

TULLYTOWN BOROUGH COUNCIL MEETING

MAY 2, 2017

Vice President, Joe Shellenberger, called the meeting of the Tullytown Borough Council to order on Tuesday, May 2, 2017 at 7:00 p.m.

Present at the meeting:

Mayor Cutchineal

Councilwoman Grady

Councilwoman Kettler—absent due to commitment

Councilwoman Slemmer

Councilman Pirolli

Councilwoman Gahagan—absent due to commitment

Councilwoman Johnson

Councilman Shellenberger

Also present:

Michael T. Sellers, Esq., Borough Solicitor

Kurt Schroeder, Gilmore & Associates, Inc, Borough Engineer

Alison Smith, Borough Coordinator

Joe McPadden, Borough Treasurer

Nancy Conner, Borough Secretary

SOLICITOR'S REPORT ON EXECUTIVE SESSION

Mr. Sellers advised that Council met in executive session prior to this evening's meeting to discuss the status of the pending litigation of Armstrong vs Borough of Tullytown, status of business tax collection suits and legal issues relating to solid waste.

PUBLIC COMMENT

Rich Hart, 50 Stream Lane, Levittown, PA commented that he would like to get back to putting up a 9-11 responder memorial here at the Borough. Mrs. Johnson commented that her nephew had completed the architectural work and prepared plans. She added that the plans can be obtained through Alison Smith. Mr. Hart commented that the dedication is aimed for September 11, 2018.

Steve Grosscupps, 242 Kenwood Drive South, Levittown, asked if Council would put a basketball court in the new Park. He commented that there are a lot of kids that play basketball in the street and it's a windy "S" turn which is not safe.

Chris Shellenberger, 229 Kenwood Drive South, Levittown, also commented that basketball courts would be beneficial in the Park as its difficult for the kids to play on the street. She added that her son plays basketball also and feels it would be much safer in the Park.

Andrew Irvin, 244 Kenwood Drive South, Levittown, also commented about having basketball courts in the new Park for safety reasons.

COUNCIL MINUTES

April 4, 2017 Council Meeting – Approval

Mr. Pirolli made a motion to approve the minutes of the April 4, 2017 Council meeting, seconded by Mrs. Grady. All of Council was in favor of the motion; the motion carried.

TREASURER'S REPORT

MONTHLY BILLS

Mr. Pirolli made a motion to pay the monthly bills in the amount of \$70,995.61, seconded by Mrs. Johnson.

Mr. Pirolli asked treasurer, Mr. McPadden what the updated amount of expenses of the Armstrong lawsuit are. Mr. McPadden advised total this month \$420.00; total legal expenses \$29,916.00 for the Armstrong lawsuit.

The vote of Council on the motion was as follows:

Mrs. Grady—for
Miss Slemmer—for
Mr. Pirolli—for
Mrs. Johnson—for
Mr. Shellenberger—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 April 2017, seconded by Miss Slemmer.

Roll call vote was taken:

Mrs. Grady—for
Miss Slemmer—for
Mr. Pirolli—for
Mrs. Johnson—for
Mr. Shellenberger—for

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

COMMUNICATIONS

Mrs. Conner advised that Faith Longo-Earnest moved out of the Borough so she would have to be removed as member from the Environmental Advisory Council. Mrs. Conner also advised that we have no volunteers for that Committee at this time.

GENERAL BUSINESS

CONSIDERATION—SELECTION OF COUNCIL PRESIDENT

Mr. Sellers advised that with the recent death of Council President, Mrs. Kucher, a vacancy has existed and is required to be filled under the Borough Code. He mentioned that the Vice President has presided over meetings and has fulfilled those duties since her passing.

Mr. Sellers indicated that the Vice President is not automatically promoted from Vice President to President without a formal vote at a duly advertised meeting.

Vice President Shellenberger opened the floor for nominations.

Mr. Pirolli made the motion to nominate Joe Shellenberger for Council President.

There were no other nominations; therefore the floor was closed for nominations.

The vote of Council was as follows:

Mrs. Grady—for

Miss Slemmer—for

Mr. Pirolli—for

Mrs. Johnson—for

Mr. Shellenberger—abstain

The motion carried with a majority of Council in favor.

