

**Clifton Heights Borough Council  
Meeting Minutes  
October 18, 2016**

**Present:**

Anthony Casadei, Council President  
Ronald Berry, Councilwoman  
Mike Humphreys, Councilman  
Leona Papale, Councilwoman  
Karen Peterson, Councilwoman  
Harris Resnick, Councilman  
Jane Tumolo, Councilwoman

**Absent:**

Edward Martin, Council Vice President

**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 Pastor Derek Rimson**

**Public Comment:**

Fred Rich, 82 Chester Ave., said that he would like to discuss the dog feces citation that he received in May 2016. He said that he came to the Council meeting and challenged the citation because T. Stephens issued the citation, who he claims is not an employee of the Borough. He said that it is his opinion that T. Stephens is a private citizen out issuing tickets in the name of the Borough with no authority to do so. He said that nothing was done about it, and the issue is pending in District Court. He said that he contacted State Rep Jamie Santora, who researched the complaint and sent a copy of the Borough's animal control ordinance #761. He said that the important issues are that animal control officers are any person or entity with a contract with the Borough to enforce the Borough's ordinances and applicable State laws. He said that the Borough did not enter into a contract with T. Stephens and instead he is an employee of Tony Tartaglia's Commonwealth Code, which is operating in the town without authority. He said that shows that he is just a private citizen issuing tickets. He said that the second item from the ordinance is that it restricts defecation on public property, but not on the private property of the animal's owner.

**Administrative Actions:**

Solicitor Catania announced that they would be addressing the agenda out of order. He said that their first item would be the application before them that was the subject of a hearing prior to the commencement of the night's meeting for the request for the developer/owners for the proposed Wawa facility. He said that they have two matters before Council for consideration this evening. One, to request that a portion of the property be rezoned and the other to request that Council approve the project for the land development purposes.

**Wawa Proposal:**

A motion was made by Councilman Resnick to approve the rezoning request for the former Tyron property on Baltimore Pike as presented; seconded by Councilwoman Papale; and carried unanimously by a roll call vote of 7-0; (Resnick – yes, Humphreys – yes, Berry – yes, Peterson – yes, Tumolo – yes, Papale – yes, Casadei – yes.)

A motion was made by Councilman Resnick to approve the Wawa project for land development proposals, based on the conditions as outlined, and with the approval of the Borough’s solicitor, engineer, code official PENNDOT and DEP, along with the conservation district, allowing for a waiver of preliminary approval; seconded by Councilman Berry; and carried unanimously by a roll call vote of 7-0; (Resnick – yes, Humphreys – yes, Berry – yes, Peterson – yes, Tumolo – yes, Papale – yes, Casadei – yes.)

**TRASH COLLECTION RFPs:**

Solicitor Catania opened all of the sealed trash collections RFPs and presented them individually.

Solid Waste Services, Inc. doing business as J.P. Mascaro & Sons:

- 1 year - \$306,162
- 2 years - \$612,324
- 3 years - \$918,486
- 5 years - \$1,582,536
- Bulk - \$3,504 for once per year & \$7,008 for twice per year

Creative Waste Solutions LLC doing business as B&L Disposal:

- 1 year - \$217,000
- 2 years - \$426,420
- 3 years - \$640,000
- 5 years - \$1,050,000
- Bulk – Included in price for both once & twice per year

Advance Disposal Services:

- 1 year - \$337,842
- 2 years - \$674,361
- 3 years - \$1,021,691
- 5 years - \$1,730,329
- Bulk - \$4,950 for once per year & \$7,998 for twice per year

A motion was made by Councilwoman Papale to adopt Resolution 14-16, allowing for a comprehensive review and report from Tony Tartaglia and J.P. Kelly to be presented at next month’s Council meeting; seconded by Councilwoman Peterson; and carried unanimously by a vote of 7-0.

### **Meeting Minutes:**

A motion was made by Councilman Humphreys to accept the September 2016 meeting minutes as presented; 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, Casadei – yes.)

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

Mayor Kelly announced that Fire Chief Jim Kneass was celebrating his 40<sup>th</sup> year of service with the Clifton Heights Fire Company and that he would be honored with a Resolution at next month's meeting.

Mayor Kelly said that they had received a letter from a neighbor of Today's Child on East Berkley Ave. that expressed gratitude to the Chief of Police and the Police Department for handling their complaints about the parking at the facility and ensuring that Today's Child followed up with their solutions.

Mayor Kelly thanked DCI Products and Jacqueline and Steve Henderson for their \$2,000 donation to the Borough's Police Department to help them in purchasing a new speed control device. Their letter expressed their deep appreciation for the Borough's Police Department, along with all police departments nationwide.

Mayor Kelly read a letter thanking Officer John Burke for the assistance he provided to a motorist who had a tree branch stuck in the undercarriage of his vehicle at the Rite Aid on Baltimore Pike.

Mayor Kelly reminded residents that Halloween would be taking place on October 31<sup>st</sup> from 6 to 8pm and to be careful while driving.

### **Police Report:**

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

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

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

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

Mr. Tartaglia announced that they would need to discuss the bridge loan for the renovations to Borough Hall.

Mr. Tartaglia said that he had the FOP agreement prepared for signatures.

