

TULLYTOWN BOROUGH COUNCIL MEETING

May 7, 2019

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

Present at the meeting:

Mayor Cutchineal

Councilwoman Gahagan

Councilwoman Kettler

Councilwoman Slemmer

Councilman Pirolli

Councilman Shellenberger

Councilwoman Johnson

Councilwoman Chrzanowski

Also present:

Thomas J. Walsh, Borough Solicitor

Andy Warren, Borough Coordinator

Andrew Bunda, Sgt, Police Department

Dan Pasciullo, Fire Marshal

Joe McPadden, Borough Treasurer

Nancy Conner, Borough Secretary

COMMENDATION

Mayor Cutchineal presented a commendation to Sgt. Bunda to the Police Department for their participation and commitment to the welfare and safety of the community. He presented a distinguished unit citation for all of the good works the past couple of years.

PUBLIC COMMENT

Tim Damiani, Lt. Tullytown Fire Company, announced the Fire Company's 5K run and 1 mile walk in correlation with the 100th anniversary of the Fire Company. He advised the event will be held on Sunday, June 23rd.

SOLICITOR'S REPORT ON EXECUTIVE SESSION

Mr. Walsh advised that Council held executive session this evening at 6:30 p.m. to discuss personnel matter. He advised Council also met in a separate executive session on Monday, April 29th also to discuss personnel matter. He added there was no public meeting after that executive session and no action was taken.

COUNCIL MINUTES

April 2, 2019 Council Meeting

Mr. Shellenberger made a motion to approve the minutes of the April 2, 2019 Council meeting, seconded by Mr. Pirolli.

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

TREASURER'S REPORT

MONTHLY BILLS

Mr. Pirolli made a motion to approve the bills in the amount of \$37,509.81, seconded by Miss Slemmer.

Roll Call vote was taken:

Ms. Gahagan—for

Mrs. Kettler--for

Miss Slemmer--for

Mr. Pirolli—for

Mr. Shellenberger--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 April, 2019, seconded by Miss Slemmer.

Roll Call vote was taken:

Ms. Gahagan—for

Mrs. Kettler--for

Miss Slemmer--for

Mr. Pirolli—for

Mr. Shellenberger--for

Mrs. Johnson--for

Mrs. Chrzanowski--for

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

COMMUNICATIONS

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

GENERAL BUSINESS

ZONING HEARING DISCUSSION—50 SERPENTINE LANE

Mr. Walsh advised this matter is scheduled before the Zoning Hearing Board on May 22, 2019. Mr. Hemang Ravel, owner of 50 Serpentine Lane, Levittown was present to explain his variance request and discuss with Council. Mr. Ravel advised that he wants to put a shed on his property and is seeking variance.

After discussion, Council had no questions or concerns regarding the request. Council took no position on this matter.

ZONING HEARING DISCUSSION—HAPPY TEETH, LEVITTOWN TOWN CENTER

Mr. Walsh explained that this matter will also go before the Zoning Hearing Board at its May 22nd meeting. Bob Wurz, Wurz Sign Company was present to discuss his variance request with Council. He added they are proposing to put a sign on the back of their building and are seeking a variance.

After discussion and questions, Council expressed no concern on the variance request. Council took no position on this matter.

2018 AUDIT—PRESENTATION

Mr. Peter Place of Lopez, Teodosio & Larkin, LLC, presented the 2018 audit to Council. He advised that he distributed a “findings” letter to Council as well.

Mr. Place advised they issued a clean “opinion” on the audit. He did mention that they do have a few recommendations that Council and management should consider on possibly implementing:

1. The whistle blower policy
2. The segregation of duties
3. Accounting procedures manual

Mr. Walsh advised that Council has now implemented that whenever the treasurer needs to do a transfer of funds, Council will approve by resolution in advance. He added that if it is not approved in advance because of timing, it is ratified the following month.

Mrs. Kettler made a motion to add a 3rd person, borough coordinator, as a signor on checks and to have the coordinator bonded. Mrs. Johnson seconded that motion.

Roll Call vote was taken:

Ms. Gahagan—for

Mrs. Kettler--for

Miss Slemmer--for

Mr. Pirolli—for

Mr. Shellenberger--for

Mrs. Johnson—for

Mrs. Chrzanowski--for

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

Mrs. Kettler then made a motion to develop an accounting procedures manual, in the event Mr. McPadden is not available to carry out the duties, so we have procedures in place and those policies are covered. Mr. Shellenberger seconded the motion.

Roll Call vote was taken:

Ms. Gahagan—for

Mrs. Kettler--for

Miss Slemmer--for

Mr. Pirolli—for

Mr. Shellenberger--for

Mrs. Johnson—for

Mrs. Chrzanowski--for

The motion carried with a unanimous vote in favor.

Mr. Peter Place explained the 2018 audit to Council. Mr. Warren asked if the pages can be numbered next year's audit. Mr. Place advised that will be done.

A motion was made by Mr. Pirolli to accept the 2018 audit, seconded by Mr. Shellenberger.

