

The meeting opened with Borough Manager John Perfetti reading a letter from Ron Berry indicating that Mr. Berry sold his house and moved out of the Borough thus creating a vacancy in the position of 2nd Ward Councilman and the office of President of Borough Council.

Solicitor Catania commented that because Mr. Berry moved the positions Mr. Berry previously held were now vacant.

Borough Council, Mayor Lombardo and Borough Manager Perfetti thanked Mr. Berry for his years of service to the Borough.

Councilwoman Leona Papale resigned as Vice-President, asked to be considered for President and handed the meeting over to Mayor Lombardo.

Mayor Lombardo noted that present at the Council table were Councilwoman Papale, Councilman Resnick, Councilman Cabrelli, Councilman Humphreys, Councilman Rich, Councilman Campbell and Councilwoman Peterson.

A motion was made by Councilman Humphreys to accept the resignation of Councilwoman Papale as Vice President; seconded by Councilman Campbell; and motion passed unanimously by a roll call vote of 7-0. (Papale – yes, Resnick– yes, Cabrelli – yes, Humphreys – yes, Rich – yes, Campbell – yes, Peterson – yes.)

Mayor Lombardo requested nominations for President.

Councilman Rich objected and stated resumes should be submitted and the most qualified person selected.

Solicitor Catania responded that it was not a requirement in the Borough Code for resumes to be submitted.

A motion was then made by Councilman Humphreys to nominate Councilwoman Papale as Council President; seconded by Councilman Campbell.

Mayor Lombardo asked if there were any other nominations and if not requested a motion to close the nominations.

Councilman Rich nominated himself.

Solicitor Catania stated that this was situation not faced in the past and it was up to Council whether to accept Councilman Rich's nomination for himself.

There were no seconds to Councilman Rich's nomination for himself and the Motion failed.

A motion to close was made by Councilman Resnick; seconded by Councilman Campbell; and motion passed by a roll call vote of 6-1. (Papale – yes, Resnick– yes, Cabrelli – yes, Humphreys – yes, Rich – no, Campbell – yes, Peterson – yes.)

There was no further council comment nor was there public comment. A vote was then taken on Councilman Humphreys motion to nominate Councilwoman Papale as Council President; motion passed by a roll call vote of 6-1. (Papale – yes, Resnick– yes, Cabrelli – yes, Humphreys – yes, Rich – no, Campbell – yes, Peterson – yes.)

A motion was made by Councilman Resnick to nominate Councilman Campbell as Council Vice President; seconded by Councilman Papale; motion passed by a roll call vote of 6-1. (Papale – yes, Resnick– yes, Cabrelli – yes, Humphreys – yes, Rich – no, Campbell – yes, Peterson – yes.)

A motion to close was made by Councilman Resnick; seconded by Councilman Cabrelli; and motion passed by a roll call vote of 6-1. (Papale – yes, Resnick– yes, Cabrelli – yes, Humphreys – yes, Rich – no, Campbell – yes, Peterson – yes.)

There was no further council comment nor was there public comment. A vote was then taken on Councilman Resnick’s motion to nominate Councilman Campbell as Council Vice President; motion passed by a roll call vote of 6-1. (Papale – yes, Resnick– yes, Cabrelli – yes, Humphreys – yes, Rich – no, Campbell – yes, Peterson – yes.)

Mayor Lombardo stated that he was pleased and honored to hand the meeting over to President Papale.

The Council meeting proceeded presided over by President Papale.

III. Public Comment:

Sherri Rich spoke about ice cream trucks in the Borough and the playground on Edgmont Avenue.

IV. Meeting Minutes:

A motion was made by Councilman Resnick to accept the May 2020 meeting minutes as presented; seconded by Councilwoman Peterson; and carried unanimously by a vote of 7-0.

V. Mayor’s Report:

Mayor Lombardo noted that it had been a long and trying 3 months for the Borough. He said that he believes that the leadership that they have with the Police Department, Fire Department and EMTs has been great for the town. He said that their departments are top notch and among the best in the County. He said that he wanted to go on record thanking them, particularly the

Police Department, for everything that they have done, especially in the last couple of weeks in a time that has been socially difficult for the community and the country. He said that he hoped our area would head into the green in the coming weeks and we would see our restaurants and businesses reopening. He noted that the Boys' Club and PAL had taken huge hits through this time, losing their main fundraiser, the carnival. He said that both organizations usually fundraise \$15-20,000 by hosting that event, and by not being able to host it, it was a significant loss for both organizations. He said that he knows that it will be a tough task, but he is hoping that they will be able to band together as a community in order to retain the clubs as an outlet for the youth of the community. He said that it is especially difficult with the businesses being impacted and not necessarily being able to ask them to step up for the clubs.

