

TULLYTOWN BOROUGH COUNCIL MEETING

March 5, 2019

President, Nina Chrzanowski called the meeting of the Tullytown Borough Council to order on Tuesday, March 5, 2019 at 7:00 p.m.

Mrs. Chrzanowski asked for a moment of silence for John Atkins, longtime resident of Tullytown Borough who passed away at the age of 81 and for Kelly Cutchineal Hendryx who was the daughter of the Mayor and was active at many Borough events. Kelly was born in Korea and lived her life on Pond Street. She passed away at the age of 38.

Present at the meeting:

Mayor Cutchineal—absent due to death in family

Councilwoman Gahagan

Councilwoman Kettler

Councilwoman Slemmer

Councilman Pirolli

Councilman Shellenberger—absent due to illness

Councilwoman Johnson

Councilwoman Chrzanowski

Also present:

Thomas J. Walsh, Borough Solicitor

Andy Warren, Borough Coordinator

Daniel Doyle, Chief of Police

Dan Pasciullo, Fire Marshal

Joe McPadden, Borough Treasurer

Nancy Conner, Borough Secretary

PUBLIC COMMENT

Bobby DePalo, 383 Main Street Tullytown had some questions regarding 391 Main Street, Tullytown. She commented that in the last couple of weeks they are doing some renovations on the house and she was concerned if inspections are being done and if everything is up to code. She said that house is not livable—should be condemned—she commented that she saw they took trees down also.

Mr. Warren advised that representatives of the Borough have gone before our District Justice with the property owner for the same reason that Mrs. DePalo has addressed. He indicated that since that hearing in mid-February, the owner of the property has gotten

certified contractors, engineers, to address the issues with the Judge's oversight. He added that our Borough inspectors are continuing with follow-up. This is a step by step process by the Borough with the backing of the District Justice office. Mr. Warren advised this is for the exterior of the property. He added that the interior will be addressed at a later date.

Aaron Cohen, Chief of Tullytown Fire Co advised that the Fire Company has smoke detectors for free from Operation Save a Life Program. He added that if anyone needs them, please contact the Fire Company. Chief Cohen also advised that residents should be changing their batteries this weekend with the daylight savings time this weekend.

Mike Hammar, 237 Kenwood Drive S, Levittown, Vice President of Fire Company, advised that the Fire Company is holding a fund raiser March 22nd which is a "Sip and Paint" beginning at 7:00 p.m. He added that tickets are available—it's BYOB.

Rick Johnson 347 Main Street, Tullytown, commented that he is sure everyone is aware about the Elcon meeting in Falls Township this evening. Mr. Johnson doesn't remember if a few years back the Borough took a stance on it. He advised the route of travel to bring hazardous materials to Elcon is coming right through Tullytown Borough on Rt. 13. He added there is 600 plus chemicals they can apply for to take to the location and commented they have applied for over 500 chemicals.

Mrs. Johnson asked if Council is going to do anything about bringing chemicals into Tullytown. She asked if we could send a letter. Mr. Pirolli commented that we could look back to see if we voiced our opinion.

Miss Slemmer commented that the Borough should have been notified.

Council asked Mr. Warren to look into this matter. Mr. Warren commented that from previous experience, a municipality will not be able to stop a state taxpayer from using a state highway. Mr. Warren commented that the local police could not stop that either. He did say that Council can take a stand on the position.

Fire Chief Aaron Cohen explained the route would be coming up I95, down Rt. 413, up Rt. 13 to Tyburn Road to the industrial park. He added it is not going through Main Street.

Chief Doyle advised that Rt. 13 as well as Main Street are both state highways.

SOLICITORS REPORT ON EXECUTIVE SESSION

Mr. Walsh advised that council met in executive session to discuss a personnel matter.

COUNCIL MINUTES

February 5, 2019 Council Meeting

Mrs. Johnson made a motion to approve the minutes of the February 5, 2019 Council meeting, seconded by Mr. Pirolli.

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

February 19, 2019 Work Session

Mr. Pirolli made a motion to approve the minutes of the February 19, 2019 Work Session, seconded by Ms. Gahagan.

