

## **TULLYTOWN BOROUGH COUNCIL MEETING**

### **March 3, 2020**

President Nina Chrzanowski called the meeting of the Tullytown Borough Council to order on Tuesday, March 3, 2020 at 7:00 p.m. followed by the Pledge of Allegiance.

Present at the meeting:

Mayor Cutchineal

Councilman Shellenberger—absent due to illness

Councilwoman Kettler

Councilwoman Slemmer

Councilman Pirolli

Councilwoman Gahagan

Councilman Servis

Councilwoman Chrzanowski

Also present:

Thomas J. Walsh III, Esquire, Borough Solicitor

Daniel Doyle, Chief of Police

Joe McPadden, Borough Treasurer

Nancy Conner, Borough Secretary

### **PUBLIC COMMENT**

Debbie Robinson, 418 Main Street, Tullytown, discussed the U & O for 412 Main Street. She advised David Moyer and Tina Grady runs Friendship First LLC Women Sober Living Homes. She commented that there are more than several women in the home, women fighting outside. She questioned if this is a single family dwelling or a business being run.

### **COUNCIL MINUTES**

#### **February 4, 2020 Council Meeting Minutes--Approval**

Mr. Pirolli made a motion to approve the minutes of the February 4, 2020 Council meeting, seconded by Mrs. Kettler.

Roll call vote was taken:

Mrs. Kettler—for

Miss Slemmer—for

Mr. Pirolli—for

Ms. Gahagan—for

Mr. Servis—for

Mrs. Chrzanowski—for

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

## **TREASURER'S REPORT**

### **MONTHLY BILLS**

Mrs. Kettler made a motion to approve the bills in the amount of \$49,579.52, seconded by Miss Slemmer.

Roll call vote on the motion was taken:

Mrs. Kettler—for

Miss Slemmer—for

Mr. Pirolli—for

Ms. Gahagan—for

Mr. Servis—for

Mrs. Chrzanowski—for

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

### **OTHER EXPENSES PAID IN FEBRUARY, 2020**

Miss Slemmer made a motion to approve the other expenses for February, 2020 in the amount of \$225,658.85, seconded by Mr. Pirolli.

Roll call vote was taken:

Mrs. Kettler—for

Miss Slemmer—for

Mr. Pirolli—for

Ms. Gahagan—for

Mr. Servis—for

Mrs. Chrzanowski—for

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

## **RECONCILIATION STATEMENT**

Mr. Pirolli made a motion to approve the Reconciliation Statement for February, 2020, seconded by Mrs. Kettler.

Roll call vote was taken:

Mrs. Kettler—for

Miss Slemmer—for

Mr. Pirolli—for

Ms. Gahagan—for

Mr. Servis—for

Mrs. Chrzanowski—for

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

## **RESOLUTION #435 – TRANSFER OF FUNDS \$300,000—CONSIDERATION**

Miss Slemmer made a motion to adopt Resolution #435 to authorize transfer of funds in the amount of \$300,000, seconded by Mrs. Kettler.

Mr. Servis questioned why we are doing this transfer. Mr. McPadden advised that we are short of funds—he added that he will withdraw \$150,000 this week and the other \$150,000 in a few weeks which should get us through the next 6 weeks.

Mr. Servis questioned if we can take out all the funds needed at one time. Mr. McPadden commented that we will lose interest if we take out the \$2 million all at once.

Roll call vote was taken:

Mrs. Kettler—for

Miss Slemmer—for

Mr. Pirolli—for

Ms. Gahagan—for

Mr. Servis—for

Mrs. Chrzanowski—for

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**

### **ZONING DISCUSSION—8 STONYBROOK DRIVE**

Mr. Walsh advised that Patricia and Jeffrey McCullough, owners of 8 Stonybrook Drive, Levittown, are requesting a variance to erect a shed. He added they are asking for an increase in impervious surface. Mr. & Mrs. McCullough were present at the meeting to discuss.

Mr. McCullough advised that they are building a shed and asking for an increase in impervious surface from 32% to 34% to accommodate a 10 x 14 shed. Mr. McCullough advised the zoning hearing has not been scheduled as yet.

Mrs. Chrzanowski advised that she is a neighbor of the McCullough's and she has no problem with their request for variance.

Mr. Walsh advised the McCullough's that during the zoning hearing, they will be asked if there are any water run-off problems or will they create any run-off problems. He suggested that the applicant review their plans.

Mrs. Chrzanowski commented that there was a shed there before. Mr. McCullough acknowledged that. He added that he moved it off of the property line to accommodate the easement.

Mrs. Kettler commented that she had no problem with their request.

