

TULLYTOWN BOROUGH COUNCIL MEETING SEPTEMBER 1, 2015

President Rick Adams called the meeting of the Tullytown Borough Council to order on Tuesday, September 1, 2015 at 7:00 p.m.

Mayor Cutchineal asked for a moment of silence for John Buchanan, II, Dale Frazier and Roger Foraker who recently passed away.

Present at the meeting:

Mayor Cutchineal
Councilman Armstrong
Councilwoman Gahagan
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
Judy Collings, Borough Treasurer
Nancy Conner, Borough Secretary

POLICE AWARDS PRESENTATION

Mayor Cutchineal read the commendation; Chief Doyle commented on this apprehension and presented commendations to the following officers: Steve Andrews, John Finby, Joseph Parell, Justin Grotz, Nate Aldsworth, Kyle Heasley, Andrew Houser, Sergeants: Philip Kulan, Andrew Bunda.

PUBLIC COMMENT

There was no public comment.

COUNCIL MINUTES

A motion was made by Mrs. Kettler to accept the minutes of the August 4, 2015 Council meeting, seconded by Mr. Czyzyk. All of Council was in favor of the motion; the motion carried.



TREASURER'S REPORT

MONTHLY BILLS

Mrs. Collings advised there was an additional invoice to be added to the monthly bills for approval; namely, Fannelli's Auto Body in the amount of \$1,622.00 for strobe lights and additional equipment for the Police Department.

A motion was made by Mr. Armstrong to approve the bills with the addition of the invoice for Fannelli's Auto Body in the amount of \$1,622.00, seconded by Mr. Czyzyk. All of Council was in favor of the motion; the motion carried.

RECONCILIATION STATEMENT

A motion was made by Mrs. Kucher to approve the Reconciliation Statement for August, 2015, seconded by Mrs. Kettler.

Mr. Pirolli asked the treasurer for the amount of legal bills for the lawsuits. Mrs. Collings advised there was one additional billing for Mr. Sellers which was for Fox vs. Kucher in the amount of \$616.00 – total for that particular lawsuit was \$10,923. She added to date: Armstrong vs. Borough \$7,677.99; Laverty invoice was \$10,490. Total to date of all lawsuits: \$29,091.09.

Mr. Armstrong commented that it has been previously mentioned that Council spent over a million dollars to terminate an employee. He added that after reviewing all the bills, the total spent was \$44,055. Mrs. Kucher questioned the bills Mr. Armstrong is referring to. She commented that Neil Morris's invoice was over approximately \$200,000. Mr. Armstrong commented we paid his firm \$209,273—over \$9,000 was for Civil Service Issues, general legal work almost \$96,000, \$44,000 for the disciplinary action for an employee and other miscellaneous. Mrs. Kucher commented that she will look into these invoices—she doesn't feel that is correct. Mrs. Kettler commented that she did not believe that amount is correct either.

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

COMMUNICATIONS

Mrs. Conner read an email commending the Police Department regarding their action during an incident.

GENERAL BUSINESS

DONATION REQUEST OF LEV/FAIRLESS HILLS RESCUE SQUAD—CONSIDERATION

Mrs. Conner advised that we received a letter from the Levittown/Fairless Hills Rescue Squad requesting a \$10,000 annual donation. Mrs. Kucher commented that for the size of our Borough, \$10,000 is entirely too much to donate.



Mrs. Kucher made motion to donate \$5,000 to the Levittown/Fairless Hills Rescue Squad, seconded by Ms. Gahagan. All of Council was in favor of the motion; the motion carried.

PROPERTY IMPROVEMENT ALLOCATION ORDINANCE—Public Hearing/Adoption

Mr. Sellers advised this proposed ordinance was properly advertised. Mr. Sellers added that the amount set for this ordinance for the allocation to property owners is \$6,000.

The public hearing was open for comment or questions. There were no comments from the public or Council; therefore the public hearing was closed.

Mr. Pirolli made a motion to adopt Ordinance #371, seconded by Mr. Czyzyk. All of Council was in favor of the motion; the motion carried.

