

**Clifton Heights Borough Council
December 15, 2020 Council Meeting Minutes**

Council Members Attending:

Leona Papale, Council President
Mark Campbell, Council Vice President
Harris Resnick, Councilman
Mike Humphreys, Councilman
Louis Cabrelli, Councilman
Destiny Borelli, Councilwoman
Karen Peterson, 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:

Timothy O'Hara, Councilman

Call to Order and Pledge of Allegiance:

Borough Council President Leona Papale presided over the meeting and called the meeting to order and led the Pledge of Allegiance.

Mayor Lombardo offered an opening prayer.

Mayor's Report:

Mayor Joe Lombardo reminded everyone of the unfortunate decision that they had to make to cancel the Christmas tree lighting ceremony for the year. He said that Santa would still be coming around town in the fire truck this Sunday starting around 12pm.

He wished everyone in these trying times a happy & healthy Christmas and New Year.

President Papale took roll call, which is set forth above.

Meeting Minutes:

President Papale asked for any requested edits to the November 2020 meeting minutes.

President Papale asked for the minutes to be edited on page 7 to reflect recycling pick up one day a week.

The November 2020 minutes were approved with the requested edit.

Public Comment:

No opening public comment.

Manager's Report:

Borough Manager Perfetti asked if they could move from their normal course of business as their budget director has another meeting to attend, so he wanted to see if they could jump to the budget approval and see if they could get that portion of the meeting squared away.

Ms. Leitzell told them that they had the preliminary budget that was posted in front of them, showing a millage of 11.234 mills. That is broken down with the General Fund, and the sinking fund and the pension fund and the fire department. This represents a 10%, as allowable, increase over last year's revenue for tax millage. She said that there have been no changes since the budget was posted.

Borough Manager Perfetti said that he just wanted to add that the revenue from the tax collections is down this year by just under \$100,000, which is issue #1. Due to the County's reassessment which will come into effect on January 1st, taking into account the information that they have now and not the appeals which haven't been finalized yet, the Borough is down another \$230,000 in revenue with the reassessment numbers. He said that those 2 realities alone show a deficit of \$330,000-350,000 and that is before applying contracted salary increases and general expense increases. He said that he wanted to emphasize that this 10% increase that is showing and needed wasn't taken lightly by this Borough Council, Borough Manager or Finance Director. He said that their Solicitor preached to them that they have to be conservative when it comes to taxation, but he knows that they have pored over the budget and that the Finance Committee has done a great job in preparing this budget.

A motion was made by Councilman Resnick to adopt the Resolution for the 2021 Final Budget, which is revenue neutral; seconded by Vice President Campbell; and carried unanimously by a roll call vote of 7-0. (Papale – yes, Resnick – yes, Cabrelli – yes, Humphreys – yes, Borelli – yes, Campbell – yes, Peterson – yes.)

Borough Manager Perfetti reported that the body camera grant had been approved through the efforts of the Chief of Police and Engineer and that the award given to the Borough was \$15,000 for body cams for the police officers.

Borough Manager Perfetti reported that through the efforts of the Code Director, they now have a credit card machine that is operational. He said that they are still testing it and it should be up on the webpage by the January meeting.

Borough Manager Perfetti said that Engineer will be speaking about the Road Program that is now completed. He said that he would identify the roads that were completed and the cost and

Borough Manager Perfetti would recommend payment be authorized for that work. He said that they were very happy with the work that was completed this year.

Borough Manager Perfetti said that he would request that they appoint 3 new members to the Zoning Board this evening. He said that their current Board is a 3 member Board and one of the members will be retiring, which would take them down to 2 members, so the new appointees would put them at 5 total members. He said that they could have more than 5 members, but 5 members seems to be the general consensus after checking with other Boroughs and municipalities.

Borough Manager Perfetti said that his 1st candidate was William F. Braun of West Madison Ave., who has been a resident of the Borough for 30+ years. He said that he raised his family in the Borough, attended Upper Dublin schools, has a BA in Liberal Arts, has worked for FedEx for almost 30 years, and has coached with Radnor High School, Academy Park High School and Widener University. He said that he has a true feeling for our community and he thinks he would be a nice asset to the Zoning Board.

President Papale said that she highly recommends Mr. Braun for the position. She has worked with him at FedEx.

A motion was made by Councilman Resnick to appoint Mr. William Braun to the Zoning Board; seconded by Vice President Campbell; and carried unanimously by a vote of 7-0.

Borough Manager Perfetti said that his next candidate for the Zoning Board was Mr. Christopher Kane of Radnor Street, who has been a resident of the Borough for 25+ years. He has been involved in numerous community activities, including the Historical Society. He is a truck driver by trade and knows the Borough inside and out. He said that he met with him personally and he seems to be excited for the opportunity.

