

TULLYTOWN BOROUGH COUNCIL MEETING OCTOBER 7, 2014

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

Present at the meeting:

Mayor Cutchineal

Councilman Armstrong—absent due to his attendance at the annual reorganization meeting of the Bucks County Technical School Foundation.

Councilwoman Gahagan—absent due to illness

Councilman Pirolli

Councilwoman Kucher

Councilwoman Kettler

Councilman Czyzyk

Councilman Adams

Also present:

Michael T. Sellers, Esq., Borough Solicitor

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

Alison Smith, Borough Coordinator

Nancy Conner, Borough Secretary

Emily Butler, Borough Clerk

Mr. Sellers explained that Council met in executive session prior to start of the meeting to discuss pending litigation of Edward Armstrong vs. Tullytown Borough.

PUBLIC COMMENT

Rich Hart, 50 Stream Lane, Levittown, spoke as tax collector for the Borough and advised Council that many property owners depend on property allocation check to pay their taxes.

Paris Collela, 325 Main Street, Tullytown, advised that months ago he requested a handicapped parking spot and the Borough accommodated. He added that he is now being harassed and his life threatened over this parking spot. Mr. Collela also said that an ongoing scraping operation uses his parking spot for loading and unloading.

Mr. Collela advised that there are chemical containers stored in the alley way of his apartment. He has indicated that he made numerous attempts to notify the Police Department and Code Enforcement of this situation. He asked if Council could look into this matter. He feels this is a health hazard for all residents living in that complex.

Nina Chrzanowski, 6 Stonybrook Drive, Levittown, commented that she doesn't understand why Ed Armstrong and Ed Czyzyk would sue the Borough that they represent. She added that Mr. Armstrong stated on his website that they are suing for money.

She commented that Mr. Armstrong at one of the Council meetings stated that the Police Department has helped him in a situation and now he is suing them. Mrs. Chrzanowski commended the Police Department on the fine job that they do in the Borough.

APPROVAL OF COUNCIL MINUTES

SEPTEMBER 9, 2014 COUNCIL MEETING

Mr. Pirolli made a motion to approve the minutes of the September 9, 2014 Council meeting, seconded by Mrs. Kucher. Roll call vote was taken as follows:

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

The vote was 4 in favor, 1 abstention; the motion carried.

SEPTEMBER 16, 2014 SPECIAL MEETING

Mr. Pirolli made a motion to approve the minutes of the September 16, 2014 Council special meeting, seconded by Mrs. Kucher.

Roll call vote was taken as follows:

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

The vote was 4 in favor, 1 abstention; the motion carried.

TREASURER'S REPORT

MONTHLY BILLS

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

The vote of Council was as follows:

Mr. Pirolli—for
Mrs. Kucher—for

Mrs. Kettler—for
Mr. Czyzyk—for
Mr. Adams—for

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

RECONCILIATION STATEMENT

Mr. Pirolli made a motion to approve the Reconciliation Statement for September, 2014, seconded by Mr. Czyzyk.

Roll call vote was taken as follows:

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

The vote of Council was unanimous; the motion carried.

COMMUNICATIONS

Mrs. Conner read a letter from Kathy Heirbacher, Levittown resident, who attended the Borough picnic this year and commended all involved. She added this was one of the nicest community events she has attended. A copy of her letter is attached to the minutes.

GENERAL BUSINESS

MASTER CASTING AGREEMENT—APPROVAL AND RESOLUTION

Mr. Major explained the master casting agreement to Council. After discussion, a motion was made by Mr. Pirolli to approve Resolution #316, seconded by Mr. Czyzyk.

The vote of Council was as follows:

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

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

PUBLIC HEARING—AMENDMENT TO ORDINANCE STOP INTERSECTIONS

Mr. Sellers explained the proposed ordinance and advised that it was duly advertised. Mr. Adams opened the floor for public hearing. There were no comments or questions from the public.

Mr. Adams closed the public hearing.

Mr. Pirolli made a motion to adopt Ordinance #360, seconded by Mr. Czyzyk.

The vote of Council was as follows:

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

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

AUTHORIZE ADVERTISEMENT OF ADOPTION OF INTERNATIONAL CODES 2009 EDITION

Mr. Sellers advised there are new versions of the Codes that we use for enforcement and valuation of applications and inspections. He added that they involve building, mechanical, plumbing, electrical, fire, residential and existing building—each one will have proposed advertising amendment adoption of the 2009 version of the International Codes.

