

**Clifton Heights Borough Council**  
**June 15, 2021 Council Meeting Minutes**

**Council Members Attending:**

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

**Council Members Absent:**

Timothy O’Hara, Councilman

**Officials Attending:**

Joseph Lombardo, Mayor  
Tom Micozzie, Borough Manager  
Timothy Rockenbach, Chief of Police  
Nick DePompeo, Fire Chief  
John Gould, Code Enforcement  
John McBlain, Borough Solicitor  
J.P. Kelly, Borough Engineer  
Cynthia Leitzell, Borough Financial Advisor

**Call to Order and Pledge of Allegiance:**

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

Mayor Lombardo offered an opening prayer.

President Humphreys announced that Council held an Executive Session prior to the meeting for personnel matters, specifically interviewing the 3 top candidates for the full time police officer position.

**Public Comment:**

Michelle Hartel, 317 Harrison Ave, said that she had 2 issues she wanted to discuss from last month’s meeting. She said that there was a developer at the meeting for the property previously occupied by Hillside nursery on Baltimore Ave. She said that she has passed that property since and the grass is high and out of control. She said that she knows other residents have brought this issue up previously. She wondered if the property had been posted or if any warnings or fines had been issued to the property.

President Humphreys said that he would defer to the Code Enforcement Officer.

John Gould said that several citations have been issued on the property during the course of time, for high grass, trash and debris and dumping. He said that they do have a Court date for the

citations, as the hearing dates were continued during the pandemic. He also noted that he was on the phone today with one of their attorneys reminding them of their obligation for property maintenance.

Michelle Hartel said that her 2<sup>nd</sup> inquiry was in reference to the police officer being hired. She asked if they were replacing an officer that had retired or enlarging the force.

President Humphreys said that he would let the Borough Manager speak on that but he's sure that they are replacing an officer as 2 officers left the department this calendar year, one retiring and one moving to another police department.

Michelle Hartel said that she just wanted to confirm that they weren't going outside of the budget and adding an additional officer, they were just replacing an officer that left the department.

President Humphreys said that they were not enlarging the department, just replacing officers.

Michelle Hartel said that her understanding is that Lansdowne and Aldan, both towns that border the Borough, have larger populations and less officers than the Borough of Clifton Heights.

Chief Rockenbach said that is not accurate. He said that Lansdowne has 3 full time officers on per shift, and Clifton Heights has 2 officers. Lansdowne has 2 investigators and Clifton Heights has 1.

Michelle Hartel asked how many full time officers Lansdowne has.

Chief Rockenbach said that they have 3 per squad, which is 12 officers, plus 2 investigators, while Clifton Heights has 2 per squad and 1 investigator.

Michelle Hartel asked about Aldan.

Chief Rockenbach said that he didn't know their numbers off hand, but they just recently doubled their number of officers.

Borough Manager Micozzie said that you would look at the police department with ratios and population. He said that he has reviewed the current budget and the replacement of the current officers and Sergeants sustains the current level of the budget. He said that an issue could come into play in the summer months or if an officer were to get injured, where they overtime budget would exceed the budget on paper.

Michelle Hartel said that in the past that they had a lot of part time officers.

Chief Rockenbach said that is absolutely incorrect and that he has been the Chief for 10 years and the most part-time officers he has ever had is 5 officers.

Michelle Hartel said that in 1990 when she was on Council, they used part-time officers.

Chief Rockenbach said that was 30 years ago and there have been changes since then.

Councilwoman Papale said that the numbers were researched that Aldan has 6 full-time officers and 7 part-time officers.

Chief Rockenbach said that only a few years ago, they only had 3 full-time officers.

Councilwoman Papale said that she has numbers showing that they have more part-time than full-time.

Michelle Hartel said that she is not interested in arguing, she just wants to know if they are replacing officers who left the department with these new hires or adding to the total full-time officers.

President Humphreys confirmed that they are replacing officers.

### **Meeting Minutes:**

A motion was made by Vice President Campbell to accept the May 2021 meeting minutes as presented; seconded by Councilwoman Peterson; and carried unanimously by a roll call vote of 7-0. (Resnick – yes, Borelli – yes, Papale – yes, Campbell – yes – Peterson – yes, Cabrelli – yes, Humphreys – yes)

### **Financial Reports/Bills:**

Financial Advisor Leitzell said that they have the report and expenses.

