

TULLYTOWN BOROUGH COUNCIL MEETING AUGUST 6, 2013

President Rick Adams called the meeting of the Tullytown Borough Council to order on Tuesday, August 6, 2013 at 7:00 p.m.

Present at the meeting:

Mayor Cutchineal
Councilman Armstrong – absent due to medical reasons
Councilman Servis
Councilwoman Kucher
Councilwoman Gahagan
Councilman Pirolli
Councilman Czyzyk
Councilman Adams

Also present:

Michael T. Sellers, Esquire, Borough Solicitor
William S. Major, P.L.S., William G. Major Associates, Inc., Borough Engineer
Judy Collings, Assistant Treasurer
Nancy Conner, Secretary

Mr. Sellers explained that Council met in executive session before this meeting to discuss litigation matter of Fox vs. Kucher and status of Chief of Police.

PUBLIC COMMENT

Joe Shellenberger, 229 Kenwood Drive, South, discussed the heating and air conditioning system going out to bid—he thought Council was going to discuss with members. He doesn't think anything has changed—the only thing its going to help is people working on the systems. He feels we should go with modern technology and feels it would save the Borough money.

Chris Shellenberger, 229 Kenwood Drive, South, commented that the corner of north Kenwood Drive and the Shopping Center is all clean and she is assuming our people did that—hope it stays that way—thanked Council for that.

Mrs. Shellenberger commented that she has noticed that people are selling cars on their properties. She thought we had an ordinance—for sale of cars, trailers, pick-up trucks. Ms. Gahagan advised that she has notified the Borough of some of these issues also. Mr. Dan Doyle advised he has followed up with code enforcement and he is going to address it.

Bob Merz, 204 Kenwood Drive South, Levittown, discussed the issue that has been going on for about 14 months regarding the trees behind his property and the ball field. He said property

line was blocked by a very large tree—he said a survey was done--he doesn't know how they measured. Mr. Merz advised he found 2 trees possibly 3—he was told the surveyors found only 1 tree on the line.

He commented that he would like council's permission to cut down the trees that are dead and dying.

APPROVAL OF COUNCIL MINUTES

Mr. Servis made a motion to approve the minutes of the July 9, 2013 Council meeting, seconded by Mr. Pirolli. Roll call vote was taken with a unanimous vote of Council in favor of the motion. The motion carried.

Mr. Pirolli made a motion to approve the minutes of the July 16, 2013 Council work session, seconded by Mrs. Kucher. The vote of Council was as follows:

Mr. Pirolli—for
Mr. Servis—abstain as he was not present at that meeting
Mrs. Kucher—for
Mr. Czyzyk—abstain as he was not able to attend
Ms. Gahagan—for
Mr. Adams—for

The vote was 4 in favor; 2 abstentions; the motion carried.

TREASURER'S REPORT

MONTHLY BILLS

Mrs. Kucher made a motion to approve the monthly bills, seconded by Mr. Servis. Roll call vote was taken with a unanimous vote of Council in favor of the motion; the motion carried.

RECONCILIATION STATEMENT

Mr. Servis made a motion to approve the Reconciliation Statement for July, 2013, seconded by Mr. Czyzyk. Roll call vote was taken with a unanimous vote of Council in favor of the motion; the motion carried.

COMMUNICATIONS

Mrs. Conner advised she received a letter of resignation from Wilhelmina Conca on the Shade Tree Commission. Mr. Servis made a motion to accept Wilhelmina Conca's letter of resignation, seconded by Ms. Gahagan. Roll call vote was taken with a unanimous vote of Council in favor of the motion; the motion carried. Mrs. Conner advised that she will advertise on the Government channel and website for volunteers for this position.

GENERAL BUSINESS

CONSIDERATION-AUTHORIZATION TO ADVERTISE FOR PROPERTY IMPROVEMENT ALLOCATION ORDINANCE

Mr. Sellers explained the proposed ordinance. He stated that Council should authorize advertisement of the ordinance and determine the amount.

Mr. Pirolli made a motion to advertise the ordinance for the amount of \$6,000, seconded by Ms. Gahagan.

Mr. Sellers clarified the motion. Mr. Pirolli then amended his motion as follows: to authorize legal advertising of the property improvement allocation ordinance with the designated allocation stated as \$6,000, seconded by Ms. Gahagan. Roll call vote was taken with a unanimous vote of Council in favor of the motion; the motion carried.

ACCEPT TREASURER'S LETTER OF RESIGNATION

Mr. Sellers advised that our Treasurer had submitted a letter of resignation. A motion was made by Ms. Gahagan to accept the Treasurer's letter of resignation, seconded by Mrs. Kucher. The motion carried with a unanimous vote of Council.

