

## **TULLYTOWN BOROUGH COUNCIL MEETING DECEMBER 3, 2013**

President Rick Adams called the meeting of the Tullytown Borough Council to order on Tuesday, December 3, 2013 at 7:00 p.m.

Mayor Cutchineal asked for a moment of silence for Evelyn Waltrick, Donald McCormick, and Penny Meehan who recently passed away.

Present at the meeting:

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

Also present:

Michael T. Sellers, Esquire, Borough Solicitor  
William S. Major, P.L.S., Borough Engineer  
Judy Collings, Borough Treasurer  
William Coyne, Borough Auditor  
Daniel Doyle, Chief of Police/Borough Coordinator  
Nancy Conner, Borough Secretary

### **PUBLIC COMMENT**

Nina Chrzanowski, 6 Stonybrook Drive, Levittown, discussed the sign ordinance. She said that she learned that a permit is needed for the signs, ownership must be on the face of the sign and if not the Borough can remove it. She then asked why a large sign has been posted on the Parkway in the past month that is illegal and obstructive and nothing is being done about it. She commented that any resident can post a sign on any property in the Borough and say its freedom of speech.

Mr. Sellers advised the ordinance is enforced by the zoning officer who is in process of doing that with the most current sign as she has done in the past. He added if Council

wants to have any other information, Mrs. Bellaspica is the one to ask. Mrs. Chrzanowski asked if the zoning officer can attend the next meeting and explain the ordinance to the public so everyone can be aware of it.

Tina Grady, 585 Main Street, Tullytown, commented that bullying is not allowed in schools, nor does she allow her children to bully and asked why Council isn't addressing the issue of bullying officials.

Regarding the sign matter, Mayor Cutchineal commented that he agrees with Mrs. Chrzanowski in that our zoning officer should attend the next meeting.

Mr. Pirolli said there are lies on the sign and asked Mr. Sellers what can be done about that.

Mr. Sellers advised the ordinance is clearly written and it is up to the zoning officer to enforce the ordinance.

Mr. Adams asked Mr. Doyle to get in touch with our zoning officer to get something done as soon as possible. Mr. Adams also asked Mrs. Conner to contact zoning officer to attend our next Council meeting.

Rick Johnson, Chief Tullytown Fire Company, advised that on December 21<sup>st</sup> the Fire Company is having the Santa Run in Tullytown Borough collecting food and toys for needy kids and family.

Mr. Johnson also presented their budget to the Borough and asked for a direct contribution of \$120,000 to the Fire Company. He advised that the proposed budget does not reflect that and asked that Council give that donation.

Mrs. Kucher advised that the Budget can be reopened in January of 2014 at which time it could be considered.

Mr. Pirolli asked Mr. Johnson what the extra \$9,000 needed would represent. Mr. Johnson commented that they are putting in for a grant for new air packs this year. He advised that if they don't get the grant money they will have to pay for the air packs.

Mr. Pirolli asked Mr. Coyne, Borough auditor, if we added that amount to the budget would it change the budget. Mr. Coyne advised it would change the budget but wouldn't be a material change as that amount is nominal to the entire budget.

Mr. Pirolli made a motion to add to the Fire Company contribution. Mr. Sellers advised that we are in Public Comment at this time and this motion should be made under the General Business item of Adoption of 2014 Budget. Mr. Pirolli withdrew his motion.

Mayor Cutchineal asked Mr. Johnson how much money they bring in from fundraisers. Mr. Johnson advised approximately \$9,000 to \$10,000 is raised.

Chris Shellenberger, 229 Kenwood Drive, South, Levittown, discussed the containers and RV's and trucks on the Wal-Mart property.

Mr. Doyle advised that matter would be under the direction of the Code Enforcement officer. He advised that he did request a change in our Code Enforcement officer and indicated that we are waiting to hear from BIU who the new Code Enforcement officer is.

## **APPROVAL OF COUNCIL MINUTES**

### **NOVEMBER 12, 2013 COUNCIL MEETING**

Mr. Pirolli made a motion to approve the minutes of the November 12, 2013 Council meeting, seconded Mr. Czyzyk. Roll call vote was taken with a unanimous vote of Council in favor of the motion. The motion carried.

## **TREASURER'S REPORT**

### **APPROVAL OF MONTHLY BILLS**

Mr. Dan Doyle advised there are two invoices for George's Tree Service and one invoice for McIntyre Plumbing listed on the unpaid bills. He advised they were emergency actions taken by him for the safety of the community.

