

TULLYTOWN BOROUGH COUNCIL MEETING

MAY 6, 2014

President Rick Adams called the meeting of the Tullytown Borough Council to order on Tuesday, May 6, 2014 at 7:00 p.m.

Present at the meeting:

Mayor Cutchineal

Councilman Armstrong—absent due to earlier commitment

Councilwoman Gahagan—absent due to family medical issues

Councilman Pirolli

Councilwoman Kucher

Councilwoman Kettler

Councilman Czyzyk—absent due to home repair emergency

Councilman Adams

Also present:

Michael T. Sellers, Esq., Borough Solicitor

William S. Major, P.L.S., Borough Engineer

Alison Smith, Borough Coordinator

Judy Collings, Borough Treasurer

Nancy Conner, Borough Secretary

Mr. Sellers advised that Council met in executive session prior to the meeting and discussed pending agreement with D & S Boats for work to be performed by the Borough, boundary line issue, acquisition of easements for Community Park with DLC, pending litigation regarding appeal with Commonwealth of PA.

Commissioner Robert Loughery introduced himself to Council and discussed the many projects of the County as well as their budget and construction of the new Justice Center.

PUBLIC COMMENT

George Panzitta, Cheryl Panzitta Catering, discussed how important quality of food is for the Borough Picnic. He commented that price of food has increased 22% but doesn't understand why bids are cheaper—he feels that does not make sense.

He added that the funnel cakes of 6" size is the standard serving—the 8" is what Council is looking for. He added that they outfitted their 3 service window trailer—capable of making 6 - 8" funnel cakes every two minutes. He added that cinnamon sugar and powdered sugar to top funnel cakes will also be an option.

Mr. Panzitta advised that they offer an "instant picnic grove" where they bring in 46 person one piece picnic tables at a cost of \$950 that includes set up, breakdown and delivery. He

added that Falls Township Community Day has been using this service for years. He showed picture of that feature to Council.

Rick Johnson, 347 Main Street, Tullytown, asked who owns the old bowling alley. He added that it is an eyesore and he feels it is a fire hazard and safety hazard.

Rick advised the Bucks County Fire Chief Association has a website: bucksfire.org. He added they will be doing a commercial and Tullytown Fire Co is participating in that commercial. Fire Chief Johnson advised they received some supplies from the organization. He asked if the Fire Co could advertise at the Borough Picnic to recruit new members.

He added that as Commissioner Loughery advised earlier, the Commissioners have been a big supporter of the Bucks County Fallen Firefighters Memorial in Doylestown. He advised that they hold a ceremony there every September and thanked the Commissioners for doing that.

Mrs. Kettler advised that she would not have a problem with the Fire Company putting a kiosk up at the Borough picnic.

Mrs. Kucher commented that she did put a call into the zoning officer regarding the old bowling alley property. Mayor Cutchineal advised that he is also involved—he added that the owner of that property has a serious health issue and also a law suit from damages from the hurricane but he knows they are moving on that. Mrs. Conner advised that because she took a phone call on this matter she knows that the Code Enforcement officer is involved with this and it is in the works.

Steve David, 206 Kenwood Drive South, Levittown, commented that he is not proud that he missed a vote this past year. He apologized that he was in the hospital and he missed the election. He thinks Council is doing a wonderful job and couldn't be prouder of the town and he would defend the council members.

APPROVAL OF COUNCIL MINUTES

Mr. Pirolli made a motion to approve the minutes of the April 1, 2014 Council meeting, seconded by Mrs. Kettler. The vote of Council was as follows:

Mr. Pirolli—for
Mrs. Kucher—for
Mrs. Kettler—for
Mr. Adams—for

The motion carried with a unanimous vote of Council in favor of the motion.

TREASURER'S REPORT

MONTHLY BILLS

Mrs. Kucher made a motion to approve the monthly bills, seconded by Mrs. Kettler.

The vote of Council was as follows:

Mr. Pirolli—for
Mrs. Kucher—for
Mrs. Kettler—for
Mr. Adams—for

All of Council was in favor of the motion; the motion carried.

