06-09, where there were errors in their paychecks.

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

**Engineer's Report:**

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 7-0.

## **Solicitor's Report:**

Mr. Catania said that he had two items outside of the items for the Executive Session. He said that the 1<sup>st</sup> item was that they had received copies of the contract with the International Union of Operating Engineers Local 835, the Borough's Highway & Sanitation groups, which are here for signature tonight. He said that they were ratified at the last meeting. He said that it also included a letter of understanding with the Union that we will provide a copy of the transmittal plus attachments to Local 835 Union Steward every time we remit money to the Local 835 Pension Fund. He said that he was providing both copies to the Borough President & Secretary so that they could sign both copies and then give them to the Borough Manager to distribute.

Mr. Catania said that the other item that he would ask Mr. Tartaglia to comment on was Ordinance No. 823, which had been duly advertised and is ready for Council's consideration tonight.

Mr. Tartaglia said that he recommended the Ordinance because in the last couple of years and then in the next 2-3 years to come, the water company has been in town repairing/removing lines and when they do, they are putting trenches down the streets. He said that he has walked the streets with Bill Miller and his contractors, and he is not happy with the way the trenches are being restored. He said that he thinks this is a solution, and he told him that it's possible that this is going to happen in a number of municipalities. He said that if they come in and trench the left hand side of the street, they're going to have from the curb line to the center line of the street for the entire length of the side and put it all back. He said that if the trench runs on both sides, they're going to have to put the whole thing back in. He said that it'll be affected when they do a minimum of 10 feet. He said that this ordinance is important because the repairs that they are making on the streets are affecting the life expectancy of the streets because the streets just aren't holding up after repairs.

Councilman Alpini asked what would happen if they did a series of cuts in front of different homes where they weren't the total length in one cut but numerous cuts that added up.

Mr. Tartaglia said that Council could look at the measurements. He said it wouldn't be an issue in front of Warner West homes because the houses were so close together that they would have to take the whole thing. He said that when you get further down onto Broadway Ave., etc., there will probably be only one cut every 100 feet.

Councilman Alpini asked what would happen if they trenched it.

Mr. Tartaglia said that if they trenched it all bets would be off because they would have to pave half the street.

Mr. Catania pointed out that under the current Ordinance that if they dug a hole in the street, their obligation would be simply to refill that particular hole.

Mr. Tartaglia said that was correct. He said that PECO has not been that bad, but the Water Company patches in the last couple of years have had a tendency to recede from the edge quite a bit. He said that he pointed out one of the issues with them which is that the machines, as they are cutting through, are also lifting up the one side of the macadam. He said that the edges are getting ripped up and that because of that it is weakening right along the trench. So they're getting a nice, new patch down the center, but along the edges where they place the sealant material, it is moving away within a year after settling.

President Casadei asked if this would be forwarded to all of these entities once passed.

Mr. Catania said that the Ordinance also allows the Borough Engineer and the Codes Department to make up rules & regulations which are more specific to present them to Council and pass them as part of the Ordinance.

President Casadei said that they are going to know when they cut what has to be done.

Mr. Tartaglia said that they would.

Councilwoman Berry said that there was a section in the report where it says 20 linear feet, and they were discussing making it 10 linear feet.

Mr. Tartaglia said that the ordinance is aimed at when they come in and do major work. He said that the problem with getting it too short is that they are literally talking about a milling machine. He said that it is a cost to these companies, so if we tell them that they are going to have to do that with every hole, then they're going to fight us on that. He said that they are actually pretty good at doing a patch. He said it is these linear things that are really taking out the life expectancies of the streets. He said that the patches seldom occur at an intersection. He said that the problem is really with the major work that is completed.

President Casadei used an example to try and understand what he was saying. He asked if a 10 square foot patch was opened in front of his house, they wouldn't be affected by this Ordinance. But then a neighbor two doors down has an area opened in front of his house.

Mr. Tartaglia said that they would each be considered individual but depending on how close the trenches get. He said that the Engineer would have the right to address that. He said it might come down to a quarter distance requirement where instead of being able to leave 2 feet, they make them take out everything to the curb.

Councilman Penjoke asked if it would go case by case then.

Mr. Tartaglia said no that what he would like to do is put down a set of regulations because they are going to want to know ahead of time what they are going to have to do on a particular project. He said that is why the Ordinance has the loophole in there where the Code Enforcement Officer & Borough Engineer can go in there and make needed adjustments.

Councilwoman Berry asked if he thought that 20 linear feet was acceptable.

Mr. Tartaglia said that right now 20 linear feet is fine.

Mr. Catania said that would be consistent with East Lansdowne's Ordinance.

Councilman Penjoke asked when this would go into effect because they just did his street.

Mr. Tartaglia said that the Ordinance should say that it is effective immediately. He confirmed that it did and said that as of tomorrow morning it would be in effect.

Councilman Penjoke asked if they got permits.

Mr. Tartaglia said that after the issue with Baltimore Pike that they have been really pretty good about permits.