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

## **APPROVAL RECONCILIATION STATEMENT**

### **NOVEMBER, 2013**

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

## **COMMUNICATIONS**

Mrs. Conner advised that Robert and Simone Trice sent a thank you letter to Council for the Property Allocation Check.

## **GENERAL BUSINESS**

### **PRESENTATION BY OPEN SPACE COMMITTEE CHAIR – STATUS ON RECOMMENDATIONS**

Mr. Bruce Goulet, Chair of Open Space advised that the Committee is looking at two pieces of land; one belongs to Lucisano Bros and one to Waste Management. Mr. Goulet advised that he spoke with Lucisano Bros today and advised he should have an appraisal of that property by the end of the year.

Mrs. Kucher asked if they discussed the property adjacent to the ball field in Levittown. She commented that there is more use with the land adjacent to what we have by the old ball field and commented that the Lucisano property he mentioned does not have any access.

Mr. Armstrong suggested that in the future Mr. Goulet bring a visual so Council may see exactly what he is talking about.

### **APPROVAL 2014 FINAL BUDGET**

Mr. Coyne advised that at the November meeting Council adopted the proposed 2014 budget.

He advised the revenues were \$5,731,700; the expenditures were \$8,339,182. He added the shortfall will be funded from Borough investments. He advised the proposed budget was advertised and available for public inspection. He suggested that Council can decide whether they want to adopt the budget and/or make any changes to the budget this evening.

Mr. Pirolli made a motion to add \$9,000 to line item 01-411-520 for the contribution to the Fire Company. Mrs. Kucher seconded the motion.

Mr. Coyne advised that would increase the expenditures to \$8,348,182.

Mrs. Kucher asked if we could open the budget at the January 2014 Council meeting. Mr. Coyne advised that could be done.

Mrs. Kucher mentioned tents/pavilion needed for the Borough Park---she has no idea at this time of the cost but asked if that could be put in January. Mr. Coyne advised that if Council opened the budget in January they could make any amendment that would be agreed upon.

Mrs. Kucher asked if Mr. Major could meet with Building and Streets Committee to discuss the tents in order to obtain pricing.

Roll call vote was taken on the motion to add \$9,000 to Fire Company contribution. All of Council was in favor of the motion.

The floor was opened for the public to comment on the proposed 2014 budget. There were no comments from the public. Mr. Adams closed the floor for public comment.

Mr. Pirolli made a motion to adopt the 2014 final budget, seconded by Mr. Czyzyk. Roll call vote was taken with a unanimous vote of Council in favor of the motion; the motion carried.

#### **ADOPTION 2014 TAX LEVY ORDINANCE**

Mrs. Conner advised that this proposed ordinance has been properly advertised and filed with the Bucks County Law Library.

Mr. Adams opened the floor for public hearing. There was no comment from the public; therefore, Mr. Adams closed the floor for comment.

Ms. Gahagan made a motion to adopted Ordinance #354, 2014 Tax Levy Ordinance, seconded by Mr. Pirolli. Roll call vote was taken with a unanimous vote of Council in favor of the motion. The motion carried.

#### **APPOINTMENT TO PARK & RECREATION COMMITTEE**

Mrs. Kucher made a motion to appoint Patty Stevens to the Park & Recreation Committee for a 5-year term, seconded by Mr. Czyzyk. The motion carried with a unanimous vote of Council in favor of the motion.

#### **APPOINTMENT TO PARK & RECREATION COMMITTEE**

Ms. Gahagan made a motion to appoint Ronnie Baker to the Park & Recreation Committee for a 5-year term, seconded by Mr. Armstrong. The motion carried with a unanimous vote of Council in favor of the motion.

#### **AUTHORIZE SECRETARY TO ADVERTISE REORGANIZATION MEETING**

Mr. Pirolli made a motion to authorize secretary to advertise the Reorganization Meeting for Monday, January 6, 2014, seconded by Mr. Czyzyk. All of Council was in favor of the motion; the motion carried.

#### **APPROVAL OF PROCEDURES FOR WORKERS' COMPENSATION CLAIMS**

Mrs. Kucher advised she received a copy of the procedures to be followed for the Workers' Compensation claims. She advised that most recent claims procedures were not followed. Mrs. Kucher advised she spoke to Mr. Doyle who made the necessary changes.