Mr. Sellers advised that the office of Vice President becomes vacant as Mr. Shellenberger was voted as Council President.

President Shellenberger opened the floor for nominations.

Miss Slemmer nominated Mary Ann Gahagan.

There were no other nominations; therefore, the floor was closed for nominations.

The vote of Council was as follows:

Mrs. Grady—for
Miss Slemmer—for
Mr. Pirolli—for
Mrs. Johnson—for
Mr. Shellenberger—for

The motion passed with a unanimous vote of Council in favor.

CONSIDERATION—HIRE BOROUGH CLERK

Miss Slemmer advised that the Borough Clerk, Emily Butler, resigned. Miss Slemmer indicated that we had 32 applicants for this position. She added that after interview process, they decided on Jessica Kligerman who will be able to start May 9th.

Miss Slemmer made a motion to authorize the employment of Jessica Kligerman as the part-time clerk at the rate of \$13.89 per hour with other benefits as provided by the Collective Bargaining Agreement for a part-time position. Mr. Pirolli seconded the motion.

The vote of Council was as follows:

Mrs. Grady—for
Miss Slemmer—for
Mr. Pirolli—for
Mrs. Johnson—for
Mr. Shellenberger—for

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

**DISCUSSION—MADD TO MAKE PRESENTATION TO PARENTS ON SEPTEMBER 14, 2017
(CONSIDERATION—AUTHORIZE EXPENDITURE FOR VIDEO PRESENTATION)**

Mrs. Conner advised that MADD will be making a presentation to residents in the Borough on September 14, 2017. She asked if Council would like to have the presentation videoed for parents/residents who are unable to attend meeting.

Mr. Pirolli made a motion to authorize the expenditure of \$400 for our video recording of the MADD presentation, seconded by Mrs. Grady.

The vote of Council was as follows:

Mrs. Grady—for
Miss Slemmer—for
Mr. Pirolli—for
Mrs. Johnson—for
Mr. Shellenberger—for

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

TULLYTOWN CANAL PARK—ADOPT PARK DONATION POLICIES (TREES AND BENCHES)

Mrs. Smith advised that we currently have a donation policy for the Borough Park behind the Municipal Building in the amount of \$750 for donation of the bench to the Park.

Mrs. Smith recommended that Council keep the same donation of \$750 for the bench in the Tullytown Canal Park so someone can buy the right for a memorial plaque placed for the same donation as in the Borough Park.

She added that the cost of the benches in the Tullytown Canal Park are \$1,200 vs. the cost of the \$750 which were purchased with the grant money. Mrs. Smith mentioned that what Council needs to consider is the placement of any additional benches, the use of this on existing benches before placing new benches—Council would be making the decision for each bench about allowing a donation to be made.

She also suggested that donation for trees be permitted and that would be in the amount of \$500 for donation of a tree with a plaque in either of the Parks. Mrs. Smith added that Council would decide on that as well.

After discussion, a motion was made by Mr. Pirolli to table this matter, seconded by Mrs. Grady. All of Council was in favor of the motion; the motion carried.

RICOH COPIER LEASE—CONSIDER LEASE CHANGE

Mrs. Smith advised that we just received another quotation but would like this matter tabled until next month's meeting. She added that we will be saving approximately 25% from all the bids but would like to view the equipment first.

PICNIC—CONSIDER CONTRACT FOR PORTABLE TOILET FACILITIES/AUTHORIZE DEPOSIT

Mrs. Conner advised that she received a price on the portable toilets for the Borough Picnic in the amount of \$2,100. She added that Waste Management is generously donating \$2,000 towards that expense; however, the Borough will pay and Waste Management will reimburse. Also, Mrs. Conner indicated that a 50% deposit is required.

Mrs. Grady made a motion to pay deposit for portable toilets from United Site Services in the amount of \$1,050. Mr. Pirolli seconded the motion.

The motion passed with a unanimous vote of Council in favor.

HIRE PART-TIME POLICE OFFICER—CONSIDERATION

Mrs. Conner advised that Chief Doyle asked to table hiring of part-time police officer.