Councilwoman Papale said that they received the bills at caucus the other night, but she didn't receive anything additional.

President Humphreys gave her the 2 additional checks that came in, which were not in her packet.

A motion was made by Councilwoman Peterson to approve the treasurer's report and pay the bills with the understanding that the information would be shared in advance of arrival at next month's meeting; seconded by Councilwoman Borelli; and carried unanimously by a roll call vote of 5-0. (Resnick – abstain, Borelli – yes, Papale – abstain, Campbell – yes, Peterson – yes, Cabrelli – yes, Humphreys - yes). 2 Council members abstained stating that they had not received the bills in advance to have time to review them sufficiently.

Councilwoman Peterson said that they received the checks via email as well.

Councilwoman Papale said that she did not receive an email.

President Humphreys said that he would work to ensure that this is cleared up moving forward.

### **Police & Fire Reports:**

Written reports provided to Council.

### **Engineer's Report**

Borough Engineer Kelly presented the report.

Mr. Kelly said that they prepared the specs and advertised for the 2021 Road Program and the bid opening is scheduled for July 20th.

Mr. Kelly noted that they submitted a request for additional funds to Delaware County Council for the CDBG project at Garchinsky Park and are awaiting a decision on that after the bids came in higher than the grant they received. He said that he believes County Council met today to consider these funds among other things. He said that he will keep the Borough Manager posted when he receives information.

Mr. Kelly said that per Council's direction they prepared a sewer cleaning contract and would be advertising and soliciting bids in July with the goal of having bids opened and announced at the August meeting.

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

### **Solicitor's Report:**

John McBlain presented the Solicitor's Report.

Solicitor McBlain reported that the 4 Rockbourne Rd. zoning application, which had been subject to litigation in Delaware County and dismissed back to the Zoning Hearing Board. Hearings were held in March & April and the Zoning Hearing Board met again in the beginning of June to render a decision. They decided unanimously against granting the relief that was requested by the applicant, so that application has been denied. He said that they will continue to speak with and work with the applicant and his attorney to try and reach some kind of resolution for a workable use of the building within the parameters.

Solicitor McBlain said that they are reviewing some ordinances, parking and vacant property ordinances among them.

Solicitor McBlain reported that 119 E. Washington was a dilapidated property that the Borough took possession of and demolished and it is still marked as a taxable property instead of exempt, so the Borough received a tax bill for the property. He said that they will meet with the Board of Assessment to try to move that to exempt.

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

### **Code Enforcement Report:**

John Gould said that there was a Court hearing for 32 Mill Street on May 27<sup>th</sup>, 2021, which resulted in the owner of the property being incarcerated. The property was found to be unfit for

use or habitation in the past, but the owner failed to obey the order. Court dates were delayed because of COVID. The owner was running a business from the property, resulting in salvage materials being stored on the property. The conditions of the property pose a life and fire safety hazard. Code enforcement ordered the utilities turned off and secured the building by boarding it up and put in a security fence to attempt to ensure the health and safety of others, with these costs being incurred by the property owner. The property owner has been informed of the items that will have to be brought into compliance and a court date will be set. He said that he did meet with the company that does their abatements and there are a lot of items to address, so they will be meeting again tomorrow to come up with a complete game plan.

John Gould said that the large tree at 88 Chester Ave. has been removed as a condition of sale of the property. He said that the large stump will be removed and the associated damage to the sidewalk, curb and steps will be addressed as part of obtaining the real estate transfer certificate for the property.

A motion was made by Councilwoman Papale to accept the Code Enforcement report; seconded by Councilwoman Peterson; and carried unanimously by a vote of 7-0.

### **Manager's Report:**

Borough Manager Micozzie said that as previously discussed the Civil Service Test had been enacted on behalf of the Police Department, and Council was provided the opportunity to interview the top 3 candidates, and the Department was looking to move forward with the hiring of an officer.

