

TULLYTOWN BOROUGH COUNCIL MEETING

May 19, 2020

President Nina Chrzanowski called the meeting of the Tullytown Borough Council to order on Tuesday, May 19, 2020 at 7:00 p.m., via telephone conference, followed by the Pledge of Allegiance.

Mayor Cutchineal asked for a moment of silence for Bill Zuchero, Dave Phillips, Joseph Parell, Sylvester Damiani, Helen DiGiovanni, and our Fire Chief Rick Johnson who all recently passed away. Mary Ann Gahagan also mentioned that another resident, Horace Adams, passed away.

Present at the meeting:

Mayor Cutchineal

Councilman Shellenberger

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/Emergency Management Coordinator

Dan Pasciullo, Fire Marshal

Joe McPadden, Borough Treasurer

Nancy Conner, Borough Secretary

PUBLIC COMMENT

There was no comment from the public.

COUNCIL MINUTES

April 28, 2020 Council Meeting Minutes--Approval

Mr. Pirolli made a motion to approve the minutes of the April 28, 2020 Council meeting, seconded by Mrs. Kettler.

Roll call vote was taken:

Mr. Shellenberger—for

Mrs. Kettler—for

Miss Slemmer—for

Mr. Pirolli—for

Ms. Gahagan—for

Mr. Servis—for

Mrs. Chrzanowski—for

The majority 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 \$43,825.99, seconded by Miss Slemmer.

Roll call vote on the motion was taken:

Mr. Shellenberger—for

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 APRIL, 2020

Mr. Pirolli made a motion to approve the other expenses for April, 2020 in the amount of \$122,340.37, seconded by Miss Slemmer.

Roll call vote was taken:

Mr. Shellenberger—for

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.

COMMUNICATIONS

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

GENERAL BUSINESS

PUBLIC HEARING—PROPERTY ALLOCATION ORDINANCE

Mr. Walsh advised at the April 28th meeting, Council approved a partial distribution of the property allocation check. He added that the amount budgeted for 2020 year was \$2,500 but \$1,000 was approved to distribute at this time in order to help property owners during this pandemic.

The public hearing was opened. Mr. Joe McPadden advised that checks were sent out last Monday. There were no comments from the public; therefore the public hearing was closed.

Mr. Pirolli made a motion to adopt Ordinance #395, Property Improvement Allocation Ordinance for 2020 year, seconded by Ms. Gahagan.

Roll call vote was taken:

Mr. Shellenberger—for

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 SOLICITOR TO ADVERTISE RESOLUTION CREATING UCC APPEALS BOARD

Mr. Walsh explained that in March this year, Council directed that we needed to reconstitute the UCC Board of Appeals. Mr. Walsh advised that after this board is created, Council can appoint between 3-5 members—possibly residents of Tullytown or neighboring municipality who has some construction experience.

Mr. Pirolli made a motion to authorize the solicitor to advertise the resolution creating the UCC Appeals Board. Mrs. Kettler seconded the motion.

Roll call vote was taken:

Mr. Shellenberger—for

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.

Mr. Walsh advised that once the resolution is adopted, Council will need to find volunteers. Mrs. Chrzanowski commented that Mrs. Conner can advertise via social media.

MEMORANDUM OF UNDERSTANDING—BOROUGH CLERK HOURS IN CBA—CONSIDERATION

Mr. Walsh advised that the clerk position is part of non-uniformed Union. He added the non-uniformed collective bargaining agreement is in place through December 2021. Mr. Walsh advised that about a year ago, the Borough clerk rate was raised to \$17 per hour for 2020, where the CBA provides for a lower hourly rate. He added that the CBA presently states 4 hours per day for the part-time clerk position without a paid lunch; however, the position has evolved to 6 hours per day with a half-hour paid lunch. Both of these changes can be approved by Memorandum of Understanding under the CBA between the Borough and the non-uniformed Union. Mr. Walsh advised that AFSCME representative and Union were notified of this proposed change, and they have approved the draft Memorandum of Understanding.

Mr. Pirolli made a motion to approve the Memorandum of Understanding to change the Borough Clerk hours to 6 hours per day including a half-hour paid lunch, and setting the hourly rate of \$17/hour for 2020 in the non-uniformed collective bargaining agreement. Mrs. Kettler seconded the motion.