Mrs. Kucher made a motion to authorize advertisement of the Tullytown Ordinances for the following code adoption updates: Building, Mechanical, Plumbing, Electrical, Fire, Residential and Existing Building. Mr. Czyzyk seconded the motion.

The vote of Council was as follows:

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

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

AUTHORIZE DRAFTING OF NEW FLOODPLAIN ORDINANCE

Mr. Sellers explained that on September 16, 2014, new flood maps were adopted by FEMA.

He added the new maps affect every municipality including Tullytown and will be used in calculating the risk of flooding and insurance coverage under the national flood insurance program. He commented that every municipality must adopt this ordinance or lose eligibility for flood insurance under this federal program. He added that prior to adoption of March 16, 2015, the draft ordinance the Borough intends to enact must be reviewed to comply with all state and federal requirements which has to be submitted prior to November 30, 2014.

A motion was made by Mrs. Kucher to authorize the solicitor, engineer, zoning officer and coordinator to assist in preparation of an ordinance necessary to comply with federal and state requirements by March 16, 2015. Mr. Czyzyk seconded the motion.

The vote of Council was as follows:

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

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

BOROUGH REPORTS

MAYOR'S REPORT

Mayor Cutchineal thanked everyone who contributed to the heroin presentation. He added the feedback from the community was very good.

Mayor Cutchineal also commented that the 9-11 Vigil went very well and asked Mrs. Conner to send thank you letters to Matt Weintraub and Thomas Mitten for their participation.

Mayor Cutchineal also mentioned Election Day November 4th and advised that the polling place will be in our new temporary facility, 578 Main Street.

COORDINATOR'S REPORT

Mrs. Smith advised that we moved to the new facility on September 24th and commended the great teamwork of staff and public works and police department in their help in order to save moving expenses.

Mrs. Smith advised that the roofing contractor did start and aided us in the investigation of the condition of the roof trusses, which were found to be in similar condition to the ones

that we had been able to inspect before. She added that we will move forward with further bracing in the building renovation project.

Mrs. Smith commented that the roofing contractor began work on the building and is progressing quickly. She advised that two issues were investigated: because of leaks in the building, there was a concern that the sheathing of the roof would be compromised. This was not the case, it is in good shape and second, the EIFS, the siding on the outside of the building that looks like stucco was not installed properly, and again because of previous leaks, it was feared that the wood behind would have been compromised and wet. This was checked at a number of spots and found to be okay. The installation detail is being corrected.

She also indicated that the specifications and bid documents for the HVAC renovations will be ready to advertise for next week.

Regarding the SEPTA station renovation, Mrs. Smith advised that we are continuing to work with SEPTA on the issues identified at the previous Council meeting and in the planning commission meeting. She advised that we hired a transportation engineer, which SEPTA is paying for, to help us in our discussions about the intersection of Fallsington Avenue and Route 13. She added that a compromise has been suggested to deal with the oversize vehicles: as any additional handicap parking would require 20' spaces, and SEPTA has stated their willingness to add 7 additional spots should the need arise, SEPTA would include 7 oversize access spots in the initial construction. We are continuing to review the proposed fix for the drainage problem under the bridge.

Mrs. Smith advised that they are working on the FEMA Ordinance. She advised it will be fairly stiff what this new ordinance will entail so people should be aware but without passing it, property owners would not be able to get the insurance. She added it is much cheaper than private insurance.

Mrs. Smith commented that the Borough picnic went off wonderfully. She added that the planning and work that went into getting everything ready for the day was evident.

Mrs. Smith advised that the Borough is preparing for leaf collection and then snow, getting the equipment in good shape and ordering in the salt. Mrs. Kucher commented that the salt can be ordered through liquid fuels. Mrs. Smith agreed.

A copy of the Coordinator's report is attached to the minutes.

SOLICITOR'S REPORT

Mr. Sellers' discussed the Zoning Hearing Board meeting of September 25th regarding considering the application of SEPTA for a number of variances from the zoning ordinance. He advised that Council passed a series of positions on each of the variance requests made by SEPTA to which were communicated to the Zoning Hearing Board by the solicitor. Mr. Sellers advised that Zoning Hearing Board were in agreement with Council's position. He added that evening SEPTA was able to leave with an understanding that they would get variances with certain conditions that have been talked about here and that part is now completed—the Zoning Hearing Board relief involving the train station. He commented that now it proceeds on with land development but zoning issues are taken care of.

