

**Clifton Heights Borough Council  
Meeting Minutes  
Tuesday, April 16, 2013**

**Present:**

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

**Others Present:**

Joseph T. Kelly, Mayor  
Francis J. Catania, Solicitor  
J.P. Kelly, Engineer  
Timothy Rockenbach, Chief of Police  
Tony Tartaglia, Borough Manager/Code

**Pledge of Allegiance**

**Prayer Led By Mayor Kelly**

Mayor Kelly asked for everyone to remember the tragedy in Boston and those who lost their lives and those injured.

**Hiring of new full-time officers:**

A motion was made by Councilman Humphreys to nominate two new police officers to be hired as full-time officers, Thomas Wooding and Ryan Berry; seconded by Councilwoman Tumolo; and carried unanimously by a roll call vote of 6-0. (Resnick – yes, Humphreys – yes, Peterson – yes, Tumolo – yes, Papale – yes, Martin – yes; Councilwoman Berry abstained from voting)

Councilman Martin said that there would be a special night for the swearing-in ceremony.

**Public Comment:**

Steve Terjanian – Jefferson Court Apts – said that he was having a problem with the traffic on Springfield Road around East Madison Ave to the Laundromat. He said that he is having problems getting across the street from his apartment to the Laundromat because of the traffic. He said that he thought that there should maybe be a sign alerting drivers to slow down for pedestrians.

Councilman Martin said that unfortunately Springfield Rd. is considered a State highway and as such the Borough has no control over that issue.

Mr. Terjanian said that he understands that and there are other issues that need to be addressed, including potholes in the roadway. He said that someone could call PENNDOT and have them do it.

Councilman Martin asked what would make him think that that hasn't been done. He said that it is a big State, and it takes time for PENNDOT to make their rounds.

Mr. Terjanian said that he has a blind person in his building and another one across the street, who are both also having trouble crossing the street.

Councilman Martin said that he knows both of them well and has discussed the issue with both of them. He said that there is nothing that they can do.

Mr. Terjanian said that he understands that there is light going up in 2005 at Berkley Ave & Springfield Rd.

Councilman Martin said that light was going up at Madison Ave.

Mr. Terjanian said that worked for him and addressed his question.

Councilman Martin said that they would look into the potholes in question.

#### **Meeting Minutes:**

A motion was made by Councilwoman Berry to accept the March meeting minutes as presented; seconded by Councilwoman Papale; and carried unanimously by a vote of 7-0.

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

Mayor Kelly thanked the police and fire departments for doing a good job.

He reminded residents that they were getting closer to the end of the school year and that it was starting to stay lighter longer and asked them to please be careful on the streets and watch for the children.

He reminded the residents of the upcoming trout tournament on Saturday, May 18th, which is a good event for the kids.

#### **Police Report:**

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

#### **Fire Report:**

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

### **Code Enforcement Report:**

A motion was made by Councilwoman Papale 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:**

A motion was made by Councilwoman Berry to accept the treasurer's report and pay the bills; seconded by Councilwoman Tumolo; and carried unanimously by a roll call vote of 7-0. (Resnick – yes, Humphreys – yes, Berry – yes, Peterson – yes, Tumolo –yes, Papale – yes, Martin – yes.)

### **Manager's Report:**

Mr. Tartaglia said he had nothing further from his report but was asking Council to make a donation to the Clifton Heights Trout Tournament.

A motion was made by Councilwoman Berry to donate \$100 to the annual Clifton Heights Trout Tournament; seconded by Councilwoman Papale; and carried unanimously by a vote of 7-0.

### **Engineer's Report:**

J.P. Kelly said that they are organizing the priority list for the 2013 Road Program to forward to the Borough Manager. He said that they should have the scope completed within the next couple of weeks.

Mr. Kelly said that they had a CDBG project meeting on Tuesday, April 9<sup>th</sup> at the office of Office of Community Development with the contractor. He said that contractor anticipates starting work the first week of May. He said that they will be on-site this week to do some preliminary work.

Mr. Kelly said that for the Rabina subdivision, they received a letter dated March 14, 2013 from the DEP with several discrepancies for the planning module application. He said that consequently, he is asking Council to re-pass the Resolution for the plan revision and new land development.

A motion was made by Councilwoman Berry to re-pass the resolution on the plan revision and new land development for the Rabina subdivision on Davis Ave.; seconded by Councilwoman Papale; and carried unanimously by a vote of 7-0.