Roll Call vote was taken:

Ms. Gahagan—for

Mrs. Kettler--for

Miss Slemmer--for

Mr. Pirolli—for

Mr. Shellenberger--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 advertise the 2018 audit, seconded by Mr. Shellenberger.

Roll Call vote was taken:

Ms. Gahagan—for

Mrs. Kettler--for

Miss Slemmer--for

Mr. Pirolli—for

Mr. Shellenberger--for

Mrs. Johnson--for

Mrs. Chrzanowski—for

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

Miss Slemmer asked about the whistle blower policy and questioned if a motion should be made. Mr. Warren advised that it's being worked on at this time.

PRESENTATION—MS4 STORMWATER MANAGEMENT

Samantha Brinker, Gilmore & Associates, updated Council on the Borough's stormwater management program. She advised that DEP requires the Borough to obtain a general permit for stormwater discharges (known as MS4). She added that the Borough applied for the general permit in September 2017 and was issued permit from DEP on May 14, 2018. Ms. Brinker advised that along with the permit, DEP requires an annual presentation for public education and she added there is more information on Tullytown Borough's website for the residents. Ms. Brinker indicated that along with permit requirements, a pollutant reduction plan was proposed and a rain garden and vegetative swale were also proposed to reduce sediment to Martin's Creek. She added that Gilmore obtained partial funding through the Growing Greener grant in order to construct the rain garden and vegetative swale. Ms. Brinker advised that Council will need to consider the resolution to apply to the Watershed restoration protection program for the rest of the funding that is needed to construct the rain garden and vegetative swale.

Mrs. Kettler asked if Gilmore Associates is doing any other grants for other municipalities. Ms. Brinker advised that last year they obtained grant for Morrisville Borough.

RESOLUTION—APPLICATION FOR WRPP GRANT FOR BOROUGH RAIN GARDENS— CONSIDERATION

A motion was made by Mrs. Kettler to adopt Resolution #415, seconded by Miss Slemmer.

Roll Call vote was taken:

Ms. Gahagan—for

Mrs. Kettler--for

Miss Slemmer--for

Mr. Pirolli—for

Mr. Shellenberger--for

Mrs. Johnson--for

Mrs. Chrzanowski--for

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

AUTHORIZE SOLICITOR TO ADVERTISE PROPOSED DUMPSTER ORDINANCE

Mr. Walsh explained the proposed ordinance to Council which he advised that he drafted upon Council's request. He further advised the proposed ordinance was distributed to the staff and Council for their review.

A motion was made by Mr. Shellenberger to authorize the solicitor to advertise the proposed dumpster ordinance, seconded by Mrs. Kettler.

Roll Call vote was taken:

Ms. Gahagan—for

Mrs. Kettler--for

Miss Slemmer--for

Mr. Pirolli—for

Mr. Shellenberger--for

Mrs. Johnson--for

Mrs. Chrzanowski--for

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

AUTHORIZE SOLICITOR TO ADVERTISE PROPOSED UCC ORDINANCES

Mr. Walsh indicated that anytime the Uniformed Construction Code Ordinance is amended, a copy of the proposed ordinance should be sent to the Department of Labor and Industry 30 days in advance of the hearing. He added that Borough Council will have the public hearing at the July meeting.

A motion was made by Mr. Shellenberger to authorize the solicitor to send proposed ordinance to the Department of Labor and Industry. Mr. Pirolli seconded the motion.

Roll Call vote was taken:

Ms. Gahagan—for

Mrs. Kettler--for

Miss Slemmer--for

Mr. Pirolli—for

Mr. Shellenberger--for

Mrs. Johnson--for

Mrs. Chrzanowski--for

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

Regarding the July Council meeting, Mrs. Kettler made a motion to change the date of meeting from July 2nd to July 9th. Mr. Shellenberger seconded the motion.

Roll Call vote was taken:

Ms. Gahagan—for

Mrs. Kettler--for

Miss Slemmer--for

Mr. Pirolli—for

Mr. Shellenberger--for

Mrs. Johnson--for

Mrs. Chrzanowski--for

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

WEBSITE RENEWAL PROPOSAL

Mrs. Conner advised that the proposal from BizProMedia for maintaining our website is \$1,950 per year. She advised that amount has not increased since last year.

A motion was made by Mrs. Kettler to accept the proposal of BizProMedia in the amount of \$1,950 to maintain our Borough website. Ms. Gahagan seconded the motion.

Roll Call vote was taken:

Ms. Gahagan—for

Mrs. Kettler--for

Miss Slemmer—for

Mr. Pirolli—for

Mr. Shellenberger--for

Mrs. Johnson--for

Mrs. Chrzanowski—for

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

HIRE PART-TIME POLICE OFFICER

Sgt. Bunda was present in Chief Doyle's absence. Sgt. Bunda stated that our Police Department lost 2 part-timers and is requesting that Council hire 2 part-time officers this evening; namely, Andrew Houser and Jaime Valeriano, who were both previously employed by the Borough.

Mr. Pirolli made a motion to hire Andrew Houser as part-time police officer, seconded by Mr. Shellenberger.