President Papale said that she agrees with his recommendation of Mr. Kane for the position. She has met with Mr. Kane and sees in him a desire to be community involved.

A motion was made by Councilman Humphreys to appoint Mr. Christopher Kane to the Zoning Board for a term of 1 year; seconded by Councilman Resnick; and carried unanimously by a vote of 7-0.

Borough Manager Perfetti said that his next candidate for the Zoning Board was Mrs. Michelle Hartel of Harrison Ave., who has been a lifelong resident of the Borough, her parents raised her in the Borough and she raised her own family in the Borough. She is a stellar individual.

President Papale said that she agrees with his recommendation. She has known Michelle her entire life and is almost like family with her family, so she certainly agrees with his recommendation.

A motion was made by Councilman Resnick to appoint Mrs. Michelle Hartel to the Zoning Board; seconded by Councilwoman Borelli; and carried unanimously by a vote of 7-0.

Borough Manager Perfetti said that the Zoning Board met on Thursday, and there were 4 applications for variances and other issues. He said that the Zoning Officer, John Gould, would report on that during his report period.

Borough Manager Perfetti said that they have now scheduled their e-cycling and shredding and drug takeback and household hazardous waste events for 2021. He said that he would post the dates and times on the Borough's website and on the Borough's entrance doors.

Borough Manager Perfetti said that the trash collection contract was awarded to B&L Disposal and the grass cutting contract was awarded to Tom Morris grass cutting and the contracts would start January 1, 2021. The trash contract is a 1 year contract with options to renew on the outlined terms for year 2 and year 3. The grass cutting contract is a 3 year contract.

Borough Manager Perfetti said that the solicitor would address the tax assessment appeals that the Borough is involved in.

Borough Manager Perfetti said that unfortunately NorthPointe Beyond Self Storage has been sold to Public Storage. He said that the sale occurred very quickly and NorthPointe sold their entire portfolio to Public Storage, except for 3 units. He noted that he advised the Code Enforcement Department to stay on top of the building to ensure that there are no issues moving forward. He said that NorthPointe was a 1st class outfit who did great work and was very receptive to the Borough's requests. He said that he and the Borough Manager have been down there a couple of times in the last 2 weeks meeting with NorthPointe engineers and potential new engineers from Public Storage, and they will have more to report in the January meeting.

Borough Manager Perfetti reported that the Upper Darby School District filed an appeal to the Planning Board's decision to reject the plans for the building of a middle school at 217 N. Springfield Rd. The appeal was a 326 page document. That document was forwarded to John McBlain, who is representing the Borough, and Frank Catania. He said that they have almost completed the reading of the document, and they will certainly file a timely answer.

Borough Manager Perfetti said that tonight he would request that the Borough approve a contract for DWD Mechanical for the HVAC maintenance. DWD is a costars contractor, so the contract does not have to go out to bid and the cost would be \$2,900/year, \$725 per unit x 4 units.

A motion was made by Vice President Campbell to award the HVAC maintenance contract to DWD Mechanical for the price of \$2,900/year; seconded by Councilman Resnick; and carried unanimously by a roll call vote of 7-0. (Papale – yes, Resnick – yes, Cabrelli – yes, Humphreys – yes, Borelli – yes, Campbell – yes, Peterson – yes.)

Borough Manager Perfetti said that he would like to continue discussion in the next couple of months about the option to refinance the Borough's loan that is outstanding. The purpose of this would be to sizably lower the Borough's interest rate and consider the possibility of borrowing additional funds to start to address the Borough's sewer line issues throughout the Borough.

Borough Manager Perfetti said that he would request authorization to execute any and all documents for the sale of a 2011 Dodge Charger. He said that the reserve value on it was \$6,000, and they received their final bid yesterday of \$7,700 on MuniBid.

A motion was made by Councilwoman Borelli to authorize the Borough Manager to execute any and all documents in relation to the sale of the 2011 Dodge Charger through MuniBid; seconded by Councilman Resnick.

Vice President Campbell asked where the \$7,700 would go.

Borough Manager Perfetti said that it would go to the Borough's General Fund.

After questions, the motion was carried unanimously by a vote of 7-0.

Borough Manager Perfetti said that he would be contacting members of Council's Sewer Committee, Councilwoman Peterson, Vice President Campbell and Councilman O'Hara, by the end of this week because he would like to get something set up before December 28th. He said that he and the applicant would accommodate their schedules as needed.