A motion was made by Vice President Campbell to hire Andrew Murphy to the position of full-time patrol officer subject to any probationary periods as outlined in the police contract; seconded by Councilwoman Borelli; and carried by a roll call vote of 5-2. (Resnick – no, Borelli – yes, Papale – no, Campbell – yes, Peterson – yes, Cabrelli – yes, Humphreys - yes).

Councilman Cabrelli asked if he could inquire why Councilman Resnick voted no. He wondered if he was missing something.

Councilman Resnick explained that he has been on Council for 25 years. He said that they've always had a 10 person department. He said that while former Chief Berry was still on Council they interviewed 3 candidates while Sergeants Morgan and Martin were out on disability and it seemed apparent one or both would be leaving permanently, they decided to move forward with hiring 2 of the 3 candidates that they interviewed at that time. He said that that was never intended to expand the department to 11, just a preemptive hire to fill the positions needed. He said that they are being told now that they have 2 openings, but it was never the intention of Council to have an 11 person department. He said that they have 1 opening and that when he looks at the budget, the Police Department takes up 62% of the entire Borough budget. He said that he thinks that they need to hire some more part time officers and work with the FOP on the next contract.

Mayor Lombardo asked Chief Rockenbach how long they have had 11 officers.

Chief Rockenbach said that it was probably prior to the Mayor's current administration, but he came to Council probably about 4 or so years ago with the proposal to hire 2 investigators to go along with the 8 officers on the street from the money that they had saved from cutting overtime. He thought the budget could allow for that. He said that he had Sergeant Brown and Sergeant Wooding as investigators, along with the 8 officers. He said that Councilman Resnick's recollection is incorrect because the Department was expanded to those numbers with Ron Berry as Council President.

Councilman Resnick said that he spoke to him yesterday.

Chief Rockenbach said that he would have to go back through the minutes. He said that they expanded to 11 and they are now down to 9.

Councilman Resnick said that his recollection is that was a temporary bump in numbers knowing that the openings would follow.

Chief Rockenbach said that they have budgeted for 11 officers ever since.

Councilman Resnick said that they can't afford that.

Chief Rockenbach said that they are paying more in overtime currently.

Councilman Resnick said that he is not saying anything negative about the Police Department. They do their job and he commends them. His point is that 62% of what the Borough brings in in real estate taxes goes to the Police Department's budget.

Chief Rockenbach said that he understands what he is saying, he was trying to explain that the Department was up to 11 officers with no addendum that that number would come back down.

Borough Manager Micozzie said that he would request a motion to have the Civil Service Commission prepare a list to allow for the promotion of a patrol officer to the rank of Sergeant.

A motion was made by Vice President to authorize the Civil Service Commission to schedule a promotion examination for the rank of Sergeant; seconded by Councilwoman Peterson.

Councilwoman Papale asked how long the list would remain active.

Chief Rockenbach said that the list would be active for 1 year for promotions.

Councilwoman Papale asked how many sergeants they currently have.

Chief Rockenbach said that they currently have 4 sergeants but are paying 5, as one patrol officer is being paid the sergeant rate for being the supervisor on duty on their shifts.

After questions, the motion was carried unanimously by a roll call vote of 7-0. (Resnick – yes, Borelli – yes, Papale – yes, Campbell – yes, Peterson – yes, Cabrelli – yes, Humphreys - yes).

Borough Manager Micozzie said that the last item on his list was for the position of Zoning Hearing Solicitor, which would serve on an as needed basis for zoning hearings that come up.

A motion was made by Vice President Campbell to appoint the Zoning Hearing Board Solicitor; seconded by Councilwoman Borelli; and carried unanimously by a roll call vote of 7-0. (Resnick – yes, Borelli – yes, Papale – yes, Campbell – yes, Peterson – yes, Cabrelli – yes, Humphreys - yes).

### **Committee/Ward Reports**

**Councilwoman Papale:** She said that the Clifton Heights pool is open down on Broadway Ave. in the 1<sup>st</sup> ward. She said that they have memberships available and a lot of activities for the kids.

Vice President Campbell asked if anyone interested could come and check out the pool for a day fee.

Councilwoman Papale said that anyone was more than welcome to come check the pool out. \$12 for adults and \$10 for kids.