Roll Call vote was taken:

Ms. Gahagan—for

Mrs. Kettler--for

Miss Slemmer--for

Mr. Pirolli—for

Mr. Shellenberger--for

Mrs. Johnson--for

Mrs. Chrzanowski--for

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

A motion was made by Mrs. Johnson to hire Jaime Valeriano as part-time police officer for Tullytown Borough. Mr. Shellenberger seconded the motion.

Roll Call vote was taken:

Ms. Gahagan—for

Mrs. Kettler--for

Miss Slemmer--for

Mr. Pirolli—for

Mr. Shellenberger--for

Mrs. Johnson--for

Mrs. Chrzanowski--for

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

COMMITTEE REPORTS

No Reports

BOROUGH REPORTS

MAYOR'S REPORT

Mayor Cutchineal advised that Primary Election Day is Tuesday May 21st.

He also mentioned our Memorial Day Services will be held on Saturday, May 25th -- 9 am at the monument at Fallsington and Main and then headed to the Tullytown Cemetery. He reminded everyone there is no parade this year.

SOLICITOR'S REPORT

Mr. Walsh advised that we have been represented in a Workers' Compensation matter by attorneys in Philadelphia assigned by our insurance carrier. The attorneys recently advised they had mediation and settled not just the workers' comp case but all terms related to employment of the individual who is out on workers' compensation. Mr. Walsh added that he cannot go into detail; however, Council is aware of the details. Mr. Walsh indicated that because of the timing, he would like to ask Council for tentative authorization to approve the workers' compensation and any other aspects of the employment arrangement with the individual who is on workers' comp. and authorize the president of Council to sign it once it has been approved by the solicitor, coordinator and workers' compensation attorneys.

Regarding the individual who is on workers' compensation, Mr. Pirolli made the motion to authorize Council president to sign once the workers' compensation and any other aspects of the employment arrangement has been approved by solicitor, coordinator and workers' compensation attorneys. Mrs. Johnson seconded the motion.

Roll Call vote was taken:

Ms. Gahagan—for

Mrs. Kettler--for

Miss Slemmer--for

Mr. Pirolli—for

Mr. Shellenberger--for

Mrs. Johnson--for

Mrs. Chrzanowski--for

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

COORDINATOR'S REPORT

Mr. Warren advised that he is meeting with SEPTA representative tomorrow morning for an update. He advised this is the 3rd representative that he will be meeting with since he has been coordinator. Mr. Warren added that he will advise Council of future updates.

Mr. Warren also mentioned that some residents have questioned grass maintenance in the Lakeside Drive area near the Center for Learning School. Mr. Warren advised he is looking into this matter.

Mr. Warren also reminded Borough residents that the brown bags they use for outside yard waste has been getting extremely heavy causing bags to rip and creating possible injury to Borough employees. He is reminding residents to be careful of the weight being put in these bags.

Ms. Gahagan suggested that we also mention this on the Borough website.

Mr. Warren also advised that he has attended 2 seminars; namely, one by the Borough's Association and Bucks County Consortium. He added that one of them was dealing with lines of responsibility with the staff, police officers and the other was emotional intelligence and how to lead employees.

Mr. Warren advised he will be away during the June meeting.

Mayor Cutchineal asked Mr. Warren if we have any information on the WAWA project. Mr. Warren advised that the solicitor, engineer and he will be meeting with WAWA representatives on site. He added that Penndot has designed curb cuts, turning radius, etc. Mr. Walsh advised we still don't have a Penndot permit. Mr. Warren commented that hopefully, he will have some answers for Council at July meeting.

Mr. Shellenberger commented on the grass cutting issue. He asked Mr. Warren if we can put a copy of the ordinance on the website and contact information for complaints, etc. Ms. Gahagan commented that she would like someone to contact PECO for both the big fields between the shopping center and Stonybrook and the field alongside of the Housing Authority for the weeds that are getting out of control.

CHIEF'S REPORT

No report

FIRE MARSHAL'S REPORT

Mr. Pasciullo advised he distributed copy of his report to Council. Mr. Pasciullo also advised that on April 15th there was a house fire at 348 wood street---He commended fire fighters station 33 and stated that they had tough conditions to get into that house---they all did a great job. Mr. Pasciullo advised that restoration has begun on their home---they are being put up by Red Cross. Mayor advised he lives close by and also agreed the Fire Company did a great job.

Mrs. Kettler asked Mr. Pasciullo if there has there been any further talk from Waste Management about the dry hydrant. Mr. Pasciullo advised he hasn't talked to Bob Jones lately. He did advise he was out with the Fire Company last Wednesday night and they did a little flow testing in the Industrial Park and they achieved about 600 gallons per minute which is not sufficient but not drastically bad for the Industrial Park. He added he is still doing research on that. He added that he already covered the entire shopping center the month of April so he will get to that matter as soon as he can.

MISCELLANEOUS COUNCIL BUSINESS

There was no miscellaneous Council business for the month.

ADJOURNMENT

There being no further business, a motion was made by Mr. Pirolli to adjourn the meeting, seconded by Mrs. Johnson.

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

The meeting was adjourned at 7:53 p.m.

Respectfully submitted,



Nancy Conner
Borough Secretary