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

Solicitor's Report:

Solicitor Catania presented the Solicitor's Report.

Administrative Actions:

Solicitor Catania said that his first item was for the 2021 meeting schedule.

A motion was made by Councilman Resnick to approve the 2021 meeting schedule as previously discussed so that the meetings can be advertised accordingly; seconded by Vice President Campbell; and carried unanimously by a vote of 7-0.

Solicitor Catania said that his second item was requesting ratification for the Borough's joinder with Delaware County school districts to request tax rolls by property and an extension of time to allow all parties to have a chance to review and file tax assessment appeals once the tax rolls have been released by the County.

A motion was by Councilman Humphreys to ratify the Borough's joinder with Delaware County school districts to request tax rolls by property and an extension of time to allow all parties to have a chance to review and file tax assessment appeals once the tax rolls have been released by the County; seconded by Councilman Resnick; and carried unanimously by a vote of 7-0.

Solicitor Catania said that his next item was a Resolution authorizing the filing of 9 tax assessment appeals on behalf of the Borough.

A motion was made by Councilman Humphreys to adopt the Resolution to authorize the filing of 9 tax assessment appeals on behalf of the Borough; seconded by Councilman Resnick; and carried unanimously by a vote of 7-0.

Solicitor Catania said that the 2021 budget was adopted, so it would now be in order to adopt the tax revenue ordinances, which were properly advertised.

A motion was made by Councilman Humphreys to adopt Ordinance #877 setting the millage for the taxes at 11.234 mills on each \$1,000 of assessed value and allowing the tax bills to be sent out; seconded by Councilman Resnick; and carried unanimously by a roll call vote of 7-0. (Papale – yes, Resnick – yes, Cabrelli – yes, Humphreys – yes, Borelli – yes, Campbell – yes, Peterson – yes.)

A motion was made by Vice President Campbell to adopt Ordinance #878 setting the sewer fee at \$314/unit; seconded by Councilman Resnick; and carried unanimously by a vote of 7-0.

A motion was made by Councilman Resnick to adopt Ordinance #879 setting the trash removal fee at \$210; seconded by Councilman Humphreys; and carried unanimously by a vote of 7-0.

Solicitor Catania said that those action items concluded his report.

Committee Reports

Finance Committee: Vice President Campbell said that as everyone can see they just passed the budget, and that is his report.

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

Public Health & Safety Committee:

Police Report:

A motion was made by Councilman Humphreys to accept the Police Report as presented; seconded by Vice President Campbell; 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 Vice President Campbell; 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 completed satisfactorily with no punch list items remaining, so he was recommending payment of the contract in the amount of \$102,462.40

A motion was made by Councilman Humphreys to authorize the payment of the completed Road Program contract in the amount of \$120,462.40 as final payment; seconded by Councilman Resnick; and carried unanimously by a roll call vote of 7-0. (Papale – yes, Resnick – yes, Cabrelli – yes, Humphreys – yes, Borelli – yes, Campbell – yes, Peterson – yes.)

Mr. Kelly said that they would submit the completion documents to PENNDOT.

Mr. Kelly said that the applications for CDBG funds for 2021 are due by January 8, 2021. He said that if Council wishes for his office to submit an application, they would do so accordingly. He said that last year they applied and were approved for the improvements to Garchinsky Park, and they recently the notice to proceed on that project.

Borough Manager Perfetti said that they received \$188,000 for that project.

Mr. Kelly said that they would start working on the plans for Garchinsky Park and would anticipate work to be completed in the summer.

Borough Manager said that those plans would be brought before Council.

Mr. Kelly said that a requirement of a CDBG application is to submit a list of public comment, so he is requesting that the Council President request comment from the public. He said that this was advertised in today's paper as part of the requirement for the application. He explained that he attached a map to the Engineer's report with the shaded area representing the areas that were eligible for CDBG funds. He said that they have been successful with park and some stormwater improvements in the past. He said that if they don't have anything now, they can certainly work with the Borough Manager to come up with ideas.

President Papale opened the floor to the public for any comment on CDBG application ideas. She explained that the shaded area is the southern portion of the Borough below Springfield Rd. and Harrison Ave.

Vice President Campbell said that he had been discussing options for adding lights to certain streets. He asked if that was something that could fall under this type of application. He had requests for Davis & Crestwood. He said that he could see Davis in the gray area.

Mr. Kelly asked if that request was for one street light.

Vice President Campbell confirmed he was requesting 1 street light on Davis. He said that Crestwood is out of the shaded area.

Mr. Kelly said that they were successful with LED lights down Baltimore Pike in the past, so it could be a possibility.