Mr. Kelly said that his report included a site plan for the proposed Glenwood Ave. Highway Department garage, which shows the salt shed being relocated to the Glenwood Ave. site. He asked Council to review the plans and make comments to the Borough Manager as Council sees fit.

Mr. Kelly said that Delcora was asking for Council to pass a resolution or simply state that they are aware that Delcora is holding meetings in order to investigate alternatives to providing future, long-term, cost-effective and environmentally sound conveyance and treatment of sewage which is currently done through the city of Philadelphia.

Councilwoman Berry asked what that means.

Mr. Kelly said that Delcora has been working on an updated 537 Plan, which is a comprehensive sewage plan, which every municipality is mandated to have and update every 10 years. On the Eastern side of Delaware County, Delcora typically does that. If the Borough does not opt into this with Delcora, the Borough would have to have its own comprehensive sewage plan.

Councilwoman Berry asked if there was a financial responsibility to go along with this.

Mr. Kelly said not yet.

Mr. Catania said that this is not to expend funds, just to agree to cooperate with Delcora and give them access to Borough records if they are needed.

Mr. Kelly said that they are expecting by the end of the summer, when the plan is complete, that there is going to be a new mandate that requires lateral inspections of lines at the time of sale of property, and that municipalities would be expected to enforce this mandate. He said that they are trying to make it a universal program and are going to provide sample ordinances and sample inspection reports to use.

Mr. Tartaglia said that the one caveat is that it includes inspection and repair, and that they have heard a lot from the Realtors' Association on this issue because repairs, if detected, can run up to \$5,000-6,000.

Mr. Kelly said that if broken, the lines would require repair to be sold.

A motion was made by Councilwoman Berry to pass the 537 Cooperation Resolution with Delcora; seconded by Councilman Humphreys; and carried unanimously by a vote of 7-0.

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

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

Mr. Catania said that as a follow up on the Scally property, the Borough had agreed to forgive the current year's taxes on the Scally property, but the Tax Claim Bureau hasn't yet released those. He said that both Mr. Tartaglia and he have written to the Tax Claim Bureau, and they hope to have that wrapped up shortly.

Mr. Catania said that they had an Executive Session prior to the meeting to discuss 3 litigation matters, 500 East Broadway, the DEP claim and the Rockbourne Rd. property. He said that there is one action item that arose out of the Executive Session and that is that the Council pass a Resolution indicating that it does not wish to participate in a settlement conference as suggested by Judge Durham, and that the Borough submit to Judge Durham a copy of the communication that Mr. Tartaglia received from the dry cleaner indicating that the owner of 500 E. Broadway forbid him from doing needed repair to his roof. Second, we would ask Judge Durham to divert the rent from that property, solely for the purpose of demolition. It will be the one year anniversary soon of their agreement to demolish the property, and they have done nothing in that direction.

See Administrative Action for Resolution passed.

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

**Administrative Actions:**

A motion was made by Councilwoman Papale to pass a Resolution indicating that the Borough does not wish to participate in a settlement conference as suggested by Judge Durham on 500 East Broadway, and the Borough submits to Judge Durham a copy of the communication that Mr. Tartaglia received from the dry cleaner indicating that the owner of 500 E. Broadway forbid him from doing needed repair to his roof; the Resolution also requests that Judge Durham divert the rent from that property, solely for the purpose of demolition; seconded by Councilman Resnick; and carried unanimously by a roll call vote of 7-0. (Resnick – yes, Humphreys – yes, Berry – yes, Peterson – yes, Tumolo –yes, Papale – yes, Martin – yes.)

**Old Business:**

No old business.

**New Business:**

No new business.

**Ward Reports:**

**First Ward:**

Councilman Resnick had nothing to report.

Councilman Papale said that she noticed a few drains starting to get clogged in the 1<sup>st</sup> ward. She asked if they could have the Highway Department address them.

**Second Ward:**

Councilman Humphreys had nothing to report.

Councilwoman Berry had nothing to report.

**Third Ward:**

Councilman Martin had nothing to report.

**Fourth Ward:**

Councilwoman Peterson had nothing to report.

Councilwoman Tumolo had nothing to report.

**Closing Public Comment:**

No closing public comment.

**Adjournment:**

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

Respectfully Submitted,

Kimberly A. Duffy

Clifton Heights Borough Secretary