

**Clifton Heights Borough Council**  
**July 20, 2021 Council Meeting Minutes**

**Council Members Attending:**

Mike Humphreys, Council President  
Mark Campbell, Council Vice President  
Timothy O’Hara, Councilman  
Leona Papale, Councilwoman  
Harris Resnick, Councilman

**Council Members Absent:**

Louis Cabrelli, Councilman  
Destiny Borelli, Councilwoman  
Karen Peterson, Councilwoman

**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.

**Public Comment:**

No opening public comment.

**Meeting Minutes:**

A motion was made by Vice President Campbell to accept the June 2021 meeting minutes as presented; seconded by Councilman Resnick; and carried unanimously by a roll call vote of 5-0. (Resnick – yes, Papale – yes, O’Hara – yes, Humphreys – yes, Campbell – yes)

**Financial Reports/Bills:**

Financial Advisor Leitzell presented the report and expenses.

A motion was made by Vice President Campbell to approve the treasurer’s report and pay the bills as presented; seconded by Councilman Resnick; and carried unanimously by a roll call vote of 5-0. (Resnick – yes, Papale – yes, O’Hara – yes, Humphreys – yes, Campbell – yes)

## **Police Report:**

Written reports provided to Council.

Mayor Lombardo presided over the swearing in of the Borough's new full-time police officer, Andrew Murphy.

Chief Rockenbach reported that the Borough Police Department is in the process of rolling out the new body cam program for the officers. He invited Council members to stop by his office if they were interested in checking out the technology.

Councilman Resnick asked how long the videos were kept.

Chief Rockenbach explained that they were kept for 60 days unless there was a specific request for a video, in which case the video would be kept longer.

Chief Rockenbach also explained that they were exploring a cultural diversity training for the police department, and they had discussed the possibility of pursuing that training with a trainer that Borough Manager Micozzie has a familiarity with from his years in Upper Darby.

A motion was made by Councilman O'Hara to accept the Police Report as presented; seconded by Councilman Resnick; and carried unanimously by a vote of 5-0.

## **Engineer's Report**

Borough Engineer Kelly presented the report.

Mr. Kelly announced that the bid opening for the 2021 Road Program was held today, July 20th. He said that the results are attached to his report.

A motion was made by Vice President Campbell to award the 2021 Road Program bid to Couzins Inc. of North Wales for the base bid amount of \$89,488.50; seconded by Councilman Resnick; and carried unanimously by a roll call vote of 5-0. (Resnick – yes, Papale – yes, O'Hara – yes, Humphreys – yes, Campbell – yes)

Mr. Kelly noted that the request for additional funds to Delaware County Council for the CDBG project at Garchinsky Park was approved with the stipulation that they have an open comment period until July 27<sup>th</sup>. He said that if no comments were received, he would give the okay to proceed on July 28, 2021. He said that that is a standard procedure.

Mayor Lombardo asked if the project would be starting this year or next spring.

Mr. Kelly said that he hoped it would be this year and that the contractor was up to date on the current status of the project with the comment period coming to an end on July 27<sup>th</sup>.

Councilwoman Papale asked if she could check out the plans.

Mr. Kelly said that he would certainly get a copy to Borough Hall.

Mr. Kelly said that per Council's direction they prepared a sewer cleaning contract and tonight they were seeking Council's approval to advertise and solicit bids.

A motion was made by Vice President Campbell to authorize the Borough Engineer to advertise and solicit bids for the sewer cleaning contract as prepared by the Engineer; seconded by Councilman Resnick; and carried unanimously by a vote of 5-0.

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

John McBlain presented the Solicitor's Report.

Solicitor McBlain said that he would just want to highlight some items from the report he provided at the Committee meeting, specifically the 2 new laws that are affecting municipalities, and that they are working on the land development agreements for the R2K Development (the former Hillside property) and hoping to get that moving along. He said that lastly, at last month's meeting, he reported that the Zoning Hearing Board had denied the Rockbourne Road zoning request and, not surprisingly, Rockbourne had filed an appeal of the denial to the Delaware County Court of Common Pleas.