CONSIDERATION--APPROVAL OF RESOLUTION OF BOROUGH TREASURER

A proposed resolution was prepared which appoints Julie (Judy) Collings as Borough Treasurer. Mr. Sellers read the resolution aloud. A motion was made by Mrs. Kucher to adopt Resolution #274, seconded by Ms. Gahagan. Roll call vote was taken with a unanimous vote of Council in favor of the motion; the motion carried.

CONSIDERATION—RESOLUTION--TD BANK

Mr. Pirolli made a motion to adopt Resolution #275, seconded by Mr. Czyzyk. Roll call vote was taken with a unanimous vote of Council in favor of the motion; the motion carried.

DISCUSSION PURCHASING OF LAPTOPS OR IPADS FOR COUNCIL/MAYOR

Mr. Doyle explained costs to Council and asked if Council wishes to go with Ipads or laptops. Mr. Doyle advised they are similar in price.

Chris Shellenberger, 229 Kenwood Drive, Levittown, asked if Council has AppleCare. She feels Council is spending too much money and the residents don't get anything. Ms. Gahagan commented that Council just approved the residents getting \$6,000 check. Ms. Gahagan advised the Ipads are 1st Generation. Mrs. Shellenberger suggested getting warranties.

Mr. Adams asked for raise of hands of Council who was favor of laptops. The majority favored laptops.

Ms. Gahagan made a motion to purchase laptops. Mr. Pirolli commented that Mr. Doyle was going to give us costs. Mr. Doyle explained the comparison of costs. Mr. Doyle recommended

one for Council with a cost of \$559 each. Mr. Doyle advised there are 3 different bids but 3 different technologies.

Mayor Cutchineal asked if we can sell Ipads to offset the cost. Mr. Sellers advised that Council can sell as a "lot" if in excess of \$1,000 will have to advertise with the highest bidder to get all the Ipads.

Mr. Servis suggested that Mr. Doyle inquire as to the Ipads being sold to the company providing the laptops.

Ms. Gahagan commented that the total cost of all Ipads might not be \$1,000 as they are the 1st generation—they are obsolete.

Amanda from levittownnow.com asked how many laptops are being purchased. Mr. Servis advised the quote is for 9 HP laptops.

A motion was made by Mr. Servis to have Dan Doyle look into purchasing the laptops HP 15.6 for \$559 totaling \$7,431.00 and find out what we can get in a trade. Mr. Pirolli seconded the motion.

Ms. Gahagan asked if it was contingent on the sale of the Ipads. Mr. Servis said it is not.

Mrs. Kucher asked if we can transfer the information from the Ipads to the laptops. Mr. Doyle advised that we would have to ask our IT guy.

Roll call vote was taken with a unanimous vote of Council in favor of the motion; the motion carried.

CONSIDERATION—APPROVAL RESOLUTION AMENDMENTS TO CIVIL SERVICE RULES AND REGULATIONS

Mr. Sellers explained this has to do with several changes to the Civil Service rules and regulations which are updates as a result of changes with Pennsylvania state law. Mr. Sellers advised that Tullytown Borough Civil Service Commission met last evening to adopt these amendments and it has come before Council this evening for approval.

Mr. Servis made a motion to adopt Resolution #276, seconded by Mr. Pirolli. Roll call vote was taken with a unanimous vote of Council. The motion carried.

BOROUGH REPORTS

MAYOR'S REPORTS

Mayor Cutchineal advised the Police Department held their 2nd school shooter training at St. Michael's School. Chief Doyle commented they appreciated the Administration for both Walt Disney and St. Michael's for allowing them to perform that training in that school. He added the Charter School in Lakeside will be the next school to perform the training.

Mayor Cutchineal advised they held speed checks on Main Street and some other parts in the Borough to keep the Borough safe.

Mayor advised the Veterans' Committee decided to have the 9-11 ceremony on Wednesday, September 11th at 7:00 p.m.

SOLICITORS' RPORT

Mr. Sellers advised he had no report for this evening.

ENGINEER'S REPORT

Mr. Major read the Engineer's Report, a copy of which is filed with the minutes.

Mr. Major discussed the Police Department steps outside railing. He added the project is complete except for the handrail. Mr. Major referred Council to photos of the existing railings and one picture of a 3suggested railing. Mr. Major advised that the fabricator suggested going with a particular railing, pictured in the photos which would create an additional cost of \$1,300. He commented it is a matter of aesthetics.

After discussion, a motion was made by Mr. Pirolli to authorize the change order of \$1,300 for the additional changes to the police department railing. Mrs. Kucher seconded the motion. Roll call vote was taken with a unanimous vote of Council in favor of the motion; the motion carried.