RECONCILIATION STATEMENT

Mr. Pirolli made a motion to approve the Reconciliation Statement of April, 2014, seconded by Mrs. Kucher. The vote of Council was as follows:

Mr. Pirolli—for
Mrs. Kucher—for
Mrs. Kettler—for
Mr. Adams—for

All of Council was in favor of the motion; the motion carried.

COMMUNICATIONS

Mrs. Conner advised she received a letter from Bucks County Health Improvement Partnership thanking Council for their generous donation.

GENERAL BUSINESS

REQUEST OF CENTER FOR STUDENT LEARNING FOR SCHOOL SIGNS

Mrs. Smith advised she distributed maps of the school to Council on the dais. She advised that normally children are bussed in or dropped off by parents—there are no walkers but students are walking in front of busses and cars and there are no safety signs warning that it is a school zone.

Dr. Chuck Bonner, CEO at the Center for Student Learning, advised the school is looking for some signage to ensure the safety of the students.

Mrs. Kucher commented that originally when the school came before Council for permission to open, it was indicated that there would be no walkers so signs would not be needed so residents were not approached for comments regarding signage. Mrs. Kucher felt that residents across the street of the school would not be supportive of the signs in front of their property. She added she doesn't have an issue putting signs on the one side.

Dr. Bonner commented this is his first year with the school so he was not aware but still is concerned with the safety of the children. Dr. Bonner commented that he is not looking for flashing lights—just signage. Mrs. Kucher asked if they would be in agreement of placing on one side of the street.

Mrs. Kettler commented that it might be an idea to talk to the neighbors it may impact and find there may be no opposition to this. She asked if there are any walkers. Dr. Bonner advised the few walkers they have are older students. Mrs. Kucher asked if they have any authority on where the signs should be placed. Mrs. Smith advised that PennDOT has that authority.

Mr. Sellers asked Dr. Bonner that when Pennsbury School District entered into agreement with the Charter School were there any requirements that the Charter School erect signs.

Heather Humienny, President and one of the board of trustees commented that she doesn't specifically remember that part of the conversation a few years ago when this was brought before Council but she stated that this is really about the safety of our students. She added they are interested in the neighbors views but students more so. She added that Pennsbury is separate from this request and has nothing to do with this decision.

Mrs. Kucher asked what signs they are specifically looking for. Dr. Bonner showed Council pictures of signs they were requesting.

Mr. Sellers asked Dr. Bonner if the principle concern for the drop off of students by busses and by car. Dr. Bonner confirmed. Dr. Bonner added the bussing is on the school side and into the parking lot. He added the parents park all over the area.

Dr. Bonner advised the lower speed sign, drug free sign and stick figure sign are what they are looking for—not the drug free sign as much. Mrs. Kettler suggested contacting the neighbors for their comments also. Dr. Bonner agreed.

Mr. Pirolli made a motion to table to the June meeting, seconded by Mrs. Kettler. All of Council was in favor of the motion; the motion carried.

Bill Edwards, 364 Lakeside Drive, Levittown, commented that the school also has outdoor activities such as football, etc. with children running around.

Chris Shellenberger, 229 Kenwood Drive South, Levittown, commented that on her street they can't park on the one side of the street—she added that could be an option. She suggested sending letters to parents advising not to park on one side of the street. She did comment this is for the safety of the students.

Mrs. Kettler suggested that Dr. Bonner advise Mrs. Smith of the School's activity schedule which would be helpful in this decision.

STORM WATER MANAGEMENT PRESENTATION

Ms. Samantha Brinker of Gilmore Associates, made a presentation to Council via power point. A copy of that presentation is filed with the minutes.

Mrs. Kettler asked if we do any random testing at the height of the discharge of the run-off. Ms. Brinker advised it is a requirement that outfalls be tested once throughout the permit

cycle and 72 hours after a rain event—if there is water still flowing through the pipes after 72 hours then they have to come back after 24 hours and inspect it again and if they do see any illicit discharges, they would test. Ms. Brinker advised that as of right now the last permit cycle, when they inspected the outfalls there were no illicit discharges.

