

TULLYTOWN BOROUGH COUNCIL MEETING AUGUST 1, 2017

Vice President Mary Ann Gahagan called the meeting of the Tullytown Borough Council to order on Tuesday, August 1, 2017 at 7:00 p.m.

Mayor Cutchineal asked for a moment of silence for Jean Snyder who recently passed away.

Present at the meeting:

Mayor Cutchineal

Councilwoman Grady

Councilwoman Kettler

Councilwoman Slemmer

Councilman Pirolli

Councilwoman Johnson

Councilwoman Gahagan

Councilman Shellenberger – Absent due to work commitment

Also present:

Michael T. Sellers, Esq., Borough Solicitor

Kurt Schroeder, Gilmore & Associates, Inc, Borough Engineer

Alison Smith, Borough Coordinator

Sgt. Andrew Bunda, Police Department

Joe McPadden, Borough Treasurer

Nancy Conner, Borough Secretary

SOLICITOR'S REPORT ON EXECUTIVE SESSION

Mr. Sellers explained that Council met in executive session before this evening's meeting to discuss status of business tax collection litigation.

PUBLIC COMMENT

There was no public comment for the evening.

COUNCIL MINUTES

Mrs. Johnson made a motion to approve the July 11, 2017 Council meeting minutes, seconded by Miss Slemmer. All of Council was in favor of the motion; the motion carried.

TREASURER'S REPORT

MONTHLY BILLS

A motion was made by Mr. Pirolli to approve the payment of the monthly bills in the amount of \$38,884.89, seconded by Mrs. Johnson.

The vote of Council was as follows:

Mrs. Grady—for
Miss Slemmer—for
Mr. Pirolli—for
Mrs. Johnson—for
Ms. Gahagan—for

The motion passed with a unanimous vote in favor.

RECONCILIATION STATEMENT

Mr. Pirolli made a motion to approve the Reconciliation Statement for July, 2017, seconded by Mrs. Grady. All of Council was in favor of the motion; the motion carried.

COMMUNICATIONS

Mrs. Conner advised she had no communications for the month.

GENERAL BUSINESS

PUBLIC HEARING—MS4 POLLUTANT REDUCTION PLAN

Mr. Pirolli made a motion to open the floor for public hearing for MS4 pollutant reduction plan. Miss Slemmer seconded the motion. All of Council was in favor of the motion; the motion carried.

Mrs. Smith advised that Samantha Brinker of Gilmore Associates will make the presentation. She added this is a new requirement for stormwater—Gilmore Associates did an initial study for what we need to do to address it.

Miss Brinker advised that the stormwater permit program is a federal regulation that the Borough is required to secure a permit from DEP since 2003. She added the permit is a result of the new stormwater regulation developed by the EPA under the clean water act. A copy of this presentation is attached to the minutes.

Mr. Pirolli asked what area the pump will be on River Road. Ms. Brinker advised that all the way at the end of River Road there is an outfall—there is an inlet right before Martin's Creek within the right-of-way of that road.

Ms. Brinker advised the cost of the product is \$9,000 not including installation of the device. She added that we will work on that pricing and come back to advise Council. Ms. Brinker advised it will probably have to go out for bid.

Mrs. Smith advised that we have requirements to do and will continue to do them as far as keeping the inlets and stormwater clear but we are under obligation to do this.

Miss Slemmer asked if we have to put the \$30,000 out for this application. Mrs. Smith advised the \$30,000 is the estimated cost of the engineering study and we didn't come to that amount.

Rich Hart, 50 Stream Lane, Levittown, asked how often and by whom are these outflows going to be checked. Mr. Schroeder, of Gilmore Associates, commented that it will be a part of this program and the anticipated load reduction is 3,000 pounds which is a ton and a half of sediment in a year.

Mrs. Smith advised our public works employees have been doing all of the work on the inlets to date.

Miss Slemmer asked if we weigh it at the end of the year. Mrs. Brinker advised that is not a requirement as of right now. Mr. Schroeder advised that the Borough will be responsible for the operation and maintenance and will look to public works to check it so often.

There were no further comments; therefore, Mr. Pirolli made a motion to close the public hearing, seconded by Miss Slemmer. All of Council was in favor of the motion.

A motion was made by Mr. Pirolli to approve the MS4 pollutant reduction plan and annual status report for submission to the DEP. Miss Slemmer seconded the motion. All of Council was in favor of the motion; the motion carried.

