

**Clifton Heights Borough Council  
Meeting Minutes  
January 16, 2018**

**Present:**

Ronald Berry, Council President  
Edward Martin, Council Vice President  
Ronald Berry, Councilwoman  
Mike Humphreys, Councilman  
Leona Papale, Councilwoman  
Karen Peterson, Councilwoman  
Fred Rich, Councilman  
Jane Tumolo, Councilwoman

**Absent:**

Harris Resnick, Councilman

**Others Present:**

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

**Pledge of Allegiance**

**Mayor's Introduction:**

Mayor Lombardo introduced himself as he attended his first meeting as Mayor. He explained that he was a lifelong resident who owns Williams-Lombardo Funeral Home. He thanked the residents for electing him. He recognized former Mayor Joseph Kelly for his over 50 years of service to the community of Clifton Heights. He recognized former Council President Tony Casadei for his years of service to the Borough and to the Lions' Club. He also recognized Claudia Fagioli for her years of service as the Borough's Tax Collector. He recognized State Representative Jamie Santora, who was in attendance at the meeting and thanked all of the residents who came out to the meeting to participate.

**Public Comment:**

Sherry Rich, 82 Chester Ave., said that she believes that it is a Pennsylvania state law that the Borough have a protocol for lost and found animals, and she is not sure what provisions that the Borough has in place. She said that she would request that something be done since it is a State law and there are State funds available. She asked if anyone was aware of the Borough's protocol.

President Berry said that they have a contract with Delaware County Animal Control.

Mrs. Rich said that the Borough does not. She said that they used to go up and down the streets to collect the stray animals, but the Borough refused to the fee that they charge per animal, and they no longer pick up the animals in the Borough. She said that they are strictly wildlife removal for the Borough of Clifton Heights.

She said that she reached out to Upper Darby, and their Health Department handles the issue for them, and they contract with several veterinarians who will hold animals for 3-5 days. She said that it is her understanding that right now if a homeowner finds an animal, they keep the animal and take it to a veterinarian to try and identify the animal and then have to take it to Brandywine Valley SPCA in Chester County. She said that she finds that unacceptable and she would be beside herself if her pet got out. She said that it should be more local, and she believes that it would be part of the State law that something be put in place.

President Berry said that they would certainly look into it.

Councilwoman Papale said that she is in complete agreement with everything Mrs. Rich said, but she did want to note that even in Upper Darby, the police won't take custody of a lost dog. She said that she found a dog, and the police helped her try to find the owner but would not take custody of the dog. She said that they would have had to keep the dog. She also said that she would like to be involved with the effort to set something up.

President Berry said that he would put her on that committee.

Mayor Lombardo asked if he could say something. He noted that this is a problem in all the municipalities within Delaware County because there is no shelter in Delaware County. She said that all of the pets are transferred to Brandywine, and that goes for Aldan and Ridley and all municipalities.

Mrs. Rich said that if Upper Darby figured it out, then Clifton Heights should be able to figure it out.

Mayor Lombardo said that Upper Darby does not have its own shelter. He said that you would have to find out what happens after the 3-5 days in Upper Darby, even if they do contract with local veterinarians.

Councilwoman Papale said that she would work with Mrs. Rich.

Mrs. Rich said that she believes that they would probably go to Brandywine after those 3-5 days. She said that she believes it's inhumane, especially with the weather that they are having, to not have something in place for the animals.

Bill Clark, 105 E. Berkley Ave. said that his issue is that he cannot hear anything that is being said during the meetings. He said that he could not hear Mr. Tartaglia's report or anyone else who spoke. He said with all of the money that was spent on the Borough, it should have included an address system for the Council chambers. He asked the room if they could hear anything, and they agreed that they could not hear.

Rich DePompeo, E. Broadway Ave., said that he agrees that something needs to be done with the lost animals, and he would be interested in volunteering.

Claudia Fagioli, E. Berkley Ave/Tax Collector, said that she is in agreement with the issue with the public address system, and she is sure that they are going to work on something. She said that she is the Borough's Tax Collector, and she would like to resign from that position and read a letter that she prepared. She said that she has held the challenging of Tax Collector for the past 28 years, getting re-elected every 4 years. She said that she has learned that it is important to treat all taxpayers with respect and be responsive to them when they have questions. She thanked everyone for letting her serve, and she has met a lot of great people through the years in her post.

President Berry thanked Mrs. Fagioli.

**Meeting Minutes:**

A motion was made by Councilman Martin to accept the December 2017 meeting minutes as presented; seconded by Councilwoman Tumolo; and carried unanimously by a vote of 7-0.