Roll call vote was taken:

Mr. Shellenberger—for
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 SOLICITOR TO ADVERTISE AUXILIARY POLICE ORDINANCE

Mr. Walsh advised that Chief Doyle desires auxiliary police to assist the regular police—they would serve at the direction of the Chief after appointed by Council, when the auxiliary is activated by the Mayor. Mr. Walsh added that these are volunteers, and that they are only activated when Chief requires either for emergency or other reason.

Mr. Servis asked if we are liable for these individuals. Mr. Walsh advised yes the Borough would be liable—essentially covered like they are employees. He added they would fall under our liability insurance policies just like other Borough volunteers. Mr. Walsh was not sure if they were considered Borough employees for purposes of workers' compensation like members of the volunteer fire company. Both Mr. Walsh and Chief Doyle advised they will look into these matters.

Mr. Pirolli made a motion to have the solicitor advertise the proposed ordinance creating auxiliary police force for public hearing at the June 9th Council meeting, contingent on the findings of Mr. Walsh's and Chief Doyle's research on liability coverage and workers' compensation status for the volunteers. Mrs. Kettler seconded the motion.

Roll call vote was taken:

Mr. Shellenberger—for

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.

BIZPROMEDIA ANNUAL WEBSITE HOSTING AGREEMENT—CONSIDERATION

Mrs. Conner advised that the annual agreement with BizProMedia is due for renewal. She added that this company hosts our website, updates software, works with her in help with some updating and changes to site. She advised the annual fee is \$1,950 which is the same as last year.

Mr. Pirolli made a motion to approve the annual webhosting agreement with BizProMedia in the amount of \$1,950.00 seconded by Mrs. Kettler.

Roll call vote was taken:

Mr. Shellenberger—for

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 Cutchineal advised that the Memorial Day parade is cancelled. He did announce that morning services will be held at 9:00 am this Saturday, May 23rd at the Main Street/Fallsington Avenue monument and proceeding to the Tullytown Cemetery. He advised that residents are welcome but asked to wear masks and observe self-distancing.

Mayor also advised that June 2nd is Election Day. He added that voters can use the mail by vote—they have until May 26th to apply for mail-in ballot.

SOLICITOR'S REPORT

Mr. Walsh advised that he and Ms. Conner had addressed some questions raised by the State Auditor General's office regarding the two (2) Borough pension plans. Council had taken action in 2016 to address comments previously raised by the auditors regarding the discrepancies between the police pension plan and the police CBA. Mr. Walsh advised that the auditor general's office appeared satisfied with the explanation.

Mrs. Kettler asked Mr. Walsh if he has done any research on the audit of the Tullytown Fire Company. Mr. Walsh advised not at this time.

INTERIM BOROUGH COORDINATOR'S REPORT

Mr. McPadden had no further report. He did advise that many residents called thanking Council for the property allocation checks. Mrs. Kettler thanked Joe McPadden and Nancy Conner for getting the checks out quickly. She also thanked Mrs. Chrzanowski for helping out.

CHIEF'S REPORT

Chief Doyle advised that Camping with the Cops will be cancelled due to the pandemic.

He also asked Council to start thinking about town picnic. He advised that Mike Hammar, Park & Rec Chair, is having a hard time finding food vendors. Mike Hammar commented that he tried reaching out again to food truck vendors and everyone is up in the air due to this pandemic. Mrs. Kettler commented that she thinks we should cancel.

Mrs. Kettler then made a motion to cancel the Tullytown picnic of the year 2020. Miss Slemmer seconded the motion.

The vote of Council was as follows:

Mr. Shellenberger—for

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.

Chief Doyle also advised that there are ongoing discussions with St. Mikes regarding their annual fair. He stated that as of today St. Mike's has not made a definite decision. Chief Doyle advised the large event permit is contingent on meeting all state and county orders and guidance during the current declared state of emergency.

FIRE MARSHAL'S REPORT

Mr. Pasciullo advised there has been one fire call out for an investigation in May.

MISCELLANEOUS COUNCIL BUSINESS

There was no miscellaneous Council business.

ADJOURNMENT

There being no further business, a motion was made by Mr. Pirolli to adjourn the meeting, seconded by Mrs. Kettler. All of Council was in favor of the motion. The motion carried. The meeting was adjourned at 7:28 p.m.

Respectfully submitted,



Nancy Conner
Borough Secretary