

TULLYTOWN BOROUGH COUNCIL MEETING SEPTEMBER 6, 2016

President May Kucher called the meeting of the Tullytown Borough Council to order on Tuesday, September 6, 2016 at 7:00 p.m.

Mayor Cutchineal asked for a moment of silence for Viola Garrett, Vince Lucisano and Naomi Smith who recently passed away.

Present at the meeting:

Mayor Cutchineal
Councilwoman Grady
Councilwoman Kettler
Councilwoman Slemmer
Councilman Pirolli
Councilwoman Gahagan
Councilman Shellenberger
Councilwoman Kucher

Also present:

Michael T. Sellers, Esq., Borough Solicitor
Tom Hannah, Gilmore & Associates, Inc, Borough Engineer
Alison Smith, Borough Coordinator
Judy Collings, Borough Treasurer
Nancy Conner, Borough Secretary

SOLICITOR'S REPORT ON EXECUTIVE SESSION

Mr. Sellers advised Council met in several executive sessions with reference to labor negotiations with the Tullytown Borough Police Benevolent Association on August 16th, 17th, 23rd, and prior to this evening's meeting.

PUBLIC COMMENT

Kelli Donlen, 10 Lakeside Drive, Levittown, thanked all of Council and Borough Staff for placing the bench that she purchased in memory of Zach Gonzalez.

Tim Philpot, Pennsbury LYFT, thanked Council for their donation to LYFT.

COUNCIL MINUTES

A motion was made by Mr. Pirolli to approve the minutes of the August 2, 2016 Council meeting, seconded by Mrs. Kettler. The motion carried with a unanimous vote of Council in favor.

TREASURER'S REPORT

MONTHLY BILLS

Mr. Pirolli made a motion to approve the monthly bills in the amount of \$50,925.51, seconded by Mrs. Slemmer. All of Council was in favor of the motion; the motion carried.

RECONCILIATION STATEMENT

A motion was made by Mr. Pirolli to approve the Reconciliation Statement for August, 2016, seconded by Mrs. Grady. All of Council was in favor of the motion; the motion carried.

COMMUNICATIONS

Mrs. Conner advised that she received a letter from Christine Shellenberger advising that she will be resigning from the Park & Recreation Committee, Cable Advisory Committee and the Environmental Advisory Council.

Mrs. Conner also advised that Council received a letter from State Representative Steve Santarsiero advising that he voted in opposition of House Bill 2013 which would have allowed for public-private partnerships for recreational development in our State parks. He advised the bill was defeated with a 77-123 vote.

Mrs. Conner advised that Kelli Donlen, Borough resident, submitted 2 letters of commendation; namely, one for Seth Silverman and one for Officer Aldsworth and Sgt. Bunda.

GENERAL BUSINESS

STREET LIGHTING OPTIONS—UPDATE

Mrs. Smith advised that in order to make the list of lights that we would purchase from PECO it required that a survey be made of all the lights physically in place compared to what we are paying for. She further advised that they found that more than 50 of the lights that the Borough has been paying for don't exist. She indicated that we will proceed to get money back from that overcharge. She added that once we have the final list we will be ready to move forward with the purchase. Mrs. Kettler asked how long the Borough has been overcharged. Mrs. Smith advised that we have been overcharged since 1993 for some lights.

PUBLIC HEARING—SHADE TREE COMMISSION ORDINANCE

Mr. Sellers advised that this proposed ordinance would return the power to regulate shade trees within the right of way in the Borough to Council from the Shade Tree Commission and make the Commission an advisory body only. Mr. Sellers advised this proposed ordinance has been duly advertised as required by law and proof of publication has been supplied.

Mrs. Kucher opened the public hearing. There were no comments or questions from the public or Council; therefore, Mrs. Kucher closed the public hearing.

Mr. Pirolli made a motion to adopt Ordinance #375, Shade Tree Commission Ordinance, seconded by Mrs. Grady.

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

PUBLIC HEARING—PROPERTY ALLOCATION ORDINANCE

Mrs. Kucher opened public hearing. There were no comments or questions from the public or Council; therefore, Mrs. Kucher closed the public hearing.