AUTHORIZE ADVERTISEMENT OF PROPERTY IMPROVEMENT ALLOCATION ORDINANCE

Mr. Sellers advised that past Councils have deemed this proposed ordinance appropriate for consideration at this time of year and have authorized in those past years.

Mr. Pirolli made a motion to authorize the advertisement of the proposed property improvement allocation ordinance with the amount of \$6,000, seconded by Miss Slemmer.

The vote of Council was as follows:

Mrs. Grady—for
Miss Slemmer—for
Mr. Pirolli—for
Mrs. Johnson—for
Ms. Gahagan—for

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

DISCUSSION/CONSIDERATION—VIDEO PRICING

Mr. Pirolli made a motion to table this matter until September meeting, seconded by Mrs. Grady.

The vote of Council was as follows:

Mrs. Grady—for
Miss Slemmer—for
Mr. Pirolli—for
Mrs. Johnson—for
Ms. Gahagan—for

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

CONSIDERATION—PARTICIPATION IN COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

Mrs. Smith explained that the County runs a block grant program for Boroughs to apply for money for different park, street and housing projects. She advised the Borough does not have to contribute financially but we do have to agree to participate in the program.

Mrs. Grady made a motion that the Borough continue with community development block grant program. Mrs. Johnson seconded the motion. The motion passed with a unanimous vote of Council in favor.

CONSIDERATION—AMENDMENTS TO PARK RENTAL & USE POLICY

Mrs. Smith advised that the park & rec committee met and discussed policies for both parks and recommendations are as follows:

1. Continue to rent to only one group per park—raising rental fee from \$60 to \$100 to cover cost of public works cleaning up.

Mrs. Johnson made a motion to continue to rent to only one group per park—raising rental fee from \$60 to \$100 to cover cost of public works employees cleaning after rentals. Mrs. Grady seconded the motion. All of Council was in favor of the motion; the motion carried.

2. Allowing dogs in the parks—Mrs. Smith advised it has been recommended to allow dogs with certain rules such as being leashed, under walker's full control at all times and that waste be bagged and disposed of in trash containers and determination of a walker or dog's continued access based on Borough's decision.

Miss Slemmer made a motion to allow dogs in both parks, seconded by Mrs. Johnson.

Mr. Pirolli asked who will enforce this. Mrs. Smith commented that either people calling police on something they have seen or the police when they patrol.

Nina Chrzanowski, 6 Stonybrook Drive, Levittown, asked if there will be an exception for Borough picnic. Mrs. Smith stated yes -- no dogs at picnic or other Borough events.

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

Mrs. Conner advised that for the record, Mrs. Kettler has arrived at the meeting.

CONSIDER APPROVAL OF PLAQUE FOR BENCH IN TULLYTOWN CANAL PARK

Mrs. Smith advised that a bench has been purchased in the Tullytown Canal Park by the Red Hat Sisters in honor of May Kucher.

The plaque will read as follows:

In loving memory of Red Hat Sister
May Kucher
An unforgettable person
She asked for so little and gave so much

Mrs. Grady made a motion to approve the wording on the plaque, seconded by Miss Slemmer. All of Council was in favor of the motion; the motion carried.

CONSIDERATION—LEASE PORTABLE RESTROOMS FOR TULLYTOWN CANAL PARK

Mrs. Smith advised that she received quotes for the portable restrooms to lease as follows:

United Site Services - \$2,715

Rhinehart - \$3,292

Johnny on the Spot (also United Site Services)

Walters Portable Toilets and Remke does not service our area.

Mrs. Smith recommended the use of United Site Services for \$2,715 for the year.

Mr. Pirolli made a motion to hire the services of United Site Services for portable restrooms for the year in the amount of \$2,715. Miss Slemmer seconded the motion.

Mrs. Kettler questioned the frequency of cleaning. Mrs. Smith advised it will be determined on usage.

The vote of Council was as follows:

Mrs. Grady—for
Mrs. Kettler—for
Miss Slemmer—for
Mr. Pirolli—for
Mrs. Johnson—for
Ms. Gahagan—for

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

CONSIDERATION—PURCHASING BENCHES INSIDE GAZEBO TULLYTOWN CANAL PARK

Mrs. Smith advised that there is a request to build benches in the gazebo around the 7 walls of the gazebo. She added that she received a price form Amish Design who actually supplied the gazebo, in the amount of \$2,272. She added it has been difficult to obtain further quotes. However, Mrs. Smith stated that Amish Design gave us a phenomenal price for the gazebo and feels this price is equally as fair.