A motion was made by Councilman Martin to accept the January 2, 2018 reorganization meeting minutes as presented; seconded by Councilman Humphreys; and carried unanimously by a vote of 7-0.

**Mayor's Report:**

Mayor Lombardo acknowledged Chief Rockenbach for the outstanding job that he is doing. He noted for the residents that Chief Rockenbach was sworn in as the President of the Delaware County Police Chiefs' Association on Friday.

**Police Report:**

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

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

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

**Manager's Report:**

A motion was made by Councilman Martin to accept the manager's report as presented; seconded by Councilwoman Peterson; 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 renovations of Borough Hall have been substantially completed. He said that he and the Borough Manager have generated a punch list of repairs and provided that to the contractor.

Mr. Kelly said that the 2018 CDBG application was submitted to OHCD for January 11, 2018. He said that for follow up on the 2017 project, they are finalizing the equipment list and will be moving forward with the project.

Mr. Kelly said that the 2017 Road Program completion report was submitted and accepted by PENNDOT. He said that they are seeking approval to apply for funds for the 2018 Road Program.

A motion was made by Councilman Martin to authorize the engineer to start the application process for the 2018 Road Program; seconded by Councilman Humphreys; and carried unanimously of a vote of 7-0.

Mr. Kelly provided them updated information from the PA Department of Labor for bidding thresholds for 2018. He said that as of now, anything under \$10,900 requires no formal bidding process. He said that \$10,900 to \$20,100 requires three phone solicitation bids, and anything above \$20,100 requires the full bidding process.

Mr. Kelly said that his recommendation was to not approve the Koban land development application for not complying with the zoning ordinance.

A motion was made by Councilman Humphreys to not approve the Koban land development application as submitted; seconded by Councilwoman Papale; 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 Councilman Humphreys; and carried unanimously by a roll call vote of 7-0. (Rich – yes, Humphreys – yes, Berry – yes, Martin – yes, Tumolo – yes, Papale – yes, Berry – yes.)

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

Solicitor Catania presented the Solicitor's report.

He said that they didn't take some action at last month's reorganization meeting, and they were not going to take any additional action at this month's meeting, except for one item. He said that Jim Kneass, the Fire Chief, also needs to be appointed as the Borough's Fire Marshall.

### **Administrative Actions:**

A motion was made by Councilman Martin to appoint Jim Kneass the Borough's Fire Marshall; seconded by Councilwoman Peterson; and carried unanimously by a vote of 7-0.

A motion was made by Councilman Martin to adopt Ordinance #859, allowing the same individual to hold the office of Borough Secretary and Treasurer; seconded by Councilwoman Peterson; and carried unanimously by a roll call vote of 7-0. (Rich – yes, Humphreys – yes, Berry – yes, Martin – yes, Tumolo – yes, Papale – yes, Berry – yes.)

Solicitor Catania noted that they would also have to take action after Mrs. Fagioli read her letter during the public comment portion of the meeting. He said that her service goes beyond the 28 years she mentioned because she served on Council prior to being the Tax Collector. He thanked her for her years of service and said it has been a pleasure to work with her. He said that Mrs. Fagioli had provided them with a letter and asked them to accept it at this regular meeting that she was not going to commence her term as Tax Collector.

A motion was made by Councilman Martin to accept the resignation letter for the Tax Collector, Claudia Fagioli; seconded by Councilman Humphreys; and carried unanimously by a roll call vote of 7-0. (Rich – yes, Humphreys – yes, Berry – yes, Martin – yes, Tumolo – yes, Papale – yes, Berry – yes.)

Mr. Catania explained that Councilwoman Tumolo has completed the test required to be a Tax Collector and has provided her criminal background check, and if considered for the position of Tax Collector would resign as a Councilmember.

A motion was made by Councilman Martin to accept the resignation of Councilwoman Jane Tumolo subject to and effective upon her appointment as tax collector; seconded by Councilman Humphreys;

and carried unanimously by a vote of 6-0. (Rich – yes, Humphreys – yes, Berry – yes, Martin – yes, Papale – yes, Berry – yes.)

A motion was made Councilman Martin to nominate Jane Tumolo for the position of Borough Tax Collector; seconded by Councilman Rich; and carried unanimously by a vote of 6-0.

Councilman Martin noted that if Mrs. Tumolo could do half of the job that Mrs. Fagioli did for as many years, then the Borough would be in very good hands.

Mr. Catania noted that the Borough is awaiting confirmation from the County to keep Mrs. Fagioli on in assisting with tax certifications during her years of service to the Borough. He said that the Borough is in agreement with that stipulation of Mrs. Fagioli's resignation, and they are only awaiting the County's confirmation.