**AUTHORIZE SOLICITOR TO DRAFT AMENDMENT TO ORDINANCE #349,
NON-UNIFORMED PENSION**

Mr. Sellers advised that the Borough recently retained a new actuary for purposes of doing work on the police and non-uniformed pensions. This actuary, Beyer-Barber has identified some language, particularly in the non-uniformed pension ordinance which for purposes of clarity and consistency, it is best to revise.

Mr. Pirolli made a motion to authorize the solicitor to draft the ordinance amending Ordinance #349, the non-uniformed pension ordinance, Mrs. Kettler seconded the motion. Mrs. Kucher asked if the Borough has a new actuary. Mr. Sellers advised that Mr. Redmond is no longer consulting for the Borough. He advised Beyer-Barber is the new actuary.

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

WINTER TRAFFIC SERVICES AGREEMENT WITH PENNDOT—CONSIDERATION OF EXHIBIT "A"

Mr. Sellers explained that a new Exhibit "A" to the winter traffic services agreement is before Council for approval.

Mr. Pirolli made a motion to adopt Exhibit "A" to the existing winter traffic services agreement with Penndot for the 2015/2016 season. Mr. Czyzyk seconded the motion. All of Council was in favor of the motion; the motion carried.

PROCUREMENT OF PAVILION CONTRACTS

Mr. Major advised that the Borough Coordinator and Parks & Rec has limited the pavilion to one design. He advised that the coordinator has recommended that Council approve the purchase and the selected vendor is Amish Designers; the cost is \$16,900 which includes delivery.



Mr. Major added that Mrs. Smith suggested, in the interest of expediency as winter months are approaching, that we obtain quotes for the concrete foundation work. He added that while we haven't done the actual foundation design, we did solicit quotes based upon the known general parameters.

Mr. Major advised the following quotes were obtained:

Castetter Masonry	\$9,780.00
G.E. Poli Inc.	\$9,880.00
John Feher Concrete Construction	\$11,700.00

He is requesting Council approve engaging the services of Castetter Masonry in the amount of \$9,780.00.

Mrs. Kettler commented that for the \$100 difference, we have used G.E. Poli in the past and have been very pleased with their work and was concerned if we knew the reputation of Castetter. Mr. Major advised that Castetter is the company that did the concrete work in the front of the building. Mrs. Kettler commented we then know their reputation as well.

After discussion, Mrs. Kettler made a motion to authorize the coordinator to purchase the Amish Designers pavilion in the amount of \$16,900 which includes delivery. Mr. Czyzyk seconded motion. All of Council was in favor of the motion; the motion carried.

Mrs. Kucher made a motion to award the job of concrete foundation work in the amount of \$9,780 to Castetter Masonry, seconded by Mrs. Kettler. All of Council was in favor of the motion; the motion carried.

Joseph Shellenberger, 229 Kenwood Drive S, Levittown, commented that this doesn't fall under the flood plain—he didn't think anything in Levittown fell under the flood plain. Mrs. Kucher advised the pavilion is being built behind the Borough Hall in Tullytown.

PURCHASE 2 LAPTOPS FOR 2016 INCOMING COUNCIL MEMBERS

Mrs. Conner advised that we had 2 laptops not being used by present Council members but were given to our zoning officer and borough clerk to use as they both needed laptops.

Mrs. Kettler made motion to authorize Mrs. Conner to purchase 2 laptops for the incoming Council members for the 2016 year from Advanced Innovations & Solutions in the amount of \$2,050. Mr. Pirolli seconded the motion. All of Council was in favor of the motion; the motion carried.



FLOOD LIGHTS FOR OUTSIDE BACK AREA OF BOROUGH BUILDING—APPROVAL OF EXPENDITURE

Mrs. Conner advised that Mrs. Smith, in her coordinator's report, discussed the proposal to install floodlights on the rear of the building. She added they are for 3 floodlights—one light on the corner by the police department (on time sensor) and two will be on motion detectors on the back of the building. She advised the cost of the 3 floodlights is \$685.00

Mrs. Kucher made a motion to purchase from Ferraro Electric for material and labor for those lights in the amount of \$685.00. Mr. Pirolli seconded the motion. All of Council was in favor of the motion; the motion carried.

Mrs. Conner advised that Mrs. Smith received two proposals from Ferraro Electric regarding replace bulbs in the existing building lights. The 1st cost: \$480 if the bucket truck can be used, the 2nd cost: \$680 if scaffolding has to be used.

