

TULLYTOWN BOROUGH COUNCIL MEETING

September 1, 2020

President Nina Chrzanowski called the meeting of the Tullytown Borough Council to order on Tuesday, September 1, 2020 at 7:00 p.m., in the Borough municipal building.

Mayor Cutchineal asked for a moment of silence for Karen Wilson, Mary Ellen Stover and Chuck Snyder who recently 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
Dan Doyle, Chief of Police/Emergency Mgt. Coordinator
Dan Pasciullo, Fire Marshal/Interim Borough Coordinator
Joe McPadden, Borough Treasurer
Nancy Conner, Borough Secretary

Mr. Walsh advised that Council met in executive session prior to this evening's public meeting to discuss some personnel matters.

COMMENDATION

Mayor Cutchineal presented a commendation to Chief Daniel Doyle on his receiving the FBI-LEEDA Trilogy Award.

PUBLIC COMMENT

Rich Hart, 50 Stream Lane, Levittown, commented that last spring he asked about sealing the cracks in the streets. He added the cracks are getting worse and asked for an update.

Mr. Shellenberger commented that the Street Department report mentioned that we will announce our crack sealing program possibly in the fall—late September or early October. Mrs. Chrzanowski advised that the pandemic caused a lot of delays. Mr. Shellenberger added they were planning on doing it but the pandemic slowed things down.

Bill Nean, 249 Kenwood Drive South, Levittown, commented that about 2 weeks ago the street department was painting the curbs on Kenwood Drive South and he questioned what caused Council to start doing this. Mr. Shellenberger advised that he had several complaints that on the corner where it was hard to see on the North Drive when you are coming out and he addressed that issue with Chief Doyle but he thought they were going to do something with the corners. He added that he wasn't aware that they were going to paint the curbs.

Chief Dan Doyle advised that Mr. Shellenberger sent him a text and asked that the curbs be painted and Chief Doyle said he had the curbs painted. Chief Doyle commented that Mr. Shellenberger also followed up with the coordinator. Mr. Shellenberger commented he thought just the corners would be painted. Chief Doyle read the text from Mr. Shellenberger requesting the curbs be painted. He advised that Mr. Shellenberger also sent a text to the coordinator. Mr. Shellenberger commented that the complaint has always been from the neighbors that they can't see getting out of the North Drive. Mr. Shellenberger commented he told Chief several times about this. Chief Doyle advised that an officer has been out to correct this every single time—even on weekends.

Mr. Nean commented that the neighbors are not happy that the curbs were painted—no one even parks there—they aren't happy that they weren't given notice either.

Mrs. Kettler asked what precipitated this and how many accidents happened because the curbs weren't painted.

Mr. Nean explained that his son's 1st birthday was in March. He added that they had a lot of cars parked for the party at his house and twice an officer came to the door during the party to ask someone to move their car based on these complaints. Mr. Nean commented that it would have been the neighborly thing for someone to ask him themselves instead of right in the middle of singing happy birthday to his son the police addressed this.

Mrs. Chrzanowski said she knew nothing about this. Mr. Servis said it should have definitely come to Council. Miss Slemmer commented that she heard about there was a party but she said it's not like they are parking on the corner all the time.

Mr. Nean commented that if the curbs have to stay painted yellow that is perfectly fine with him but he would prefer them not to be yellow but would like Council to discuss that.

Chief Doyle advised that previous times where they have had parking complaints or numerous complaints from residents in different areas of the Borough, they have done the same thing—this isn't the first time they have addressed this type of issue.

He added that Lovett Avenue is one of the issues that was raised—constant calls and complaints about the parking over there—they did the same thing—took a look at the Borough ordinance and all locations where there is “no parking”, the curbs were painted yellow.

Mrs. Chrzanowski added that on Stonybrook Drive around the bend it is also painted yellow.

Chief Doyle advised that since the curbs have been painted the police haven't been called out there so it must be working.

Mr. Shellenberger advised a few neighbors on Kenwood Drive South have complained to him. Mrs. Chrzanowski asked if anyone called the Borough and complained. Mr. Pasciullo advised we have not received any complaints at the Borough. Mr. Shellenberger commented that he has complained to Chief Doyle and texted him. He said they also had a problem with the boat there as well. Mr. Pasciullo added that Mr. Shellenberger asked him to have the street department paint curbs because he didn't hear from Chief Doyle.

