

**Clifton Heights Borough Council**  
**August 17, 2021 Council Meeting Minutes**

**Council Members Attending:**

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

**Council Members Absent:**

Timothy O’Hara, Councilman  
Leona Papale, Councilwoman

**Officials Attending:**

Joseph Lombardo, Mayor  
Tom Micozzie, Borough Manager  
Timothy Rockenbach, Chief of Police  
Nick DePompeo, Fire Chief (absent)  
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.

A moment of silence was held for fallen Clifton Heights’ firefighter Thomas Royds.

**Roll Call:**

President Humphreys took a roll call of Council members in attendance. Councilwoman Papale and Councilman O’Hara were absent.

**Meeting Minutes:**

A motion was made by Councilman Resnick to accept the August 2021 meeting minutes as presented; seconded by Vice President Campbell; and carried unanimously by a vote of 6-0.

**Farmer’s Market Announcement:**

A motion was made by Councilman Resnick to go out of order on the agenda and allow the Farm Market speaker talk first to allow him to attend another function; seconded by Councilwoman Peterson; and carried unanimously by a vote of 6-0.

Borough Manager Micozzie introduced Sean McNichol. He explained that the Borough has a Farmer's Market advertised on the Borough calendar starting in September. He said that there would be 12-15 vendors in the parking lot on the dates advertised.

Sean McNichol explained his background running Farmer's Markets in Upper Darby. He said that one unique highlight of his events is that he donates the unsold items at the end of each event and last year donated over 15,000 pounds of food.

Councilman Resnick explained that Clifton Heights has a food pantry at Saint Stephen's Church if he were to donate the leftover food from Clifton's Farmer's Markets.

Council thanked him for bringing this to the Borough and told him they looked forward to checking it out and hoped it was a success.

**Public Comment:**

No opening public comment.

**Financial Reports/Bills:**

Financial Advisor Leitzell presented the report and expenses. She said that they have collected 94-95% of the tax, sewer and sanitation fees for the year to date. She said that they would be starting to work on the budget for next year in the next month.

A motion was made by Councilman Resnick to approve the treasurer's report and pay the bills as presented; seconded by Councilman Cabrelli; and carried unanimously by a roll call vote of 6-0. (Resnick – yes, Borelli – yes, Humphreys – yes, Campbell – yes, Peterson – yes, Cabrelli – yes)

**Police Report:**

Written reports provided to Council.

A motion was made by Vice President Campbell to accept the Police Report as presented; seconded by Councilman Resnick; and carried unanimously by a vote of 6-0.

**Fire Report:**

Written reports provided to Council.

A motion was made by Councilwoman Peterson to accept the Police Report as presented; seconded by Councilman Cabrelli; and carried unanimously by a vote of 6-0.

**Engineer's Report**

Borough Engineer Kelly presented the report.

Mr. Kelly reported that PENNDOT had rejected the 2021 Road Program contract due a discrepancy in the advertising. He said that there was a change at the newspaper and they could not provide proof of publication. He said with Council's approval, he would re-advertise the original scope of work with the alternative to include parking lot improvements at S. Ogden and Glenwood Aves. He noted that the parking lot improvements could not come from Liquid Fuels funds but could still be advertised with the Road Program.

A motion was made by Councilman Resnick to re-advertise the 2021 Road Program as previously prepared; seconded by Vice President; and carried unanimously by a vote of 6-0.

Mr. Kelly reported that they have completed the final execution of the contract for Garchinsky Park. The pre-construction meeting with OHCD and the on-site meeting with the contractor are complete and the demolition work has been scheduled for this week and had started as of yesterday. He said that they were informed that they may need to wait until November for the final deliveries of equipment. He said that they will do all of the other work and if the weather is still cooperative then, they would still install the equipment come November.

Mr. Kelly said that the bid opening for the sewer cleaning contract was held this morning. After opening the bids, he recommends that the contract is awarded to A to U Services Inc. of Glenolden for the base bid of \$100,690.50. He said that is a 4 year contract broken down into 4 yearly payments of around \$25,000 and each year they would clean approximately 25% of the sewer lines.

A motion was made by Vice President Campbell to award the sewer cleaning contract to A to U Services Inc. in the amount of \$100,690.50 over a 4 year period; seconded by Councilman Resnick; and carried unanimously by a vote of 6-0. (Resnick – yes, Borelli – yes, Humphreys – yes, Campbell – yes, Peterson – yes, Cabrelli – yes)

Mr. Kelly said that he would have the RFP for the historic property at the September meeting.

A motion was made by Councilman Resnick to approve the Engineer's Report as presented; seconded by Councilwoman Peterson; and carried unanimously by a vote of 6-0.

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

John McBlain presented the Solicitor's Report.