Mrs. Kettler made a motion to purchase the benches for inside the gazebo for Tullytown Canal Park in the amount of \$2,272 from Amish Design. Mr. Pirolli seconded the motion.

The vote of Council was as follows:

Mrs. Grady—for
Mrs. Kettler—for
Miss Slemmer—for
Mr. Pirolli—for
Mrs. Johnson—for
Ms. Gahagan—for

COMMITTEE REPORTS

There were no Committee Reports.

BOROUGH REPORTS

MAYOR'S REPORT

Mayor Cutchineal advised he had no report for this evening.

CHIEF'S REPORT

Sgt. Bunda advised he had no report.

COORDINATOR'S REPORT

Mrs. Smith discussed the Tullytown Canal Park's hours of operations. She advised the recommendation is from dawn to dusk for the playground area, leave the lights on in the walk path area from dusk to dawn and that quiet activity would be allowed to proceed in the park. She added that Chief Doyle was in agreement.

Mr. Pirolli advised that some Wal-Mart employees would walk the path during work hours. He added that the lights are LED and low cost. Mrs. Kettler commented that it would be safer to have some lighting there.

Mrs. Kettler made a motion to consider the hours of operation for the Tullytown Canal Park from dawn to dusk and leave the lights on for the walking path and allow quiet activities on the walking path area. Mr. Pirolli seconded the motion. All of Council was in favor of the motion; the motion carried.

Mrs. Smith discussed since Council voted earlier to allow dogs in the parks, there is a proposal to have 4 stations in the park with waste bags in each of the 2 parks. She obtained pricing as follows:

Dog Waste Depot - \$960 – 5 year guarantee
Zero Waste Station - \$1,184 – 2 year guarantee
Amazon - \$1,024 – no guarantee

Miss Slemmer asked if they provided bags also. Mrs. Smith advised they will provide the first 400 but after that we would have to purchase.

Mrs. Kettler made a motion to accept the price of Dog Waste Depot in the amount of \$960 with a 5-year guarantee. Mrs. Grady seconded the motion. All of Council was in favor of the motion; the motion carried.

Mrs. Smith advised that a request was made to purchase a flag pole. She commented that if we don't "light" the flag we would only use for events because it would be cost prohibitive to raise and lower it every day which we would have to do if it didn't have lights. Mrs. Smith

discussed the location of the flag being off of Kenwood entrance which she thought everyone would agree.

Mrs. Kettler commented on the cost to raise and lower the flag that Mrs. Smith indicated on her report. She added she is not in favor of the overtime as the road crew works a 7 to 3 day. Mrs. Smith indicated the overtime cost represents holidays and weekends for the flag to be raised and lowered.

Mrs. Johnson suggested waiting until Phase II of the park to put the flag up.

Mr. Pirolli suggested we look into solar lights for the flag. Mrs. Smith advised she will obtain more information and get back to Council.

Mrs. Smith also discussed some issues of the Borough picnic such as cost, registration, wrist band/tickets use.

Mr. Pirolli made a motion to cover cost of \$150 for wristbands and tickets for food and funnel cakes for Borough picnic. Mrs. Johnson seconded the motion. All of Council was in favor of the motion; the motion carried.

Regarding the games for the Borough picnic, Mrs. Johnson made a motion to authorize cost of \$1,650 to pay teachers to run the games, seconded by Mr. Pirolli.

The vote of Council was as follows:

Mrs. Grady—for

Mrs. Kettler—for

Miss Slemmer—for

Mr. Pirolli—for

Mrs. Johnson—for

Ms. Gahagan—for

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

A motion was made by Mrs. Johnson to authorize cost of \$400 for prizes and miscellaneous expenses, seconded by Mr. Pirolli. All of Council was in favor of the motion; the motion carried.

Regarding the 9-11 Vigil, a motion was made by Mrs. Johnson to approve the cost of \$200 for Men of Harmony for the 9-11 Vigil. Mrs. Grady seconded the motion. All of Council was in favor of the motion. The motion carried.

Mrs. Smith advised we are looking for pricing for taping the 9-11 Vigil. She asked if Council would authorize a cost not to exceed \$700 for the videoing of the 9-11 Vigil.

