

**Clifton Heights Borough Council
Meeting Minutes
December 21, 2018**

Present:

Ronald Berry, Council President
Edward Martin, Council Vice President
Mark Campbell, Councilman
Mike Humphreys, Councilman
Leona Papale, Councilwoman
Karen Peterson, Councilwoman
Harris Resnick, Councilman
Fred Rich, Councilman

Others Present:

Joseph Lombardo, Mayor
Chuck MacDonald, Acting Solicitor
J.P. Kelly, Engineer
Cynthia Leitzell, Treasurer
John Perfetti, Interim Borough Manager
Timothy Rockenbach, Chief of Police

Pledge of Allegiance

Prayer led by Mayor Joseph Lombardo

Public Comment:

No opening public comment.

Meeting Minutes:

A motion was made by Councilman Humphreys to accept the November 2018 meeting minutes as presented; seconded by Councilwoman Papale; and carried unanimously by a vote of 8-0.

Mayor's Report:

Mayor Lombardo announced that the Great Overbrook String Band would be marching down Broadway Ave on New Year's Day after their performance in the Mummers Parade and that the estimated time for their march down Broadway was approximate 5pm. He said that he was sure that the restaurants on Broadway Ave. would be open during that time.

Mayor Lombardo noted that the Borough, along with the Fire Department, Business Association, Civic Association and Police Department hosted their annual tree lighting ceremony on December 8th and it was a great success and well attended.

He also noted that they are still working on the Borough calendar if there is anything that anyone would like to have added to the calendar. He said that all of the advertisements had been sold, which was a great success, but they could still add any dates that anyone might have of interest.

Mayor Lombardo wished everyone a Merry Christmas and Happy New Year.

Police Report:

A motion was made by Councilman Humphreys to accept the Police Report as presented; seconded by Councilwoman Peterson; and carried unanimously by a vote of 8-0.

Fire Report:

A motion was made by Councilwoman Papale to accept the Fire Report as presented; seconded by Councilman Campbell; and carried unanimously by a vote of 8-0.

Treasurer's Report/Bill List:

A motion was made by Councilwoman Peterson to accept the treasurer's report and pay the bills; seconded by Councilwoman Papale; and carried unanimously by a roll call vote of 8-0. (Resnick - yes, Rich- yes, Humphreys - yes, Martin - yes, Peterson - yes, Papale - yes, Campbell - yes, Berry - yes.)

Manager's Report:

Borough Manager Perfetti said that they have the 2019 budget to be voted on tonight, which reflects a 1 mill increase.

Mr. Perfetti requested a short Executive Session in reference to a personnel matter that needs to be discussed this evening.

Mr. Perfetti noted that they received the 4th quarter invoice from the Darby Creek Joint Authority, which was in excess of \$157,000. He said it was a significant increase and he would contact the Authority to discuss the situation.

Mr. Perfetti noted that in better news they received \$20,000 less expenses for the property at 119 Washington.

Mr. Perfetti noted that the Liquid Fuels tax which took place in August would have \$17,818 would be paid back to the State.

Mr. Perfetti said that the repair on the Micozzie Memorial Wall had been completed totaling \$9,800 for the repair. The Borough received \$7,300 from the insurance carrier and had a \$2,500 deductible.

Mr. Perfetti said that there was an issue at 4 Rockbourne Rd. There is a charter school that is attempting to make residence at the property there. He said that they have been able to track down almost all of the records, but there are some outstanding issues. There was a sewer problem at the

property previously with some possible issues to still iron out. He said that he would suggest Borough Council hold off on making any decisions regarding this property.

Mr. Perfetti announced that the Borough Solicitor has filed a judgement on an outstanding abatement issue.

Mr. Perfetti said that the gas station at Baltimore and Church is undergoing a remodeling and the tanks have been removed already and they will be beginning the construction phase.

Mr. Perfetti announced that the Borough Engineer would be putting the installation of the LED lights out to bid in mid to late January.

Mr. Perfetti and the Mayor met with the new owners of the former Hillside property again and were assured that they would have the property cleaned up and put in order within 30 days.

Mr. Perfetti thanked members of Council and the Mayor for allowing him to work for them and with them for the past almost year.

A motion was made by Councilman Humphreys to accept the manager's report as presented; seconded by Councilman Martin; and carried unanimously by a vote of 8-0.

Engineer's Report:

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

Mr. Kelly reported that he confirmed the snow removal contract with A to U Services, and they will disregard any discrepancies and honor the existing contract for the following year.

Mr. Kelly reported that the application for the 2019 CDBG application would be due by January 10, 2019. He said that Borough Council had discussed the Borough Hall parking lot as an option. He also noted that they would open the floor to public comment for input from the public, which is part of the requirement for the CDBG application.

CDBG Public Comment:

Sherry Rich, 82 Chester Ave., recommended Garchinsky Park at the corner Edgemont and Union as a possible CDBG project.

The floor was closed.

