

Clifton Heights Borough Council
November 17, 2020 Council Meeting Minutes

Council Members Attending:

Leona Papale, Council President
Mark Campbell, Council Vice President
Mike Humphreys, Councilman
Louis Cabrelli, Councilman
Timothy O'Hara, Councilman
Karen Peterson, Councilwoman
Destiny Borelli, Councilwoman

Officials Attending:

Joseph Lombardo, Mayor
John Perfetti, Borough Manager
Timothy Rockenbach, Chief of Police
James Kneass, Fire Chief
John Gould, Code Enforcement
Francis J. Catania, Borough Solicitor, by phone
J.P. Kelly, Borough Engineer
Cynthia Leitzell, Borough Financial Advisor

Absent:

Harris Resnick, Councilman

Call to Order and Pledge of Allegiance:

Borough Council President Leona Papale presided over the meeting and called the meeting to order, led the Pledge of Allegiance and then took roll which is set forth above.

Mayor's Report:

Mayor Joe Lombardo reported that unfortunately after speaking with the Fire Chief, they had to make the difficult decision to cancel the tree lighting ceremony because of the current uptick in the coronavirus cases. He said that it is unfortunate but prudent. He said that Santa will still be going around town on the Sunday before Christmas (December 20th). Santa will not be getting off the truck, but they will still be going around town and visiting residents from afar on the truck.

President Papale said that they would still be hosting the house decorating contest and giving out awards. She said that the judging would be starting on Saturday, December 19th with judges riding around and checking out the homes around 6pm. She reminded residents to keep their lights on.

Meeting Minutes:

President Papale asked for any requested edits to the October 2020 meeting minutes. There were no requests. The October 2020 minutes were approved with no requested edits.

Public Comment:

No opening public comment.

Manager's Report:

Borough Manager Perfetti advised Council that the 2020 preliminary budget which was passed at the previous month's meeting is now available for public display between the hours of 9am-3pm Monday through Friday at Borough Hall. Any resident wishing to review the budget could come in and request a copy to review from the Borough office.

Borough Manager Perfetti reported that the Borough was provided a Court date for a pre-trial conference with Judge Dozor and the Upper Darby School District for December 14, 2020.

Borough Manager Perfetti reported that the Borough Engineer would be reporting on the trash and grass cutting contracts that came in today.

Borough Manager Perfetti reported that there was a legal proceed with the Henderson vs. the Borough of Clifton Heights case and that matter had been settled and the releases are present for the Council President to sign this evening.

Borough Manager Perfetti said that he was very happy to announce that the parking lot project outside of the administration building was completed, and he thinks that residents should be very proud of the finished product and the work that this Council did on their behalf.

Borough Manager Perfetti reported that the Borough has 5 Zoning Hearing applications that need to be heard. He said that one is for the Rockbourne Road property and a date has not been set yet. He said that he would ask for Mr. Gould to present on the 4 other properties that a hearing was set for on November 30, 2020 in the Council chambers.

Mr. Gould said that the first Zoning Hearing Board application was for 519 E. Broadway Ave., with the owner applicant looking to put a 2 story accessory structure in the rear of the property. He is a woodworker/cabinet maker and would be using that structure as a workshop. He said that that applicant is looking for some relief on the setbacks and size/height of the building. He said that the next application is for 39 Marple Ave, which is 2 doors down from the Polish-American Club. The applicant has tenants who live in the property next door and is looking to put a storage unit for his concrete and masonry business on that site. The area is zoned residential, so he would be looking for a variance.

President Papale asked if the current shed there would be knocked down.

Mr. Gould said that he has plans that include both knocking down that shed and keeping that shed. He said that ideally he would take it down, but if he could not get the size building he was looking for, he would keep it up for additional storage. Mr. Gould said that the 3rd applicant was for 100 W. Baltimore Ave., which is the property right next to the shopping center that houses

Furio's. He believes this property was last occupied by Dr. Iatesta on the 1st floor. He said that property is 3 units, 2 apartments and the office, which has been vacated for several years. He said that the applicant is looking to put a 1 bedroom apartment on the 1st floor. He said that the final application is for the Clifton Heights Fire Company and their signage that for out front. He said that those are their 4 current applications that will be heard on November 30, 2020.