A motion was made by Councilman O'Hara to accept the Solicitor's Report as presented; seconded by Vice President Campbell; and carried unanimously by a vote of 5-0.

### **Code Enforcement Report:**

John Gould submitted a written report to Council.

John Gould said that he had 2 additions to the written report in front of Council. He reported that Phase 1 of the Clifton Heights Plaza project (former Kmart) is nearing completion. Big Lots and Dollar Tree will be having soft openings in the coming weeks.

Mr. Gould's 2<sup>nd</sup> update was for 32 Mill Street, the residential property that they have been having issues with. He said that he and Borough Manager Micozzie attempted to meet with the owner of the property and the meeting lasted about 10 minutes and was not productive. He said that he was told to have his attorney reach out the Borough and the owner has made some modest attempts to clean up the exterior of the property.

A motion was made by Councilwoman Papale to accept the Code Enforcement report; seconded by Councilman Resnick; and carried unanimously by a vote of 5-0.

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

Borough Manager Micozzie said that they had some issues with the trash and recycling pickup. He prepared a letter and sent it to B&L. He said that he received a response back and they noted

the travel and wait times at the County Transfer Station and the high humidity and heat slowing the processes. He said that after sending the letter and receiving the follow up, he would like to sit down and review the schedule. He said that he understands that B&L is like many businesses in America right now facing a worker shortage, but they have a contract and the contract has to be fulfilled. He said that he will continue to monitor the situation. He said that it is only the 2<sup>nd</sup> time he has fielded complaints about the hauler, but it was after a holiday weekend when residents really needed their trash picked up.

Councilman Resnick asked if the company was doing other towns prior to Clifton.

Borough Manager Micozzie explained the contract and how the Borough paid for the tonnage at the County Transfer Station so that they could not have another municipality's trash in the truck or they would be charging the weight for another municipality.

Councilman Resnick asked where they were taking the recycling.

Borough Manager Micozzie said that they were taking it to the Waste Management recycling facility but definitely running into some issues and would probably need to do more education on the recycling front because as soon as they pick up pizza boxes and certain things, they have to put that recycling in the trash because it is no longer clean and can't be recycled. He said that the Borough needs to recycle at least 3 materials because their population puts them above the threshold and requires recycling.

Solicitor McBlain said that they are paying \$60-70/ton for the regular trash, which is taken to Covanta and burned safely and used to generate steam energy for electricity. He said that for the recycling, they are paying \$140 a ton and that recycling is sold and shipped elsewhere and there is no accounting for that. He said that they are currently being more productive with their trash than their recycling to their knowledge.

Borough Manager Micozzie said that the work on the Memorial would be started on Wednesday. He said that they have some issues with stucco and 2 different color paints. He said that he is big on if you're asking residents to do work on their properties, the Borough has to be responsible for their own properties too, so the building will be pressure washed and the stucco work will be completed and repainted.

Councilwoman Papale asked if there was any possibility of adding 2 steps to the Memorial so that on days when there are ceremonies, like Memorial Day, they are able to walk up to the Memorial without using a plastic crate like they currently do.

Borough Manager Micozzie said that he would have James look at that because it should be safe.

Borough Manager Micozzie said that the summer help program has been very successful to date and they have done a lot of work at the parks and on rainy days, they have been working on archives and records. He reported that this is something the Borough could definitely use 12 months a year. He noted that as of right now Community Service from the County would no

longer be available. He said that they were moving away from the physical labor portion of Community Service, so they would not be an option to come help clean up the field after a football game in the future. He said that they may need to start using private contractors after large storms and such because they only have 2 employees in the highway department. He said that he would be analyzing that and including options in his budget presentation.

Borough Manager Micozzie said that the Health Officer has been out and trying to stay on top of properties with overgrown grass and debris to keep any issues with rodents minimized.

Borough Manager Micozzie said that he would need a Resolution to authorize Peggy Moran, Giana Martin and Council President Mike Humphreys as signors for the special funds from the American Recovery Act funds that would be coming to the Borough.