Mr. Pirolli made a motion to authorize cost to video tape the 9-11 Vigil in an amount not to exceed \$700, seconded by Mrs. Johnson. All of Council was in favor of the motion; the motion carried.

Mrs. Johnson made a motion to approve miscellaneous expenses for the 9-11 Vigil of \$200, seconded by Mr. Pirolli. The motion passed with a unanimous vote of Council in favor.

SOLICITOR'S REPORT

Mr. Sellers advised that Council can consider 2 professional service agreements for work by Borough staff and professionals at the developer's expense.

Mr. Pirolli made a motion to approve the professional services agreement to be entered into with John McGrath for the St. Michael's project. Mrs. Johnson seconded the motion. All of Council was in favor of the motion; the motion carried.

Mr. Pirolli made a motion to approve the professional services agreement with Wawa for a project at the Hesski location on the Levittown Parkway. Mrs. Johnson seconded the motion. The motion carried with a unanimous vote of Council in favor.

ENGINEER'S REPORT

Mr. Schroeder advised he had no report.

MISCELLANEOUS COUNCIL BUSINESS

There was no miscellaneous Council business for the evening.

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 7:44 p.m.

Respectfully submitted,



Nancy Conner
Borough Secretary

MS4 Pollutant Reduction Plan Highlights

Presented By:
Samantha Brinker, CPMSM
Gilmore & Associates, Inc.



Introduction

EPA	Environmental Protection Agency
DEP	Department of Environmental Protection
NPDES	National Pollutant Discharge Elimination System
MS4	Municipal Separate Storm Sewer System
NOI	Notice Of Intent
BMP	Best Management Practice
PRP	Pollutant Reduction Plan



Stormwater Permit Program

- ✧ A federal regulation requires the Borough to secure a permit from PADEP since 2003.
- ✧ The permit is a result of new storm water regulation developed by the U.S. EPA under the Clean Water Act.
- ✧ PADEP created a state permitting program to meet the federal regulation.
- ✧ The permit program has a goal of reducing the pollutants associated with storm water runoff.



General Permit

General Permit (PAG-13)

- ✧ Small MS4s (<100,000 population)
- ✧ Does not discharge to "Special Protection" watershed
- ✧ Does not have a WLA in a TMDL for nutrients and/or sediment
- ✧ Notice of Intent (NOI) is due
September 16, 2017
- ✧ Renewed PAG-13 is effective on
March 16, 2018



MS4 Requirements Table

MS4 Name	NPOES ID	Individual Permit Required?	Reason	Impaired Downstream Waters or Applicable TMDL Name	Requirement(s)	Other Cause(s) of Impairment
Bucks County						
TULLYTOWN BORO	PA0130141	No		Unpermitted Discharges to Delaware River		Cause Unknown (S); Other Habitat Alteration, Water Flow Variability (A3)
				Delaware River	Appendix C PCB (A4)	
				Martins Creek	Appendix C PCB (A4), Appendix E Station 04	Flow Alterations (A3)

PADEP states that Tullytown Borough is required to prepare the following:

- PCM – Delaware River and Martins Creek for PCB (mapping is due 9/30/2019)
- PRP – Martins Creek for Siltation (due with NOI and achieve pollutant load reduction within 5 years of DEP's approval of coverage)



Pollutant Reduction Plan

Each MS4 PRP must include the following Required PRP Elements:

- Section A: Public Participation
- Section B: Map
- Section C: Pollutants of Concern
- Section D: Determine Existing Loading for Pollutants of Concern
- Section E: Select BMPs to Achieve the Minimum Required Reductions in Pollutant Loading
- Section F: Identify Funding Mechanisms
- Section G: Identify Responsible Parties for Operation and Maintenance (O&M) of BMPs



Pollutant Reduction Plan Information

DESCRIPTION	VALUE	UNIT
PRP Planning Area	24	acres
Existing Sediment Load	26,133	lb/year
Required Sediment Pollutant Load Reduction Percentage	10%	%
Minimum Required Pollutant Load Reduction	2,613	lb/year
Proposed Sediment Load Reduction from BMP 2	3,710	lb/year



Best Management Practices (BMPs)

BMP Effectiveness Values Table outlines possible selected BMPs to achieve required minimum reductions:

- Water Quality Filter/
Hydrodynamic Device



Help Keep our Waterways Cleaner



Delaware River