Borough Manager Perfetti noted that the Borough's Road Program work has commenced. He said that the 300 block of E. Madison Ave. from Marple to Holly, Holly St. from E. Madison to E. Berkley, 200 block of E. Berkley from Holly to S. Glenwood, and finally the intersection of E. Madison and S. Penn about 50 feet on each side of the intersection to take out the bumps and dips. They also placed millings which were then compacted which seems to have worked very well and addressed the problem that the residents have been facing for years.

Borough Manager Perfetti said that the fall leaf and yard waste collection program has started and will run on November 16th & 17th, November 23rd & 24th, November 30th & December 1st, and December 7th & December 8th. He said that would be every Monday and Tuesday and that there only request was to keep the weight manageable for the pickup crews that would be coming around.

President Papale asked if she could add two items of importance. She said that they requested no plastic bags, if necessary only paper bags. She also noted that owners of rowhomes would be able to place their items at the front of their properties for the highway department since the majority of the yard space would be out front, allowing them to avoid lugging any yard waste from the front to the back.

Borough Manager Perfetti said that the Borough has just been notified by NorthPointe Beyond Self Storage that was just built that the property is going to be sold, and they are going to be sold to Public Storage. He said that they just received this notification 2 days ago, and they are not very happy with the news. He said that they have not issued any U&O permits yet. He has asked the code director to cancel a walkthrough that was scheduled for Friday until they receive more information. He said that he spoke to a developer and what was explained to him is that Public Storage bought their entire portfolio throughout the country. He said that he just wanted to keep Council in the loop on this development.

Borough Manager Perfetti said that while not for consideration for this evening, he wanted to make Council aware that they have been in talks with the Borough's financial advisor who has said that she would like them to take into consideration the very low interest rates available to the Borough. The Borough has an interest rate in excess of 4% on their current \$1.4million outstanding loan, and there are options available that could bring that down to 1.5-1.75%, which would result in a substantial savings to the Borough and its taxpayers.

Borough Manager Perfetti said that he had a discussion with the Borough's Tax Collector, Jane Tumolo, and she is requesting an increase for one of her fees for the duplicate bills. She currently charges \$5/bill and is requesting an increase from \$5 to \$10. He said that he called around to surrounding tax collectors, and this is very much within the norm, and his recommendation would be to vote in favor of this request.

A motion was made by Vice President Campbell to approve the tax collector's fee increase for duplicate bills from \$5 to \$10; seconded by Councilman O'Hara; and carried unanimously by a roll call vote of 7-0. (Papale – yes, Cabrelli – yes, Humphreys – yes, O'Hara – yes, Borelli – yes, Campbell – yes, Peterson – yes.)

Borough Manager Perfetti requested that the Borough Solicitor prepare a Resolution to reflect the fee change.

Borough Manager Perfetti said that the Clifton Heights PAL has contacted the Borough requesting permission to erect a banner sign at Springfield and Oak Ave. for their Christmas tree sale fundraiser.

A motion was made by Vice President Campbell to approve the Clifton Heights PAL banner placement at Springfield and Oak; seconded by Councilwoman Peterson; and carried unanimously by a vote of 7-0.

Borough Manager Perfetti said that he would stay on top of them on the importance of removing the banner at the completion of the fundraiser as well.

Borough Manager Perfetti said that for informative purposes he wanted to share that a resident of the 4th ward took it upon himself last weekend, without permits, to cut his curbing out, put an apron in and put a driveway up to his house. He said that he had a long discussion with the Code Department to see what they could do to prevent such actions. He said that the 1st issue would be that he did not get a permit. The 2nd issue that he removed curbing which could affect the integrity of the storm water flow. He said that he's also been in discussions with the engineer. He said that unfortunately it is something that they are starting to see more of around town. He said that they may want to put an ordinance together preventing this or allowing a course of action to proceed, such as going through Planning and/or Zoning to ensure they are not adversely affecting storm water management and other areas.