Mrs. Kucher made a motion to accept the procedures for Workers' Compensation Claims.

Ms. Gahagan advised that she has not received a copy of the procedures.

Mrs. Kucher withdrew her motion and asked coordinator to send copy of procedures to Council and asked if this matter could be placed on January 7<sup>th</sup> agenda.

Mrs. Kucher tabled this matter until the next Council meeting, seconded by Mr. Pirolli. All of Council was in favor of the motion; the motion carried.

#### **APPROVAL OF CHRISTMAS BONUSES FOR BOROUGH EMPLOYEES**

Mrs. Kucher made a motion to give all employees \$300 Christmas bonus, seconded by Mr. Armstrong. Roll call vote was taken:

Mr. Pirolli—for

Mr. Armstrong—for

Mrs. Kucher—for

Mr. Czyzyk—for

Ms. Gahagan—abstain

Mr. Adams—for

The vote was 5 in favor, 1 abstention; the motion carried.

#### **COMMITTEE REPORTS**

Mrs. Kucher made a motion to authorize the secretary to advertise for the Borough Coordinator position as we did previously this year so we may start interviewing in January, 2014. Ms. Gahagan seconded the motion. The motion carried with a unanimous vote of Council in favor of the motion.

#### **BOROUGH REPORTS**

##### **MAYOR'S REPORT**

Mayor Cutchineal advised our Season of Unity will be held on December 15<sup>th</sup> this year. Chris Shellenberger, member of Park & Recreation Committee, gave the particulars of the day.

Mayor Cutchineal also thanked the community for their overwhelming support for the Police Department. He explained the programs that the Police Department run such as the holiday food drive, project kid care and finger print ID, community earth day clean-up program, CPR and first aid classes offered for free, bicycle patrol, youth aid panel, town watch program, ride along program, crime prevention seminars, police cadet internships,

participation in the D.A.R.E. program, citizens police academy. Mayor added that 4 Tullytown police officers have received life save medals, another 4 officers have received the Legion of Excellence award for acts of bravery; the Department was honored by the United States Congress. Mayor commented that our residents know our police officers and know they aren't racist and they know they do a good job and he thanked the residents for their support.

Mayor Cutchineal also congratulated Joe Shellenberger who is retiring from the U.S. Air Force this week.

Mayor Cutchineal also asked Council if they want to act on the D.A.R.E. graduation donation.

Mr. Pirolli made a motion to give \$7,000 to the D.A.R.E. graduation. Mr. Czyzyk seconded the motion. Roll call vote was taken with a unanimous vote of Council in favor of the motion. The motion carried.

#### **SOLICITOR'S REPORT**

Mrs. Kucher asked if the hearing was scheduled for Galzerano matter. Mr. Sellers advised that the argument in Harrisburg is Monday, December 9<sup>th</sup> at 1:30 p.m.

#### **ENGINEER'S REPORT**

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

Mr. Pirolli asked the engineer to explain the trusses problem to the public. Mr. Major explained that during the mold investigation it was found that in the back end of the library, the intermediate supports were bowed out to the sides about 5 to 6 inches. He added that everywhere they looked; the roof trusses were doing the same thing. Mr. Major recommended hiring a structural engineer who analyzed the situation to determine the best means of repair.

Mr. Armstrong asked if we know if this was a design mistake or something of the contractor. Mr. Major advised that they are not totally sure at this point—he is awaiting the formal report from the structural engineer.

Mr. Armstrong made a reference to New Jersey law and asked if that applied in Pennsylvania. Mr. Sellers did indicate that in the event we do discover something that is really a problem we will evaluate legal options.

Ms. Gahagan asked if the work has been remediated on Kenwood Drive North. Mr. Major advised that the punch list was just completed—showing deficiencies at time of inspection.

### **MISCELLANEOUS COUNCIL BUSINESS**

Chief Rick Johnson of Tullytown Fire Company advised they received Council's letter requesting the use of the building at the Fire Company during Borough Hall construction. He advised that the Fire Company members voted in favor to grant use of their facilities for Borough Council meetings.

Mr. Adams advised that Council would like to thank all the people that came out and showed their support for Tullytown Police this evening.

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 7:58 p.m.

Respectfully submitted,



Nancy Conner  
Borough Secretary