A motion was made by Councilman Martin to approve Ordinance No. 823, an Ordinance affecting the repair requirements after Borough streets are dug up; seconded by Councilwoman Berry; and carried unanimously by a roll call vote of 7-0. (Resnick – yes, Alpini – yes, Berry – yes, Martin – yes, Penjoke – yes, Papale – yes, Casadei – yes.)

Mr. Catania said that was all he had until the Executive Session.

### **Administrative Actions:**

Ordinance No. 823 – See Section above.

### **Old Business:**

No Old Business.

### **New Business:**

Councilwoman Berry said that on Thursday evening they discussed removing and discarding the stone from the high school.

President Casadei said that Councilman Alpini was taking care of it.

Councilwoman Berry said that she had a thought on that and she doesn't think that they should get rid of it. She said that she really thinks that they should hold on to it and that they should move it up to the field by the flagpole up there.

Councilman Alpini said that while he did move it, he did not discard it. He said that he could have it moved up there if she wished. He said that it was going to need work. He said that he made arrangements to store it by their basketball courts.

Councilwoman Berry said that it would really nice to remember the school and the people who graduated from the school. She said that she thought that the central area for that would be up at the field by the flag.

Councilwoman Papale said that she thought that was a good idea.

Councilman Martin said that he thinks that they should get a Committee together with the School Reunion Committee.

President Casadei said that he would appoint a committee of Councilwoman Berry, Councilman Martin and Councilwoman Papale to discuss that project.

### **Ward Reports:**

#### **First Ward:**

Councilman Resnick had nothing to report.

Councilwoman Papale said that she was looking forward to the nicer weather and that she hoped that everyone would come out to the ceremony to commemorate Memorial Day even though they were not having a parade. She said that she hoped that they would not lose sight of what the day is all about.

#### **Second Ward:**

Councilman Alpini reminded everyone that they had not addressed Diamond Street Park. He said that he hoped that that project had not been forgotten. He asked Tony to let him know if he had anytime to walk the park in the morning. He thanked Mr. Glen Tomlinson from the Williamson Trade School for the effort that they are putting into the outside of the building. He said that there was a nice group guys working on the building for pretty much just a free drink & sandwich.

Councilwoman Berry said that she was looking forward to a nice summer. She reminded residents that school would soon be out and asked all to be aware of children while driving.

#### **Third Ward:**

Councilman Martin reiterated Councilwoman Berry's message to be careful while driving with the children out. He also commented on the Memorial Day parade and said that it would be a sad day for him because it

would have been 45 years that he participated in the parade, and he had a lot of good memories. He said that he was glad to see that they were not letting it go by the wayside, and they were still having something to honor Memorial Day.

Mayor Kelly asked if the Veterans Council asked the Borough for a donation this year.

Councilman Martin said that he didn't think so and he was wondering the same thing. He said that he thinks that they should get in touch with them to see if they wanted the normal donation that they give every year.

President Casadei had nothing to report.

#### **Fourth Ward:**

Councilman Penjuka said that as they were working on the building, they were waiting to get a price on windows. He asked about the signs that they wanted to get for outside and the colors.

Councilwoman Berry said that she was open to suggestions for the signs but that she really thought that they needed 2 signs that said Clifton Heights Borough with one going on the front of the building out on the Springfield Rd. side.

Councilman Penjuka said that they were getting prices on the signs. He also said that he just found out that there was a problem in the Sanitation & Streets Dept. bathroom and that they need a new floor in there, so he's also looking into getting that done.

President Casadei said he thought they already did that.

Councilman Alpini explained that they fixed the plumbing, but no one ever fixed the floor from the bad plumbing.

Councilman Penjuka said that completed his report.

#### **Closing Public Comment:**

None.

#### **POST EXECUTIVE SESSION:**

A motion was made by Councilman Alpini to extend Tony Tartaglia's contract as the Borough Manager for the next 30 days; seconded by Councilwoman Berry; and carried unanimously by a vote of 7-0.

A motion was made by Councilwoman Berry to amend the JAG grant and resubmit ASAP; seconded by Councilman Penjuka; and carried unanimously by a role call vote of 7-0. (Resnick – yes, Alpini – yes, Berry – yes, Martin – yes, Penjuka – yes, Papale – yes, Casadei – yes.)

Councilwoman Berry asked Mrs. Duffy about the Borough Police Vehicles.

Mrs. Duffy explained that all 3 auctions ended and that the last update she received from Peggy was that two people were claiming to have won the same car. All of the auctions closed at over \$2,000, and Peggy was contacting Municibid to get the final auction information.

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

A motion was made by Councilman Martin to accept the treasurer's report and pay the bills as funds become available; seconded by Councilwoman Berry; and carried unanimously by a role call vote of 7-0. (Resnick – yes, Alpini – yes, Berry – yes, Martin – yes, Penjuka – yes, Papale – yes, Casadei – yes.)

**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