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

Solicitor's Report:

Solicitor Catania presented the Solicitor's Report.

Solicitor Catania noted that they held an Executive Session prior to the meeting where they discussed a personnel matter & 2 litigation matters.

Solicitor Catania said that while they already happened, he would report that the Borough had filed 11 requests for challenges to reassessments of properties within the Borough. He said that they are still not sure how many appeals residents or businesses filed, and they probably won't know them until the time that they are expected to adopt the final budget. He said that it has been very difficult this year to get that information from the County for budgeting purposes. He

said that he thinks the Borough's financial team and manager did a great job working with the limited information that they had at their disposal.

Solicitor Catania said that he had no action items.

Committee Reports

Finance Committee: Vice President Campbell said that everyone on Council has 2 budget reports in front of them, and he would suggest highly for them to review them. He said that they have until December 15th to make changes as needed. He said that as of right now it looks like the budget is \$400,000 in the hole, which is "normal." He said that to piggyback off of the Borough Manager's report on the loan, he would highly recommend that they look at that seriously because it would be a plus for the Borough.

A motion was made by Vice President Campbell to approve the Treasurer's Report as presented and pay the bills; seconded by Councilman O'Hara; and carried unanimously by a roll call vote of 7-0. (Papale – yes, Cabrelli – yes, Humphreys – yes, O'Hara – yes, Borelli – yes, Campbell – yes, Peterson – yes.)

Public Health & Safety Committee: Councilman Humphreys said that the Fire Company is always looking for a volunteers and that anyone interested should reach out. Councilman Humphreys said that they received a letter of thanks praising Sergeant Berry and Officer Paul for assisting a resident. A husband wrote the letter because his wife had slipped and fallen on the kitchen floor and he couldn't help her up, so he called 911 and the officers responded within 3-4 minutes and helped her up. Their kind demeanor and professionalism helped to alleviate how upset his wife was and their training definitely had the situation turned around in a quick amount of time. He thanked the officers for their efforts and said that they are a credit to the Clifton Heights Police Department.

Councilman Humphreys asked everyone to keep up their diligence in response to the current uptick in the coronavirus cases.

President Papale said that she wanted to add that it was a very nice flyer that went out on behalf of the Fire Department seeking volunteers.

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 7-0.

Fire Report:

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

Infrastructure & Public Works Committee:

Engineer's Report

Borough Engineer Kelly presented the report.

Mr. Kelly reported that Road Program contract had been started as previously mentioned, and he expected the work to be completed by the end of this week.

Mr. Kelly reported that bid openings for the trash and recycling hauling and grass cutting contracts were held today through PENNbid. Each contract was advertised with a 2nd and 3rd year option. He said that accordingly he would recommend that the grass cutting contract be awarded to T.S. Morris Landscaping of Garnet Valley for the base bid of \$695/cut for years 1 & 2, and \$720/cut in year 3. He said that the 2nd bidder on this project was Cyron Company out of Bensalem, PA and his bid per cut was for \$12,397. He said that the 3rd bidder was M&M out of Churchville, PA was \$24,705/cut. Mr. Kelly noted that T.S. Morris has been the grass cutting contractor for some time.

A motion was made by Vice President Campbell to award the grassing cutting contract to T.S. Morris of Garnet Valley, PA in the amount of \$695/cut in years 1 & 2 and \$720/cut in year 3; seconded by Councilwoman Borelli; and carried unanimously by a roll call vote of 7-0. (Papale – yes, Cabrelli – yes, Humphreys – yes, O'Hara – yes, Borelli – yes, Campbell – yes, Peterson – yes.)

Mr. Kelly reported that he is recommending that the trash waste and removal contract and the recycling removal contract be awarded to B&L Disposal for the trash removal base bid of \$205,992/year for year 1 & 2 and \$212,171/year for year 3 and to collect & remove recycling for \$84,996/year for years 1 & 2, and \$87,540/year for year 3. He said that the only other bidder on that project was J.P. Mascaro and they were significantly higher than B&L. He said that they do not need to award the contract on a 3 year basis, but can award for 1 year and it gives them the option to see how they operate and revisit next year and vote to accept the option for year 2.