VI. 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 7-0.

VII. Fire Report:

A motion was made by Councilman Campbell to accept the Fire Report as presented; seconded by Councilwoman Peterson.

Mayor Lombardo asked how things were working out with Aldan.

Chief Kneass said that things have been very good without a problem at all.

Mayor Lombardo asked if it had increased the percentage of calls they respond to.

Chief Kneass said that they respond to between 6 & 10 calls there.

Mayor Lombardo asked how many they respond to themselves.

Chief Kneass said that they usually respond to 25-30 calls on their own.

Mayor Lombardo said that it was about a 25% increase then.

Councilman Campbell asked what he was missing.

Mayor Lombardo responded that in 2020, the Clifton Heights Fire Company contractually agreed to take care of the Borough of Aldan, which had previously been taken care of contractually by the Borough of Collingdale Fire Department.

Chief Kneass added that it was now a joint effort between Clifton Heights and Collingdale Fire Companies since the 2 Collingdale Fire Companies had merged.

Mayor Lombardo added that they are reimbursed for their work monetarily.

Councilman Humphreys inquired about the 33 calls to Upper Darby that was on the report.

Chief Kneass responded that those were the ambulance calls.

After questions, the motion to accept the Fire Report as presented was carried unanimously by a vote of 7-0.

VIII. Treasurer's Report/Bill List:

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

IX. Manager's Report:

Borough Manager Perfetti said that they had a discussion during caucus in reference to the 4th of July holiday and concerns that were presented by the Chief of Police, Mayor and Councilmembers. He said that while it is a 4th of July Committee event and decision, after discussions, it should be known that the 2020 event as planned is more than likely cancelled. He said that information will allow them to be able to address any questions they may receive from constituents.

Borough Manager Perfetti said that he is seeking authorization for the year 2019-2020 for contracting the services of Mingis Gutowski & Company who have been doing the Borough's audits for the last 10 years. He said that they are much respected throughout the State and County, and very responsive to the needs & demands of the Borough.

A motion was made by Councilman Humphreys to authorize the Borough to contract with Mingis & Gutowski & Company for the Borough audits for the years 2019 & 2020; seconded by Councilwoman Peterson; and carried unanimously by a roll call vote of 7-0. (Papale – yes, Resnick– yes, Cabrelli – yes, Humphreys – yes, Rich – yes, Campbell – yes, Peterson – yes.)

Borough Manager Perfetti said that his next item dealt with the COVID-19 safety procedures for business. Under the CDC guidelines and State guidelines, the Borough needs to appoint a position of a Pandemic Safety Officer. He said that he spoke to the Borough's Health Officer, Brian Razzi, and he would be happy to do that job. There is no cost to the Borough, but he is the point of contact and has been very good over the last 3 months responding to any and all questions, even the ones that he had as Borough Manager.

A motion was made by Councilman Campbell to appoint Brian Razzi as the Borough's 2020 Pandemic Safety Officer; seconded by Councilman Humphreys; and carried unanimously by a vote of 7-0.

X. Code Enforcement Report:

John Gould presented the Code Enforcement report.

He reported that he had a combined report for April and May 2020, since most of his staff was furloughed during that time period. He said that they did the best job that they could during this time to address the health and safety issues within the Borough, keeping properties abated and high grass issues addressed. He said that they are mostly caught back up now, and he anticipates that the last of the staff members will be back to work on Monday.

President Papale thanked Mr. Gould and the entire department personally because she knew that she had referred a couple of concerns to him during that period that he was able to address.

A motion was made by Councilman Cabrelli to accept the Code Enforcement report as presented; seconded by Councilman Rich.

Councilman Campbell asked John Gould how the Code Enforcement Department was able to bring in over \$100,000 during COVID-19.

Mr. Gould explained that most of that was from the rental property program with the fee being due on March 1 annually. He said that they extended the due date to May 1st this year. He said that he had to give a lot of credit to his assistant, Paula Stuhltrager, who came in and made calls and followed up with those who did not pay their fees.