Mrs. Kettler asked if we have tested any time since this program began. Ms. Brinker commented that we have not inspected any outfalls that needed to be tested at that time. Mrs. Kettler commented that this is an excellent program and does educate the public but we need to check ourselves and see if we are improving the runoff.

Ms. Brinker advised that DEP does testing of the waterways and are tracking the reduction of pollutants and that is why we have renewed our permit for this 5-year cycle. She added there are new requirements that help reduce the pollutants within all the municipalities within the state. Mrs. Kettler commented that we are involved in this program but we don't know if we are going to improve because we don't know if our run-off is causing any problems. Mr. Pirolli commented that the education part is working—he is seeing less grass clippings, there are signs on the inlets etc.

Ms. Brinker advised she can see what PADEP has regarding the river designation and quality for this area and she can propose future testing in this area so we can have something to monitor.

REPORT FROM SHADE TREE COMMISSION

Ms. Karen Wilson of the Shade Tree Commission advised that she and Pat Carroll attended PHS tree tenders seminars—discussed tree care, tree pests, what type trees in certain environments.

Ms. Wilson advised that several times they tried to check out the trees but the snow issues prevented that. Karen Wilson added that Pat Carroll, Wilhelmina Conca and she have strolled through Main Street today—they noted several diseased trees.

Ms. Wilson stated that after they complete the tree inspection, they will submit a list to Council. She added that a fun educational project is another inexpensive way to teach children and parents about the trees. She added they will report back at the June meeting.

ONE APPOINTMENT TO CABLE ADVISORY BOARD

Mrs. Kucher made a motion to appoint Al Brewster to the Cable Advisory Board for a 3-year term, seconded by Mrs. Kettler. All of Council was in favor of the motion.

AUTHORIZE ENGINEER TO REVISE SPECIFICATIONS FOR HVAC SYSTEM

Mrs. Smith advised they have come up with a cost to have the engineer go through the prints and specifications and revise them to reflect that we are now going to do the work in one phase. She advised they have agreed to a price of \$5,340 for the engineer, \$550 for the Borough Engineer and \$1,200 for the prints for a total of \$7,090.

Mrs. Kettler asked the engineer when he expects that to be done. Mr. Major commented about 3 or 4 week window.

Mr. Pirolli made a motion to authorize the engineer to revise specifications for the HVAC system, seconded by Mrs. Kucher. All of Council was in favor of the motion; the motion carried.

AUTHORIZE ADVERTISEMENT FOR BIDS FOR HVAC SYSTEM

Mrs. Kucher made a motion to authorize the advertisement and solicitation of bids for the Borough HVAC project, seconded by Mr. Pirolli. All of Council was in favor of the motion; the motion carried.

APPROVAL OF VENDOR FOR FOOD PORTION OF BOROUGH PICNIC

Mrs. Conner advised that for the food portion, funnel cakes and fireworks, Council, at the last meeting rejected all bids and agreed to go with the telephonic bid process.

Mrs. Conner advised that she contacted Christina's Catering, Harvest Specialty, Cheryl Panzitta Catering and Billy D's Catering for the food portion.

She advised the quotations were received as follows:

- 1) Christina's Catering -- \$9,350.
- 2) Harvest Specialty -- \$11,220.
- 3) Cheryl Panzitta Catering --\$10,950
- 4) Billy D's Catering -- \$9,050.

Mrs. Conner advised that the Park & Recreation Committee has recommended Christina's Catering.

Mrs. Kucher made a motion to award the food contract to Cheryl Panzitta Catering in the amount of \$10,950. Mrs. Kettler seconded the motion.

The vote of Council was as follows:

Mr. Pirolli—for
Mrs. Kucher—for
Mrs. Kettler—for
Mr. Adams—for

The motion carried with a unanimous vote of Council in favor.

Chris Shellenberger, 229 Kenwood Drive, South, park & rec member advised they were told that the Committee can all discussed this matter and give a recommendation and feels that Council do what they want to do anyway. Mr. Adams advised that various people called different members on this Council advising they were very happy with the caterer last year. Mrs. Shellenberger advised that Park & Rec Committee received several complaints about Panzitta Catering. Mr. Adams asked how many complaints have they received about

Christina's Catering. Mrs. Shellenberger advised that over the many years a few about over cooked hamburgers which seemed to be the same complaint for all of the vendors.