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

TREASURER'S REPORT

MONTHLY BILLS

Mr. Pirolli made a motion to approve the bills in the amount of \$41,711.24, seconded by Miss Slemmer.

Roll Call vote was taken:

Ms. Gahagan—for

Mrs. Kettler—for

Miss Slemmer--for

Mr. Pirolli—for

Mrs. Johnson--for

Mrs. Chrzanowski-for

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

RECONCILIATION STATEMENT

Mr. Pirolli made a motion to approve the Reconciliation Statement for February, 2019, seconded by Miss Slemmer.

Roll call vote was taken:

Ms. Gahagan—for

Mrs. Kettler—for

Miss Slemmer--for

Mr. Pirolli—for

Mrs. Johnson--for

Mrs. Chrzanowski-for

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

AUTHORIZE TRANSFER OF FUNDS VIA RESOLUTION #410

Mr. McPadden advised this resolution is to approve \$250,000 transfer; however, if tax revenue comes in soon, he will not have to withdraw the funds.

Miss Slemmer made a motion to adopt Resolution #410 authorizing the transfer of funds in the amount of \$250,000 from Sterling Advisors and PLGIT to the General Fund, seconded by Mrs. Kettler.

Mrs. Johnson commented that we just took out \$250,000 last month from investments. Mr. McPadden stated that if you look at the budget you will see the deficit and how much money will be needed each month.

The vote of Council was as follows:

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

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

COMMUNICATIONS

Mrs. Conner advised that she received a thank you from St. Michael’s School for the D.A.R.E. graduation donation that Council issued to them.

She also read a note from Mayor Cutchineal thanking the residents and Borough government family for all the food, cards, gifts, flowers and visits that has helped them get through the pain of losing their daughter, Kelly. He added that the comfort they received from everyone will never be forgotten.

GENERAL BUSINESS

HIRING 1 PART-TIME POLICE OFFICER--CONSIDERATION

Chief Doyle advised that he would like Council to consider hiring Robert Luna as a part-time police officer. Chief Doyle advised that Mr. Luna is currently a full-time officer in Morrisville Borough. Chief advised that he would like Mr. Luna hired solely for the purpose of handling commercial motor vehicle enforcement.

Mrs. Johnson asked what happened to the other police officer that we hired for this purpose. Chief Doyle advised that officer is retiring.

Mrs. Johnson made a motion to hire Robert Luna as a part-time police officer, seconded by Mr. Pirolli.

The vote of Council was as follows:

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

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

HIRING 2 CROSSING GUARDS—CONSIDERATION

Chief Doyle advised that a crossing guard resigned and he would like Council to consider hiring two (2) substitutes; namely, Linda Hendershot and Tracy Hammond.

Mrs. Johnson made a motion to hire Linda Hendershot as crossing guard, seconded by Mr. Pirolli.

The vote of Council was as follows:

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

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

Mr. Pirolli made a motion to hire Tracy Hammond as crossing guard, seconded by Ms. Gahagan.

The vote of Council was as follows:

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

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

AWARD BID FOR FORD F550 SUPER DUTY TRUCK—CONSIDERATIONS

Chief Doyle advised that Council authorized the advertisement of the 2008 Ford F550 Super Duty Truck. He stated it was advertised on Municibid which was authorized by Council as one of the sites. He advised the winning bid of \$20,000 was submitted by Mr. Robert Greenland of Clearfield, Pennsylvania.

Mr. Pirolli made a motion to accept the bid of \$20,000 by Mr. Robert Greenland of Clearfield, Pennsylvania, seconded by Mrs. Johnson.

The vote of Council was as follows:

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

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

A motion was made by Mr. Pirolli to authorize the Borough Coordinator to sign and effectuate all paperwork necessary to finalize that transaction, seconded by Ms. Gahagan.

The vote of Council was as follows:

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

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

AUTHORIZE SOLICITOR TO DRAFT AND ADVERTISE PROPOSED ORDINANCE REGARDING THE REGULATION AND PLACEMENT OF DUMPSTERS

Mr. Walsh advised that late last week it was brought to his attention that the Borough may or may not have had an ordinance or any provision in its code of ordinances that would regulate large commercial dumpsters that are either placed in the street or on a property in connection with a construction project—a large commercial dumpster for that purpose.