Councilwoman Peterson asked to confirm if they only voted to approve a 1 year contract if the price would be the same for year 2.

Mr. Kelly confirmed that the price would be the same and that was how the contract was put out to bid.

A motion was made by Councilwoman Peterson to award the trash & recycling hauling contract to B&L disposal for 1 year with the base bid of \$205,992 for trash and \$84,996 for recycling with the option to renew at the same price for year 2 upon a vote next year; seconded by Councilman Humphreys; and carried

unanimously by a roll call vote of 7-0. (Papale – yes, Cabrelli – yes, Humphreys – yes, O’Hara – yes, Borelli – yes, Campbell – yes, Peterson – yes.)

Councilman Humphreys asked to confirm that this included trash pickup 4 days a week.

Mr. Kelly confirmed it was trash pickup 2 days a week and recycling 1 day a week per residence as it currently is setup.

Borough Manager Perfetti said that for understanding the Borough would still be responsible for tipping fees paid to the County, and those are currently averaging \$18-19,000/month, and those fees will be facing a \$5/ton increase effective January 1, 2021.

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

Recreation and Historical Committee: President Papale said that the Borough would be putting out the calendar again this year and any businesses interested in being part of the calendar should reach out the Mayor, Vice President Campbell or President Papale. The cost is \$300 for the entire year. She noted that a few events on the calendar had been cancelled for the year in addition to the tree lighting cancellation, the Nate Hartel Turkey Bowl was cancelled for the year and the Sacred Heart Christmas Bazaar was cancelled because of the COVID situation. She said that Sacred Heart would still be doing their annual pierogi sale and anyone interested could reach out to her.

Economic Development Committee: Councilwoman Peterson said that she had nothing new to elaborate on outside of what had already been discussed during the course of the meeting.

Law & Ordinances Committee:

Code Enforcement Report:

John Gould presented the Code Enforcement report.

He said he didn’t have much more than the written report, but he did want to note that they would certainly look into Austin Drive. He said that issue was a brand new resident and they would be working with them.

A motion was made by Councilwoman Borelli to accept the Code Enforcement report as presented; seconded by Councilman Humphreys; and carried unanimously by a vote of 7-0.

Environment Committee: Councilman Cabrelli said that he had nothing to report currently but would have more going on in the New Year.

Communications Committee: Councilman O'Hara had nothing new to report.

Old Business

Vice President Campbell said that they were trying to add 2 lights in the 4th ward, one at the top of Davis Ave and one at the top of Crestwood. He said that he wanted to note this so that they could be sure to follow up on it.

President Papale asked again about the AQUA situation on Chester Ave.

Mr. Kelly said that they continue to follow up and sent emails the last 2 days and will continue to do so.

New Business

President Papale wished everyone a happy and safe Thanksgiving.

Closing Public Comment:

Fred Rich, 82 Chester Ave., said that the NorthPointe Storage facility that is now becoming Public Storage per the discussions this evening had presented to the Planning Committee that the construction was going to be about 40 feet high. He said that he had complained to the Planning Committee that the ordinance in Clifton is 35 feet height. He said that it was proposed to him that it would be 30 feet in the front and 40 feet in the back, and therefore the circumference of the building would average out to 35 feet. He said that is what was agreed to at that time. He said that if you go down Broadway Ave. to the stop sign and Radnor Ave., it is much higher than 40 feet and more like 54 feet. He said that nothing has been done about that issue and they are open for business.

Borough Manager Perfetti confirmed that they were open for business on the 1st floor.

President Papale said that this is new information that is being presented to her.

Mr. Rich said that it was her ward and all she would have to do is go down and look.

President Papale said that she is aware that it is in her ward.

Mr. Rich said that it should have been stopped at 40 feet and the work was allowed to continue.

President Papale said that she would look into this but she wouldn't have an answer for him this evening.