Mrs. Kettler motion to authorize coordinator to have Ferraro Electric also do the indoor existing lighting which consists of 3 recessed fixtures in 3 areas outside the meeting room and changing them to LED not to exceed \$680.00 Ms. Gahagan seconded the motion.*

Joe Shellenberger commented it might be prudent to get a 5 year warranty.

*Mrs. Kettler added getting a 5 year warranty to part of her motion; Ms. Gahagan agreed to add that to her second. All of Council was in favor of the motion; the motion carried.

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

**INSURANCE PREMIUMS FOR EMPLOYEES—LIFE, SHORT TERM DISABILITY AND AD&D—
APPROVAL OF EXPENDITURE**

Mrs. Conner advised that our insurance broker and coordinator have been working on obtaining costs for upcoming renewal for the employees' short term disability, life and accidental death and dismemberment insurances.

Mrs. Conner advised the best option for the Borough is through Met Life Option 4 with a premium of \$6,220.43 which is approximately \$1,500 less than our insurance renewal with The Standard.

Mrs. Kettler made a motion to approve Met Life Option 4 in the amount of \$6220.43 for our employees' life, short term and AD&D insurances. Mr. Czyzyk seconded the motion. All of Council was in favor of the motion; the motion carried.

2016 MINIMUM MUNICIPAL OBLIGATION—POLICE AND NON-UNIFORMED PENSION PLANS

Mr. Sellers explained the minimum municipal obligation for the 2016 year for both police and non-uniformed pension plans which is the annual requirement under State law. He advised that along with the proposed resolutions there is also a memo from borough treasurer and worksheet.

After discussion, a motion was made by Mr. Pirolli to adopt Resolution #334, the minimum municipal obligation for police pension plan in the amount of \$265,104, seconded by Ms. Gahagan.

Mrs. Kucher asked if this will bring the Borough up to date in funding these plans. Mr. Sellers advised that this amount is the minimum municipal obligation which means that the Borough has met its responsibility under State law.

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

A motion was made by Mr. Pirolli to adopt Resolution #335, the minimum municipal obligation for non-uniformed pension plan in the amount of \$105,863, seconded by Mrs. Kucher. All of Council was in favor of the motion; the motion carried.

LARGE EVENT APPLICATION--FIRE CO PREVENTION DAY

Mrs. Conner advised that the Fire Company submitted a large event application for their Fire Prevention Day on October 3rd at Home Depot in Levittown Town Center. Mrs. Conner advised that Code Enforcement, Chief of Police and Fire Marshal reviewed and signed off.

Mr. Pirolli made a motion to approve the large event application for the Tullytown Fire Company, seconded by Mrs. Kettler. All of Council was in favor of the motion; the motion carried.

COMMITTEE REPORTS

There were no Committee Reports

BOROUGH REPORTS

MAYOR'S REPORT

Mayor Cutchineal advised that Chief Doyle is communicating with Emergency Management Officials regarding the Papal visit.

Mayor also mentioned that the Veteran's Committee met—agenda is completed for the 9-11 Vigil—Nancy Conner has copies for everyone.

Mayor thanked Tullytown PBA for the excellent concert that was held in the park.

COORDINATOR'S REPORT

Mrs. Conner advised the Coordinator's Report was emailed to Council earlier today and a copy was distributed this evening on dais.

SOLICITOR'S REPORT

1) SEPTA Update

Mr. Sellers advised that SEPTA is in the process of completing some revisions to what is a very technical plan. He added that when the matter was approved by Council in March there were a number of conditions attached to it which took additional work--some of which needed approvals of PennDOT. He added we should see the final record plans soon and if acceptable, they will be filed in Doylestown and the project will then start. He added the legal aspect of the project is complete.

2) Community Park-DEP letter.

Mr. Sellers advised the planning and preparation of the Community Park includes some issuance of various applications to agencies in Harrisburg--one item is application to PADEP as we are going to be rehabilitating the existing park. He added the application is being prepared by Pennoni Associates but must be accompanied by a Municipal land use letter which certified that the development of the park is consistent with County and local zoning and comprehensive plans and otherwise requires no other zoning approvals.