Mr. Walsh advised that Council will not take any position on this application.

### **LARGE EVENT APPLICATION—ST. MICHAEL'S CHURCH ANNUAL FAIR—CONSIDERATION**

Mrs. Conner advised that St. Michael's Parish submitted a large event application for their annual fair which will be held from June 30<sup>th</sup> to July 12<sup>th</sup>. She advised that Mr. Phillips, Chairman of the fair, was present to answer any questions. She further advised that our Chief of Police, Fire Marshal and Code Enforcement officer reviewed and approved with comments and recommendations.

Mr. Pirolli made a motion to approve the large event application with the recommendations stated for St. Mike's Fair, seconded by Mrs. Kettler.

The vote of Council was as follows:

Mrs. Kettler—for

Miss Slemmer—for

Mr. Pirolli—for

Ms. Gahagan—for

Mr. Servis—for

Mrs. Chrzanowski—for

The motion passed with a unanimous vote in favor.

**RESOLUTION #436—FIRE TAX REFERENDUM ON BALLOT—CONSIDERATION**

Mr. Walsh advised this is the public hearing that was advertised for this evening. He added that proof of publication was provided by the Bucks County Courier Times and proof was received that the resolution was sent to the Bucks County Law Library.

Mr. Walsh advised that the resolution will authorize a ballot question that will go to the voters on Primary Election Day on April 28<sup>th</sup> ...will the voters approve up to 4 mills of tax for fire purposes. Mr. Walsh advised that the State law states that the Council is permitted to enact mills dedicated for fire purposes up to 3 mills. He added that anything higher than 3 mills will have to be approved by the voters. Mr. Walsh stated that the Fire Company asked in December, 2019 if the Council would consider this ballot question.

Mr. Walsh advised the public hearing was open for comment.

Chip Vandine, 274 Lakeside Drive, president of Tullytown Fire Company advised that he supports this and wanted to let the public know why the Fire Company is asking for this. Mr. Vandine commented that because Council had to start cutting their budgets, the Fire Company's supplemental income is lower. He commented that about 4 years ago, the Fire Company was receiving approximately \$111,000 in a supplemental income besides the fire tax. He added that this year it is \$33,000 and next year he is assuming it will be zero. Mr. Vandine added that is why the Fire Company asked Council to place this question on the ballot. He is asking that public support the Fire Company in the election.

Mrs. Kettler commented that Mr. Vandine stated that the Fire Company will get nothing next year. She stated that they will get the fire tax. Mr. Vandine advised the fire tax is approximately \$53,000. Miss Slemmer asked Mr. McPadden what other money is given to the Fire Company. Mr. McPadden advised that the Fire Company will also receive the firemen's relief from the State of approximately \$14,000. Mr. Vandine commented that if anyone has any questions, they may contact him.

There were no further questions or comments; therefore, the public hearing was closed.

Mr. Pirolli made a motion to adopt Resolution #436, seconded by Ms. Gahagan.

The vote of Council was as follows:

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

The vote was 3 in favor, 3 against and the Mayor voted in favor of the motion. The motion carried.

#### **RESOLUTION #437—DISPOSAL OF CERTAIN POLICE RECORDS—CONSIDERATION**

Chief Doyle explained the resolution is to dispose of certain records in accordance with the municipal records and retention act. He added they can use the space.

Mr. Pirolli made a motion to adopt Resolution #437, disposal of certain police records. Miss Slemmer seconded the motion.

Roll call vote was taken:

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

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

#### **WATERSHED GRANT APPLICATION EXPENSE—CONSIDERATION**

Mrs. Conner advised that this is regarding the Stormwater State mandates in which the Borough will be constructing rain gardens. She added that Gilmore & Associates have applied for 2 grants so far which resulted in a cost of \$10,600. She further added that we have received \$130,000 in grant money from one of the grants, the other grant application through DCED was denied. Mrs. Conner commented that Gilmore Associates advised that they will re-apply for the grant with DCED which originally

was quoted at a cost of \$3,000 to \$4,000; however, the grant is similar to the previous grant application and the cost will be approximately \$1,000.

Mr. Pirolli made a motion to authorize Gilmore & Associates, Inc. to apply for the DCED grant with a cost not to exceed \$1,000. Miss Slemmer seconded the motion.