A motion was made by Councilwoman Papale to authorize the Engineer to submit an application for CDBG funds for the Borough Hall parking lot, with a secondary application for Garchinsky Park improvements; seconded by Councilman Humphreys; and carried unanimously by a roll call vote of 8-0. (Resnick - yes, Rich- yes, Humphreys - yes, Martin - yes, Peterson - yes, Papale - yes, Campbell - yes, Berry - yes.)

Mr. Kelly reported that a sink hold had recently developed on Madison Ave. between Chester Ave. and Springfield Rd. He said that it appears that a storm sewer pipe has failed. In order to determine the magnitude and appropriate repair, they have solicited phone bids for cleaning and videotaping the pipe.

A motion was made by Councilman Humphreys to approve the hiring of Franc Environmental Inc. of Horsham, PA to clean and video the storm water pipe on Madison Ave.; seconded by Councilwoman Papale; and carried unanimously by a roll call vote of 8-0.. (Resnick - yes, Rich-yes, Humphreys - yes, Martin – yes, Peterson – yes, Papale – yes, Campbell – yes, Berry – yes.)

Solicitor's Report:

Frank Catania presented the Solicitor's report.

Solicitor Catania said that to follow up on the Manager's Report, 119 E. Washington went to closing today. The Borough was deeded the vacant land as per the agreement, as well as \$20,000 less the expenses of closing. The expenses of closing totaled about \$175. They are receiving \$18,635 because the School District will not refund the Borough the money from the taxes from now to June 30, 2019. He said that has been their typical practice and they are not working with the Borough on that.

Solicitor Catania reported that they made a Right-to-Know request as they continue to consider their options regarding the School District's effort to take Clifton Field. The Right to Know request was for the number of students from Clifton Heights in Upper Darby School District Schools so that the Borough can calculate how much the Borough residents are contributing to their budget as on a per student basis. The School District has indicated that they do not have that information. They have attempted to develop that information from 3rd parties that tells them that they do have that information. Attorney Dennis Gray has filed an appeal with the Office of Open Records and that is currently pending there. Solicitor Catania will continue to report on that as he receives information.

Solicitor Catania said that his final item would be consideration of the Borough budget for 2019. The proposed budget was adopted more than 30 days ago and in support of that budget, 3 ordinances would need to be adopted. The first ordinance would levy the tax millage for the year and that would be 15.501 mills, the 2nd would be to levy the sewer rental for the year, which would total \$314 per unit and the 3rd would be to levy the trash charge for the year, which would total \$210 per unit.

A motion was made by Councilman Martin to adopt the 2019 final budget as presented; seconded by Councilwoman Papale.

Councilman Rich asked if they were getting a 1% increase.

President Berry noted that it was a 1 mill increase.

Councilman Rich said that he cannot understand why the Borough's tax millage rate when other Boroughs millage rates are below 10. He asked why they are so high and why no one is asking any questions about why they are so high.

President Berry said that it is the cost of doing business.

Councilman Rich said that the other Boroughs in the area are in the same situation as them, Glenolden, Collingdale, Sharon Hill, and Ridley Park. He said that the majority of those Boroughs are below 10 mills. He said that Collingdale is 12.737 and Lansdowne is 12.638, and they are the highest. He said that Ridley Park is 8.14, so we are almost twice their millage. He wants to know why they are double the other towns. He said he thinks that they should table the vote and have the Pennsylvania Auditor General to come down and thoroughly audit what is going on in the town.

President Berry said that they just had an audit.

Councilman Rich said that if they do the audit every year so maybe they're just going through what is presented to them.

Mrs. Leitzell, Borough Financial Advisor, said that the audit will go through expenditures and present differential. She said that as far as his concerns with the millage, while she cannot comment on each town's individual situations, the differential of various millages has a lot to do with the tax base. Some of the other communities have a higher tax base with more commercial businesses that provide a larger tax base. Some of the communities do not have the same size police force. From the perspective of making the budget, the budget is based on what the Borough's expenses are.

Councilman Rich said that he cannot understand why their expense are so high.

Mrs. Leitzell said that he can see every month what the expense are; they are presented in the reports that they receive each month.

Councilman Rich reiterated that he thinks that the Auditor General should come down and do a thorough audit to determine why the Borough's expenses are so high.

Mrs. Leitzell said that she is not certain that the Auditor's General office would be able to be engaged in providing any managerial advice to a Borough.

Councilman Rich said that he doesn't think that this is even close to being an accurate representation and he thinks something needs to be done.

Councilman Campbell said that he just wanted to note that other communities were increasing taxes, Radnor increasing taxes and sewer fees, Springfield doubling trash fees, Aston Township with an increase.

Councilman Rich interrupted and asked what that had to do with Clifton.

Councilman Campbell asked if he could finish.

President Berry told Councilman Rich that Councilman Campbell had requested to speak and had the floor.

Councilman Rich said that he is responding and that he lives in Clifton and should be worried about Clifton.

Councilman Campbell asked that they move to a vote since Councilman Rich wouldn't let him finalize his comments.

After questions, the motion was carried by a roll call vote of 7-1. (Resnick - yes, Rich- no, Humphreys - yes, Martin - yes, Peterson - yes, Papale - yes, Campbell - yes, Berry - yes.)