Chief Doyle advised that the complaint came in on a Sunday. He added that Monday morning he went out with the public works foreman and did a complete evaluation of that area—they replaced all the “no parking” signs as they were faded and not readable. They did a complete work up of the area and he sent public works out with instructions. He also notified the Coordinator/Fire Marshal of what they were doing. Chief Doyle stated if Council doesn't want him to do this in the future, he will be glad to address it with Council prior. Mr. Shellenberger commented that most of the complaints were on the weekend with parties etc. and the problem is they park too close to the corner.

Ms. Gahagan commented that it is standard if there is “no parking” they do paint the curbs yellow. Mr. Shellenberger said not the entire South Drive curve.

Mr. Pasciullo added that years ago in Levittown sections, everyone parked their car in the driveways. He added that in present time, families have 4 or 5 cars to each household. Mr. Pasciullo advised that from a fire standpoint, it's very difficult to maneuver a fire truck down there. Mr. Pasciullo added that it is a safety issue. Mr. Shellenberger said he doesn't think it's a safety issue, but if it is a safety issue—by all means do it. Chief Doyle stated that if he is wrong he will fully take responsibility for it. Chief added that if someone on Council asks him to get something done he will get it done.

Mrs. Chrzanowski asked the remainder of Council members if they knew anything about the painting of curbs. The remainder of Council commented they did not know about it.

COUNCIL MINUTES

August 4, 2020 Council Meeting Minutes--Approval

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

Roll call vote was taken:

Mr. Shellenberger—abstain as he was not present at the meeting

Mrs. Kettler—for

Miss Slemmer—for

Mr. Pirolli—for

Ms. Gahagan—for

Mr. Servis—abstain as he was not present at the meeting

Mrs. Chrzanowski—for

A 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 \$53,981.78, seconded by Mrs. Kettler.

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 AUGUST, 2020

Mr. Pirolli made a motion to approve the other expenses for August, 2020 in the amount of \$224,602.59, 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 motion carried with a unanimous vote of Council in favor.

RECONCILIATION STATEMENT

Mr. Pirolli made a motion to approve the reconciliation statement for August, 2020, 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 motion passed with a unanimous vote of Council in favor.

RESOLUTION #444 TRANSFER OF FUNDS \$200,000--CONSIDERATION

A motion was made by Mr. Pirolli to adopt Resolution #444 to transfer funds from the investments to the General Fund in the amount of \$200,000, seconded by Mrs. Kettler.

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.

COMMUNICATIONS

No communications for the month.

GENERAL BUSINESS

ACCEPTANCE OF 2019 AUDIT

Mr. Peter Place of Lopez, Teodosio & Larkin LLC advised they completed the 2019 DCED audit and presented and explained the audit to Council. A copy of the audit will be attached to the minutes.

A motion was made by Mr. Pirolli to accept the 2019 audit, 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 motion carried with a unanimous vote of Council in favor of the motion.

AUTHORIZE ADVERTISEMENT OF PROPERTY ALLOCATION ORDINANCE

Mr. Walsh explained that the 2020 budget had an authorized expenditure up to \$2,500 per property for the allocation for 2020 year. By Ordinance #395, that was adopted back in May 19, 2020, Council authorized partial distribution in the amount of \$1,000 of that

\$2,500 budgeted amount. Mr. Walsh advised that if Council is considering distributing the balance of the authorized expense, they could authorize up to a distribution of \$1,500 per property with a public hearing to be held on October 6, 2020 to adopt that ordinance.

Mr. Pirolli made a motion to authorize solicitor to advertise the proposed property allocation ordinance for a public hearing on October 6, 2020 to consider distributing \$1,500 per property. 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.

AFSCME CUSTODIAN POSITION—AUTHORIZE ADVERTISING—CONSIDERATION

Mrs. Kettler advised the Personnel Committee, with the guidance of our Borough coordinator, had a discussion and met with the Union representative regarding the Custodian position. She added that it has been presented that Council advertise for the custodian position, which has been vacated through retirement recently. She added, if Council wishes, we will advertise to hire someone for that position—they will be part of the Union and accrue vacation and sick pay.

