

**Clifton Heights Borough Council
Meeting Minutes
July 16, 2019**

Present:

Ronald Berry, Council President
Mark Campbell, Councilman
Mike Humphreys, Councilman
Leona Papale, Councilwoman
Harris Resnick, Councilman
Fred Rich, Councilman

Others Present:

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

Absent:

Edward Martin, Council Vice President
Karen Peterson, Councilwoman
Joseph Lombardo, Mayor

Pledge of Allegiance

Moment of silence and prayers for Betty Rockenbach and Bob Wassell who are extremely sick

Public Comment:

John Todd, 29 W. Broadway Ave., said that he knows that they received a grant to re-pave the parking lot in front of Borough Hall, but before they re-pave it, he would like to have it looked at by the Planning Commission and possibly the Borough Engineer to come up with a plan on how it is going to be used for parking. He said that right now there are trucks parked out there that never move and trucks parked by people who are not residents of Clifton Heights. He said that his wall has been hit about 3 times and the wall has actually cracked from being hit by trucks. He said that there should be a buffer between the houses and the parking. He really thinks that there should be a plan as to how it will be used and who can use it and at what rates. He said that another problem is trash because there are no receptacles, people parking there just dump their trash on the ground. He said that he hoped a plan could be devised before spending any money on paving or anything else.

President Berry said that he agrees with him 100% that they should definitely come up with a plan.

Councilmembers Papale and Campbell concurred with that plan.

President Berry asked John Perfetti, Borough Manager, to be sure to follow up on that.

Meeting Minutes:

A motion was made by Councilwoman Papale to accept the June 2019 meeting minutes as presented; seconded by Councilman Campbell; and carried unanimously by a vote of 6-0.

Police Report:

A motion was made by Councilman Humphreys to accept the Police Report as presented; seconded by Councilman Campbell; and carried unanimously by a vote of 6-0.

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 6-0.

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 Papale; and carried unanimously by a roll call vote of 6-0. (Resnick - yes, Rich- yes, Humphreys – yes, Papale – yes, Campbell – yes, Berry – yes.)

Manager's Report:

Borough Manager Perfetti reported that the property better known as the Clifton Heights Yarn Mill located at 546-556 E. Baltimore Pike has been totally demoed at this point in time and construction has begun for North Pointe & Beyond Self Storage. He said that they did have some issues with the storms of last week, but with the help of the Code Enforcement, they have shored up the barriers.

He said that additionally at 500 E. Broadway Ave., also now known as the Lofts at Kent Mills, the final application is now under final review and the Engineer is involved in the review with a 3rd party and hopefully they will have a status update by next week.

He noted that the Planning Commission met on Arby's on July 9th and after a hearing, the Planning Commission has recommended that they move forward and recommended to Borough Council to move forward with the plan only after the Borough Engineer has completed a final review.

Borough Manager Perfetti thanked the 4th of July Association and Committee for a wonderful parade and fireworks display in celebration of the holiday. He also thanked the Police Department and Fire Department for keeping and maintaining peace throughout the entire day and evening. He thanked all of the residents and attendees for their cooperation in making it a fun and enjoyable day without any major issues.

He informed Council that for the month of June, they received a check in the amount of \$44,496.44 from the Delaware County Treasurer, which represents the 1% realty transfer tax.

He also informed Council that the termination of the lease agreement with the Upper Darby School District in reference to the Athletic Fields goes into effect on August 6, 2019. He also reported that the Clifton Heights PAL and Clifton Heights Boys' Club have met with the UDSD School Board. He said that he knows that the last issue he knows that they were addressing was with utilities and that would be addressed with the Boys' Club and PAL.

Borough Manager reported on the LED lighting program which is in effect. He said that he had reported at last month's meeting that the project was due for completion in mid-July. However, due to the weather, the completion date has been pushed back to the end of July, but they are about 80% complete as of today.