Mr. Pirolli made a motion to authorize the borough coordinator to complete the municipal land use letter and execute same on behalf of the Borough to accompany pending application to be submitted to PADEP for the community park. Mrs. Kucher seconded the motion. All of Council was in favor of the motion; the motion carried.

ENGINEER'S REPORT

Mr. Major distributed the engineer's report to Council, a copy of which is attached to the minutes.

Regarding the first responder's memorial, Mr. Major advised that he received some additional information this evening from Mayor Cutchineal and Rick Johnson so they can proceed with some of the site design.

MISCELLANEOUS COUNCIL BUSINESS

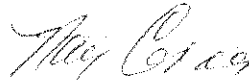
Mrs. Kettler asked Mr. Sellers if we have heard anything from the Court regarding the crematory. Mr. Sellers advised that legal arguments have been submitted and they are waiting for a date in court to argue the brief. He also advised that this will be open to the public.

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 8:01 p.m.

Respectfully submitted,



Nancy Conner
Borough Secretary

COORDINATOR'S REPORT

September 1, 2015

1. Municipal Building:

1. The two backflow preventers needed for the fire suppression system were handled; one being rebuilt and the other replaced.
2. The fire alarm system was, as discussed in July as being found deficient because the panel couldn't support the detectors, was replaced. It was completed within the original quoted price even as the vendor found other deficiencies in the wiring, which required rewiring a substantial part of the building.
3. A proposal to install floodlights on the rear of the building will be presented at the Council meeting. This is for three lights and will improve the general public safety. The light on the corner by the police portico is of particular importance as the area is very dark and police walk to their vehicles here. This light will be time sensors. The other two will be on motion detectors; the cost for the three is \$685.
4. A second proposal to replace bulbs in the existing building lights will be presented. The lights are high and may require scaffolding to reach them. The cost is \$480. If the high reach truck can do it; \$680. if scaffolding must be built.

2. SEPTA Station:

1. The General Contractor for the project applied for a demolition permit for the project which was initially reviewed by our code inspector. It included a single sheet that only denoted the items for demolition throughout the entire project. A meeting was held with the contractor, the building inspector, the borough engineer and the coordinator to develop the rest of the details concerning staging, safety, and impact on the borough.

The project is planned to be completed in three phases; the first involves the demolition of the bank building and the reconstruction of the intersection of Fallsington Avenue and Route 13. The road work is necessary here so that traffic can make the left turn onto Route 13 here rather than through the parking area. It is also necessary to complete the PennDOT work that would create the left turn for Route 13 to the Levittown Parkway before the second phase can start.

At that meeting, concerns were raised that:

- The plans needed to show the phasing, most importantly concerning traffic, staging of removing the storm drain system before a new system was in place, and safety of passenger movement.
- The contractor had not provided the letters from utilities affirming disconnection of the utilities.
- The contractor had not provided the DEP approval necessary for the demolition of a commercial building.

- The contractor was requesting permission to proceed before the final plans had been approved. The borough had given preliminary and final land development approval in March with a number of conditions attached. Since that time SEPTA has not provided plans that show the changes that the conditions would require. Letters from our consultant detailing each were initially provided with the approval, and again in letter in May and July.
- SEPTA has not received PennDOT's approval for the intersection work and was therefore considering starting the second phase of taking out the southern end of the main parking lot. That work is shown to reduce the egress from the station to two lanes which would create significant traffic issues until the left turn lane on Route 13 and the Fallsington Avenue work is completed. The PennDOT Route 13 work is scheduled to complete the left turn in November.

Discussion within the Borough has focused on what is essential to have before different steps can begin and how to facilitate SEPTA's work as best as possible.

Discussion with SEPTA has been positive and we have agreed on the next steps:

1. The demolition permit will be resubmitted for the bank property only.
2. The Highway Occupancy Permit (HOP) from PennDOT, which includes the land development conditions, will be a high priority for SEPTA. They believe this is imminent.
3. Gannet Flemming, SEPTA's engineer, will submit the Final Land Development plans (including any revisions necessary due to HOP approval) as soon as possible.
4. The borough will undertake a review of the plans with priority.
5. When the plans meet the Borough's conditions laid out in the land development stage, they will be approved by the Borough.
6. Gannet Flemming will then prepare the Record Plans for Borough signature and recording at the Bucks County Courthouse.
7. The Borough will then approve the Record Plans.
8. SEPTA will then have the plans recorded.
9. Start of the construction activities can begin.