Mrs. Kettler commented that any complaints about the picnic should be in writing. Mrs. Shellenberger suggested that a "comment card" be used for this purpose. Mrs. Kettler advised they should be signed also.

APPROVAL OF VENDOR FOR FUNNEL CAKES FOR BOROUGH PICNIC

Mrs. Conner advised we received quotations from the following:

- 1) Fun Foods LLC (Frank Keating) -- \$3,000
- 2) Cheryl Panzitta Catering-- \$3,600

Mrs. Conner advised the Park & Recreation Committee recommended Fun Foods LLC.

Mrs. Kucher made a motion to award the funnel cakes bid to Fun Foods LLC in the amount of \$3,000, seconded by Mrs. Kettler.

The vote of Council was as follows:

Mr. Pirolli—for
Mrs. Kucher—for
Mrs. Kettler—for
Mr. Adams—for

The motion carried with a unanimous vote of Council in favor.

APPROVAL OF VENDOR FOR FIREWORKS FOR BOROUGH PICNIC

Mrs. Conner advised that she contacted four different vendors.

She advised quotations were received as follows:

- 1) International Fireworks -- \$6,900
- 2) Z Pyrotechnics LLC -- \$7,100

Mrs. Conner advised the Park & Recreation Committee recommended International Fireworks for \$6,900.

Mr. Pirolli made a motion to award the bid to International Fireworks in the amount of \$6,900, seconded by Mrs. Kucher.

The vote of Council was as follows:

Mr. Pirolli—for
Mrs. Kucher—for
Mrs. Kettler—for
Mr. Adams—for

All of Council was in favor of the motion; the motion carried.

APPROVAL OF CONTRACT WITH CLARKE MOSQUITO

Mr. Pirolli made a motion to approve the contract with Clarke Mosquito in the amount of \$2,400, seconded by Mrs. Kettler.

The vote of Council was as follows:

Mr. Pirolli—for
Mrs. Kucher—for
Mrs. Kettler—for
Mr. Adams—for

All of Council was in favor of the motion; the motion carried.

APPROVAL OF CONTRACT WITH CHRISTINA'S CATERING FOR MEMORIAL DAY FOOD

Mrs. Conner advised the contract is for hot dogs, and assorted soft drinks in the amount of \$1,530.

Mrs. Kucher made a motion to approve the contract with Christina's Catering in the amount of \$1,530, seconded by Mr. Pirolli.

The vote of Council was as follows:

Mr. Pirolli—for
Mrs. Kucher—for
Mrs. Kettler—for
Mr. Adams—for

All of Council was in favor of the motion; the motion carried.

APPROVAL OF SERVICES FOR PHONE, TV, INTERNET

Mrs. Smith advised that currently our annual cost of phone service with Windstream is \$8,900. She added our internet access is free provided by Comcast but it is residential and we have had significant issues with it.

Mrs. Smith advised that she contacted Verizon Business, Comcast Business, as well as two independent carriers. She added that Comcast Business provided a proposal to put the Borough in business class and provide our phone service – savings of approximately \$900 a year by terminating the service with Windstream and going to Comcast Business.

Mrs. Kucher made a motion to have the coordinator change the phone, TV and internet service to Comcast Business in the amount of \$7,980, seconded by Mrs. Kettler. All of Council was in favor of the motion; the motion carried.

APPROVAL OF RESOLUTION #298 INTENT TO FOLLOW SCHEDULE FOR DISPOSITION OF RECORDS

Mrs. Conner advised that previously Council had adopted a resolution to follow the schedule for disposition of records; however, that schedule has been updated. She added this

resolution would also declare Council's intent to dispose of records in accordance with the updated manual.

Mrs. Kettler made a motion to approve Resolution #298, seconded by Mr. Pirolli. All of Council was in favor of the motion; the motion carried.

