

Clifton Heights Borough Council
Meeting Minutes
February 18, 2020

Present:

Ronald Berry, Council President
Leona Papale, Vice President
Mark Campbell, Councilman
Timothy O'Hara, Councilman
Karen Peterson, Councilwoman
Harris Resnick, Councilman
Fred Rich, Councilman

Absent:

Mike Humphreys, Councilman

Others Present:

Francis Catania, 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 Lombardo

Public Comment:

No opening public comment.

Meeting Minutes:

A motion was made by Councilman Campbell to accept the January 2020 meeting minutes as presented; seconded by Vice President; and carried unanimously by a vote of 7-0.

Mayor's Report:

Mayor Lombardo announced that they would be hosting a Mayor's Luncheon on Tuesday April 21st at 12pm at the Columbus Club. He said that they would update again next month and post the pertinent information online as well.

Police Report:

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

Fire Report:

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

Treasurer's Report/Bill List:

A motion was made by Councilwoman Peterson to approve the Treasurer's Report and pay the bills; seconded by Councilman O'Hara; and carried unanimously by a roll call vote of 7-0. (Papale – yes, Resnick– yes, Berry – yes, O'Hara – yes, Rich – yes, Campbell – yes, Peterson – yes.)

Borough Manager Perfetti asked if they could move from their normal course of business to allow for the swearing in of the officers.

Swearing-in of Police Officers:

Borough Manager Perfetti asked the Honorable Mayor to step forward to swear in Patrolman Ryan Berry to his new position as Sergeant of the Police Department as he scored the highest on the recent testing with a 95.3 score.

Mayor Lombardo swore in Sergeant Ryan Berry.

[Round of applause.]

Chief Timothy Rockenbach introduced Stephen Paul as the next full time officer.

Mayor Lombardo swore in Officer Stephen Paul.

[Round of applause.]

Manager's Report:

Borough Manager Perfetti announced that the Borough received notification for the Recycling Development and Implementation Grant under Section 902 of the Municipal Recycled Waste Reduction Act for an award in the amount of \$87,276. He said that they will need to execute some documents to move forward.

Borough Manager Perfetti said that the closeout summary for the CDBG project for street improvements allowing for Clifton Heights to be 100% LED street lighting has been filed.

The Borough Manager requested an Executive Session for a couple of legal matters that need to be discussed. He said that he wanted to discuss the pending lease at 2 W. Baltimore Pike for the Historical Society.

Borough Manager Perfetti reported that the owner of the property formally operating as Kmart on Baltimore Pike, through their management company, delivered an informal proposal to the Borough

expressing interest of 3 separate stores taking up residence in the building, the first being Big Lots, the 2nd store Lidl and the 3rd Crunch. He said that it is informal with only an artist's sketch being delivered to the Borough.

Borough Manager Perfetti said that for the property up by Baltimore & Oak most recently occupied by the Mexican Restaurant, there has been interest expressed by the Brazilian Fried Chicken chain, which is planning 50+ Philadelphia area restaurants, with this as a possible local location.

The Borough Manager reminded Councilmembers to please return their statement of financial interests by the next Council meeting.

Borough Manager Perfetti said that they would need Resolution in reference to the current year's proposed CDBG project for Garchinsky Park so that they can take the next step for grant monies.

Borough Manager Perfetti said that they would also need to take the next step on a Resolution for the Kent Mills Lofts at 500 E. Broadway for a planning module to take the next and last step. He said that step would take them to the building permit application in the very near future.

A motion was made by Councilman O'Hara to accept the Manager's Report as presented; seconded by Councilman Resnick; and carried unanimously by a vote of 7-0.

Mayor Lombardo asked if they had received any information from PECO about the reimbursement that they would receive now that the LED lighting project was completed.

Borough Manager Perfetti said that they were completing an analysis. He said that he believed the grant monies would be between \$12-15,000 from PECO for installing the lights, and the reduction would be 40-50% annually.

Code Enforcement Report:

John Gould said that he was working with a few programs currently through the County for low interest for homeowners in need of repairs, so he could be reached for contact information on these programs for anyone who might be interested.