He reported that they were served with papers from the Upper Darby School Board challenging their 4 ordinances (867, 868, 869 & 870) that were passed in May and a pre-trial conference date has been set for August 14, 2019 at 3pm in Court Room 7 of the Delaware County Court House. He said that would be before Judge Dozor.

He said that he would be asking for permission tonight in moving forward with codifying all of the Borough Ordinances and Zoning regulations. He said that the last time that was completed was in 2012. He said that they would have to have Code Enforcement and Council go through that process. He said that there is a cost associated with it, but he does not know the numbers at this time.

John Gould said that they would were under contract with General Code so they would work with them on that project.

Borough Manager Perfetti announced that they have an e-cycling and shredding event scheduled for this coming Saturday, July 20th, running from 10am to 1pm for the shredding and 10am to 2pm for the e-cycling in the Clifton Heights Borough Hall parking lot.

He also reported that the DELCORA Board met today and, as a result of their meeting, they have entered into a letter of intent where they are exploring the possibility of having AQUA merge with DELCORA in the waste water processing. He said that he thinks that Council should pay attention to this because he believes that there could be tax consequences to this move. He said that he will keep everyone updated on this as they move forward.

A motion was made by Councilman Resnick to authorize the Borough Manager to move forward with the codification process for the Borough and its ordinances; seconded by Councilman Rich; and carried unanimously by a roll call vote of 6-0. (Resnick - yes, Rich- yes, Humphreys - yes, Papale - yes, Campbell - yes, Berry - yes.)

Councilman Resnick asked about the exact consequences of AQUA taking over.

Borough Manager Perfetti explained that he had just received this information around 5:30pm this evening and the short discussion that he had was the concern about the cost that would be spread throughout the network of DELCORA. He explained that it was a unanimous decision by the Board to move forward with the letter of intent. He said that he will certainly have much more information at the next meeting.

Councilman Humphreys asked if the termination of the lease would mean that the Borough is no longer responsible for the maintenance of the field, the lawn mowing and snow removal.

Borough Manager Perfetti said that they have not had any recent meetings with the School Board, so they would discuss those things at the next meeting. He said that they do need to remember that the fields are for the children as they move forward.

Councilwoman Papale noted that the PA Historical Society Commission has Okayed Clifton Heights to get a historical marker thanks to Robin S. Young, who is a historian, author and artist and she does markers for the Commission. The President of the Clifton Heights Historical Society, Ted Archer, has been in contact with her, and the marker is going to be delivered for placement on August 30, 2019 to recognize the Borough of Clifton Heights as the birthplace of the slinky. The marker will be placed at the corner of Springfield Rd. and Baltimore Pike. Fran and Joe Smith provided one of the original slinky's that was made at the factory, so she thanked them for sharing that with the Historical Society. The Clifton Quarterly will be inviting anyone who has information on the factory where they were manufactured or relatives who worked there, to come and share their information.

Councilman Campbell mentioned that both of his uncles worked there as teenagers.

A motion was made by Councilman Rich to accept the Manager's Report; seconded by Councilman Resnick; and carried unanimously by a vote of 6-0.

Code Enforcement Report:

John Gould had nothing further to report from his submitted report.

Engineer's Report:

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

Mr. Kelly announced that the paving work for the 2018 CDBG contract was completed, and as such he submitted a request for a payment release which is attached to his report. His recommendation is that 90% of the request be certified in the amount of \$102,366.27. He said that the certification is because the payment is through CDBG funds

A motion was made by Councilman Humphreys to certify a payment request for the 2018 CDBG contract in the amount of \$102,366.27, representing 90% of the request; seconded by Councilman Campbell; and carried unanimously by a roll call vote of 6-0. (Resnick - yes, Rich- yes, Humphreys - yes, Papale - yes, Campbell - yes, Berry - yes.)

Mr. Kelly noted that Higgins & Sons had submitted for partial payments for the LED street lighting project for the installation of 151 fixtures. A spreadsheet of the items completed is attached to his report, and he recommends 90% of that request be paid, which is \$12,726.