Mr. Tartaglia said that they had a GM Mechanical construction schedule from November to mid-July

Mr. Tartaglia announced that they would be hosting a shredding and e-recycling event from 9am to 1pm at Borough Hall on this coming Saturday.

Mr. Tartaglia announced that they would need to put the lawn cutting, snow removal, abatement and street light maintenance out to bid.

Mr. Tartaglia announced that the medical coverage would be increasing by 7% for the upcoming year.

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

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

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

Mr. Kelly said that the 2016 Road Program was complete, but they had not received the final payment request from the contractor yet. He said that they would proceed once they were in receipt of that document.

Mr. Kelly mentioned the Wawa Land Development.

A motion was made by Councilman Resnick to authorize the Engineer to seek bids on the outstanding Borough services contracts – lawn mowing, snow removal, abatement and street light maintenance; seconded by Councilman Berry; and carried unanimously by a vote of 7-0.

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 presented the Solicitor's report.

Mr. Catania presented Mr. Michael Sheridan, who was representing the Borough for the bridge loan for the Borough Hall renovations with Republic Bank.

Mr. Sheridan explained the Local Government Unit DAT Act and the processes required to proceed with borrowing. He explained that he would have to submit all of the required paperwork to the PA Department of Community Development and that they would have to approve the borrowing.

A motion was made by Councilman Berry to adopt Ordinance # 850 authorizing the Borough to proceed with a 20 year amortized loan with Republic Bank in the amount of \$1.7 million, with years 1 & 2 accounting for interest only, the floating rate capping at 5% with no prepayment penalties; seconded by Councilwoman Papale; and carried 6-1 by a roll call vote; (Resnick – no, Humphreys – yes, Berry – yes, Peterson – yes, Tumolo – yes, Papale – yes, Casadei – yes.)

Mr. Catania said that the 2<sup>nd</sup> coordinating item would be awarding the contract to the lowest responsible bidder.

A motion was made by Councilman Berry to adopt Resolution 15-16, awarding the Borough Hall renovation contract to the lowest responsible bidder, GM Mechanical, for a bid package price of \$1,709,500, accepting alternate #1 at \$38,860 for the concrete slabs, and rejecting alternates #2 & #3, all contingent upon a payment & performance bond being provided, the solicitor's review of the contracts, approval from the PA Dept. of Community Development, and any changes to the contract being pre-approved by Council; seconded by Councilwoman Papale; and carried 6-1 by a roll call vote; (Resnick – no, Humphreys – yes, Berry – yes, Peterson – yes, Tumolo – yes, Papale – yes, Casadei – yes.)

A motion was made by Councilman Humphreys to adopt Resolution 13-16, accepting the tax assessment appeal for 133 Madison Ave. and fixing the assessment at \$50,850; seconded by Councilwoman Tumolo; and carried unanimously by a vote of 7-0.

Solicitor Catania said that they had received information from the County about a property in repository, 15 S. Sycamore Ave. He said that they were starting bids on the property at \$700, and the County was requesting the Borough's position and any tax lien information that could be provided.

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

**Old Business:**

No old business.

**New Business:**

An executive session was requested at the end of the meeting to discuss the civil service list and personnel.

Solicitor Catania said that they would discuss whether to enact the civil service list, and they may vote on that after the meeting reopened from the Executive Session.

**Ward Reports:**

Councilman Resnick reminded residents that they would need assistance and volunteers for their annual Boy Scouts' Food Drive taking place at 9am on both Saturday, November 12<sup>th</sup> and Saturday, November 19<sup>th</sup>. They needed assistance going door to door and sorting through the food back at Borough Hall on Saturday, November 19<sup>th</sup>.

Councilwoman Papale encouraged residents to walk their neighborhoods and keep their eyes open. She recommended adopting or rescuing a dog to help with the walking. She asked everyone to be careful on Halloween.

Councilman Berry thanked Tony for assisting with the parking issues on Springfield Rd. and Fairview Ave.

Councilman Humphreys had nothing to report.

President Casadei had nothing to report.

Councilwoman Tumolo thanked the Boys' Club for a great Homecoming event.

Councilwoman Peterson reiterated Councilwoman's appreciation.

**Closing Public Comment:**

Fred Rich, 82 Chester Ave., said that they received bids from different trash companies and said that they should bring back the sanitation department with the Borough's own employees.

President Casadei said that they would take that into consideration.

Mr. Rich said that Suburban's 4 year contract didn't work out for the Borough previously.

Mr. Rich said that they are getting \$1.7 million for the Borough building renovations and he wants to know what happened to the \$1.195 million that they borrowed previously. He said that that money cannot be accounted for, and Mr. Tartaglia should be held responsible for that.

Derek Rimson, pastor Kingdom Dominion Cathedral, thanked the Borough for all of their assistance in helping to make their 1<sup>st</sup> annual Bloc party a success. He thanked the Mayor, Chief of Police and all Council members.

Council recessed for an executive session.

**Post-Executive Session:**

Solicitor Catania announced that the Executive Session was held to discuss the hiring of two police officers

A motion was made by Councilman Berry to authorize the immediate hiring of two full-time police officers, Robert Scott and Ryan Cummings, subject to any required additional testing and background checks and allowing them to start their probationary periods under the conditions of the Civil Service Code; 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, Casadei – yes.)

**Adjournment:**

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

Respectfully Submitted,

Kimberly A. Duffy  
Clifton Heights Borough Secretary