After discussion, the motion to nominate and appoint Jane Tumolo as Tax Collector was voted on and carried unanimously 6-0. (Rich – yes, Humphreys – yes, Berry – yes, Martin – yes, Papale – yes, Berry – yes.)

Mr. Catania explained that Jane's resignation opened a seat on Council from the 4<sup>th</sup> ward. He said that both Jane and whoever is appointed to her seat on Council would be serving 2 year terms.

A motion was made by Councilman Martin to nominate Mark Campbell to fill the open seat in the 4<sup>th</sup> ward; seconded by Councilman Humphreys; and carried unanimously by a roll call vote of 6-0. (Rich – yes, Humphreys – yes, Berry – yes, Martin – yes, Papale – yes, Berry – yes.)

Mr. Catania noted that Mr. Campbell had completed an affidavit of residency as required under the Borough Code, affirming that he has lived in the Borough for one year prior to tonight's meeting.

Mayor Joseph Lombardo swore Jane Tumolo in as the Borough Tax Collector. He also swore in Mark Campbell as a Councilperson for the 4<sup>th</sup> Ward.

Solicitor Catania announced that they had no other action items.

### **Old Business:**

Councilwoman Papale announced that the Clifton Quarterly was a little behind schedule going to print this month. She apologized for the delay, but said that they were still accepting submissions if anyone had anything they wanted to include.

Bonnie Callahan told her that she would get something to her for the Quarterly.

### **New Business:**

No new business

### **Ward Reports:**

Councilwoman Peterson had nothing to report.

Councilwoman Papale had nothing to report.

Councilman Rich said that he had many residents ask him about the light at Madison and Springfield Road. He said that it is very fickle; sometimes it works fine and other times you will end up sitting there for 2-3 minutes. He said that it is something that they need to look into again.

Councilman Martin had nothing to report.

Councilman Humphreys said that they have discussed the issue of getting out of Windsor with the Borough engineer and State Rep. Santora. He said that it is a State Highway, so the Borough has to go through other channels, but they are looking into it.

President Berry thanked the Highway Department for doing a great job with the snow removal.

**Closing Public Comment:**

Bonnie Callahan, 235 Woodbridge Rd., said that she thinks that it is time that they address the elephant in the room and the elephant in the room is the Borough's Code Department who picks and chooses what they are going to do. She said that for 6 months they have called about trash bags being thrown and smattered all over the driveways, 7 TVs out back of their property, a property that was transferred and never inspected, sidewalks that aren't shoveled, and they receive no response. She said that a lot of promises were made to the citizens of this town who voted for Mayor Lombardo that things were going to change. She said that residents have had to pick up trash and that her driveway was closed and then nothing was done about it.

Mayor Lombardo said that he lives in the town and is aware of the issues.

Mrs. Callahan said that she submitted paperwork in 2015 to get answers and the paperwork was never addressed. She said that all of the residents are present, not for the Council meeting, but to address Mr. Tartaglia.

Mayor Lombardo said that he appreciates her passion. He said that the reason that the appointments for those two particular offices are not being made tonight is because they are being considered and evaluated by both Council and the Mayor's office. He said that he has been in office for 2 weeks, and he needs an opportunity to be able to do his job. He said that he appreciates everyone's presence, and he hopes that it will be like this every month because there are a lot of people in the town who do still care.

Mrs. Callahan said that there is no code enforcement. She said that when she worked there, she had to document every phone call. She said that they do not even receive return phone calls now.

Mayor Lombardo assured her that they would be addressing those concerns. He said that he is very aware of the state of the town and the state of the Pike. He said he owns a business on the Pike and has lived in the Borough for 50 years and knows every nook and cranny. He repeated that they are evaluating both offices and doing their jobs. He said that it is a personnel issue that they are working on.

Councilman Rich added that Mayor Lombardo is new to his position and needs to familiarize himself with his position and discuss the legal position of the Borough. He assured residents that Mayor Lombardo is working at his job.

Rich DePompeo, East Broadway Ave., said that he respects Tony's abilities, but Clifton Heights is the only town where he almost has a panic attack when coming up to the offices and having to address an issue. He said that he has brought up issues in the past, and nothing was ever done. He said that no one on Borough Council has had any control over his behavior. He said it is a shame that as a Master Plumber, he is afraid to come to his own town and deal with permits. He said that he thinks something must be done to rectify the

issues. He said that when his father was the plumbing inspector, he would help anyone who had issues because that was his job. He said that he is a face of the Borough, and Council needs to recognize that and address the issue.

**Adjournment:**

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

Respectfully Submitted,

Kimberly A. Duffy  
Clifton Heights Borough Secretary