

TULLYTOWN BOROUGH COUNCIL MEETING NOVEMBER 12, 2013

President Rick Adams called the meeting of the Tullytown Borough Council to order on Tuesday, November 12, 2013 at 7:00 p.m.

Mayor Cutchineal asked for a moment of silence for George Murphy, Evelyn Doyle, and Rose Lazeration who recently passed away.

Present at the meeting:

Mayor Cutchineal
Councilman Armstrong
Councilman Servis—absent
Councilwoman Kucher
Councilwoman Gahagan
Councilman Pirolli
Councilman Czyzyk
Councilman Adams

Also present:

Michael T. Sellers, Esquire, Borough Solicitor
William S. Major, P.L.S., Borough Engineer
Judy Collings, Borough Treasurer
William Coyne, Borough Auditor
Nancy Conner, Borough Secretary

PUBLIC COMMENT

Rich Altmiller, 33 Stonybrook Drive, Levittown, asked Mr. Sellers if it legal to put slanderous stuff out against a Councilperson who was not running at the current time.

Mr. Sellers advised we have a sign ordinance in which the code enforcement would take action as appropriate. He advised that particular sign would be checked by code enforcement as to whether or not it should be up and whether it could be taken down. Mr. Altmiller asked if that could be taken care of.

Christina Harding, 510 Lovett Avenue, Tullytown, asked if “children at play” signs, speed bump, lowering speed limit on road could be done. Mayor Cutchineal asked if Chief Doyle has spoken with her. Ms. Harding advised there is an abundant police presence. Mayor said they are trying to get a handle on this. Mayor also advised that there is some liability with placing speed bumps so that might not be the way to go. He advised that Chief Doyle will be talking with her regarding that matter. Ms. Harding commented that at least she would like “children at play” sign put up.

COUNCIL MINUTES

APPROVAL MINUTES OF OCTOBER 1, 2013 COUNCIL MEETING

Ms. Gahagan made a motion to approve the minutes of the October 1, 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.

TREASURER'S REPORT

MONTHLY BILLS

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

RECONCILIATION STATEMENT

Mr. Czyzyk made a motion to approve the Reconciliation Statement for October 2013, seconded by Mr. Pirolli. Roll call vote was taken. All of Council was in favor of the motion; the motion carried.

COMMUNICATIONS

Mrs. Conner advised she emailed Council a letter from the Levittown Rescue Squad requesting a donation. She also advised that we received an acknowledgement letter from Pennsylvania Emergency Management Agency for Daniel Doyle's appointment as Emergency Management Coordinator.

GENERAL BUSINESS

CONSIDERATION—AWARD BID—REPAIR OF 8 STORM WATER INLETS

Mr. Major advised that we received 2 bids on the repair of 8 storm water inlets:

G. E. Poli, Inc. of Huntington Valley, Pa - \$28,787

Bray Bros., Fallsington, Pa - \$42,000

Mr. Major recommends that the contract be awarded to G. E. Poli Inc.

Mr. Armstrong made a motion to award the bid on the basis of bid submission to G. E. Poli Inc. in the amount of \$28,787, seconded by Ms. Gahagan. Roll call vote was taken with a unanimous vote of Council in favor of the motion. The motion carried.

CONSIDERATION APPROVAL 2014 PROPOSED BUDGET

Biff Coyne explained the 2014 budget as presented by Mrs. Collings, Treasurer.

After discussion, a motion was made by Mrs. Kucher to approve the 2014 proposed budget, 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 advertise the 2014 proposed budget notice stating the public can examine it for a period of 10 days prior to adoption. Mr. Czyzyk seconded the motion. Roll call vote was taken. All of Council was in favor of the motion; the motion carried.

CONSIDERATION—APPOINTMENT TO CABLE ADVISORY BOARD

Mr. Pirolli made a motion to re-appoint Chris Shellenberger to the Cable Advisory Board for a 3-year term, seconded by Ms. Gahagan. Roll call vote was taken with a unanimous vote of Council in favor of the motion. The motion carried.

CONSIDERATION OF APPOINTMENT TO PARK & RECREATION BOARD

Ms. Gahagan made a motion to appoint Frank Baker Jr. for a term to expire June, 2014, seconded by Mrs. Kucher. Roll call vote was taken with a unanimous vote of Council in favor of the motion; the motion carried.

CONSIDERATION OF APPOINTMENTS (2) TO OPEN SPACE COMMITTEE

Mrs. Conner advised that at this time we only have one person interested; namely, Philip Antolino.

Ms. Gahagan made a motion to appoint Philip Antolino to the Open Space Committee, seconded by Mr. Pirolli. Roll call vote was taken with a unanimous vote of Council in favor of the motion. The motion carried.

CONSIDERATION—TRADE-IN AND PURCHASE FIREARMS FOR POLICE DEPARTMENT

Mayor Cutchineal advised that Chief Doyle requested that the officers' handguns be replaced. He would like to buy the same make and model that they currently have. He added that the guns are approximately 12 years old and at the end of their service life. The quote for the trade-in and purchase is \$4,560 for 18 firearms from the Officers Store.