Mr. Walsh advised that some of the staff put together an ordinance used by another municipality. Mr. Walsh advised it would be best to have something more specific to address this issue.

A motion was made by Mrs. Kettler to authorize the solicitor to research and prepare an ordinance regulating placement of dumpsters in the Borough. Mr. Pirolli seconded the motion.

The vote of Council was as follows:

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

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

APPROVE WORDING ON BPT AND MERC TAX RETURN FORM

Mr. Walsh advised that the recommended Business Privilege Tax and Mercantile tax form that came from the Borough auditors had some verbiage at the bottom which Council authorized the form as modified once the language agreed with the ordinance. He added that Council approved the form and the notice below that form was conditionally approved once the staff and Mr. Walsh reviewed to make sure it meets with our ordinance. Mr. Walsh advised that it is consistent—it was compared to the ordinance and it is okay for approval.

Mr. Pirolli made a motion to approve the wording on the bottom of the Business Privilege Tax and Mercantile Tax form.

The vote of Council was as follows:

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

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

RESOLUTION—ENTERPRISE ZONE—CONSIDERATION

Mr. Warren advised this resolution was passed unanimously 10 years ago in cooperation with other Lower Bucks municipalities, specifically, Bensalem, Bristol Borough, Bristol Township, Falls Township, Morrisville, Penndel and Tullytown Borough.

Mr. Warren explained that this resolution of an enterprise zone allows businesses who might want to locate in any one of those municipalities the opportunity to apply for tax credits at the state level for grants, loans, etc. to improve their businesses. He added that it does not relieve the businesses from paying local or state taxes but it does give a break to obtain funding from the state to improve one's business.

Ms. Gahagan asked Mr. Warren if he knew of any businesses that have used this. She added that as far as she knows, none of the businesses have been offered anything. Ms. Gahagan commented that when this first came about we were advised it would help businesses get low interest loans to improve and she has asked several businesses in town and they have never been approached or informed.

Mrs. Johnson commented that if businesses are applying for state grants, it is up to them to do that. Mr. Warren added that the business would have to contact the state to take advantage of the tax credits.

Ms. Gahagan commented that businesses need to be made aware of this. Mr. Warren advised that we will try to make businesses aware this so they may benefit.

Mr. Warren advised that he spoke with member of the Redevelopment Authority who was 90% sure that the new owner of the Courier Times building applied for this funding to make improvements.

Mrs. Kettler asked if this is for any business that someone wants to open in the Borough and to improve their current business. Mr. Warren advised that is correct.

Mrs. Kettler then made a motion to adopt Resolution #411, authorizing submission of an application for designation of an enterprise zone on behalf of the Borough of Tullytown. Miss Slemmer seconded the motion.

The vote of Council was as follows:

Ms. Gahagan—against
Mrs. Kettler—for
Miss Slemmer--for
Mr. Pirolli—for
Mrs. Johnson—for
Mrs. Chrzanowski-for

The vote of Council was 5 in favor, 1 against; the motion carried.

PERSONNEL ISSUE—CONSIDERATION

Mr. Warren advised that the position of Borough Clerk at one time was a full-time position. He added it has now been reduced to under 30 hours per week; however, the responsibilities have not been reduced—they are the same. He commented that with new additions to our staff, the responsibilities have increased.

Mrs. Kettler made a motion to increase the hourly rate of the Borough Clerk to \$17.00 per hour. Miss Slemmer seconded the motion.

The vote of Council was as follows:

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

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

BOROUGH PICNIC EXPENSES--CONSIDERATION

Mrs. Conner advised she has some picnic expenses finalized as follows:

WitzEnd Band - \$900.00

United Site Services (portable toilets) - \$2,636.96

Mrs. Conner advised that she sent a letter to Waste Management requesting a donation as they have done in the past. She added that in past years the donation was \$1,500—she is waiting to hear from them.

Pony Express - \$3,450.00

Mr. Pirolli made a motion to approve the expenses Mrs. Conner stated above. Mrs. Johnson seconded the motion.