APPROVAL OF RESOLUTION #299 DISPOSITION OF CERTAIN RECORDS

Mrs. Conner advised that this resolution indicated certain records that will be destroyed in accordance with the schedule for disposition of records. She added that the records will be taken to Waste Management incinerator. Mrs. Kettler asked the procedure for the incineration. Mrs. Conner advised that someone from the Borough will accompany Bob Jones to the incinerator.

Mrs. Kettler made a motion to approve Resolution #299 for the disposition of records outlined in the resolution by Mrs. Conner. Mr. Pirolli seconded the motion. All of Council was in favor of the motion; the motion carried.

APPROVAL OF CHANGE ORDER ADDITIONAL INLET REPAIR

Mrs. Smith advised the contractor started working yesterday on the inlet repairs. She added that they are doing a very good job. She added there are three additional inlets to be added to the contract due to the winter weather conditions.

Mrs. Kettler made a motion to approve the change order for the additional inlets in the amount of \$10,800, seconded by Mr. Pirolli. The motion carried with a unanimous vote of Council in favor.

APPROVAL OF RESOLUTION #300 SUPPORTING APPLICATION FOR PLANNING GRANT (TCDI)

Mrs. Smith made a power point presentation regarding this grant application, a copy of which is filed with the minutes.

Mrs. Kucher made a motion to approve Resolution #300 supporting application for planning grant (TCDI), seconded by Mrs. Kettler.

The vote of Council was as follows:

Mr. Pirolli—for
Mrs. Kucher—for
Mrs. Kettler—for
Mr. Adams—for

All of Council was in favor of the motion; the motion carrier.

APPROVAL OF EXPENDITURES FOR BOROUGH PICNIC

Mrs. Conner advised there will be some additional expenditures for Borough picnic such as printing of tickets and food tickets, face painting, the band, Unirec and Pony Express. She advised that the total of these expenses from 2013 were \$6,857.00 Mrs. Conner advised the

Park & Rec Committee is looking for an approval this evening so they may contract with the mentioned items for the picnic.

Mrs. Conner also commented that they are still looking into portable toilets and that will be before Council at the June meeting for approval.

Mr. Pirolli made a motion to approve the above mentioned expenses in an amount not to exceed \$8,500, seconded by Mrs. Kettler.

Mrs. Shellenberger asked what would happen if she exceeds that amount by \$100. Mrs. Kettler advised that they would have to come before Council for the additional expense.

The vote of Council was as follows:

Mr. Pirolli—for
Mrs. Kucher—for
Mrs. Kettler—for
Mr. Adams—for

The motion carried with a unanimous vote of Council in favor.

APPROVAL OF EXPENDITURE FOR MEMORIAL DAY SERVICES AND PARADE VIDEO TAPING

Mrs. Conner advised that Skotleski Productions has given two estimates: one camera -- \$1,540 and the second estimate of \$2,540 using two cameras.

Mrs. Kucher asked if this is for the parade or the memorial service. Mrs. Conner advised the estimate is for 5 hours maximum which includes the Memorial Day services also.

Mayor Cutchineal recommended going with the first option of \$1,540.

Mr. Pirolli made a motion to approve the expenditure for Memorial Day Services and parade for \$1,540, seconded by Mrs. Kucher.

The vote of Council was as follows:

Mr. Pirolli—for
Mrs. Kucher—for
Mrs. Kettler—for
Mr. Adams—for

All of Council was in favor of the motion; the motion carried.

APPROVAL OF ADDITIONAL EXPENDITURES FOR MEMORIAL DAY PARADE

Mayor Cutchineal advised they have additional expenditures of \$49.75 for an all services flag at the Borough Hall, 2 banners for the parade to advertise the parade (\$115 each), 3 characters walking in the parade for 2 hours (\$500), Boomer from Trenton Thunder to walk in the parade

and do autographs for 2 hours (\$200), flowers, sashes, etc. (\$300) with a total not to exceed \$1,850.

Mr. Pirolli made a motion to approve the additional expenses for the Memorial Day Parade not to exceed \$2,000, seconded by Mrs. Kucher.