A motion was made by Councilman Humphreys to authorize the partial payment for completed items for the LED street lighting project to Higgins & Sons as outlined in the amount of \$12,726; seconded by Councilwoman Papale; and carried unanimously by a roll call vote of 6-0. (Resnick - yes, Rich- yes, Humphreys – yes, Papale – yes, Campbell – yes, Berry – yes.)

Mr. Kelly noted that as previously reported in regards to the MS4 program, the Borough is required to obtain and NPDES permit in accordance with the DEP MS4 new permit requirements. He said that they have been working to develop a pollution reduction plan (PRP) in order to comply. The DEP requires that the Borough publically advertise the PRP for 30 days, and he is requesting the Borough's authorization to comply and advertise. He said that the information to advertise is provided in his report.

Councilman Humphreys asked if this was a Federal law or State law.

Mr. Kelly explained that this is a Federal mandate, which comes down through the DEP in every State. MS4 stands for Municipal Storm Sewer Separate System. NPDES is National Pollution Discharge Elimination System. He said that essentially what it means is that all of the storm water that is collected in the pipes before it is discharged, wherever it may be discharged, needs to be treated and the public needs to be educated. He said that the PRP program is new with this year's permitting. He said that DEP is making it ridiculously difficult for municipalities like the Borough to comply, but they have to do their best to try.

A motion was made by Councilman Humphreys to authorize the Borough Engineer to advertise the PRP as prepared and as required by the MS4 permitting process; seconded by Councilwoman Papale; and carried unanimously by a roll call vote of 6-0. (Resnick - yes, Rich- yes, Humphreys – yes, Papale – yes, Campbell – yes, Berry – yes.)

Mr. Kelly said that as discussed in Caucus and the Manager's Report, on July 9th, a final recommendation was forwarded to Council through the Planning Commission to recommend final approval of the Arby's restaurant as prepared and dated 5-10-19. He said that if Council is so inclined, he would recommend that they approve that application contingent upon his final review.

A motion was made by Councilwoman Papale to approve the application dated 5-10-19 from Arby's Restaurant as recommended by the Borough Planning Commission contingent upon final review from the Borough Engineer; seconded by Councilman Rich; and carried unanimously by a roll call vote of 6-0.

Solicitor's Report:

Chuck MacDonald had nothing further to report from his submitted report.

Old Business:

No old business.

New Business:

No new business.

Ward Reports:

Councilman Resnick had nothing to report.

Councilwoman Papale invited anyone who was looking for something to do for the summer to come down to the 1st ward and check out the Clifton Heights Swim Club. She said that they are always looking for new members

Councilman Humphreys thanked the 4th of July Committee for a great job.

President Berry said that Borough Hall would be open over the next 6 day heat wave to anyone who might need a break from the heat and some air conditioning.

Councilman Rich said that it has been quiet in the 3rd ward, but they do have a few cars that need to be looked into. He said that he wanted to follow up on the 4th of July and commend Ed Jones who works all year long on the festivities as if it is a 2nd job.

Councilman Campbell said that in looking through the Code Enforcement Report, he saw that the income as of June 27th was \$570,056. He said that is pretty amazing for 7 months and it is a testament to John Gould and his staff.

Closing Public Comment:

John Todd, 29 W. Broadway Ave., asked if the August date meant that they would no longer be able to use the field with the cancellation of the lease.

President Berry said that he believes that the Boys Club and PAL have a memorandum of understanding with the School Board about its use.

Borough Manager Perfetti said that they are definitely in discussions and moving toward an agreement.

Lynn Amey, Boys' Club representative said that the Boys' Club did submit for permits and met with the Upper Darby Recreation Committee and they are awaiting approval.

Borough Manager Perfetti asked if the issue of utilities was brought up during that.

Mrs. Amey explained that they were not able to answer any questions and it was strictly applying for the permits.

Adjournment:

A motion was made by Councilwoman Papale to adjourn; seconded by Councilman Humphreys; and carried unanimously by a vote of 6-0.

Respectfully Submitted,

Kimberly A. Duffy
Clifton Heights Borough Secretary