The vote of Council was as follows:

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

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

COMMITTEE REPORTS

No Reports

BOROUGH REPORTS

MAYOR'S REPORT

No Report

SOLICITOR'S REPORT

Mr. Walsh advised the Zoning Hearing Board reconvened on February 25th regarding the continued application involving 1 Fallsington Avenue. Mr. Walsh indicated that the applicant sought a variance to convert the existing office building into a “single family dwelling” in which they were going to run a sober house. Mr. Walsh added that there were multiple areas of relief they needed from the zoning ordinance. Mr. Walsh advised that the Zoning Hearing Board denied that application. He added the Zoning Hearing Board has 45 days to issue a written decision—once issued, the applicant would have the ability to appeal it 30 days from when the decision is made.

COORDINATOR'S REPORT

Mr. Warren advised that at last month's meeting a resident questioned if the Borough was going to be sealing cracks on the roads. Mr. Warren advised that public works will be conducting the crack sealing program in the spring.

Mr. Warren also mentioned that on February 24th we had a wind storm that did some damage in the Borough particularly at the end of Oxford Avenue where a tree came down and took down some wires and was blocking any tractor trailer access to the businesses at the end of the street. Mr. Warren advised that the public works contacted a tree company who took the tree down—called PECO to take care of the live wire.

Mr. Warren advised that the Bucks County Borough's Association has monthly meetings with the Boroughs in the County. He added that this month's dinner meeting has a topic of discussion which has a panel on volunteer firefighters. Mr. Warren commented that throughout Pennsylvania there is a crisis of dwindling men and women who are volunteering to be firefighters. He added

that the speakers at that meeting are vice president of Doylestown Fire Company, president of Yardley-Makefield Fire Company and president of Quakertown Fire Company. He is extending this invitation and thought it would be appropriate if one or two members of our Fire Company would attend.

Ms. Gahagan asked if the meeting was opened to bring others because in the past, she was told these meetings were only for elected officials. Mr. Warren advised they said that it would be acceptable.

CHIEF'S REPORT

Chief Doyle advised he had no further report this evening.

FIRE MARSHAL'S REPORT

Mr. Pasciullo advised that he distributed his report to Council previously. He did comment that there is a shortage of volunteer firefighters and this meeting with the Bucks County Borough's Association is to educate the elected officials of this crisis and how they are going to handle it.

MISCELLANEOUS COUNCIL BUSINESS

Mr. Pirolli mentioned to Mr. Warren that there is a street light out on Wood Street and Pond Street and also street light out on 477 Lovett Avenue.

Mrs. Johnson also mentioned to Mr. Warren that there is a street light out on Leaf Lane in Levittown. Chief Doyle advised he will have officer ride around tonight to see if any other street lights are out.

Karen Cohen, 548 Keating Drive, Yardley, advised the dumpster on Stream Lane doesn't affect her personally but she asked if the truck parked there in front of the dumpster is being ticketed as it was parked there during the snow storm. Chief Doyle advised that everyone who left vehicles on the roadways during the last snow storm should be receiving paperwork in the mail.

Mrs. Cohen commented that she knows the ordinance will take time to be adopted but she asked if someone could reach out to the contractor to see if the dumpster could be moved to the driveway so neighbors could get out of their driveway easier. Mr. Warren advised that the Borough did speak to the contractor.

Bernadette Hart, 50 Stream Lane, Levittown, also discussed the dumpster on the street on Stream Lane. She asked if the proposed ordinance will state a time frame so owners can have a reasonable time to have their improvements completed.

Mrs. Kettler stated she has some concerns on the reconfiguration of the SEPTA parking lot. She asked if our Borough engineer, Chief of Police and Coordinator look into that entrance and exit at Fallsington Avenue. She commented that she doesn't know how 2 cars can get in and out of that lot—she is foreseeing a dangerous situation. Mrs. Kettler would like Council to go on record to look into this and wants it to be safe.

Chief Doyle commented that he will look at this parking lot entrance tomorrow and advise.

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 7:45 p.m.

Respectfully submitted,



Nancy Conner
Borough Secretary