

TULLYTOWN BOROUGH COUNCIL MEETING

July 27, 2021

President Nina Chrzanowski called the meeting of the Tullytown Borough Council to order with the Pledge of Allegiance on Tuesday, July 27, 2021 at 7:00 P.M.

Present at the meeting:

Mayor Cutchineal – absent
Councilman Shellenberger
Councilwoman Kettler
Councilwoman Slemmer
Councilman Pirolli
Councilwoman Gahagan
Councilman Servis
Councilwoman Chrzanowski

Also present:

Thomas J. Walsh III, Esquire, Borough Solicitor
Kurt Schroeder, Borough Engineer
Dan Pasciullo, Fire Marshal/Interim Borough Coordinator
Joe McPadden, Borough Treasurer
Patricia Marks, Borough Secretary

The Solicitor advised that the Council met before the public meeting in executive session to discuss personnel matters.

PUBLIC COMMENT

David Moyer, 580 Main Street, Tullytown. Mr. Moyer asked if there was any record of last month's planning commission meeting. Ms. Gahagan, Secretary for the Planning Commission, indicated that she did not take minutes. Mr. Walsh advised that it is the practice for all municipal committees to take minutes. If minutes are not taken, it is usually a one off. Mr. Moyer asked if it is typical for the members of the commission to offer to buy the project in front of them. Mr. Walsh said he did not know since he was not at the meeting. Mr. Moyer indicated the member of the Commission who offered to buy the property was Wilheima Conca. He asked if the houses on Spencer Drive have been looked at to see if it is possible to get a fire truck back there. Mr. Pasciullo advised that a fire truck could get back there.

COUNCIL MINUTES

June 8, 2021 Council Meeting Minutes—Approval

Mrs. Kettler made a motion to approve the minutes of the June 8, 2021 Council meeting, seconded by Mr. Pirolli.

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.

TREASURER'S REPORT

MONTHLY BILLS

Mr. Pirolli made a motion to approve the bills in the amount of \$30,095.20 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.

OTHER EXPENSES PAID IN June, 2021

Mr. Pirolli made a motion to approve the other expenses for June, 2021 in the amount of \$226,129.03, 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.

RECONCILIATION STATEMENT

Mr. Pirolli made a motion to approve the reconciliation statement for June, 2021, 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.

d) Authorize Transfer of Funds \$200,000 via Resolution #456

Mr. Pirolli made a motion to approve the transfer of funds in the amount of \$200,000 by Resolution #456, 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.

COMMUNICATIONS

Mrs. Marks advised that the first installment of the American Rescue Funds in the amount of \$114,141.78 was received on July 14th. This is half of the total allocation of \$228,283.56. The remaining half of the funds will be available in June, 2022. The

funds are only permitted to be used for certain expenditures. A copy of the letter from Governor Wolf outlines the approved uses. Mrs. Kettler questioned whether the money had to be spent by next June. Mr. Schroeder mentioned that he thought you had 4 years to spend the money and suggested using the funds to upgrade the storm drains and inlet boxes. He suggested using the funds for improvements where grant funding is not available.

Mrs. Marks advised that Mayor Cutchineal asked her to remind everyone that the 9-11 Memorial Service will be held on September 11, 2021 in the Park. A planning meeting will be held on August 4th at 4 P.M. at Borough Hall.

GENERAL BUSINESS

Approval of Waste Management Preliminary/Final Land Development and Resolution—Consideration

Mr. Walsh explained that the Proposal from Waste Management is to construct a 1300 square foot modular office building on one of the access roads that leads into the facility. The building is in furtherance of the closing operations of the landfill. The plan has been through the County and all local reviews. The Borough Engineer has issued his letter of recommendation subject to certain conditions. Mr. Walsh drafted a Resolution for approval by Council

Mr. Gillette, the construction consultant for Waste Management, with Glenn Schultz, the senior district manager, indicated that the reason for the project is that they have four supervisors currently working in an old breakroom. The modular office building is the easiest and most cost effective way to provide adequate office space. They complied with the Borough Engineer's request and agree with the Resolution.

Mr. Shellenberger made a motion to approve the Waste Management Preliminary/Final Land Development and Resolution # 457, 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.

Wawa Request for Escrow Release #3—Consideration

Mr. Schroeder made a request to reduce the escrow for Wawa (Provco) in the amount of \$1,519.87.

Mr. Pirolli made a motion to approve the Wawa Escrow Release #3, in the amount of \$1,519.87, seconded by Mr. Shellenberger.

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.

578 Main Street Land Development - Final Escrow Release #2—Consideration

Mr. Schroeder requested approval to close out the escrow. This is the final escrow release in the amount of \$25,552.24 with a waiver of 18 month time frame after completion and is contingent upon payment of any final bills.