AUTHORIZE ADVERTISEMENT OF AMENDMENT TO SOLID WASTE ORDINANCE

Mr. Pirolli made a motion to authorize the advertisement of amendment to the solid waste ordinance. Mrs. Johnson seconded the motion.

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

AUTHORIZE ADVERTISEMENT OF AMENDMENT TO RECYCLING ORDINANCE

Mr. Pirolli made a motion to authorize the advertisement of amendment to the Recycling Ordinance, seconded by Miss Slemmer.

Mr. Pirolli asked if the Borough would get reimbursement on the recycling. He commented that we used to get it in the past. Mrs. Smith advised that we have not received reimbursement for years.

The motion passed with a unanimous vote of Council in favor.

AUTHORIZE DRAFTING OF ORDINANCE AMENDMENT FOR REFUND OF PERMIT FEES

Mr. Pirolli made a motion to authorize the solicitor to draft ordinance amendment to provide for a procedure for partial refunding of permit fees. Mrs. Grady seconded the motion.

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 discussed the Memorial Services on May 27th. He advised the services 9:00 am at the Monument at Main and Fallsington followed by ceremony at the Cemetery at 9:30 am concluded with a parade at noon.

Mayor Cutchineal advised that David Pearl is this year's Grand Marshall.

CHIEF'S REPORT

No Report.

COORDINATOR'S REPORT

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

Mrs. Smith commended the road crew for the excellent job in the many jobs they have done in the new Park. She added they are saving the Borough \$45,000. She also commented that they have done a marvelous job.

Regarding the ribbon cutting, after discussion, a motion was made by Mr. Pirolli to set the date for ribbon cutting on Saturday, June 17th from 1:00 pm to 5:00 pm. Miss Slemmer seconded the motion.

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

Mrs. Smith asked if Council would like a band—they agreed band not needed—just light refreshments such as hot dogs, chips and soda.

Regarding the change order, Mr. Pirolli made a motion to approve a “not to exceed” amount of \$3,500 to purchase the rubber edging, seconded by Mrs. Johnson.

The vote of Council was as follows:

Mrs. Grady—for

Miss Slemmer—for

Mr. Pirolli—for

Mrs. Johnson—for

Mr. Shellenberger—for

Mrs. Smith commented that going forward with the next phase of the Park, we could possibly get suggestions from the Park & Recreation Committee to scope out what the next phase of the Park should be. She added then we can write the grant request once that is decided on and go forward.

Mrs. Smith commented on the trash contract. She advised that Waste Management will be dropping the cans the same week we use the old cans. She further advised that Tuesday, June 6th will be the first day that the new cans will be used with once a week pick-ups for both trash and recycling. She added that residents will be able to put their old can into the new cans as trash for the first pick-up on June 6th. Mrs. Smith mentioned that we will be sending out a letter advising residents.

Nina Chrzanowski, 6 Stonybrook Drive, Levittown, asked if letters will be going out to residents advising of the new procedures. Mrs. Smith advised yes they will.

Mrs. Smith discussed the pedestrian issues at Rt. 13 and the Parkway as the SEPTA train station is under construction and asked if Council is interested in the warning signal that Gilmore Associates has mentioned. Mr. Shellenberger commented that these are temporary issues as most SEPTA customers are parking at St. Mike's Church lot. Mr. Pirolli commented that it is SEPTA's property and PennDOT's road so we shouldn't extend our liability. Mr. Sellers commented that he is not thrilled with that idea due to liability.

SOLICITOR'S REPORT

Mr. Sellers advised he had no further report for the meeting.

ENGINEER'S REPORT

Mr. Schroeder advised he had no report. He also commented that the road crew has done an excellent job on the new Park. He added that Alison Smith has also done an excellent job—kept this project on track.

MISCELLANEOUS COUNCIL BUSINESS

Mr. Shellenberger suggested that we look into purchasing new chairs in the Council executive meeting room. He asked Nancy Conner to obtain some prices for new chairs—approximately 15 or 16 chairs.

ADJOURNMENT

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

The meeting was adjourned at 7:51 p.m.

Respectfully submitted,



Nancy Conner
Borough Secretary