

**Clifton Heights Borough Council
Meeting Minutes
Tuesday, August 16, 2011 Meeting**

Present:

Anthony Casadei, Council President
Ed Martin, Council Vice President
Harris Resnick, Councilman
Mario Alpini, Councilman
Betsy Berry, Councilwoman
Robert Penjuka, Councilman
Jane Tumolo, Councilwoman

Absent:

Leona Papale, Councilwoman

Others Present:

Joseph T. Kelly, Mayor
Frank Catania, Borough Solicitor
Tony Tartaglia, Code Enforcement/Borough Manager

Pledge of Allegiance

Prayer Led By Mayor Kelly

Public Comment:

Jerry DePompeo, 507 E. Broadway Ave., said that he was complaining about 500 E. Broadway Ave. He said that despite it appearing that progress is being made, Mr. Kennedy is making fools out of Council and all of the taxpayers of Clifton Heights. He said that he is just playing games with his attempts to do work on the building. He said that last year he was doing work and halfway through the job wasn't paying the contractor and the contractor pulled out. And then the same thing happened with another contractor. He said that they just found out in the newspaper the other day that he owes \$50,000 in back taxes.

Councilman Resnick said that he should be aware that they have made attempts to address the situation but that they have not been good enough. He explained that they filed citations against him in 2009 and 2010 and 1st had a hearing on the maintenance issues in August 2010. He then went through the various court dates that they have had for 500 E. Broadway Ave. He said that they have tried these methods and they're not working and that he is going to file a motion tonight to have their solicitor file for receivership for the property in Court. He said that a receivership would get the income from the property and use it to pay taxes and to repair the property. He said that District Court is not solving the problem so he is going to ask them to file receivership so that they can receive the cell phone income and put it towards the property.

Mr. DePompeo said that he doesn't have an issue with the cell phone tower because they all use cell phones and need towers, but his issue is with the building which is falling apart. He said that they are putting a roof on a building that is falling apart on the inside with the walls crumbling and the floors twisted and buckled. He said that the smell is overwhelming of mildew and mold because the building is all wet inside. He said that he should just tear the building down and build a small structure to house the cell phone tower; instead he's putting a roof on a dilapidated building. He said that it is the 1st view train riders see when passing through Clifton Heights and that visitors to the swim club have to look at it.

President Casadei said that he agrees with him 100% and that he also wants to see something done about the property.

Councilman Resnick said that the receivership would work and that hopefully they would be able to get something moving quickly and get his money by the fall so that they could do something about the property.

Councilman Alpini said that they are saying that nothing is being done, but he thought that Mr. Tartaglia and the Engineer actually had a date now when they could get into the building to see what is being done for the 1st time since they started the process in Court.

Mr. Tartaglia said that they have actually been there twice within the last 4 days. He said that he was going to refrain from commenting until he presented his Manager's Report.

Brenda LaVenz, 509 E. Broadway Ave., said that she has to look at the 500 E. Broadway Ave. property everyday and that she feels that if she has to pay her taxes and has to keep her roof on her house, then 500 E. Broadway should have to as well. She said that everything should be done to help the residents who actually live there, and he doesn't live there, just owns property. She said that she agrees with the idea of receivership. She said that she has severe allergies and can't even open her windows because she's allergic to mold. She said that it is not fair to her and her health and that he is interfering with her ability to live her life.

President Casadei said that they agree with her 100% and that they will try everything that they can.

Fred Rich, 82 Chester Ave., said that Mr. Martin was the acting Council President last month and he questioned him as to who created the Community Development Board, who was on the Board and who authorized the Board to spend taxpayers' money and Mr. Martin said that he would respond by letter and he never received a letter.

Mr. Tartaglia handed out a letter to Council members and Mr. Rich on this matter while Mr. Rich was speaking.