ENGINEER'S REPORT

Mr. Major presented the engineer's report, a copy of which is enclosed with the minutes.

MISCELLANEOUS COUNCIL BUSINESS

Mrs. Kucher discussed with our special tax collector, Esther Leinski, the delinquencies in collecting taxes. She advised that the special tax collector requested a letter from our solicitor requesting these back taxes that weren't paid and stating consequences for such. Mr. Sellers commented that a list was given to him but advised the list needs to be updated.

A motion was made by Mr. Pirolli to authorize the solicitor to draft the necessary enforcement actions against delinquents. Mrs. Kucher seconded the motion.

The vote of Council was as follows:

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

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

Mrs. Conner also mentioned that the November Council meeting will be scheduled for November 11th due to Election Day being held on November 4th.

Mrs. Kettler asked Mrs. Smith if she would look into the complaint of Paris Collela. She advised that a citizen being harassed is totally unacceptable. She didn't know if this has a paper trail with our PD. Mrs. Kettler also commented that the chemical storage is not acceptable and in our ordinance.

Ms. Butler commented that there have been complaints from Paris Collela forwarded to the Police Department and the Code Enforcement officer.

ADJOURNMENT

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

The meeting was adjourned at 7:53 p.m.

Respectfully submitted,



Nancy Conner
Borough Secretary

Communications

Nancy Conner

From: Cutch15 <cutch15@aol.com>
Sent: Tuesday, September 09, 2014 5:25 PM
To: nconner@tullytownboro.org
Subject: Fwd: Thanks to you

Nancy, can we get this read at the next council meeting ? Thanks.
Dave

-----Original Message-----

From: Kathy Heierbacher <kathyheierbacher@outlook.com>
To: admin <admin@tullytownboro.org>; cutch15 <cutch15@aol.com>; nconner <nconner@tullytownboro.org>; radams <radams@tullytownboro.org>; mkucher <mkucher@tullytownboro.org>; asmith <asmith@tullytownboro.org>
Sent: Tue, Sep 9, 2014 3:23 pm
Subject: Thanks to you

Tuesday, September 9, 2014

Dear Friends,

My name is Kathy Heierbacher. I live in the Cobalt Ridge Section, Middletown Twp.

On Sunday, September 7th, my brother Dan Heierbacher of Lavendar Lane, purchased family members (about 15 of us I believe) tickets to the Tullytown Borough Annual Picnic.

I wanted to write and to commend you all on a wonderful day!

Everything was well organized and clean. The whole atmosphere was inviting for the young and the elderly alike. At no time did I feel uncomfortable for myself or my family throughout the day. From beginning to the end ... it was most enjoyable.

The food vendors were very friendly and the young people volunteering with the games, the maintenance men, the firemen with the engine rides, all were polite with kind-hearted smiles. I was impressed to see the police officers making their rounds to say hello and I actually saw some tossing football with the young boys. The outside rest facilities were always clean and well maintained. The band of musicians were extremely talented and lastly the fireworks were awesome!

It has been the most wonderful community event I have attended in the 59 years I have been a Levittown resident. My folks purchased their first home in 1955.

May I again thank you, and I thank God for your service to the community.

Honestly, your annual community picnic should be disseminated as a BEST PRACTICE for borough outreaches.

May God richly bless you all, in all you put your hands to do, to be a blessing to so many that you serve.

COORDINATOR'S REPORT – October 7, 2014

1. HVAC and Temporary Relocation:

- a. You may have noticed that our space has changed; we moved into our temporary space on September 24th. It's been a story of great effort to get the building ready for us inspiring teamwork to get ourselves packed and moved in in such good shape, and kudos to our public works and police departments – we cut the cost of the movers by half because of the work they did.
- b. The space is very functional, bright and airy so very conducive to continuing hard work.