The Borough will consider approving the demolition permit for the bank before the Final Plans are recorded as long as the rest of the required items (the disconnects and the DEP approval) were provided.

3. Pavilions:

The building committee has met and is ready to construct the first pavilion this fall. Written quotes have been solicited and received for both the foundation and the structure. They will be presented tonight for your approval. Construction is planned for late October or early November.

4, Community Park:

The design for all work other than the playground and exercise equipment was completed and an updated estimate was provided. This allows us to determine what will be handled in-house in order to determine what can be spent on the equipment. A final design will be completed in the following week for submittal to DCNR. All permits have been either received or are in progress. Some of the in-house work will begin this month.

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

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

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

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

1 September 2015

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 2015 Council Meeting.

STORM SEWER INLETS

A notice of bid award was issued to G.E. Poli, Inc. for the inlet repairs on Fallsington Avenue and Main Street. We are presently awaiting receipt of the executed contract documents and the required bonds from the contractor and issuance of the Highway Occupancy Permit.

The Street Department completed repairs to two (2) additional inlets located on Manor Avenue. These two inlets involved the complete reconstruction of the inlet boxes. This brings the total number of inlets repaired so far this season to six (6).

SEPTA STATION IMPROVEMENTS & RENOVATIONS

The design engineer for SEPTA has been instructed to provide a complete set of plans reflecting all the revisions required by the various review letters issued by the Borough professionals. If acceptable after final review, the Approved Final Plans must be signed and recorded prior to the issuance of the required building permits.

ROUTE 13 IMPROVEMENTS

The PennDOT progress meetings are ongoing. As per Chief Doyle's request, PennDOT will endeavor to have two lanes of traffic open in each direction of Route 13 during the weekend of the Papal visit, extending from the Window Wizards site northward through Tullytown Borough.

PennDOT has also agreed to investigate the new lane markings at the Fallsington Avenue ramp from southbound Route 13, which are somewhat confusing, particularly at night.

WILLIAM G. MAJOR ASSOCIATES, INC.

PAGE TWO

MR. RICK ADAMS, COUNCIL PRESIDENT
RE: ENGINEER'S REPORT
1 SEPTEMBER 2015

SAINT MICHAEL'S SCHOOL ZONE

We are in the process of submitting additional information to PennDOT in support of our request for the Highway Occupancy Permit(s) for the supplementary school zone lighting.

FIRST RESPONDERS MEMORIAL

Site design for the proposed memorial is still pending, awaiting receipt of additional required information from Mr. Maples' engineer (i.e. spot elevations and utility information).

BOROUGH PARK PAVILLIONS

The Borough Coordinator has requested that Council approve the purchase of the new pavilion for the Borough Park. The selected vendor is Amish Designers and the cost is Sixteen Thousand Nine Hundred Dollars (\$16,900.00), which includes delivery.

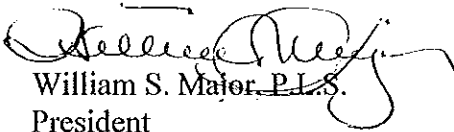
In the interest of expediency, Mrs. Smith suggested that we obtain quotes for the concrete foundation work. While the actual foundation design cannot be completed without the pavilion plans and specifications in hand, quotes were solicited based upon the known general parameters (20' X 40' concrete slab, 4" thick over 6" stone base with 8 Gauge wire reinforcement; 6 sonotube column supports 24" diameter X 36" depth). Based upon the foregoing, we received the following quotes:

Castetter Masonry	\$ 9,780.00
G.E. Poli Inc.	\$ 9,880.00
John Feher Concrete Construction	\$11,700.00

Mrs. Smith respectfully requests that Council approve engaging the services of Castetter Masonry in this regard.

Respectfully submitted,

WILLIAM G. MAJOR ASSOCIATES, INC.
Tullytown Borough Engineer


William S. Major, P.L.S.
President