Mr. Rich said that he should have received the letter before the meeting. He asked who authorized the Community Development Board to spend taxpayers' money. He said that it is strictly an advisory committee made up of private citizens who has no authority to spend taxpayers' money. He said that the Community Development Board spent the money to knock down the Mac & Sam property and that it didn't go through a planning board and wasn't presented to the public. He said that at the caucus meeting last week, Mr. Tartaglia claimed that the Redevelopment Board hired an agent named McMahon to do another study of Baltimore Pike and Springfield Rd. He asked if they used taxpayer money for that study. He said that Mr. Tartaglia also claimed that the Redevelopment Board purchased the William Price property on the corner. He said that is unlawful and they have no authorization to own or purchase anything because they are just an advisory board. He said that he's not blaming the Redevelopment Board or whoever is on it because no one knows who is on it and it's a secret board. He asked who initiated the Board and where it came from, since it wasn't Council. He said he's not blaming the Board, but the public officials who authorized the Board.

President Casadei said that no Borough money was spent on that property, that it was grant money from the State. He said that he could check with the State and see who asked for the money because it wasn't the Borough Council. He said that money is sent throughout the State to different communities, and the Borough Council isn't responsible for who gets money.

Mr. Rich said that he has information with him that they should all have to read.

President Casadei told Mr. Rich that his time was up.

Mr. Rich said that he wanted to read the information that he brought. He started to read the definition of an Authority. Mr. Rich was escorted from the Council room.

President Casadei said that he would answer the questions he posed for those remaining. He said that the money came from the State and not Borough residents. He said that they received permits for demolishing Mac & Sam.

Mr. Tartaglia confirmed that they received permits and completed an environmental study.

President Casadei said that the Borough spent money on the study and that they want to rejuvenate the Baltimore Pike corridor and that has nothing to do with the Redevelopment Authority. He said that Mr. Rich wanted to know who was on the Board. He said that he was aware of Jim Salmon being their President but he wasn't sure of all the members. He said that he supports people who want to do things that are beneficial for Clifton Heights. He said that he doesn't know who authorized them but he thinks that they are doing a good job.

Councilman Alpini said that Mr. Tartaglia attends the Redevelopment Board meetings on behalf of the Borough and asked if he was aware of who was on the Board.

Mr. Tartaglia said that he wrote in the letter that Jim Salmon is the best person to ask that question as the President because he would not want to venture a guess as to who is a member or not without knowing for sure. He said that people come on and off the Board, so the question would best be posed to Jim Salmon.

Councilman Martin said that Mr. Rich is twisting around the idea of taxpayers' money because we send our money to Harrisburg and without the presence of an entity such as the Economic Development Board, the Borough wouldn't have the chance to receive some of that tax money that we pay back to our community through the grants.

Councilman Alpini said that if he remembers correctly in the beginning of all this, the Borough received somewhere around \$500-700,000 dollars that they sent back because they would have had to match the money, and then through the efforts of our State Representative, they were able to form the Economic Development Board and get the money that had originally been sent to the Borough.

Mayor Kelly said that the Economic Development Board is a 501 © corporation and they have \$4.3 million in grants waiting for use in the Borough.

President Casadei said that they did initially receive the grant and accept the money and then upon further investigation they realized that the money that they were receiving wasn't enough to do the work that they envisioned completing, so they decided against accepting the money. He said that he would love to see all the projects they envisioned – a new Borough Hall, a new District Court, Police Station, but that he doesn't want it cost the Borough money.

Meeting Minutes:

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

Mayor's Report:

Mayor Kelly thanked the residents who came up tonight to support their efforts on 500 E. Broadway Ave. He said that he understood their frustrations and appreciated their patience, and that he hoped that they would be making progress.

He reminded residents that school would be opening in a couple of weeks and asked residents to be careful driving.

He said that the Boys Club was back in action up at the field and looking forward to another successful season. He asked residents to support their local teams.

He said that his most important item that he wanted to bring up was the benefit that is being held on Saturday, October 1st for Officer Kevin Schieler, who was hurt in the line of duty. He said that tickets for a basket of cheer would be on sale and other tickets would be available for prizes. He said that tickets for the benefit are \$35/person and Blackthorne would be playing. He said that he went above and beyond the call of duty as a part-time patrol officer and asked the whole town to support him as much as possible.