The vote of Council was as follows:

Mr. Pirolli—for
Mrs. Kucher—for
Mrs. Kettler—for
Mr. Adams—for

The motion carried with a unanimous vote of Council in favor of the motion

COMMITTEE REPORTS

No Reports

BOROUGH REPORTS

MAYOR'S REPORT

Mayor commented that one of our residents, Jason Parto, who is a senior at Bucks County Technical High School, came in first place in the Pennsylvania State Championships for welding sculpture in Hershey and he is on to Kansas City for the National Championships.

Mayor Cutchineal reminded everyone that Saturday, May 10th is Clean-up Day.

Mayor reminded everyone that May 20th is Primary Election Day.

He reviewed the events of Memorial Day Services, Parade and Concert in the park.

Mayor Cutchineal commented that there have been several complaints on Main Street regarding speeding. He advised there is extra patrol out and we will continue to do so to alleviate this problem.

COORDINATOR'S REPORT

Mrs. Smith advised the inlet repair began yesterday. She added the public works department provided notices to adjacent residents to let them know what was happening as well as postings on the website and gov't channel.

She commented that in reading the State regulations, it was identified that while the Borough is responsible for the inlets on the State roads, the State is responsible for the grates so she contacted the State and they provided the grates. She added that she also received an estimate from the State to repair the Fallsington Avenue Bridge and we provided it to Senator McIlhenney's office for possible inclusion in this year's work program.

Mrs. Smith advised that a grant request for \$387,000 was made to the DCNR for developing the ball field. She added we will be able to match it with the open space grant money which will save the Borough money. Mrs. Smith further added this will fund the first phase which includes clearing and grading, planting of grass, eco gardens and trees, paving walkways, play scapes, lights and picnic pavilion.

Mrs. Smith advised they were working on the HVAC project being advertised which Council voted on this evening. She added the next step is to find the most appropriate place for the Borough to relocate the police and administration offices. She added the options are trailers next to the building, the shopping center between Verizon and the Sprint store front or a local hall. She added we are continuing to develop the costs.

Mrs. Smith advised that Mark Snyder, road crew foreman, performed a study of our traffic lights to determine which were LED's and what PECO was carrying them which resulted in a reduction of our bill by close to \$200 a month was achieved.

Mr. Pirolli asked about the pothole in front of the second entrance of St. Mikes. Mrs. Smith advised she will look into this matter.

SOLICITOR'S REPORT

Mr. Sellers advised that the final decree has been signed by Judge McMaster on the boundary line case. He added they are working on the record plan to be filed in Doylestown to show where the new line will be legally and to show monuments which will mark the corners for the future.

Mr. Sellers advised that regarding the SEPTA train station, he has been in touch with the attorney for SEPTA and their professionals to meet to discuss process going forward with what will be a complex project.

Mr. Sellers advised that the truck traffic ordinance has been working very well according to Chief Doyle – there has already been a significant reduction in truck traffic and speeding traffic.

Regarding the Galzerano matter, Mr. Sellers advised that the Commonwealth Court has not yet rendered a decision.

ENGINEER'S REPORT

Mr. Major presented his report, a copy of which is enclosed with the minutes.

Regarding the storm sewer inlet repairs, Mr. Major advised he would need authorization of another 10 hours to complete the project.

Mr. Pirolli made a motion to authorize the engineer to expend 10 more hours to complete the project, seconded by Mrs. Kucher. All of Council was in favor of the motion; the motion carried.

Mr. Major discussed Fallsington Avenue repairs. He previously suggested that all the inlets be repaired on Fallsington Avenue before the repairs to the road are made. Mr. Major was not certain on the amount of inlets. Mrs. Kucher advised we can discuss at next month's meeting when Mr. Major has the exact number of inlets.

MISCELLANEOUS COUNCIL BUSINESS

Mr. Adams thanked Council and the Park & Rec Committee for the fine work they have done this year.

ADJOURNMENT

There being no further business, a motion was made by Mrs. Kucher to adjourn the meeting, seconded by Mr. Pirolli. All of Council was in favor of the motion; the motion carried.

Respectfully submitted,



Nancy Conner
Borough Secretary