Solicitor McBlain said that his first item was a proposed Resolution which sets forth certain meeting processes and procedures. He said that this is in response to Council's request with the recent changes in Officers and Board leadership about how and when they wanted to see things prior to the meetings. He said that the Resolution indicates that the Borough Council meeting is conducted on the 3<sup>rd</sup> Tuesday of the month and Council may conduct workshop meetings as needed and those meetings could be conducted on a different date than the regular monthly Borough Council meeting or on a different date. All public meetings would be advertised in

accordance with the PA Sunshine laws. He said that all bills to be paid by vote at the monthly meeting would be delivered no later than the 1<sup>st</sup> Friday of the month by delivery to the Borough staff, with invoices and bills all itemized. A preliminary agenda will be delivered to Council members on or before 7pm of the 2<sup>nd</sup> Thursday of the month and a final agenda will be delivered on or before 7pm on the Saturday prior to the month's meeting and that agenda will be posted on the Borough's board and the Borough's website. Residents and taxpayers will place a request by 7pm on the 3<sup>rd</sup> Monday of each month to the Borough secretary to be recognized during the citizen participation period at the start of each meeting. The agenda will be placed in Councilmember's folders and on the meeting room table by 6pm on the day of the meeting. A majority of Council may vote on things in the best interest of the Borough as needed during the course of a regularly scheduled meeting. Special and executive meetings can be held as needed.

A motion was made Vice President Campbell to amend the prepared Resolution in Section G to read that the agenda will be provided to Borough Council and posted at Borough Hall and on the Borough's website 24 hours prior to the month's regularly scheduled Council meeting; seconded by Councilwoman Borelli; and carried unanimously by a vote of 6-0.

A motion was made by Vice President Campbell to vote on the Resolution on Act 65 as so amended; seconded by Councilwoman Peterson; and carried unanimously by a roll call vote of 6-0. (Resnick – yes, Borelli – yes, Humphreys – yes, Campbell – yes, Peterson – yes, Cabrelli – yes)

Solicitor McBlain presented a Resolution to authorize the Borough Manager to submit the traffic signal maintenance agreement and to submit any future modifications to the traffic signal maintenance agreement and future applications for traffic signal approvals either in writing or electronic signature to the Department of Transportation and to sign the agreements on behalf of the Borough of Clifton Heights.

He explained that State installs the traffic signals but the Borough is responsible for their maintenance and the State is switching to an electronic system and determined it was a good time to update their agreements with municipalities.

President Humphreys asked about the light that they always have trouble with on Madison Ave. if this would give them the authorization to retune the light.

Solicitor McBlain explained that they would still have to go through PENNDOT for timing.

A motion was made by Councilman Resnick to authorize the Borough Manager to be the signatory on current and future traffic signal maintenance agreements and applications as required by PENNDOT's recent communication with all municipalities; seconded by Vice President Campbell; and carried unanimously by a roll call vote of 6-0. (Resnick – yes, Borelli – yes, Humphreys – yes, Campbell – yes, Peterson – yes, Cabrelli – yes)

Solicitor McBlain requested an Executive Session right after the current meeting to discuss a matter of pending litigation.

A motion was made by Councilwoman Borelli to accept the Solicitor's Report as presented; seconded by Vice President Campbell; and carried unanimously by a vote of 6-0.

### **Community Development & Code Enforcement Report:**

John Gould submitted a written report to Council.

A motion was made by Councilman Resnick to accept the Code Enforcement report; seconded by Councilwoman Peterson; and carried unanimously by a vote of 6-0.

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

Borough Manager Micozzie said that they heard about the Farmer's Market update.

Borough Manager Micozzie reported that the Borough had set up a separate account as required as part of the America Recovery Act funds and are awaiting notice from the bank as half of the amount, approximately \$350,000 will be deposited into that account. He said that they have specified that the first round of funds be used for storm water management and sewer, so infrastructure projects. He said that in late November or December they would be applying for the 2<sup>nd</sup> round of funds and they were in the process of reviewing options for the 2<sup>nd</sup> round of funding. He said that they would be looking at businesses, restaurants and organizations that were really impacted by COVID. He said that he would be setting up a meeting with Haverford Township who has set up a program geared towards that so that they could work on implementing something similar.

Borough Manager Micozzie said that the Memorial Wall was pressure washed and cleaned up. He said that he doesn't have the name of the resident who approached him on Memorial Day, but he would imagine she's pretty happy with the work they completed.

Borough Manager Micozzie said that the summer program would be closing out next week and they had done a great job and they already discussed with them the possibility of them coming back during their breaks from college. She said that with the elimination of the Community Service program at the County level, Councilwoman Papale asked for an analysis of the cost to hire an additional highway department employee and the cost analysis without benefits would be \$25-30,000 annually for a full time employee and \$10-15,000 for a part time employee. He said that his recommendation would be to go through a season and try to attempt to see how they can handle the jobs that community service used to handle before proceeding with a hire. He said that they may be able to subcontract some services. He said that the highway staff was amenable to this as well.

Borough Manager Micozzie said that they received a request from the County to shovel and plow the Lindbergh Bridget at the same time that they received the information about Community Service no longer being available. He said that the letter went back to them explaining that it was their bridge and between Upper Darby Township and Clifton Heights Borough. He said that he spoke to the Highway Department and in case of emergency during a bad storm they may push it to keep the bridge passable, but they certainly don't have the

manpower to be out there shoveling. He said that the County always had contractors out there completing that work or Community Service in bad storms.