Mrs. Kettler made a motion to authorize advertising for Custodian position, seconded by Mr. Pirolli.

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.

ONE APPOINTMENT TO PARK & RECREATION COMMITTEE—CONSIDERATION

Mrs. Conner advised that Mike Hammar's term expired on the Park & Recreation Committee and Mike is interested in being re-appointed. She added this is a 5-year term.

Mr. Shellenberger made a motion to re-appoint Mike Hammar to the Park & Recreation Committee, seconded by Mr. Pirolli.

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

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

ONE APPOINTMENT TO THE UCC APPEALS BOARD—CONSIDERATION

Mrs. Conner advised that Ray Sargeant is interested in being appointed to the Board. She advised he has experience in construction since the 90's and has had an ICC license for residential building inspection and will try to take continuing education and renew.

Mr. Pirolli made a motion to appoint Ray Sargeant to the UCC Appeals Board for a 3-year term, 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.

ONE APPOINTMENT TO THE CIVIL SERVICE COMMISSION—CONSIDERATION

Mrs. Conner advised that Mark Pirolli's term expired and Mark advised that he is not able to continue serving on the Commission. She advised that next on the list of volunteers to be appointed is Victoria Bleistein and added that this is a 6-year term.

Mr. Shellenberger made a motion to appoint Victoria Bleistein, seconded by Miss Slemmer.

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.

RESOLUTION #445 MINIMUM MUNICIPAL OBLIGATION (MMO) NON-UNIFORMED PENSION PLAN 2021—CONSIDERATION

Mr. Walsh advised that the Borough is obligated by law to announce at a public meeting what its contribution for its non-uniformed and police pension plans are for the upcoming year 2021. Mr. Walsh advised that the contribution for the non-uniformed pension plan for the 2021 year is \$85,261.52.

Mr. Pirolli made a motion to adopt Resolution #445 Minimum municipal obligation for the non-uniformed pension plan. Miss Slemmer seconded the motion.

Mrs. Kettler asked if this is a part of the Pennsylvania Economy League's recommendation. Mr. Walsh advised this is separate from that.

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.

RESOLUTION #446 MINIMUM MUNICIPAL OBLIGATION (MMO) POLICE PENSION PLAN 2021—CONSIDERATION

Mr. Walsh advised the police pension obligation for the 2021 year is estimated to be \$321,887.81.

Mr. Pirolli made a motion to adopt Resolution #446 Minimum municipal obligation for police pension plan 2021 year. Mrs. Kettler seconded the motion.

Mr. Shellenberger asked Mr. McPadden about a possibility of fully funding the pension plan. Mr. McPadden advised that if the Borough fully funded the pension plans, it would eliminate the MMO expenses each year of approximately \$400,000 and save money over years.

Mr. Walsh explained that the plans wouldn't be fully funded, it will fund it to the point where State aid would be the MMO. Mr. Walsh added that there will be a public meeting where the Pennsylvania Economy League will present its findings. He added one of the items addressed is the possibility of funding both police and non-uniformed pension plans to simply have the contribution that the Borough is required to make every year be the State aid so the Borough wouldn't have to put out funds every year. Mr. Walsh advised it's not a simple matter of writing a check—it has to be structured differently.

The vote on the motion 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.

**MASTER AGREEMENT FOR CASTING ADJUSTMENTS WITH PENNDOT—
RESOLUTION #447—CONSIDERATION**

Mr. Walsh advised this is an agreement with PennDOT. He added the agreement basically states that if Penndot is doing work on their roads that requires adjustment to utilities that the Borough owns—if the PennDOT's work would impact we want to do—

they would add that on as an alternate to their job. Mr. Walsh commented that he doesn't know if it has been needed in the past but it allows the Borough to get the work done with someone else doing the bidding and the work and we might get some cost benefits. He added there is no cost commitment

Mr. Pirolli made a motion to adopt Resolution #447, Master Agreement for casting adjustment with PennDOT, seconded by Miss Slemmer.