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

Councilman Humphreys said that they were certainly anticipating the trades getting back to work, as there were no electrical, plumbing or building permits included in the report.

Mr. Gould did note that under the Mayor's Declaration and the direction of the Governor, they were not allowed to issue permits. He said that they have had several come back in now that they are allowed to proceed with permits and they are moving forward with those.

XI. Engineer's Report:

J.P. Kelly said that the CDBG for 2019, which is the Borough building's municipal lot, the comment period will close on June 17th at which time, they will request the pre-construction meeting with OHCD and the contractor. A lot of paperwork is signed at that meeting and a projected work schedule is implemented. He said that he will keep Council informed of when they expect that to happen.

Mr. Kelly said that he would encourage Council to provide a scope of work for the 2020 Road Program. He said that currently they have 2 roads that they have been in discussions about so far, East Madison and East Berkley. He said that he is asking Council's authorization to finalize the scope and solicit bids because it is June and they are a little behind schedule because of the pandemic. He said that there is a little bit of process that they will have to go through to get this

out to bid and then awarded and then approved by PENNDOT and then finally on the schedule, and so they should probably get the ball rolling sooner rather than later.

President Papale asked which blocks he was referencing on the streets.

Borough Manager Perfetti explained that the East Berkley portion would be between South Glenwood and Holly and East Madison would be from Marple down to Holly.

Mr. Kelly explained that typically the Borough does approximately \$70,000 worth of road repair, so he thinks that they would be able to fit another block of road in. He said that they would do the measurements and estimates and include something that they felt comfortable would fit in that budget window.

A motion was made by Councilman Resnick to authorize the Borough Engineer to work with the Borough Manager to finalize the scope for the 2020 Road Program and put the scope out to bid; seconded by Councilman Campbell.

President Papale asked if anyone had any input on another street to include.

Councilman Humphreys said that he had received a request for a pothole or street repair on Madison, but he wasn't sure if it was the same section already being included.

Borough Manager Perfetti said that they did not have to have an answer tonight, but could go out and see if they had a recommendation in the next day or so.

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

Mr. Kelly said that the draft copy of the I&I report that was authorized last October is complete. He said that they are ready to publish that report, and he forwarded a copy of the draft copy report to the Borough Manager for his review. He said that this report quantifies how much inflow & infiltration (I&I) of storm water is getting into the sanitary system and what can be done to minimize & reduce the I&I. This coincides with the EDU update that they discussed at the caucus meeting. EDU stands for Equivalent Dwelling Units. All of the sewage collected in Clifton Heights goes to the Darby Creek Joint Authority, and they have an interceptor that they manage so that anyone who wishes to put sewage into the Collection System, has to go through the conveyance factor, which is the Darby Creek Joint Authority and then ultimately to DELCORA for the treatment. Recently the Borough had approved a 9 EDU allocation for the Stein/500 E. Broadway property. The DEP representatives have rejected that 9 would be satisfactory for that apartment complex, so consequently, there have been several phone calls between Mr. Stein, himself and the Borough Manager about how to address that issue. Part of addressing that issue and looking for additional flow is the I&I and finding the EDUs within the I&I Report, what can be done to increase, which is remediation, and how much does that cost and who foots the bill and so on and so forth. He said that John Gould's office is doing an inventory of all buildings that have recently been removed. He said that he has had many phone calls with the Darby Creek Joint Authority Engineer, the DEP engineers. He said that they are satisfied with the Borough's approach to moving forward. He said that they also want to see

funds being allocated to fixing some of the sewer systems, the manholes and the lines. He said that the only way that the Borough can rightfully do that is by allocating a cost per EDU. He said that he will work on exactly what that cost should be with Frank Catania as they continue to move forward. He said that will all come to a conclusion with this I&I and EDU update. He said that he does not require action tonight, he was just providing an update on what is happening.

Mr. Kelly reported that as they had already heard there was a preliminary approval from Delaware County Council for the Garchinsky Park improvements through their CDBG application.