Mr. Shellenberger made a motion to adopt Ordinance #376, Property Allocation Ordinance second by Mr. Pirolli.

Roll call vote of Council was taken. All of Council was in favor of the motion; the motion carried.

2017 MINIMUM MUNICIPAL OBLIGATION—POLICE PENSION PLAN

Mr. Sellers commented on both Police and Non-Uniformed Minimum Municipal Obligation contributions for 2017 year.

Mr. Pirolli made a motion to adopt Resolution #352, 2017 Minimum Municipal Obligation for Police Pension Plan, seconded by Mrs. Grady.

Roll call vote of Council was taken. The motion passed with a unanimous vote of Council in favor of the motion.

2017 MINIMUM MUNICIPAL OBLIGATION—NON-UNIFORMED PENSION PLAN

Mr. Pirolli made a motion to adopt Resolution #353, 2017 Minimum Municipal Obligation for Non-Uniformed Pension Plan, seconded by Mr. Shellenberger.

Roll call vote was taken; all of Council was in favor of the motion.

POLICE COLLECTIVE BARGAINING AGREEMENT--CONSIDERATION

Mr. Sellers advised he distributed his memorandum and a copy of the proposed collective bargaining agreement with the PBA for the coming term January 1, 2017 through December 31, 2020. Mr. Sellers advised that the current agreement which went into force on January 1, 2013 is due to expire on December 31, 2016.

Mr. Sellers advised that Council members who have been designated have been involved in negotiations with the Police Benevolent Association over the last several months and have come up with a tentative agreement which is before Council for consideration this evening. He added that this type of action is done by resolution as well.

Mr. Pirolli made a motion to adopt Resolution #354, to approve the Police Collective Bargaining Agreement for years January 1, 2017 through December 31, 2021. Mrs. Slemmer seconded the motion.

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

Sgt. Phil Kulan of the Tullytown Police Department, on behalf of the Tullytown PBA, thanked Council for their consideration and their vote this evening. He added they look forward to working for Council and the Community for many years to come.

LARGE EVENT APPLICATION—TULLYTOWN FIRE CO PREVENTION EVENT

Mrs. Conner advised that the Fire Company is holding their annual fire prevention event at Home Depot on October 1st. She indicated that the Chief of Police and Fire Marshal have approved this application and signed off; however, Code Enforcement Officer has been ill and has not approved as yet. Mrs. Conner stated that past practice Council has approved the application with the condition of Code Enforcement Officer approval.

Mr. Pirolli made a motion to approve the large event application of the Tullytown Fire Company with the condition of approval of the Code Enforcement Officer. Mrs. Grady seconded the motion. All of Council was in favor of the motion; the motion carried.

9-11 EXPENDITURE-VIDEO TAPING \$700--CONSIDERATION

Mrs. Conner advised that Mayor Cutchineal discussed with Ron Skotleski, our video technician and was quoted a price of \$700 for the 9-11 videotaping.

Ms. Gahagan asked Mrs. Collings if she has the total cost of 9-11 expenditures. Mrs. Collings advised she can get that information to Ms. Gahagan tomorrow.

A motion was made by Mrs. Kettler to approve the expenditure of \$700 for the 9-11 video-taping, seconded by Mr. Shellenberger. Roll call vote was taken with a unanimous vote of Council in favor of the motion; the motion carried.

PICNIC EXPENDITURE NOT TO EXCEED \$2,000—PORTABLE RESTROOMS—APPROVAL

Mrs. Conner explained that Waste Management has generously donated \$2,000 to the Borough for the portable restrooms for the Borough picnic. She added that we would not receive the check for several weeks and we will need to pay the invoice beforehand.

Mrs. Kettler made a motion to approve the expenditure of the public restrooms in an amount not to exceed \$2,000, seconded by Mr. Shellenberger. Roll call vote was taken. All of Council was in favor of the motion; the motion carried.

BOROUGH REPORTS

MAYOR'S REPORT

Mayor Cutchineal congratulated the Tullytown PBA and the Borough Council Police Committee on the great job of negotiating and the many hours afforded.

Mayor also commented that the Borough Picnic will be held this Saturday—tickets will still be sold the day of picnic.