Councilman Humphreys said that he sees that CDBG is eligible in the Southern portion of the Borough, but he would really like to see them get something done at Diamond Street Park, which is not eligible on the map.

Mr. Kelly explained that they were successful in getting funds for the park in the past because at the time 60% of the Borough was eligible. He said that he could certainly ask the folks at OHCD about eligibility and see what happens.

Councilman Humphreys said that the equipment is there is very old.

President Papale asked if that park would account for the last park because she thought that Garchinsky accounted for the last playground. She said that she would like to see if they could get Diamond Street park included.

Mr. Kelly said that the grass area at the front of the Borough building property has potential for a park to be added with an area of storm water remediation being added. If that was functional and could happen, it would check off one of the requirements for the MS4 program. That possibility has the potential for 2 birds with 1 stone, with funds coming from CDBG, creating a park like atmosphere with storm water control facilities. The MS4 requirement, which is good for 5 years, came with a lot of requirements and they are costly requirements. He said it would be something to consider.

President Papale said that they did discuss the option of doing a passive park when they talked about finishing the parking lot.

There was no further comment from the public for CDBG projects.

Mr. Kelly said that in reference to the parking lot project, all work had been completed satisfactorily, so he was requesting Council authorize the final release of \$146,266.24 from CDBG funds and pay the contractor \$66,835.91 from funds obligated by the Borough. He provided a spreadsheet on that outline for payment.

A motion was made by Vice President Campbell to authorize the final release of CDBG funds in the amount of \$146,266.24 and pay the contractor \$66,835.91 from the Borough's obligation; seconded by Councilman Resnick; and carried unanimously by a roll call vote of 7-0. (Papale – yes, Resnick – yes, Cabrelli – yes, Humphreys – yes, Borelli – yes, Campbell – yes, Peterson – yes.)

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

Recreation and Historical Committee: President Papale said that the Mayor already noted the cancellation of the tree lighting ceremony. She reminded residents that the house decorating judging would be occurring this Saturday, December 19th after 6pm so that residents would ensure that their lights were illuminated. She said that the houses really looked great and she thought the judges would have a hard time judging.

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: Councilwoman Borelli noted some development news with the KMART being redeveloped into Clifton Heights Plaza, with tenants including Big Lots, Lidl and Dollar Tree, with land development proceeding in the coming months.

President Papale said that was a lot of great information and there is a lot of excitement surrounding that development. She said that there would also be one additional store available in that plaza.

Code Enforcement Report:

John Gould presented the Code Enforcement report.

He said that the year has been anything but normal. He said that the Zoning Hearing Board heard 4 applications on December 3rd. He said that the 1st application was for Marple Ave. by the old Verizon building. He said that there was an agreement of sale and the buyer was looking to building a storage building behind the utility building and that was approved with the provision that there was to be no residence above the office and no outdoor storage of equipment. He said that the 2nd application was for 519 E. Broadway Ave who was looking to build an accessory structure for use by her family for various storage uses, and that was approved with the provision that no living quarters could be added and no

business activity was allowed. The 3rd application was for 100 W. Baltimore Ave., which currently has 2 residential and 1 commercial unit and that application was denied. The 4th application was the Clifton Heights Fire Company's sign application, and it was approved because it is being used for public safety and posting of community events.

Borough Manager Perfetti asked Mr. Gould to note the one additional Zoning Hearing application that would be taking place in the next 20 days.

Mr. Gould said that they have an upcoming hearing for 4 Rockbourne Rd. who is looking to seek zoning relief to use his building for educational purposes. He also said that there would be another one after that.

President Papale said that the new members of the Zoning Board would have a lot of work on their hands.

A motion was made by Councilman Humphreys to accept the Code Enforcement report as presented; seconded by Councilman Resnick; 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 was absent.

President Papale said that they were still working on the new website and Facebook page.

Old Business

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

Mr. Kelly said that AQUA made a promise that they would fix it, so he would continue to put pressure on them.

President Papale said that at last month's meeting Mr. Rich spoke, and she believes that he provided some misinformation on the NorthPointe building.

Mr. Kelly said that there was an accusation that the height of the building was too tall and violated Zoning. He said that the way that the zoning is written, it is an average of the building height, so the applicant and its engineer did provide an as built analysis of the property and the average height of the property is compliant. He said that there was a lot of homework done on that before that was approved.

President Papale thanked Mr. Kelly for that feedback.

New Business

President Papale wished everyone a Merry Christmas and happy, healthy New Year.

Closing Public Comment:

No closing public comment.

Adjournment:

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

Respectfully Submitted,

Kimberly A. Duffy
Clifton Heights Borough Secretary