A motion was made by Councilman Resnick to authorize the preparation and approval of Republic Bank's standard corporate authorization resolution naming Peggy Moran, Giana Martin and Mike Humphreys as authorized signors and allowing for 2 authorized signatures on each check for the checks to clear; seconded by Councilman O'Hara; and carried unanimously by a roll call vote of 5-0. (Resnick – yes, Papale – yes, O'Hara – yes, Humphreys – yes, Campbell – yes)

Borough Manager Micozzie said that they are doing some reviews of the Borough's parking lot areas and making a list of improvements that need to be addressed. He said that some apron work and striping needs to be completed and they should look into adding meters. He said that some of the lots have issues with cars just sitting. They just want to do some review and address some of these issues moving forward.

Chief Rockenbach identified the municipal parking lots and noted that they would need to bring them up to date with repairs and striping and metering technology to make them able to be actual metered lots.

Borough Manager Micozzie said that they would be discussing some refinancing options in the coming months as well as they started working on the budget.

A motion was made by Councilman O'Hara to accept the Manager's Report as presented; seconded by Councilman Resnick; and carried unanimously by a vote of 5-0.

### **Committee/Ward Reports**

**Councilwoman Papale:** She thanked Constable Jay Borelli for his keen eye in noticing a tree on the wires down by the pool. Within an hour, they had the Borough down to assess it and the tree was taken down by the next morning.

Borough Manager Micozzie said that the tree was on County property and they put the County on notice that there are several trees down there that need attention.

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

**President Humphreys:** He thanked the 4<sup>th</sup> of July Committee for their hard work.

[Round of Applause]

**Councilman O'Hara:** He had nothing further to report.

**Vice President Campbell:** He also thanked the 4<sup>th</sup> of July Committee. He said that they all work very hard all year long on those reports.

He said that one project that he has been trying to work on was getting light standards added to poles, one on Davis Ave and one on Prospect. He said that it is a small project, but he would like to see it included in the work that they complete.

Borough Manager Micozzie said that he would definitely look into it.

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

Mayor Lombardo thanked the 4<sup>th</sup> of July Committee and Ed Jones for their tireless work. He said that they had their best parade in 25 years and one of the best in the County. He thanked the Fire Company for their wonderful display as they celebrate their 125<sup>th</sup> anniversary this year. He said that he is also aware of the complaints about the fireworks. He said that the Borough invested \$12,500 in the fireworks, and he did put a call into the Company to express the Borough's concerns on the display that they were provided. He said that he had not received any feedback from the company. He said that the Committee would certainly meet and discuss options moving forward. He reiterated his gratitude for everyone who worked hard to make it a great day.

Mayor Lombardo reminded everyone that there would be an e-cycling event this weekend.

Mayor Lombardo noted that in the past week James and his crew went down and put a lot of work into the Glenolden Avenue athletic field and the PAL dedicated the field in memory of Bob Wassell. He said that there were probably 100 people down there and they had a wonderful ceremony that included Bob's family and they played a softball game and had Zac's hamburger truck there. He said it was a very nice community event for Bob and Marie who really dedicated their lives to Clifton Heights PAL.

Mayor Lombardo said that the County started a Green Space program offering grants. He said that he would like to see the Borough Manager and Borough Engineer work on something for that program.

### **Fire Report:**

A motion was made by Vice President Campbell to accept the Fire Report as presented; seconded by Councilman Resnick; and carried unanimously by a vote of 5-0.

## **Old Business**

Councilman O'Hara said that he sees in the minutes that there are untruths stated by Councilwoman Papale.

Councilwoman Papale stated that she questioned his attendance at Council meetings.

Councilman O'Hara said that it says that he wasn't at any meetings.

Councilwoman Papale said that she corrects that because he was at the meeting where he made the motion to remove her as President of Council, so she does correct that. She said that other than that, he hasn't been to any meetings and has phoned into some meetings.

Councilman O'Hara said that he explained his situation before joining Council and was told it would be perfectly fine for him to attend meetings by phone as his schedule allowed. He said that he specifically discussed this with Councilwoman Papale.

Councilwoman Papale said that she did note his absence and thinks that she also noted that she understood that it was because of his job.