Mr. Rich asked if the proposed budget for next year included a tax increase.

Borough Manager Perfetti said that there is an issue because of the reassessment and they passed 2 preliminary budgets.

Solicitor Catania explained that they completed the preliminary parameters, but until they receive the results of the reassessment, they won't know the increase or by how much they need to increase it to accommodate the budget. He said that they are at the mercy of the County to get that information and will have it at the meeting in December.

Borough Manager Perfetti said that the County has also not released any of the appeals that have taken place over the last 3 months. He said that they will not release that information until all of the appeals are heard and that is per the County when he called there 2 weeks ago to obtain any information.

Mr. Rich asked if anything was proposed for an increase.

Vice President Campbell said that the budget is available for review at the Borough office during the week from 9am to 3pm, but while it's prepared they do not have the numbers to punch in from the County to determine if there will be a tax increase or not.

President Papale said that that is absolutely the normal procedure but because of the current reassessment, they don't have access to the numbers to determine the tax breakdown.

Mike Stevens, 201 W. Washington Ave., said that he is attempting to find a solution to an issue to an issue that has become a nuisance. He said that it is playing basketball in an area that is not designed for basketball. He said that the rim is placed in an area and he has a car parked right next to that area and they are not just taking foul shots but shooting the ball from 50-75 feet, so the force of the ball coming off the rim hits his car. He said that he has talked to the Mayor and the police and as a result he called the police 6 times in the month of October and the final result as that they egged his house and car. He said that he is looking for a solution and the police are powerless in this situation. He said that he's requesting that some sort of ordinance be prepared to address this situation. He said that the noise produced from the basketball bouncing off of cars, air conditioners, trash cans etc. is awful in the environment and they go from 7:30am to 9:30pm during the summer. He said that now they're out there until 7-7:30. He said that it's not just the kids who are living there but every kid in the neighborhood. He said that if his car is damaged, he'll have to pay his own deductible.

President Papale asked what sort of language he would be seeking.

Mr. Stevens said that he would want something that said you couldn't play basketball in an environment not suitable for basketball.

Vice President Campbell asked if they were playing basketball in the street.

Mr. Stevens said not in the street but in the alley behind the row homes.

President Papale asked if it was on his property.

Mr. Stevens said that they shoot the ball from his property. He said that the ball is picking up force bouncing off the rim.

President Papale said that they would take this into consideration.

Councilman Cabrelli asked if the net was attached to the house.

Mr. Stevens said that it was a free standing regulation rim that can be moved between 7 & 10 feet. He said that sound is a nuisance but the potential damage to vehicles is his biggest concern.

Councilman Cabrelli asked if he knew the owner.

Mr. Stevens said he wasn't sure but it was a single mom with 3 children next door to him.

Borough Manager Perfetti asked if it would be 203 W. Washington.

Mr. Stevens said that it would be 204 Cambridge. He said that there is another neighbor who has called the cops, but he won't come to meeting because he is afraid of retaliation like was done to him egging his property and cars.

President Papale said that they would take it into consideration.

Mr. Stevens said that he suggested that they use the area over behind the Getty that was cleaned up to put the court over in that area, and they didn't do anything.

President Papale asked him to continue to call the police in the meantime.

Solicitor Catania said that he would attempt to solve it indirectly and then work with the police and if a resolution can't be reached, they will work on it further.

Borough Manager Perfetti said that they would work on it.

Tom Slavinski, 503 Seven Oaks Drive, said that the Christmas tree sale to support the PAL would start on Black Friday with 200 trees being delivered. He thanked them for the approval of the banner. He said that the supplier raised the prices of the trees this year and with the lost revenue from some of their other fundraisers, they are trying to bolster the sales, so they appreciate the support. He asked how they got on the electronic sign at the Fire House.

Mayor Lombardo said that he could thank the Fire Chief for that.

Mr. Slavinski thanked Chief Kneass.

Adjournment:

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

Respectfully Submitted,

Kimberly A. Duffy
Clifton Heights Borough Secretary