Mayor Cutchineal advised the 9-11 Vigil will be held this Sunday. He indicated speakers as follows: U.S. Air Force Master Sergeant David Pearl, Mayor Emeritus Chris Blaydon, Morrisville Mayor Dave Rivella, Hulmeville Mayor Dave Harris, Yardley Mayor Chris Harding and Matt Weintraub, Bucks County Assistant District Attorney. He added singers are Bucks County Women's Chorus, Lisa Beth Weber, Men of Harmony and Terri Brown of Christ the King Church.

COORDINATOR'S REPORT

Mrs. Smith indicated that we received a letter from Penndot advising they are concluding the Rt. 13 project and they set a final inspection meeting on September 14th. She added that they are requesting that every municipality send a representative. Mrs. Smith advised that our engineer will inspect and attend that meeting.

Regarding the Canals End Park, Mrs. Smith advised that based on what the bids were, they have decided to go out for just about everything except for the structures. She added that DCNR was uncomfortable with funding only the site work but after a few conversations they are willing to reimburse 90% until the last elements are completed. Mrs. Smith advised that our engineer will explain the schedule they are proposing for this project.

Mrs. Smith advised we have not approved the teachers' expense for the Borough Picnic. She indicated there will be 10 teachers working the games portion of the picnic with a total cost of \$1,600.

Mr. Pirolli made a motion to approve the expense of the teachers for the Borough Picnic in the amount of \$1,600. Mrs. Kettler 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

Mr. Sellers advised he has no further report for this evening.

ENGINEER'S REPORT

Mr. Tom Hannah of Gilmore Associates discussed the schedule for the Canal's End Park. He advised the bid packages are being finalized this month. He indicated that they will be sending out the initial advertisement on September 21st and the second advertisement on September 26th with proposed bid opening of October 27th and bid to be awarded at November 1st meeting. He added we will get started by mid-November with a completion date of May 1, 2017.

MISCELLANEOUS COUNCIL BUSINESS

Mrs. Kucher advised that Lakeside residents received a letter from St. Michael's Church regarding the projected ideas of proposed development for that property behind St. Michael's Church. She advised they are holding a meeting on Thursday, September 22nd 7:00 pm at the Church hall. Mrs. Kucher commented that this is an important matter and is urging all to attend. She advised she is opposed to any more apartments in our area.

Ms. Gahagan asked if they did an environmental study because there is a landfill there. Mrs. Kettler commented that is a good question for that evening. Ms. Gahagan commented that the developers stated a few years ago that they are having a study done and she thought it would be complete by now.

Ms. Gahagan asked if we could mention this on our government channel and website. Mr. Sellers advised this letter from St. Michael's Church is directed to residents of Lakeside so it obviously is an invitation to the public—if Council wishes it could be posted. Council agreed to post notice and Mrs. Conner advised she would do so.

Mrs. Kucher also mentioned that in August we held the "National Night Out" with the Police Department. She commended Officer Andrew Houser on the excellent job in working with Park & Recreation Committee and other volunteers as well as other Borough Police officers who helped with this night. She advised it was a magnificent night with a great attendance and comradery of the Community.

Mrs. Kucher advised that the Driver's License Center in Deon Square has now moved to the building of the Triple A next to IHOP on Rt. 1.

Mrs. Kettler commented on the developing of the St. Michael's property. She commented that she is happy to hear that someone wants to develop something for residents as opposed to landfills and crematories and any other industrial crap in the lower end of Bucks County. She added that she looks forward to that meeting as well and very interested in Tullytown developing something that we have tax ratables on and something that she thinks would be good for the Community. She also urges every resident to attend that meeting.

Mr. Shellenberger asked if the entire Council attends that meeting if that is a violation of Sunshine Law. Mr. Sellers recommended that not all Council attend this meeting. He indicated that this project will be coming back to Council in some form and the mere presence of a majority in a meeting like that can suggest that Council might be forming ideas that could be a consensus. Ms. Gahagan suggested that the Streets and Buildings Committee should go. Mrs. Kucher commented that can be discussed with Council.

ADJOURNMENT

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

The meeting was adjourned at 7:36 p.m.

Respectfully submitted,



Nancy Conner
Borough Secretary