Councilman O'Hara said that she is using what he confided to her about his job and schedule and now using that against him and claiming he is absent, when he was told he could make it work with his schedule.

Councilwoman Papale said that she wouldn't call that confiding in her when everyone was aware of the situation.

Councilman O'Hara said that he didn't make January's meeting because his brother passed away, he asked if it was okay to call in in February and March and was told it was okay and could not call in in April.

Councilwoman Papale said that just because she said that it was okay to call in didn't mean she couldn't question if there was an attendance requirement for Council meetings. She said that she asked the solicitor a question about attendance requirements and was satisfied with the response that he provided, which is that there is no requirement or limits on the number of meetings a member could miss.

## **New Business**

No new business.

## **Closing Public Comment:**

Suzanne Briddes, 319 Austin Drive, said that she was involved in some of the cultural diversity trainings that they referenced earlier in the meeting when she was involved with the School District. She said that the trainer did a wonderful job, and she would recommend her too.

John Todd, 29 W. Broadway Ave., said that Ed Jones is away on vacation, but he asked him to comment if he could. Ed wanted to thank everyone who participated on the 4<sup>th</sup> of July. He thanked the Mayor, Borough Council, the Police Department, the Fire Department, and all the members of the Committee. John said that from his end, he thinks that they should thank Ed and his wife and son for all of the work that they did. He said that he puts his heart and soul into the 4<sup>th</sup> of July Association. He said that the residents really came through with their biggest year of contributions and really made up for the businesses who had to give a little less because of COVID. He thanked everyone for the work that they put in.

Mayor Lombardo thanked John for his efforts.

Frank Zampitella, Diamond Street, said that football season is set to start in a few weeks and they have not received any feedback. He said that he submitted the permit paperwork 3 months ago. He said that he just received comments that they are waiting for the Upper Darby School District athletic schedule. He said that the Boys' Club is at a total standstill without a permit. He said that they can't proceed with purchasing until they receive some sort of confirmation. He said that they received a permit fee for one gym at \$12,000. He said that in years past, they paid \$500 and used 2 gyms. He said that when they expressed concerns at the fee, they brought the fee down to \$11,300. He said that football field permit started at \$0 and then came back at \$874 and then came back at \$1,274, and he still does not have a firm answer on July 20<sup>th</sup>. He said that they were promised that they would always have 1<sup>st</sup> dibs on the field and that doesn't seem to be the case if they have to wait on the Upper Darby sports schedule. He also noted that the \$1,274 was only for use of the upper field and not the lower field or Revere Field. He said that from what he's gathering on that, he is going to have to get 3 permits for one address. He said that he feels like they are squeezing the program and hoping that they fold.

Borough Manager Micozzie does not know how they could have performed an audit that would allow them to charge \$12,000 for a gym because he's fairly certain that they can only charge what it would cost.

Mr. Zampitella said that the figure he was provided was \$456 for 2 hours a day for the gym. He said that they do not need the gyms until October, so that is less on his radar currently. He said that his concern is the field and that they were promised that they would have 1<sup>st</sup> access to that field and they currently have nothing. He said that he has a file with all of his emails that he can provide. He said that while he was told that they were going to try and waive the fees because of COVID, he replied that he didn't need free, he just wanted to get the permit. He said that the baseball program was provided full access to all of the fields for \$800 some and now they are giving them an entirely different figure with only access to the upper field. He said that he wants to be treated equally and fairly. He said that there are a lot of unresolved issues that he really needs to get squared away in the coming weeks. He said that they signed an MOU between the School District and Boys' Club last year and all of those items in that MOU are now moot because they have not followed through on any of those items from their end.

Mayor Lombardo said that he would reach out to the School District on Monday morning.



John Todd said that he also wanted to thank the Highway Department, James and Jim, for all of their hard work and giving up their 4<sup>th</sup> of July to clean up after the fireworks every year.

**Adjournment:**

A motion was made by Councilman Resnick to adjourn; seconded by Vice President Campbell; and carried by a vote of 5-0.

Respectfully Submitted,

Kimberly A. Duffy  
Clifton Heights Borough Secretary