2. HVAC and Building Renovation:

- a. The roofing contractor aided us in the investigation of the condition of the roof trusses, which were found to be in similar condition to the ones that we had been able to inspect before. We will move forward with further bracing in the building renovation project.
- b. The roofing contractor began work on the building and is progressing quickly. Two issues were investigated:
 - i. Because of leaks in the building, there was a concern that the sheathing of the roof would be compromised. This was not the case, it is in good shape.
 - ii. The EIFS, the siding on the outside of the building that looks like stucco, was not installed properly, and again because of previous leaks, it was feared that the wood behind would have been compromised and wet. This was checked at a number of spots and found to be okay. The installation detail is being corrected.
- c. The specifications and bid documents will be ready to advertise for next week.

3. SEPTA Station Renovation:

- a. We are continuing to work with SEPTA on the issues identified at the previous Council meeting and in the planning commission meeting. We have hired a transportation engineer, which SEPTA is paying for, to help us in our discussions about the intersection of Fallsington Avenue and Route 13. A compromise has been suggested to deal

with the oversize vehicles: as any additional handicap parking would require 20' spaces, and SEPTA has stated their willingness to add 7 additional spots should the need arise, SEPTA would include 7 oversize access spots in the initial construction. We are continuing to review the proposed fix for the drainage problem under the bridge.

4. FEMA:

- a. FEMA has published the new flood plain maps, which in general have extended the number of recognized areas. They are requiring that every municipality adopt a zoning ordinance that will significantly inhibit construction and renovation in areas designated as being in the floodplain or flood way. There is a tight time frame to accomplish this task, and the zoning officer, the Borough engineer, solicitor and coordinator are working together to meet the timeline. A piece of that will be educating the public about the changes.

5. Fiscal Year 2015 Budget:

- a. We are the beginning to put the 2015 budget together and will meet first with the Treasurer and then the Budget Committee. In addition to the regular operating budget, project budgets are needed for the Liquid Fuels road work, the park development, and the building renovation project.

6. Around the Borough:

- a. The Borough Picnic, even though the date had to be moved because of inclimate weather, went off wonderfully. The planning and work that went into getting everything ready for the residents to enjoy the day was evident, and it was a special day.
- b. We are preparing for leaf collection and then snow, getting the equipment in good shape and ordering in the salt.
- c. We met with our insurer and brought the policies up to date concerning property and our move to the temporary facility.

WILLIAM G. MAJOR ASSOCIATES, INC.
CONSULTING CIVIL ENGINEERS AND SURVEYORS
Established 1952

WILLIAM S. MAJOR, P.L.S.
PRESIDENT

JEFFREY E. SKINNER, P.E. & P.L.S.
VICE PRESIDENT

WILLIAM G. MAJOR, P.E., P.L.S. & P.P.
(1927 – 2009)

7 October 2014

Borough of Tullytown
500 Main Street
Tullytown, PA 19007

Attn: Mr. Rick Adams
Council President

Dear Mr. Adams:

This letter shall serve as our Engineer's Report for the September 2014 Council Meeting.

BOROUGH HALL – HVAC & BUILDING RENOVATIONS

The roof replacement project is proceeding and is expected to be completed by the end of this week. Acting at our request, the contractor opened sections of the EFIS to allow access to the sheathing where the roof meets the vertical walls. Relative moisture meter readings were taken, which were all found to be within normal limits.

STORM SEWER INLET REPAIRS

The Streets Department completed repairs to the inlet at Oxford Avenue and Main Street. Repairs to additional inlets along River Road will be undertaken as the Streets Department schedule permits.

SEPTA STATION IMPROVEMENTS & RENOVATIONS

The Zoning Hearing Board granted the requested variances, subject to the conditions agreed to by Council and the applicant. We are awaiting receipt of the revised plans for further review.

ROUTE 13 IMPROVEMENTS

The PennDOT progress meetings are ongoing.

KENWOOD DRIVE NORTH / COMMUNITY PARK EASEMENTS

The legal description for dedication of Kenwood Drive North was provided to the Solicitor.

WILLIAM G. MAJOR ASSOCIATES, INC.

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MR. RICK ADAMS, COUNCIL PRESIDENT
RE: ENGINEER'S REPORT
7 OCTOBER 2014

SAINT MICHAEL'S SCHOOL ZONE

We are awaiting information relative to the type of pole that will be used to mount the new school zone warning lights. Upon receipt of same, we will proceed with the design of the mounting foundations.

Respectfully submitted,

WILLIAM G. MAJOR ASSOCIATES, INC.
Tullytown Borough Engineer


William S. Major, P.E.
President