The vote of Council was as follows:

Mrs. Kettler—for

Miss Slemmer—for

Mr. Pirolli—for

Ms. Gahagan—for

Mr. Servis—for

Mrs. Chrzanowski—for

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

#### **AUTHORIZE SOLICITOR TO PREPARE RESOLUTION ESTABLISHING UNIFORM CONSTRUCTION CODE APPEALS BOARD**

Mr. Walsh advised that the Borough does not have a Board of Appeals for the Uniform Construction Code. He advised that there was a resolution in the past that indicates that Building Inspection Underwriters, the Borough's building inspector, was going to establish a regional board but Mr. Walsh commented that it isn't authorized under State law. He added that the Borough needs to have this appeals board. He advised the purpose of this board is if the building code official denies a permit, the applicant has a right to appeal this.

Mr. Walsh advised this board will consist of Borough residents; however, the Borough may go outside of their borders if they can't find any Borough residents. Mr. Walsh suggested the board consist of 3 to 5 members.

Mr. Pirolli made a motion to authorize the solicitor to prepare the resolution establishing the Uniform Construction Code Appeals Board. Miss Slemmer seconded the motion.

Mrs. Chrzanowski commented that if any Borough residents are interested in serving on this board, to contact Nancy Conner.



Roll call vote was taken:

Mrs. Kettler—for

Miss Slemmer—for

Mr. Pirolli—for

Ms. Gahagan—for

Mr. Servis—for

Mrs. Chrzanowski—for

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

#### **GRANT PERMISSION TO BUCKS COUNTY BOARD OF HEALTH TO TREAT FOR WEST NILE VIRUS—CONSIDERATION**

Mrs. Conner advised that the Bucks County Board of Health has asked permission of the Borough for the County to treat and test for West Nile Virus in our municipality.

Mr. Pirolli made a motion to send a letter to the Bucks County Board of Health giving permission for them to treat and test the Borough for West Nile Virus. Ms. Gahagan seconded the motion.

Roll call vote was taken:

Mrs. Kettler—for

Miss Slemmer—for

Mr. Pirolli—for

Ms. Gahagan—for

Mr. Servis—for

Mrs. Chrzanowski—for

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

#### **HIRING OF TWO (2) PART-TIME POLICE OFFICERS—CONSIDERATION**

Chief Doyle advised that Sgt. Kulan has resigned as of March 16, 2020. He asked Council if they would hire two (2) part-time officers. He advised the first officer to be hired is Joseph Parell.

Mr. Pirolli made a motion to hire Joseph Parell, seconded by Miss Slemmer.



The vote of Council was as follows:

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

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

Chief Doyle also asked Council to hire Bryanna Cochran conditional upon her passing the rest of the checks.

Mr. Pirolli made a motion to hire Bryanna Cochran as a part-time police officer, contingent upon passing of all tests, seconded by Miss Slemmer. Mr. Servis asked if this will be our second female officer. Chief Doyle advised this will be our third female police officer.

Roll call vote was taken:

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

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

#### **AUTHORIZE COUNCIL PRESIDENT TO EXECUTE PERFORMANCE AND PAYMENT BONDS-STREET LIGHT PROGRAM**

Mr. Walsh advised that the DVRPC asked the Borough to approve the performance and payment bonds that the contractor is using. He added that as soon as they are presented, they can be signed.

Mr. Pirolli made a motion to authorize Council President to execute the performance and payment bonds for the street light program, seconded by Mrs. Kettler.

The vote of Council was as follows:

Mrs. Kettler—for

Miss Slemmer—for

Mr. Pirolli—for

Ms. Gahagan—for

Mr. Servis—for

Mrs. Chrzanowski—for

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

### **PURCHASE NEW MOWER--CONSIDERATION**

Mr. McPadden advised that the Street Department will be trading in the old mower for \$3,000 which results in the cost of new mower to be \$8,800 with that trade-in.

Miss Slemmer made a motion to purchase the new mower in the amount of \$8,800, seconded by Mrs. Kettler.

Roll call vote was taken:

Mrs. Kettler—for

Miss Slemmer—for

Mr. Pirolli—for

Ms. Gahagan—for

Mr. Servis—for

Mrs. Chrzanowski—for

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

### **COMMITTEE REPORTS**

There were no reports.

### **BOROUGH REPORTS**

#### **MAYOR'S REPORT**

Mayor cautioned voters of the new voting techniques for the April 28<sup>th</sup> primary election. He added that there are videos posted on our website for review.

Mayor also offered get well wishes to George Maples.

Mayor also advised that several residents have questioned him regarding the WAWA project. Mr. Walsh advised he has heard nothing at this time. Mr. McPadden

advised he spoke with one of the attorneys at Eastburn and Gray who indicated that everything is on target.

Mayor Cutchineal also questioned the proposed truck terminal going into the old Courier Times building. Mr. Walsh indicated they pulled out.