Mr. Kelly reported that through the Planning Commission, a reverse subdivision plan for 33-39 W. Baltimore Ave has been recommended for approval, and he thinks this is ready for their consideration. He said that this reverse subdivision plan would take 3 lots and consolidate back into 1 lot, which is a good thing because it can be improved as 1 lot as opposed to 3 separate lots with 3 separate boundaries for setbacks and impervious and all of the other items that would have to be complied with. He said that the plans have been prepared by H. Gilroy Damon, reviewed and recommended by the Borough's Planning Commission.

A motion was made by Councilman Humphreys to approve a reverse subdivision plan for the properties located at 33 & 39 W. Baltimore Ave. as recommended by the Borough's Planning Commission as more specifically set forth in the attached Resolution; seconded by Councilwoman Peterson; and carried unanimously by a roll call vote of 7-0. (Papale – yes, Resnick – yes, Cabrelli – yes, Humphreys – yes, Rich – yes, Campbell – yes, Peterson – yes.)

Mr. Kelly said that would conclude his report.

Councilman Humphreys noted that the pot hole/street repair request he received was from the unit block of East Madison Ave.

Mayor Lombardo noted that was the portion already being addressed in the two streets they outlined.

Mayor Lombardo also said that he wanted to note in the Engineer's report that for anyone who wanted to see the physical plans for the parking lot for the cutouts and greenery, the latest plans were on-hand at the Borough offices for review.

XII. Solicitor's Report:

Solicitor Catania presented the Solicitor's Report.

Solicitor Catania congratulated President Papale and Vice President Campbell on their new positions as chairs of Council.

Solicitor Catania advised Council that the School District still has a land development application pending with the Borough. He said that, as the Borough Manager indicated, there is

a mediation session scheduled for tomorrow and there is a June 30th deadline for Council and the Planning Commission to act on the land development application. He said that he suspects that deadline will be extended, but if it is not, Council may be called to have a meeting before June 30th. He said that he would let Council know in the next week if that would be necessary.

Solicitor Catania said that he and the Borough Manager have been working on the 2 police retirement matters and the final payments. He said that they have received additional information from their consultant to the police pension plan and they are very close to resolving what their position and communicating that to the FOP lawyer who is representing both of the officers who are now retired.

Solicitor Catania said that he had a report on 3 litigation matters.

4 Rockbourne Rd., the Borough was sued by the owner of that establishment, Mr. Duffy, who is arguing that because he is doing an educational use in part of the building, he should be able to use the whole building for educational purposes. Solicitor Catania said that a suit has been filed, and the Borough has answered it, and they have been engaged in conversations with Rockbourne and he will have more to report at the July meeting.

200 S. Penn Street. Solicitor Catania reported that he has been working with the Code Enforcement Officer and Borough Manager on this property. He said that the property was sold at tax sale and the correctness of the tax sale is being challenged by the former owner, but it is in such a state that it needs to be cleaned up now. Mr. Gould is talking to the former owner and the current owner in an attempt to get the property cleaned up, but if it is not cleaned up, the Borough will be filing soon since the Courts are re-open now.

32 Mill Street. Solicitor Catania said that most recently, he discussed with the Borough Manager and Code Enforcement Officer about multiple violations and previous citations, with a case before Judge Durham. As the Court reopens, the Borough will probably be filing something in the nature of an injunction to try and get the owner to clean up his property.

Solicitor Catania said that the only action item he had was the reverse subdivision plan that was already voted on.

Solicitor Catania said that he needed clarification on 2 items discussed by the Borough Manager. He said that for the Westbrook Market, the Borough has as part of their ordinances the ability to pass immediate temporary parking and traffic regulations. He said that if it was the intent of the 4th Ward Councilmembers, they could ask for some change to the parking situation be made tonight. He said that the 2nd item for the peddling and solicitation for the ice cream trucks, he would just need to get Council's intent if they want to make a change to the hours so that he can advertise that ordinance for consideration at the next month's meeting. He said that June 21st is the longest day of the year, and it seems like there is a want to allow that vendor to take advantage of the longer daylight hours. He said that if he gets some guidance on Council's formal wishes for that, he can get it prepared for next month.

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

XIII. Old Business:

No old business.

XIV: New Business:

A motion was made by Councilwoman Peterson to authorize an immediate temporary parking regulation limiting parking in the vicinity of spots near the Westbrook Market to be limited to 30 minutes as more specifically set forth in the attached Resolution; seconded by Vice President Campbell; and carried unanimously by a vote of 7-0.