He said that the anniversary of 9/11 was approaching and that the Fire Department would be hosting a day of remembrance while dedicating their Memorial with a piece of the World Trade Center. He said that St. Charles Church would be hosting a Mass at 11:15 am, prior to the Fire Department's Dedication Ceremony at 1pm.

President Casadei said that there were still bricks available for the 9/11 Memorial.

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.

Fire Report:

A motion was made by Councilman Martin to accept the fire report as presented; seconded by Councilwoman Tumolo; and carried unanimously by a vote of 7-0.

Code Enforcement Report:

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

Treasurer's Report/Bill List:

A motion was made by Councilwoman Berry to accept the treasurer's report and pay the bills as money becomes available; seconded by Councilman Martin.

Councilman Alpini asked why they were just receiving a copy of the bills tonight. He said that when receiving them an hour or half an hour prior to the meeting, they don't get a chance to really review them.

After questions, the motion was carried by a roll call vote of 5-2. (Resnick – yes, Alpini – no, Berry – yes, Martin – yes, Penjuke – no, Tumolo – yes, Casadei – yes.)

Manager's Report:

Tony Tartaglia said that they would need an Executive Session this evening to discuss the Local 835 contract.

He said that they have had a number of hearings on 500 E. Broadway Ave., the last one being a week ago from Monday, at which time, they (J.P. Kelly and Mr. Tartaglia) received permission from the owner of the property to enter the building at any time for the purpose of completing inspections. He said that was a step forward for them. He said that they were supposed to meet last Thursday, but the property owner's engineer was unavailable. He said that they were there this morning at 10:30am and spent some time reviewing the existing demolition and reconstruction, the small piece immediately adjacent to the cellular tower. He said that after some review, they came to the conclusion that the proposal by the site engineer was acceptable and they okayed him to go ahead and order structural steel for the work and to submit shop drawings for the bar joists which will have to be individually measured at the locations. He said that the structural steel should be

there within 10 days and they are attempting to get a bar joist manufacturer down there to do the measurements within that 10 day period. He said that their stated intent is to have that one section roofed in before their September hearing date. At the same time, the owner, Mr. Kennedy, has engaged A&W Engineering to design the long stretch of roof. He said that they have been onsite for approximately 2 months doing a structural analysis of the masonry columns, the existing truss system, the floor joist system, and the foundation. They have a set of recommendations that they have provided to Kennedy Properties and that structural engineer has some different ideas, which he would deem a little more conservative. He said that they have 2 variations of the design plan, the 2nd of which they just sent over via PDF file for review. He said that the design plans are for roof trusses for the long portion of the roof, and their stated intent is to have that roofed in long before the November 30th deadline. He said that they met out there with Mr. Kennedy and the contractor and engineer, and they are proceeding with the work on the one small section. He said that they have done all of the outside engineering to be able to develop a set of plans, and they are now awaiting the submission of shop drawings for the roof rafters and steel joists, and that is how they left it with them this afternoon.

Councilman Resnick asked what condition the larger portion of the building was in since they were able to inspect.

Mr. Tartaglia explained that there was one truss that has completely given way, which has taken out two of the bays of the roof and is collapsing. He said that they have begun the clearing of that floor area from the debris. He said that the floors are old southern pine, which have been affected by the constant water and are buckled. He said that the floors are sound but buckled and will need extensive work to be repaired. He said that they have lost significant sections of individual bays in other sections. He said that in their discussions with the engineer, his belief was that the truss design from 120 years ago was faulty to begin with but was the best that they knew back then. He said that the material that goes between the roof trusses that hold up the roof decking were undersized and could not sustain the additional weight of water once the draining backed up. He said that probably around 50% of the floor decking would need to be addressed on the upper level and probably a lower number on the lower floor. He said that the masonry was in fairly good condition given the amount of time the building has been wet.

Councilman Alpini asked if the schedule that they were on right now is under order or under agreement with Judge Perfetti's Court.