Mrs. Kettler made a motion to approve the Final Escrow Release #2 for 578 Main Street, in the amount of \$25,552.24, seconded by Mr. Pirolli.

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.

RFP for Special Municipal Labor Attorney—Consideration

Mr. Walsh advised that two proposals were received in response to the RFP for services of a Special Municipal Labor Attorney to assist the Borough in upcoming negotiations for two labor contracts. One is for the Police Department and one is for the Public Works Department. One response was from Campbell Durant and the other was from Eckert Seamans. After Council's thorough review and discussion in an Executive Session, the recommended motion is to hire Eckert Seamans based upon their proposal of \$275/hour, no travel time charged, with an offer to provide informational sessions to the Council and public.

Mr. Shellenberger made a motion to approve the hiring of Eckert Seamans as Special Municipal Labor Attorney, seconded by Mr. Pirolli.

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.

Property Owner's Request for Permission to Remove Shade Tree— Consideration

Michelle McKenney submitted an Application for Permission to remove a shade tree from her property at 456 Lovett Avenue. The tree is tearing up the sidewalk and creating an unsafe condition. She will plant a small tree in its place.

Mr. Pirolli made a motion to approve the request to remove the shade tree at 469 Lovett Avenue and to waive the condition to plant another small tree, seconded by Mr. Shellenberger.

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 committee reports

BOROUGH REPORTS

MAYOR'S REPORT

There was no Mayor's Report.

SOLICITOR'S REPORT

Mr. Walsh reported that Wawa is moving forward with phase two of the project. We have received the Wawa portion of the development agreement and the escrow check. We are waiting on the Letter of Credit, which should be received shortly. Hopefully, the project will begin moving forward in the next couple of weeks.

INTERIM BOROUGH COORDINATOR'S REPORT

Mr. Pasciullo reported that Council received a copy of the report from Mark Snyder. He advised that Karen Sylvester and Mark Snyder have recovered \$4,868.37 for a damaged light pole and are close to settling on a second damaged light pole. Mr. Pasciullo advised that the contractor was out at the sinkhole at Low Lane and Lakeside Drive. The contractor excavated the site and their report recommended that the storm drain be replaced. These are original Levittown storm drains and are filled with cider block. The recommendation is to have Gilmore Associates draw up the specs and send it out to bid.

Mr. Pasciullo advised that Waste Management has raised their rates slightly – from \$43.28 per ton to \$43.67 per ton for municipal waste and the yard waste from \$38.85 per ton to \$39.20 per ton. Waste Management also noted that they inadvertently raised the rates in December, 2020 and will issue a credit on the next invoice.

Mr. Shellenberger advised that there continue to be issues with the lines on Route 13 at Levittown Parkway and he believes we really need to push it because there will be more accidents there. Mr. Pasciullo will contact PennDot again. Ms. Gahagan mentioned that the No Left Hand Turn sign is missing from the other exit onto the Levittown Parkway from Dunkin Donuts. Mr. Pasciullo will check with Mark Snyder to see if the sign belongs to Tullytown Borough or PennDot.

CHIEF'S REPORT

There was no Chief's Report.

FIRE MARSHAL'S REPORT

Monthly report has been provided to Council. The Fire Company submitted their expenditures for the first half of the year and the 2020 Audit is complete and included in the report. The Fire Company is due to get their 3rd quarter tax allotment in the amount of \$25,600. The Audit indicated that the funds provided by the fire tax provides 62% of their operating revenue. They still need to do fundraising to make up the balance of the operating revenue. He also mentioned that the Tullytown Fire Company is having difficulty getting volunteers, especially with the time commitment for training that is required.

Mr. Pirolli made a motion to approve the payment of \$25,600 for the 3rd quarter allotment in tax funds to the Fire Company, 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.

MISCELLANEOUS COUNCIL BUSINESS

Mr. Servis made a motion to reorganize the Council, seconded by Mr. Shellenberger.

Roll call vote was taken:

Mr. Shellenberger—for

Mrs. Kettler—against

Miss Slemmer—for

Mr. Pirolli—against

Ms. Gahagan—for

Mr. Servis—for

Mrs. Chrzanowski—against

The vote was 4 in favor, 3 against. The motion carried.

Mr. Servis made a motion to nominate as Ms. Gahagan as Council President.

Roll call vote was taken:

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

The vote was 4 in favor, 3 against. The motion carried.

Ms. Gahagan nominated Mr. Servis as Vice President of Council.

Roll call vote was taken:

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

The vote was 4 in favor, 3 against. The motion carried.

ADJOURNMENT

There being no further business, a motion was made by Mr. Shellenberger to adjourn the meeting, seconded by Mr. Pirolli. The meeting was adjourned at 7:37 P.M.

Respectfully submitted,

Patricia Marks
Borough Secretary