Solicitor Catania noted that with the adoption of the budget, the 1st ordinance that would be required would be the tax ordinance setting the millage at 15.501 mills. The total tax rate is computed by taking the assessed valuation for the entire town multiplied by 15.501 mills. To do a fair comparison, you would actually have to do a per citizen tax number, not a millage number. He said that Upland Borough as an example charges 2 mills but has a 1% earned income tax and get most of their budget from that. Millage and assessed valuation gives you the total budget and that should be the real basis for comparison.

A motion was made by Councilman Martin to adopt Ordinance #863, setting the tax millage rate for 2019 at 15.501 mills in support of the adopted budget; seconded by Councilwoman Papale; and carried by a roll call vote of 7-1. (Resnick - yes, Rich- no, Humphreys - yes, Martin - yes, Peterson - yes, Papale - yes, Campbell - yes, Berry - yes.)

Solicitor Catania noted that the next ordinance would be in support of the sewage portion of the budget.

A motion was made by Councilman Martin to adopt Ordinance #864, setting the sewer rental rate for 2019 at \$314 per unit; seconded by Councilwoman Papale.

Councilman Rich asked if that reflected an increase.

President Berry said that there was no increase to the sewer rental fee.

After questions, the motion was carried unanimously by a roll call vote of 8-0. (Resnick - yes, Rich- yes, Humphreys - yes, Martin - yes, Peterson - yes, Papale - yes, Campbell - yes, Berry - yes.)

Solicitor Catania noted that the next ordinance would be in support of the trash fees of the budget.

A motion was made by Councilman Martin to adopt Ordinance #865, setting the trash collection fee at \$210 per unit; seconded by Councilwoman Papale; and carried by a roll call vote of 7-1. (Resnick - yes, Rich- no, Humphreys - yes, Martin - yes, Peterson - yes, Papale - yes, Campbell - yes, Berry - yes.)

Councilman Rich asked if that reflected an increase.

President Berry said that there was no increase to the trash fee.

After questions, the motion was carried unanimously by a roll call vote of 8-0. (Resnick - yes, Rich-yes, Humphreys - yes, Martin – yes, Peterson – yes, Papale – yes, Campbell – yes, Berry – yes.)

A motion was made by Councilman Martin to authorize the solicitor to advertise the updated zoning ordinance to reflect the 500 foot requirement as outlined; seconded by Councilman Humphreys; and carried unanimously by a vote of 8-0.

Solicitor Catania said that his only other item is that they advertised Ordinance #866 on the recommendation of the Code Enforcement Department. It deals with similar types of businesses. There will be a Planning Committee meeting on January 15th to review the ordinance and make a recommendation to Council and Council can have their hearing jointly with them on that date. The ordinance will be advertised to be considered for adoption but it is not required that it be adopted at that time.

Old Business:

Councilwoman Papale announced that they would be gathering information for the January Clifton Quarterly. She requested anyone with news to submit it for publishing. She also announced that Santa would be coming around to the Borough on Sunday starting around noon so that everyone could be ready for his visit.

New Business:

Councilwoman Papale said that in the spirit of Christmas she has a presentation to make to the Borough of Clifton Heights from former Councilperson and resident, the late Mike Cameron. She said that he did a lot for the town while living here and was a historian and writer, and he compiled the histories of Clifton Heights. He provided a lot of the information to Claudia Fagioli, and the physical book that she has dates to 1905. It has information on the Borough from that far back. She said that the book is being presented on behalf of Mike Cameron and Claudia Fagioli. She also thinks that the Borough should invest in a glass casing for the book for the future to keep it on display.

Ward Reports:

Councilman Resnick had nothing to report.

Councilwoman Papale thanked Mrs. Rich for recommending the Garchinsky Park to be looked at for a remodel.

Councilman Humphreys wished everyone a Merry Christmas and happy holidays. He asked if anyone were to see an orange tabby cat, his wife's cat of 16 ½ years, Boo Boo, was missing.

President Berry wished everyone a Merry Christmas and Happy New Year.

Councilman Rich said that he still had concerns about rental properties in the 3rd ward, and he posted an article on Facebook about the importance of registering rentals or facing fines. He asked to verify that they had their fines in proper order for such violations.

Solicitor Catania noted that on a tax roll basis, homes would not qualify for a homestead reduction if they were indeed rental properties, so that would be another front that they would want to follow up on for rental properties.

Councilman Martin wished everyone happy holidays.

Councilwoman Peterson wished everyone happy holidays.

Councilman Campbell said Merry Christmas to all and God bless everybody.

Closing Public Comment:

Sherry Rich, Chester Ave., brought up concerns about the traffic signal at Madison Ave. and Springfield Rd. She said that people are now treating it as a stop sign and not waiting for the light to turn green because it is not changing.

President Berry said that they have reported this issue to PENNDOT on numerous occasions. He asked Mr. Perfetti to call again.

Adjournment:

A motion was made by Councilman Martin to adjourn; seconded by Councilwoman Humphreys; and carried unanimously by a vote of 8-0.

Respectfully Submitted,

Kimberly A. Duffy
Clifton Heights Borough Secretary