**Councilman Resnick:** He said that he didn't have anything further for the 1<sup>st</sup> ward.

**Councilman Cabrelli:** Nothing to report.

**President Humphreys:** He said that he was passing his report over to 4<sup>th</sup> of July Chair Ed Jones to provide an update.

Ed Jones thanked all of the volunteers for putting the flyers together and bearing the 90 degree heat on their delivery day. He said that some money is coming in. He said that their budget is about \$20,000 for the year, and they have raised about \$7,000.

President Humphreys encouraged anyone who could donate to please do so.

**Councilwoman Borelli:** She said that her neighbors were very excited to see that the drain at Cherry and Madison was corrected.

**Vice President Campbell:** He said that the carnival was a success from all reports.

**Councilwoman Peterson:** She reminded everyone that school was out and the kids were out. She asked everyone to be careful and watch for bikes.

### **Mayor's Report:**

Mayor Lombardo said that he wanted to mention that 4<sup>th</sup> of July. He said that Ed and Suzanne filled out the application for the Borough and 4<sup>th</sup> of July Committee. He said that the School District is requesting an application fee of \$2,700 for the use of the field for the parade and the fireworks. He said that he had brief conversation with the Superintendent and on the agenda at

the School Board's meeting tonight is a request from the Borough for relief from the permit fee. He said that in the event that the School Board does not accept the relief, he would ask that the Borough consider paying the fee from the Recreation budget.

Borough Manager Micozzie said that he has been looking hard at the budget in the last few days and he would go back to it.

Mayor Lombardo said that if they couldn't come up with it in the budget, he would raise the funds.

Borough Manager Micozzie said that they would at least have to be prepared to advance the money because he knows that they will not issue the permit without the funds.

Solicitor McBlain said the Council should authorize the Financial Advisor to encumber the funds so they are prepared in the event that they need to pay the funds. He said that intragovernmental cooperation is an important part of local government and you see it with police departments all the time who provide backup to each other without charging each other fees.

Suzanne Briddes said that they applied for the permit on June 2<sup>nd</sup> and were told that there was no charge, and this past Friday, the School District sent an email to Ed with the \$2,700 permit total.

### **Old Business**

Councilwoman Resnick said that at the April meeting they had 2 items that they needed to complete but couldn't because of incomplete paperwork. She said that one item was the Right to Know Officer and one was naming Borough Manager Micozzie as the CAO of the pension programs.

Solicitor McBlain said that he would review those items and prepare those items for the next meeting.

### **New Business**

Councilwoman Papale asked about the policy for meeting attendance. She said that Councilman O'Hara hasn't been to any meetings in the past year and made a few phone meetings. She said that she knows that he has a work conflict.

Solicitor McBlain said that there is no requirement for a certain number of meetings that a Councilmember needs to make.

### **Closing Public Comment:**

Michelle Hartel, 317 Harrison Ave., said that back when Pat Caputo was heading the Clifton Heights Republican Committee, they had their own rules about Council attendance and would enforce absenteeism. She also said that the 4<sup>th</sup> of July Association is a great day in Clifton Heights and important to the Borough, and she feels like they have to stand up against the Upper



Darby School District. She said that she thinks that they are going to continue to try and push the residents around in their very own Borough.

John Todd, 29 W. Broadway Ave., asked if any ordinance changes would be coming through the Planning Committee.

Solicitor McBlain said that zoning ordinances would go through Planning but not all ordinances would be required to pass through Planning.

Mr. Todd said that he thought that the School District said that they were going to work with the Borough moving forward and this does not seem like an example of working with the Borough, requesting a last minute, exorbitant permit fee. He also added that there was a meeting of the 4<sup>th</sup> of July meeting tomorrow, June 16<sup>th</sup> at the Boys Club building at 7pm for anyone who might have last minute fundraising ideas.

Fred Rich, 82 Chester Ave., noted that the Clifton Heights Fire Company would be celebrating their 125<sup>th</sup> Anniversary and they invited former members to a breakfast before the parade and a barbecue after the parade.

**Adjournment:**

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

Respectfully Submitted,

Kimberly A. Duffy  
Clifton Heights Borough Secretary