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

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

AUTHORIZE ADVERTISEMENT OF ORDINANCE ADOPTING NEW COMCAST AGREEMENT—CONSIDERATION

A motion was made by Mr. Pirolli to authorize the solicitor to advertise the proposed ordinance, for public hearing at the October 6, 2020 Council meeting, adopting the new Comcast agreement. Miss Slemmer 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.

COMMITTEE REPORTS

No Reports

BOROUGH REPORTS

MAYOR'S REPORT

Mayor Cutchineal advised that he and Chief Doyle are working on senior expo to be held on September 9th at 10:00 am in the Borough Municipal Building. At this time, the Bucks County District Attorney's office, Bucks County Consumer Protection and Weights and Measures office, Bucks County Area Agency on Aging and the Senior Law Center for Bucks County will be participating. He added there may be a few more. Mayor explained the event will be broadcast live on Facebook.

Mayor also advised that they are planning to hold the annual 9-11 Remembrance Vigil on Friday, September 11th in the Tullytown Borough Park at 7:00 p.m. He advised that we are requesting all who attend to wear masks and please practice social distancing.

Mayor Cutchineal also mentioned that Fr. Bernie at Christ the King Church will hold a Memorial Service on Sunday, September 13th at 9:00 a.m. He added the Tullytown Fire Company will be participating as well.

SOLICITOR'S REPORT

No further report

INTERIM BOROUGH COORDINATOR'S REPORT

Mr. Pasciullo advised the public works employees did a great job on the day of the storm, August 4th. He mentioned they set up barricades, generators and had everything done, coordinated by our Emergency Management Coordinator, Chief Doyle. Mr. Pasciullo added that in about 30 minutes all the traffic lights were back to working and running on generators for approximately 24 hours.

Mr. Pasciullo also mentioned that the public works will complete the crack sealing of the streets sometime in September or October. Mr. Pasciullo advised that from his experience, crack sealing should be done in the colder months such as November because the roadway goes into contraction instead of expansion and the cracks are wider—they can be filled in.

CHIEF'S REPORT

Chief Doyle reported that there has been a report on social media that there was a kidnapping car chase that started at the Wal-Mart in Levittown Center and ended in Falls Township. He stated they have not been able to confirm that.

Chief Doyle advised that Council was emailed a copy of the August report for the Police department. He asked that Council consider hiring a part-time police officer. He advised that one of our part-time police officers who has been carrying a significant amount of the hours got hired full-time with the Bucks County Sheriff's Department and he would need to replace him. He asked if Council would hire David Gilber, pending the final checks.

Mr. Pirolli made a motion to hire David Gilber as a part-time police officer, pending the final checks. Mrs. Kettler seconded the motion.

Mrs. Kettler asked when the part-time officer is leaving. Chief Doyle advised he will stay working with the Police department—his availability will be every other weekend. Chief Doyle added that he has been an asset to this Police department and has worked very hard.

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

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

Chief Doyle commented that Council approved the Auxiliary Police force. He advised that we have a few applications and asked if Council would appoint at least two of them.

Chief indicated that one of the applicants has an IT background and Chief hopes this will offset some IT costs associated with the Police department. He added it is a volunteer position. Chief Doyle recommends Ken Hysore.

Mrs. Kettler made a motion to appoint Ken Hysore as a volunteer on the Auxiliary Police force. Miss Slemmer 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.

Chief Doyle also recommended Council appoint a volunteer who is currently in college for criminal justice. He will bring the volunteer in to assist with emergency management associated with the Police department. He asked Council to consider appointing Dominic Chrzanowski.

Mr. Pirolli made a motion to appoint Dominic Chrzanowski to the Auxiliary Police, seconded by Mrs. Kettler.

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—abstain as it is her son

The vote was 6 in favor; 1 abstention. The motion carried.

Chief Doyle thanked Council for the commendation this evening.

Mrs. Kettler commented that she likes the report from the Street department. Miss Slemmer agreed. Mr. Pasciullo commented the street department does a great job—they get a lot done.

FIRE MARSHAL'S REPORT

Mr. Pasciullo advised he previously submitted his report to Council.

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

The meeting was adjourned at 7:54 p.m.

Respectfully submitted,



Nancy Conner
Borough Secretary