Mr. Tartaglia said that when they went into Court last Monday, it was with the intent of having J.P. Kelly testify to certain things, 1, that they split it up to 2 engineers and 2, that it would be better if they used a larger professional engineering staff working on the main structure of the building. He said that before they got into the testimony, they essentially stipulated to everything J.P. was recommending.

Councilman Alpini asked if there were criteria that they needed to meet. He asked if there was a next hearing date scheduled.

Mr. Catania said that the testimony was complete and the next hearing date, where the Judge will announce his decision is September 19th. He said that what they want to do then is get as much done as possible with the intent of coming back and saying that, "we made this much progress, give us some more time." He said that they are done testifying; there are no more witnesses or hearings. They are just going to return to hear the result, so they are motivated at this point to work as fast as they can and get as much done as they can.

Councilman Alpini said that they are now worried about being deemed to have made unsatisfactory progress, so on the 19th, it will be up to Judge Perfetti to determine their progress.

Mr. Catania said no, that he would just rule, unless the Borough came back and said that they made enough progress and to give them some more time. He said that the progress made in the last 2 weeks is more progress that had been made in the previous months.

Councilman Resnick said that they could still appeal Judge Perfetti's ruling to Media, so that if Judge Perfetti

hit them with fines, they could still have to wait through more hearing dates out in Media. He said that despite all the hearing dates that they have waited through in District Court, Judge Perfetti doesn't have the ability to seize assets or proceeds. He said that the proceeds from the cell phone towers aren't being put into the building and much of the process has been slowed because the contractors aren't even being paid, and that they still have the ability to appeal Judge Perfetti's ruling. He said that is why he thinks that they should go to Media and apply for receivership and take their money from the cell phone tower and use it to speed up the work.

President Casadei asked if that would prolong the process.

Councilman Resnick said that it would not.

Mr. Catania said that it would and said that he would like to provide them advice in Executive Session. He said that if that is the route that they decide to go, he would recommend that they ask him to file on the 20th.

Councilman Resnick said that he didn't want to wait because they would not get a hearing right away and it would draw the timeline out further.

Mr. Catania said that if you filed for a receivership now, you would run the risk that they would stop the work altogether. He said that they could discuss it further in Executive Session.

Councilman Alpini said that he had a lot of faith in their District Justice and that it isn't his fault that it took the Borough until last year to address this issue.

Mr. Catania said that he doesn't think that Councilman Resnick is saying that he doesn't have faith in the District Justice but that there are other options available in Media that aren't available to the District Justice.

Mr. Tartaglia said that last month they had a bid from last month on the sewer reconstruction on Baltimore Pike that ultimately got thrown out and that J.P. Kelly would be addressing that item in his report.

He said that the County has sent an appraiser for the Sacred Heart properties, both the School and the Rec Center, so that both of those properties can be placed back into taxable status. He said that they are no longer tax exempt since they are under the control of a private company.

He said that the Tyron plans are in Borough Hall for any Councilperson or individual who would like to see them. He said that a letter was sent to the developer instructing him to proceed to the Land Development process after the 30 day period, which was the appeal period if anyone took exception to the Zoning Hearing Board decision.

Councilman Alpini asked what exceptions the Zoning Hearing Board gave them that allowed them to put the 60 units up by right.

Councilman Resnick said that they didn't need any exceptions for 60 units because 3 stories are allowed.

Councilman Alpini said that the Zoning Hearing Board shot down the height requirement thing but did give them some exceptions and asked if that was correct.

Mr. Tartaglia said that Zoning Hearing Board gave them one clarification and that was that the area on the other side of Jackson St., the creek side, may be used for the purposes of storm water retention. He said that was a clarification. He said that other issues in regards to impervious coverage in the area of the development of the strip shopping center, they asked for more square footage on the center than was allowed in the ordinance because their design allowed for it, and they gave them another 1,000-1,200 square feet from that center, which allowed them to increase the size of that to almost the full width of it across Baltimore Pike and the parking would be behind that. He said that there were some minor issues with the types of berms and streetage there would be between the residential and commercial districts. He said that, in essence, they shot

down the big issues – the density of the ground is within code, the height of the building is within code, the number of parking spaces per unit is within code. He said that the major variances that they were seeking were denied, but they were granted the minor variances of the design work.