#### **SOLICITOR'S REPORT**

Mr. Walsh indicated he had no further report for the evening.

#### **COORDINATOR'S REPORT**

Mr. McPadden advised that he and Chief Doyle met with a representative of SEPTA this week who advised that SEPTA wanted to put in a pedestrian crossing at the SEPTA station on Fallsington Avenue. Mr. McPadden commented that both he and Chief Doyle felt it was a bad idea. He added that SEPTA now advised they will make a footpath and continue it across the driveway to encourage people to down to the traffic light.

Chief Doyle recommended to Council that we could send an email to SEPTA to advise to follow the recommendations and regulations from PENNDOT.

#### **CHIEF'S REPORT**

A copy of the Police Department report was distributed to Council at the meeting.

Chief Doyle indicated that on April 25<sup>th</sup> it is National Prescription Drug Take-Back Day. He added they will be participating here in the Municipal building and at the MacIntosh Regency. Chief added that the Police Department also has a 24 hour drug take back box.

Chief Doyle advised that Council had given him the authority to sell some vehicles through Municibid. He asked if Council would consider selling vehicles indicated below:

(1) Sale of 2008 Ford F250 Super duty Truck with Plow and Lift Gate  
Winning Bidder: Hunter Materials Inc., Hackensack, NJ - \$11,600.

Mr. Pirolli made a motion to sell the 2008 Ford F250 Super duty Truck with Plow and Lift Gate to Hunter Materials Inc., Hackensack, NJ for \$11,600. Mrs. Kettler seconded the motion.

Roll call vote was taken:

Mrs. Kettler—for

Miss Slemmer—for

Mr. Pirolli—for

Ms. Gahagan—for

Mr. Servis—for

Mrs. Chrzanowski—for

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

(2) Sale of 2000 Ford Explorer (Fire Marshal's old car). Highest bidder-Robert Wilkinson, Athens, PA - \$650.

Mr. Servis made a motion to sell the 2000 Ford Explorer to Robert Wilkinson, Athens, PA for \$650. Mr. Pirolli seconded the motion.

Roll call vote was taken:

Mrs. Kettler—for

Miss Slemmer—for

Mr. Pirolli—for

Ms. Gahagan—for

Mr. Servis—for

Mrs. Chrzanowski—for

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

(3) Sale of 2009 Ford Crown Victoria. Highest bidder Karan Kumar, Neptune, NJ - \$1,100.

Mr. Pirolli made a motion to sell the 2009 Ford Crown Victoria to Karan Kumar, Neptune, NJ for \$1,100, seconded by Mr. Servis.

The vote of Council was as follows:

Mrs. Kettler—for

Miss Slemmer—for

Mr. Pirolli—for

Ms. Gahagan—for

Mr. Servis—for

Mrs. Chrzanowski—for

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

Mr. Servis made a motion to authorize Duke Snyder to process the paperwork and sign the paperwork to transfer titles. Mr. Pirolli seconded the motion.

Roll call vote was taken:

Mrs. Kettler—for

Miss Slemmer—for

Mr. Pirolli—for

Ms. Gahagan—for

Mr. Servis—for

Mrs. Chrzanowski—for

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

#### **FIRE MARSHAL'S REPORT**

A copy of the Fire Marshal's report was distributed to Council prior to the meeting.

#### **MISCELLANEOUS COUNCIL BUSINESS**

Ms. Gahagan advised there is a webinar next week through Pennsylvania State Association of Boroughs regarding boroughs dealing with volunteer fire companies. She asked if she and Chip Vandine can attend the webinar. There was a question about the cost. Mrs. Conner advised they usually cost \$50.00.

Mr. Servis made a motion to authorize Ms. Gahagan and Mr. Vandine to attend the webinar through PSAB, seconded by Ms. Gahagan.

Roll call vote was taken:

Mrs. Kettler—for

Miss Slemmer—for

Mr. Pirolli—for

Ms. Gahagan—for

Mr. Servis—for

Mrs. Chrzanowski—for

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

Mr. Pirolli mentioned to Chief Doyle that a few residents asked about stop signs on Lovett and Trenton Avenue. Chief Doyle advised he did a study of the area of Fallsington and Cheston Avenues and Trenton and Manor Avenues. He is

recommending stop signs be placed in those locations: north and south on Fallsington Avenue at Cheston Avenue and east at Trenton and Manor Avenues.

Mr. Walsh advised that he will have to prepare an ordinance and asked if the Chief would send him that information.

## **ADJOURNMENT**

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

The meeting was adjourned at 7:42 p.m.

Respectfully submitted,



Nancy Conner  
Borough Secretary