Solicitor McBlain said that the County does receive Liquid Fuels funds to complete that work.

Borough Manager Micozzie reported that the street light request at Prospect Ave. was on the schedule for installation.

Borough Manager Micozzie said that the promotion exam results were in Council's folders and Officer Caputo was #1 on the list, and as such, he was recommending that he be promoted to Sergeant at the September meeting per the Civil Service Commission's recommendations.

Borough Manager Micozzie said the County's green space opportunities were open and they would be working on some things for that.

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 Vice President Campbell to accept the Manager's Report as presented; seconded by Councilman Resnick; and carried unanimously by a vote of 6-0.

### **Committee/Ward Reports**

**Councilwoman Papale:** Absent.

**Councilman Resnick:** He said that he is part of the Delaware County Bar Association Elder Law Committee and he has copies of the booklets for distribution to residents.

**Councilman Cabrelli:** No report.

**President Humphreys:** He said that the Boys' Club was back up at the field. He asked residents to be careful driving around the field.

**Councilman O'Hara:** No report.

**Councilwoman Borelli:** No report.

**Vice President Campbell:** He thanked the Borough Manager for his work on the street lights that he requested at the prior month's meeting.

**Councilwoman Peterson:** She also noted the kids up at the field and asked residents to be careful in all directions while up near the field.

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

Mayor Lombardo thanked the 4<sup>th</sup> of July Committee and Ed Jones for the wonderful work that he did for the 4<sup>th</sup> of July. He said that Ed was away at last month's meeting, and he just wanted to thank Ed again in person.

Mayor Lombardo said that next month would mark the 20<sup>th</sup> anniversary of the September 11<sup>th</sup> attacks. He reported that the Clifton Heights Fire Company would be hosting a ceremony at 2pm on Saturday, September 11<sup>th</sup>.

Bill reported that there would be a vocalist performing God Bless America, a bagpiper and a series of speakers from first responders and families.

Mayor Lombardo noted that the Fire Chief is on vacation this week, but they will be doing a formal presentation to the Fire Company next month for Firefighter Thomas Royds.

### **Old Business**

No old business.

### **New Business**

No new business.

### **Closing Public Comment:**

Meredith Hegg, 123 E. Berkley Ave., said in reference to John Gould's code enforcement report and the Borough Manager's discussion of Darby Creek, she wondered if there was any information on the trees that may have been cut down by Big Lots. She said that she thought that there was an investigation.

Mr. Gould reported that the County Conservation District and the State are involved in that investigation. He said that they are working on that.

Borough Manager Micozzie reported that they did find out that the DEP did issue a permit above and beyond the County and Borough permits that were issued. He said that they are not sure how or why, but they are looking into all of that and the Delaware County Conservation District is leading that process.

Meredith Hegg then asked about the public storage facility that has gravel and not grass.

John Gould explained that they had had several meetings and were working towards a resolution with the public storage facility on that situation.

Meredith Hegg thanked them for their time.

Meredith Hegg said that it was her understanding that the DA's office was still running the Community Service program.

Councilman Resnick said that they changed the program so it no longer sending large crews out with a supervisor to do physical labor as part of the Community Service program. He said that defendants in criminal cases can find non-profits or church programs that would support their community service projects than they can partake in community service, but they were no longer doing the community service program as they have known it through the years.

John Cannon, 132 N. Glenwood Ave., asked if there were ever any retention basins on the project at Big Lots/Lidl.

Mr. Gould reported that there are 2 retention basins there.

Mr. Cannon if they met today's standards.

Mr. Gould said that he would defer to the Borough Engineer on that but they did find that they needed some attention and permits were issued to restore the basins as they were previously.

Borough Engineer Kelly reported that the site was brought up to the previous impervious coverage standards. He reported that the storm water facility was never maintained, so it was brought back to a workable state in that floodplain, which is subject to a lot of parameters.

Mr. Cannon asked if they would be subject to annual inspections.

Mr. Gould said that they would be subject to annual inspections under the rental inspections because it is a rental property.

342 E. Broadway Ave., said that he is having trouble with parking on his block. He said that they used to park on Marple & Broadway, but now they are giving out tickets.

Borough Manager Micozzie said that he did speak to the Chief about this issue.

The resident stated that he has been there since 2018 and the parking is horrendous because of the restaurants.

Chief Rockenbach said that the enforcement was stepped up at the request of a Borough council member, who did submit a complaint. He said that they could discuss the parking after the meeting and figure out options moving forward.

The resident asked about the possibility of looking into permit parking on that block.

Chief Rockenbach said that that would be a Borough Council discussion and they certainly have to look at bringing some things up to current times.

President Humphreys thanked the resident for his time and just reminded all residents that closing public comment was for items on the agenda that were discussed during the course of the



meeting and opening public comment was for any discussions and Council just requests that residents submit the request to speak 24 hours prior to the meeting so that if they need to do any research to answer the question, they have time to do so.

**Adjournment:**

A motion was made by Councilman Resnick to adjourn; seconded by Councilwoman Peterson; and carried by a vote of 6-0.

Respectfully Submitted,

Kimberly A. Duffy  
Clifton Heights Borough Secretary