Mr. Major discussed the Rt. 13 Improvement Program. He advised there is progress along the towpath along the canal as far as lighting being put in. He advised there is question as to who owns it—either Penndot or DCNR.

Mr. Major discussed the left turn lane at the Parkway jug handle. He advised we asked for that since May and they pushed it through—plan got sent to traffic unit at Penndot with no response but the big Penndot boss was at meeting today and was not happy so we expect to hear something on that at the next meeting.

Mr. Major advised the roofing and HVAC specs are being finalized and will be advertised shortly.

Mr. Major also discussed the Merz property line tree issue. He added that they completed field survey—copies of survey reports are attached to the engineer's report. He added that tree #7 is the only tree that straddles the property lines.

Bob Merz, 204 Kenwood Drive So., Levittown asked Mr. Major how he did the survey. Mr. Major explained their procedure. Mr. Merz questioned the way it was measured.

Mr. Major advised the necessary boundary calculations are complete for the Community Park and the field survey work is tentatively scheduled for next week.

Mr. Adams gave Mr. Merz a copy of Mr. Major's survey of the trees.

Ms. Gahagan asked about stopping people making a left out of Dunkin Donuts and if anything has been done about that. Mr. Doyle advised they are working on getting that sign placed.

BOROUGH COORDINATOR'S REPORT

Mr. Doyle asked Council for direction on the tree line issue with the Borough and Mr. Merz. He advised he has a tree service coming out tomorrow to make a determination if the tree has to come down and the cost if so. Mr. Sellers advised that a boundary line tree is owned by 2 parties and is an issue if one owner wants the tree down and the other doesn't.

Mr. Doyle advised he checked into the property behind 200 Kenwood Drive, which is owned by DLC. He added that he contacted Pat Tandy of DLC and they are aware of the situation.

Mr. Adams suggested that Mr. Doyle obtain price on tree removal and get back to Council at next meeting. Mr. Merz stated that since he has to pay for half of this removal, he would like to be consulted also due to the expense.

Chris Shellenberger, 229 Kenwood Drive, S, thanked Council for clearing that area by Kenwood Drive earlier and asked if that was all of Tullytown Borough area---if its not all of ours—she asked if that person was charged for that—she doesn't think that is all Tullytown. Mr. Major advised that area is not owned by the Borough—that strip is owned by the Shopping Center but that area is an easement and we are looking into that at this time.

MISCELLANEOUS COUNCIL BUSINESS

Mr. Czyzyk commented that Joe Shellenberger made a good point tonight. Mr. Czyzyk made a motion that we put the HVAC system on hold and obtain some other views. He suggested getting Joe Shellenberger together with another professional so it's done right.

Mr. Servis asked Mr. Major if the entire HVAC system will be new. Mr. Major advised that everything except for the boilers are new—the boilers are a few years old.

Joe Shellenberger commented that the boilers are old technology; they are new but old technology. He suggested having Avco Supply check out the system for free and give some ideas. Mr. Shellenberger advised they also write the federal grants for it. Mr. Pirolli suggested letting them look at our specs.

Mr. Major stated that he has no problem if they have professional engineers who will review the specs. Mr. Sellers asked where this project is right now. Mr. Major advised this is ready to go out to bid.

Mr. Major commented that if they change the HVAC system, we might have to change the roof penetrations. He suggested that we might have to put the roof project on hold also.

Bill Edwards, 364 Lakeside Drive, Levittown, stated he's agreeing with Joe wanting to update equipment and we never heard of any savings. Mr. Major stated that he did advise Council of the savings.

Mr. Servis seconded the motion. Roll call vote was taken with a unanimous vote of Council in favor of the motion; the motion carried.

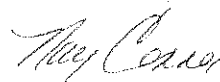
Ronnie Baker, 288 Main Street, Tullytown, advised the picnic is scheduled this year for September 7th. She mentioned that Nancy Conner advised flyers are being mailed out this week. Mrs. Conner also advised that advertisement has been put on the Government channel and website. Mrs. Baker asked who is catering the picnic. Mrs. Conner advised Panzitta Catering.

Rich Hart, 50 Stream Lane, asked where we are with the landfill boundary issue. Mr. Sellers advised that the friendly law suit has been drafted and in the hands of the Falls Township solicitor and will be filed as soon as we receive it.

Mrs. Conner announced that the September Council meeting will be held on September 10th.

There being no further business, a motion was made by Mr. Czyzyk to adjourn the meeting, seconded by Ms. Gahagan. All of Council was in favor of the motion; the motion carried. The meeting was adjourned at 8:17 p.m.

Respectfully submitted,



Nancy Conner
Borough Secretary