Borough Manager Perfetti said that he would look into the matter and get signs prepared.

Borough Manager Perfetti said that he also had an item under new business. He said that he received a report from the Borough's Financial Advisor, Cynthia Leitzell, who has been in communication with the Borough Tax Collector, who has been in the process of returning funds to taxpayers who overpaid their taxes by not knowing that the discount period had been extended. The Tax Collector has prepared a report with 21 names on it currently for refunds to be issued for the difference between the face amounts paid to the discount price that should have been paid with the extension. He said that the discount extension had already been approved, but he now needed approval for the actual checks to be prepared by the Financial Advisor.

A motion was made by Vice President Campbell to authorize the tax refunds to be paid as outlined by the Tax Collector in a report to the Financial Advisor; seconded by Councilman Resnick; and carried unanimously by a roll call vote of 7-0. (Papale – yes, Resnick– yes, Cabrelli – yes, Humphreys – yes, Rich – yes, Campbell – yes, Peterson – yes.)

XV. Ward Reports:

Councilman Resnick had nothing to report.

President Papale said that the 1st ward seemed to have a good night tonight with the Road Program and Garchinsky Park. She thanked Mrs. Rich for her suggestion on that park and Mr. Kelly for his work on the application.

Councilman Humphreys had nothing to report.

Councilman Cabrelli had nothing to report.

Councilman Rich said that there were a couple of issues with some lawns and homeowners not having trash cans.

Councilwoman Peterson said that with what was brought to their attention about the regulations for playgrounds, she wanted to note that nothing has changed with the playground at Clifton field. It is used daily. She said that if that is a genuine concern than that would be out of compliance.

Borough Manager Perfetti pointed out that the property belonged to the Upper Darby School District and they did make calls about the playground but had not heard back.

Councilwoman Peterson said that she had received numerous complaints from the neighbors about the area by the blacktop having longer grass and rats traveling through the area. She said that the School District started to address the grass along the neighbor's property line there, but there were overgrown areas not being addressed at all.

Borough Manager Perfetti said that they would continue to make the calls to try and get them in compliance.

President Papale asked if the Upper Darby Police would respond if there was a 911 call.

Chief Rockenbach said that the Borough police would respond to a 911 call, it was in their jurisdiction not Upper Darby. He said that playground is not posted properly, so they would not be able to hold anyone liable for using the facility because it has not been posted. He said that liability would be on the School District, but the Clifton Heights Police do enforce State and local laws on that property.

Councilwoman Peterson said that other than a couple of signs they hammered in the ground at entrances, nothing is done at the field and nothing is enforced. She said that dogs run free and anything seems to go. She asked what rights they had as residents of the neighborhood to ask that rules be enforced on the property.

Chief Rockenbach said that it would not be an either or scenario, if they want what the signs read to be enforced, they would have to enforce what is on the signs. If they don't want the property to be used, then no one would be able to walk on the track.

Councilwoman Peterson said that she thinks that they should just take the signs down since they are not enforcing any of the rules on the signs.

Councilman Campbell said that he has a petition with 33 signatures on it in front of him for a light to be added to the 200 block of Davis Ave. for Pole #290. He said that he is going to contact the applicant to check on the request. He said that there are already 3 lights on the street, so he is not sure the feasibility of the request.

Borough Manager Perfetti said that they also received a request for Crestwood that they will follow up on.

XVI: Closing Public Comment:

Sherry Rich, 82 Chester Ave., said that she had previously been so happy with Chester Ave. and the street repairs, but AQUA PA did some digging at the hydrant, and it is not even the size of the lobby, but there is a gully.

John Gould said that he thinks that is still just a temporary patch. He asked if the work was completed this year.

Mr. Kelly said that it is a temporary patch and they should come back to address it.

Borough Manager Perfetti asked about the ice cream truck.

President Papale said that they would table the issue until next month so that everyone would have a chance to review the information that they received.

Councilman Rich said that this should have been squared away 2 years ago. He said it was approved by the Planning Commission and should be moved to seasonal and taken care of already.

Mayor Lombardo said that he thinks they should allow the Borough Manager and Borough Solicitor the time to rework the language to allow for the modifications that they want to allow the ice cream truck to extend hours, while ensuring that other forms of solicitation are not extended door to door.

XVII. Adjournment:

A motion was made by Councilwoman Peterson 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