A motion was made by Vice President Papale to accept the Code Enforcement Report as presented; seconded by Councilman Campbell; 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 bid opening for the 2019 CDBG project for the municipal parking lot was held this morning and the Borough received 3 bids. He said that the bid sheet is attached to his report and the lowest responsible bidder is Couzins Inc. of North Wales with the base bid of \$185,372.74 and the alternate bid of the installation of lighting for the amount of \$72,172. The CDBG award was for approximately \$125,000. He said that he recommends that Council

recommends a contingent approval of the base bid based on the approved request for additional funds. He said that he would then write a letter to OHCD for the additional funds.

A motion was made by Vice President Papale to accept the bid and award the CDBG contract to Couzins Inc. for the base bid of \$185,000 contingent upon the approval of additional funds in the approximate amount of \$60,000 from OHCD for the 2019 CDBG project for the Borough Hall's municipal parking lot; seconded by Councilman Resnick; and carried unanimously by a roll call vote of 7-0. (Papale – yes, Resnick– yes, Berry – yes, O'Hara – yes, Rich – yes, Campbell – yes, Peterson – yes.)

Mr. Kelly included a Resolution in his report for the 2020 Road Program for the application for County aid.

A motion was made by Vice President Papale to adopt Resolution 01-2020 approving the application for the 2020 Road Program and authorizing that it be submitted to the County and PENNDOT; seconded by Councilman O'Hara; and carried unanimously by a vote of 7-0.

Mr. Kelly introduced a draft DEP Resolution to approve the sewage management facility plan for the property at 500 E. Broadway Ave. All capacity authorizations have been received from the downstream conveyance and treatment authorities. He recommends that this authorization is adopted and approved.

A motion was made by Councilman Campbell to adopt Resolution 02-2020 approving the sewage management facility plan for the property at 500 E. Broadway Ave. as presented; seconded by Councilman Rich; and carried unanimously by a vote of 7-0.

Mr. Kelly noted that they are working on the Chapter 94 reports for the MS4 report, which occurs annually around this time. They will have those reports submitted by the end of February.

Mr. Kelly explained that the CDBG application that was authorized by Council for the Garchinsky Park improvements in December has a Resolution to ratify that vote to apply for those funds.

A motion was made by Councilwoman Papale to adopt Resolution 03-2020 which ratifies the Borough Council's decision to apply for CDBG funds through the Garchinsky Park improvements application that was previously filed; seconded by Councilwoman Peterson; and carried unanimously by a vote of 7-0.

Mr. Kelly noted that the Recycling grant that the Borough Manager had touched on is something that they had applied for a couple of years ago and just been awarded. He said that he would work with the Borough Manager to work through uses for that grant. He said that many of the things associated with recycling could be used with those funds: bins, manpower, fuel, etc.

A motion was made by Councilman O'Hara to accept the Engineer's Report as presented; seconded by Councilman Rich; and carried unanimously by a vote of 7-0.

Solicitor's Report:

Francis Catania presented the Solicitor's Report.

Solicitor Catania reported that he would need the Executive Session that was mentioned by the Borough Manager to discuss a Real Estate issue with 2 W. Baltimore, a Police personnel issue and the litigation issue for the athletic field.

Solicitor Catania said that he did have one action item. He said that tonight is the deadline for voting on the plans that were submitted by the School District, the 2nd set of plans. He said that they indicated at the last meeting that they were going to submit a 3rd set of plans, and they submitted that 3rd set of plans on the day of the most recent meeting. He noted that it was just a big bundle with no cover letter or explanation of documents. Solicitor Catania said that they have a legal obligation to evaluate their plans in good faith, and they have done that with Mr. Kelly putting in long hours over the course of the last several months to comply with that, but he said that they were not making it easy. He provided an example. He said that Judge Barry Dozor ordered that they attend mediation. He said that they had a scheduled Planning Commission meeting because there is a strict timeline during which the Borough has to act on those plans. He said that they asked the School Board if they would continue the evaluation done by the Planning Commission until after the mediation was completed, and they fought them on that and said no. He said that the Borough told them that they would then meet on the scheduled date and when they realized that they would not be ready for the meeting they fought to have the meeting continued and the Borough then refused. He said that they came to the Planning Commission and filed the plans that day and the Planning Commission correctly got more time to review those plans that were submitted. He said that they are now on the 3rd set and Mr. Kelly hasn't gotten into those plans yet. He said that there is a strict deadline to act on those plans unless the applicant, the School District, requests an extension. He said that because they submitted those plans on the day of the Planning Commission meeting, they have asked this Council to agree to an extension until May 22, 2020 to evaluate those plans. He said that the Planning Commission could hold hearings, consider the pedestrian issue. He said that the pedestrian issue will require a lot of review because it could require new sidewalks, signaling, and even pedestrian bridges. He said that time is needed. He said that his recommendation is to grant that requested extension to show their continued good faith to review these applications.