Mr. Pirolli made a motion to purchase firearms in the amount of \$4,560 to the Officers Store, seconded by Mr. Czyzyk.

BOROUGH REPORTS

MAYOR'S REPORT

Mayor Cutchineal congratulated the voters for their excellent turnout.

He added that the Tullytown Fire Company is holding a comedy night on November 16th as a fundraiser.

Mayor advised the Police Department will be conducting many speed checks throughout the sections. He added they have been receiving many complaints about speeding.

Mayor Cutchineal advised we advertised for school crossing guard last month and we received only one application; namely Betty Lou Johnson.

Mr. Armstrong made a motion to hire Betty Lou Johnson as crossing guard, seconded by Mr. Czyzyk. Roll call vote was taken—all of Council was in favor of the motion. The motion carried.

Mayor Cutchineal advised that Falls Township is asking for their annual D.A.R.E. contribution of \$7,000. After discussion, Mrs. Kucher made a motion to table until the next meeting, second by Mr. Pirolli. All of Council was in favor of the motion; the motion carried.

SOLICITOR'S REPORT

Mr. Sellers updated Council on the Galzerano vs. Tullytown Borough Zoning Hearing Board matter regarding the crematory case. Mr. Sellers advised that an oral argument is scheduled for December 9, 2013 at 1:00 p.m. in Harrisburg.

Mr. Sellers also discussed the WM boundary line issue with Falls Township. He advised that the joint petition filed has resulted in an Order by Judge McMaster of the Bucks County Court of Common Pleas dated October 29, 2013. He added that Falls Township and Tullytown Borough will be able to file the necessary paperwork to confirm the boundary line and to file the record plan after the 30 day period.

Mr. Sellers discussed the matter of retired Chief Priore regarding his insurance policy. Mr. Sellers advised that policy is fully paid up and advised that the Chief is allowed to do what he wants with the policy. Mr. Sellers suggested that Council authorize the transfer of ownership of that annuity to Chief Priore.

Mr. Pirolli made a motion to authorize the transfer of ownership of the annuity for retired Chief Priore. Mr. Czyzyk seconded the motion. All of Council was in favor of the motion; the motion carried.

Mr. Sellers also discussed the Community Park. Mr. Sellers advised the objectives as follows: (1) to obtain parking lot spaces of 40 spaces from Home Depot which will allow parking for the Community Park, (2) to create walkway access that does not exist as yet from Kenwood Drive to the southeast corner of the Park and (3) to provide for a travel lane along the rear of the Wal-Mart store to get to the parking area behind Home Depot.

Mr. Sellers reported that after legal analysis it looks as though we will not need a formal easement behind the Wal-Mart location for travel traffic.

Mr. Sellers advised that Mr. Sowerbutts, attorney for DLC, has asked Council to revisit the request which had been made several years ago for the Borough to accept dedication of Kenwood Drive.

Ms. Gahagan and Mrs. Kucher both commented that where Kenwood Drive meets the Parkway there has been sinking issues. Mr. Major suggested that we update the punch list for the entire Kenwood Drive before Council proceeds any further.

Mr. Armstrong made a motion to authorize the Borough engineer to do punch list on Kenwood Drive, seconded by Ms. Gahagan. All of Council was in favor of the motion; the motion carried.

Mr. Sellers commented that regarding the access to the Park from Kenwood Drive, it will be discussed with Mr. Sowerbutts and a report will be brought back to Council.

Mr. Armstrong commented that last month he was denied access to the executive session relating to the Fox vs. Kucher matter but he did not understand why as he was not a litigant in that lawsuit. Mr. Sellers explained that although Mr. Armstrong was not a named litigant, the extent to which he was involved in that litigation would present a conflict. Mr. Sellers advised he would speak with Mr. Armstrong privately on this issue if he so wished.

Mr. Armstrong also was concerned that it was discussed to go ahead with the settlement of that matter but it never came back on the floor for a vote by Council. Mr. Sellers advised the settlement was basically an insurance company decision.

Mr. Pirolli commented that figures were stated that the cost was \$20,000 which was a lie.

ENGINEER'S REPORT

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

Regarding the Borough building roof and HVAC renovations, Mr. Major advised that Council would need to approve the mold testing. Mr. Major advised the areas to be tested as follows: police area, common, front desk, Sandi's office, men's and women's bathrooms, library, council chambers, kitchen area, building inspector's office, council executive room, council secretary's office, administration common area and outside.

Mr. Czyzyk made a motion to accept the proposal of AMT Mold Testing and Consulting in the amount of \$2,490 for mold testing and related services. Mr. Armstrong seconded the motion.

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

MISCELLANEOUS COUNCIL BUSINESS

There were no items to be discussed at this time.

Mr. Adams said that Council would like to thank all the Veterans.

ADJOURNMENT

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 meeting was adjourned at 8:13 p.m.

Respectfully submitted,



Nancy Conner
Borough Secretary