Councilman Alpini said that whether they got the minor variances or not, they are going to put this 60 unit building up by right.

Mr. Tartaglia said that was correct.

Councilman Alpini said that they had no choice, and they were going to have accept this 60 unit building.

Mayor Kelly said that they do have a choice as far as land development.

Councilman Resnick said that this goes to the County Planning Commission and the County Planning Commission hearing would be the 3rd Thursday of September. He said that they can comment on the plans.

Mr. Catania said that this would be an Executive Session item.

Councilman Alpini said that he wanted to say that he was personally against another 60 units in Clifton Heights.

Mr. Tartaglia said that they would be hosting a Recycling Event on September 10th from 10-2. The Recycling Event is for anything with a plug.

Councilman Resnick said that the Boy Scouts would be there for the event.

Mr. Tartaglia said that he was encouraging Council, specifically those on the Police Negotiating Board (Resnick, Martin, Papale) to come forward and set a date so that they can contact the FOP and commence negotiations for the Police contract.

Mr. Tartaglia informed Council that they would be re-lining the intersections for the start of school.

He said that they would need a vote on Ordinance #827, for Delcora, to authorize the solicitor to advertise the ordinance in advance of the September Council meeting.

A motion was made by Councilman Martin to authorize the solicitor to advertise Ordinance #827, Delcora's amendment to the Rules & Regulations for waste water controls; seconded by Councilwoman Berry; and carried unanimously by a vote of 7-0.

Mr. Tartaglia said that his final item was to inform Council that they were currently at about 90% of taxes collected for the year and below their average spending for this time of year.

Councilman Alpini said that he mentioned on Thursday night that the News of Delaware County had Kennedy Properties \$33,000 in arrears and the Daily Times had them for about \$18,000.

Mayor Kelly said that he believed the bill was somewhere around \$50,000.

Mr. Catania said that the up to date list was released today. He said that the tower had a separate number from the building.

Councilman Alpini asked if Kennedy came in at all after that to make arrangements to pay.

Mr. Catania said that the upset sale would be in the middle of September. He said that these figures are for taxes that were due in 2009. He said that people are notified the year after they are due and Claudia keeps them until December of the year that the tax is imposed and then she is required by law to send them out to

Media. Media then starts to send notices in January of 2010, and the recipients get a year and half worth of notices, so now they have arrived at the notice of sale. He said that this notice says that if you don't pay by the date of the sale, then we will sell the property.

Mayor Kelly said that they can also come in and make arrangements.

Mr. Catania said that is what happened last year when the same thing happened. He said that economically, that is not the best way for the owner to go about things because interest is at 6%. He said that the Borough is, thus, making 6% on the taxes owed by him paying this way in addition to the penalties that he must pay.

A motion was made by Councilman Martin to accept the manager's report; seconded by Councilwoman Tumolo; and carried unanimously by a vote of 7-0.

Engineer's Report:

J.P. Kelly said that the Road Program is expected to begin by the end of the week and that he doesn't anticipate it being more than a week's worth of work.

He said that the sanitary sewer repair that they needed to re-advertise is now scheduled for September 13th.

He said that pursuant to Council's direction, they pulled the deeds for St. Stephen's Church and the parsonage and according to the legal description of the deeds, the property begins at the center line of Baltimore Pike and Church, which is fairly typical for most of the properties in the Borough. He said that it would be just like any other homeowner, the responsibility of the cartway is the Borough's and the responsibility beyond the curbline would be the property owners. He said that he does not have that in report form yet, but he could certainly provide that to Council.

Councilman Penjuck asked if they had the centerline so that they would know the width of the street, where the street stops and the property starts.

Mr. Kelly said that the property line starts at the centerline of the street and they could identify that. He said that just like every other property, however, there is a legal right of way, which is 60 feet wide for this particular road.

Mayor Kelly said that the signs were up for the street repairs and asked if they would be able to collect trash on those streets. He said that residents are calling because the signs don't stipulate that.