A motion was made by Councilman Rich to accept the School District's request for an extension of time until May 22, 2020 for the Borough to review their application with their 3rd set of plans for their proposed project; seconded by Councilman Rich; and carried unanimously by a vote of 7-0.

Solicitor Catania said that he would work with the Borough Manager to notify the School District. He said that the mediation is continuing. He said that he is not sure if the next Planning meeting is scheduled or not yet. He said that he is looking forward to seeing the information. He said that he thinks that the traffic study was completed at off hours.

Mr. Kelly said that the traffic study was rejected by PENNDOT.

A motion was made by Councilman Campbell to accept the Solicitor's Report as presented; seconded by Vice President Papale; and carried unanimously by a vote of 7-0.

Old Business:

No old business.

New Business:

Mayor Lombardo said that he had the opportunity to attend the Clifton Heights Boys' Club banquet over the weekend, and they had 375 people in attendance. He said that it was amazing.

Solicitor Catania said that the gentleman who was filming on behalf of the Borough at the 2nd to last Planning Commission meeting, Jim Turner, spoke to him and suggested that there were a lot of promises made by the School District and Mr. McGarry specifically about what the Boys Club would be able to get with the school being built. He said that he is going through the 3 hour video and going to do an excerpt of all the promises that were made. He said that video was on YouTube and he would inform everyone when it was prepared.

Ward Reports:

Councilman Resnick had nothing to report.

Vice President Papale said that the Clifton Heights Swim Club would be hosting their annual Beef & Beer on Saturday, February 29 for anyone who was interested in supporting the pool. She said that it was a nice event at the Polish American Club, \$30 in advance and \$35 at the door. She also asked if everyone could please have their Clifton Quarterly articles into her by next week. She said that with the layout taking a bit of time, her hope was to have it out by mid-March.

President Berry had nothing further to report.

Councilman Rich said that things are looking good in the 3rd ward. He said that everyone is putting their trash in their containers, which was big issue a couple of years ago, and he was very happy that it had been corrected.

Councilman O'Hara had nothing to report.

Councilman Campbell asked for an update on the Gulf station.

John Gould said that his last update is that they are currently finishing up another job and then all of their resources would be redirected to the Clifton site so that they are up to date for their next hearing date which is in mid-April. He said that it has been off and on, off and on.

Councilwoman Peterson asked about the former IHOP property.

John Gould said that they are currently in Court with them. He said that the same owner owns the property across the street that they mentioned in reference to the Brazilian chicken chain. He said that he is focusing on the property across the street first, but he says he has some ideas for that property as well.

Councilwoman Peterson thanked him for the information that a business may be returning there.

John Gould explained that being in Court he would face a lot of fines if the business is left without a tenant.

Closing Public Comment:

Sherry Rich, 82 Chester Ave., said that while she loves Scaramuzza's, she put her dog out at 11:30pm one night, she could hear so much going on in that business. She said that she thinks they need to do something to alleviate some of that for the neighbors. She said that she also attended the Boys' Club banquet with Councilman Rich and it was PHENOMENAL! She said that those kids were so proud. She noted the amazing presentation that was displayed with the organization's videographer Quan Ta. She said that he doesn't even live in this town, but he hooked up with Steve Goetz and he does amazing things for the town. She said that finally she wanted to ask for prayers. She said that their 2nd grandson is at Lackland Air Force Base at boot camp and will be graduating March 5th. She said that they are headed there for the graduation and that is one of the epicenter's of where they are bringing in evacuee's who may have been exposed to the coronavirus. She said that she's scared heading there but asked for prayers.

The Chester Spirit reported asked if she could remind everyone to take part in the Census 2020. She said that residents should also remember that all Census takers would have proper identification and to report any suspicious activity to the proper authorities.

Adjournment:

A motion was made by Vice President Papale to adjourn; seconded by Councilman Campbell; and carried unanimously by a vote of 7-0.

Respectfully Submitted,

Kimberly A. Duffy
Clifton Heights Borough Secretary