Mr. Kelly said that they would be picking up trash. He said that there might be a delay, but they have worked everything out with the crews.

Councilman Penjuck asked Mr. Kelly if he and Mr. Tartaglia were up to inspect Church Lane and if they saw the upper part of the street where it is coming apart after the storm.

Mr. Kelly said that he has seen it many times and it is a matter of maintenance on the cartway. He said that he wanted to remind Council that his firm completed a study and submitted a plan to complete the work at that intersection. He said that the maintenance of the cartway is the Borough's responsibility and anything beyond the curbline would be the property owner.

Councilman Alpini asked if he would be able to identify where the cartway ended because the one side by St. Stephen's Church is badly eroded and the roadway has popped up with potholes throughout.

Mr. Kelly said that he could look into that because the cartway and right of way would be different.

Councilman Alpini asked Mr. Tartaglia if they had a chance to fix the potholes along St. Stephen's Church.

Highway worker, James Salmon, said that he has made numerous attempts to patch the potholes over the years, but the patch gets washed away whenever it rains.

President Casadei asked if curbing would fix the problem.

Councilman Penjucke said that would probably solve part of the problem, but their issue now is that the center of the street is coming up.

Councilman Martin asked if there was enough wiggle room in the Road Program to fill the potholes.

Mr. Kelly said that he could currently try. He said that he could put some base in.

Councilman Alpini asked if they needed to do something to authorize J.P. to get in there with this Road Program and do something about the issues they are facing to make it safe.

Mr. Kelly said that he could wiggle with some material to fill the potholes but beyond that they would not be advised to do anything because it is Liquid Fuels money, and the pre-investigation report was done by PENNDOT and if the completion report doesn't match the pre-investigation report, then there will be a heap of problems.

Councilman Alpini asked if that was what he was also going to do for the big pothole on Maple Terrace.

Mr. Kelly said that he would do the best he could given the materials. He said that he wasn't sure if they were aware, but that Aqua would be replacing the main at Maple Terrace within a year.

Mayor Kelly said that they are spray painting for it now. He said that he is bothered by the fact that they just repaved Arch Street two years ago and now Aqua has that all marked up for a new water main as well.

Councilman Alpini said that he just found out this morning from an Aqua representative and he didn't think that Tony was aware of it, that they are planning on coming in next week to start digging a trench down the entire length of Sycamore and Fairview.

Mayor Kelly and Mr. Tartaglia confirmed that. Mayor Kelly said that they are doing work throughout the 2nd ward. He said that they are lucky that they passed that ordinance because that will help them out with the paving.

Councilman Penjucke said that the paving came out well on Crestwood with the new ordinance. He said that they did a decent job.

Mr. Kelly said that he met with a representative today about reinstalling the lights on Baltimore Pike, and he would provide his recommendation to Tony for that project.

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

Solicitor's Report:

Frank Catania said that he would have Ordinance 827 advertised for next month after the motion they passed earlier.

He said the he received notification from the District Attorney's office that there were 2 appeals filed from citations with the hearing to be held on September 7th. He said that one appeal was from the citation against Kevin O'Sullivan at 111 W. Berkley about having a car parked in his driveway without an inspection sticker

and that the other was the Commonwealth vs. William Ruane for failure to remove a 6 foot fence after he was notified and an abandoned vehicle with no inspection sticker.

He requested an Executive Session to cover litigation, 500 E. Broadway Ave., Tyron properties and Union negotiations, both the Police and Local 835.

A motion was made by Councilwoman Berry to approve the solicitor's report; seconded by Councilwoman Tumolo; and carried unanimously by a vote of 7-0.

Old Business:

None.

New Business:

Councilman Penjuka asked Mr. Tartaglia if he was able to get in touch with the School Board or whoever he needed to get in touch with about the tree at the field on Springfield Rd. He said that another huge branch fell off of the tree, and the kids were all up there for football practice now and he doesn't want to see anyone get hurt.

Mr. Tartaglia said that he would get in touch with someone.

Councilman Alpini said that he asked if it would be possible to get the Community Service workers to clean the park up at the Athletic Field by Revere Rd. and the park at Diamond Street.

James Salmon said that the workers are here every Wednesday and that tomorrow morning they would be repainting Walnut Street parking lot and he would take them up there if they had time in the afternoon. He said that all of the playgrounds need new mulch, but he thinks that is something that could wait until the spring.

Councilman Penjuka asked about the sidewalks around the playgrounds that they were supposed to have addressed last year, if anything was being done about them. He said that since they made residents address their sidewalks, they said that they were going to take care of their own sidewalks as well, which they never did.

Councilman Alpini asked if they had made any progress with getting the wall fixed on the left side of Sycamore Street by the Athletic Field. He said that the pointing is falling out all over the place. He said that it is eroding pretty badly. He asked if they had been in touch with the School Board or anyone about getting that done.

Mr. Tartaglia said that the School Board had an Engineer out who said that there was nothing structurally wrong with the wall.

Councilman Alpini said that a couple of months ago they were discussing the added cost for the Police to be up and monitoring the Carnival.

Mayor Kelly said that it was \$8,600 for everything.

Ward Reports:

First Ward:

Councilwoman Resnick said that his only item was 500 E. Broadway and they already discussed that.

Second Ward:

Councilman Alpini said that he wanted to let his ward know that they are apparently getting Aqua in, although he knows that he didn't receive any written notice. He said that he hoped for a clean job. He said that on another note, they had an emergency water main repair on the corner of Harrison and Diamond St a week or two ago. He asked if it was Aqua who did the repair.

Mr. Tartaglia confirmed that it was.

Councilman Alpini said that they left an incredible, muddy mess down Harrison Ave. and across Maple Terrace. He asked if there was anything that they could do to ensure that something like this doesn't happen again. He asked James Salmon if he had a chance to get to any of that.

James Salmon said that he had Community Service up there and they removed the big piles, and the rain the last few days took care of the rest.

Councilman Alpini asked if there was anything that they could do to prevent messes like this being left in the future.

Mr. Tartaglia said that it was an emergency situation and they were going from job to job handling emergencies. He said that it was probably just a subcontracting crew going from job to job.

Councilwoman Berry asked residents to be aware of children going back to school and wished all students and teachers a happy and healthy school year.

Third Ward:

Councilman Martin said that he had nothing to report, but he wanted to offer his condolences and the condolences of Council to Councilwoman Papale, whose sister passed away a few days ago.

President Casadei had nothing to report. He thanked everyone for the cards, flowers and calls from his recent major surgery.

Fourth Ward:

Councilman Penjoke had nothing to report.

Councilwoman Tumolo thanked the cops for doing a wonderful job during the summer, especially enforcing curfew.

Closing Public Comment:

Jim LaVenz, 509 E. Broadway Ave, asked for confirmation that they were repairing a small section of roof at 500 E. Broadway.

Mr. Tartaglia said that was correct.

Mr. LaVenz asked if the larger section of the roof would survive another winter of heavy snow.

Mr. Tartaglia said that it is their opinion that major portions of that roof will fail in severe weather conditions and that is why their promise has been to have that portion of the roof addressed by November 30th in anticipation of that.

Mr. LaVenz asked if they would have that roof replaced by November 30th.

Mr. Tartaglia said that not replaced, but they will have removed the structure that is there and re-supported the walls in anticipation of putting a new joist on. He said that they have promised that we will not have the threat of a major collapse this year.

Mr. LaVenz said that in hearing them discuss Aqua, he was wondering if they had some sort of 5 year logistics plan to coordinate with someone like Aqua so that you can work together.

Mr. Tartaglia said that because of Aqua's funding, they are only able to determine where they are going 2 years in advance at best. He said that they attempt to work with Aqua, but with the lead time or lack thereof, it does not always work out. He said that Mr. Kelly's office is in constant contact with Aqua.

Adjournment:

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

Respectfully Submitted,

Kimberly A. Duffy
Clifton Heights Borough Secretary