

TULLYTOWN BOROUGH COUNCIL MEETING

September 14, 2021

President Mary Ann Gahagan called the meeting of the Tullytown Borough Council to order with the Pledge of Allegiance on Tuesday, September 14, 2021 at 7:00 P.M.

Present at the meeting:

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

Also present:

Thomas J. Walsh III, Esquire, Borough Solicitor
Dan Doyle, Police Chief /Emergency Management Coordinator
Dan Pasciullo, Fire Marshal/Interim Borough Coordinator
Joe McPadden, Borough Treasurer
Patricia Marks, Borough Secretary

MOMENT OF SILENCE

Mayor Cutchineal asked for a Moment of Silence to remember two Tullytown Residents who passed away. Lorraine Luciano passed away at the age of 67 and one we missed a couple of months ago, Mack McSherry passed away at the age of 91. Please keep them in your thoughts and prayers.

PUBLIC COMMENT

David Pearl, 109 Stonybrook Drive, Rich Hart 50 Stream Lane. A memorial committee was formed to construct a 9-11 monument using the I-beam from the South Tower from the World Trade Center that was given to the Borough. David Pearl and Rich Hart will be co-chairs, and the committee will consist of local residents and business people. The plan is that it will be completed and dedicated on September 11, 2022. The committee will be formed first and then decisions will be made concerning where to put the memorial, etc.

Doris Reinert from Macintosh Regency. She asked for an update on the Wawa project at the corner of Levittown Parkway and Kenwood Drive. Mrs. Marks provided the status. Mrs. Marks explained that the permits have been issued. The contractor

is planning to start construction before the end of September. The petroleum contractor will be installing the UST's in mid-October. Their construction schedule is typically a 6 month build, so they are anticipating an opening around April 1st, give or take based on the winter weather.

Ms. Reinert also advised that she is on the Council of the Macintosh, and the residents never received any communication about the water boil emergency and as far as she knows, they did not receive any communication from Tullytown Borough asking if they needed help. Chief Doyle, as Emergency Management Coordinator, explained that notices were sent on Savvy Citizen. Ms. Reinert confirmed that she has the Savvy Citizen App and did receive the alerts. Chief Doyle advised that the police are holding an emergency management presentation at the Macintosh to educate the residents on how to get these alerts. Chief Doyle explained that he worked with both Bristol Township and Falls Township to get water tankers in both of those locations and they were for all residents in all 3 of those jurisdictions. He explained that the residents had water, they just needed to boil it.

Ms. Reinert inquired about transportation for their senior citizens to get to the elections, etc. Bucks County transport used to bring the residents. Mrs. Chrzanowski will contact Ms. Reinert to set up a meeting to discuss the issues raised by the residents.

COUNCIL MINUTES

August 10, 2021 Council Meeting Minutes—Approval

Mr. Pirolli made a motion to approve the minutes of the August 10, 2021 Council meeting, seconded by Mr. Shellenberger.

The majority of Council was in favor of the motion, Mrs. Kettler and Miss Slemmer abstained, the motion carried.

TREASURER'S REPORT

MONTHLY BILLS

Mr. Shellenberger had questions concerning two of the monthly bills. 1) Check #3646 payable to BBD, LLP in the amount of \$2500. Mr. McPadden explained this was the audit for the fire company. 2) Check #3647 payable to Advanced Innovations. Mr. McPadden explained that this is for the IT company that services all of the computers and software, including the police computers, and includes the annual fee of \$2850 and several invoices.

Mrs. Chrzanowski made a motion to approve the bills in the amount of \$32,087.61 seconded by Mr. Pirolli.

Roll call vote was taken:

Mrs. Kettler—for

Mr. Pirolli—for

Mrs. Chrzanowski—for

Mr. Servis—for

Mr. Shellenberger—for

Miss Slemmer—for

Ms. Gahagan—for

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

OTHER EXPENSES PAID IN AUGUST, 2021

Mr. Shellenberger made a motion to approve the other expenses for August, 2021 in the amount of \$208,275.29 seconded by Mr. Pirolli.

Roll call vote was taken:

Mrs. Kettler—for

Mr. Pirolli—for

Mrs. Chrzanowski—for

Mr. Servis—for

Mr. Shellenberger—for

Miss Slemmer—for

Ms. Gahagan—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 August, 2021, seconded by Mrs. Chrzanowski.

Roll call vote was taken:

Mrs. Kettler—for

Mr. Pirolli—for

Mrs. Chrzanowski—for

Mr. Servis—for

Mr. Shellenberger—for

Miss Slemmer—for

Ms. Gahagan—for

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

Authorize Transfer of Funds \$250,000 via Resolution #459

Mr. McPadden explained that the transfer of funds was necessary to pay the Borough expenses through October, 2021.

Mr. Shellenberger made a motion to approve Resolution #459 to transfer funds in the amount of \$250,000, seconded by Miss Slemmer. Mr. Servis suggested that Mr. McPadden provide an amount that would be required to get through the end of the year without the necessity of monthly transfers.

Roll call vote was taken:

Mrs. Kettler—for

Mr. Pirolli—for

Mrs. Chrzanowski—for

Mr. Servis—for

Mr. Shellenberger—for

Miss Slemmer—for

Ms. Gahagan—for

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

COMMUNICATIONS

- a) Mrs. Marks advised that Mark Stroker, the custodian, resigned his position as custodian effective 9/3/21.

Mr. Servis made a motion to accept the resignation of Mark Stroker, seconded by Mr. Pirolli.

All of council was in favor of the motion, the motion carried.

- b) Mrs. Marks provided an update on the Street Light Buyout and Upgrade project. Keystone Lighting has been in touch. The equipment will be ordered in the next two weeks. The equipment will take approximately 6 weeks to come in. Once Armour has the equipment, it should take no longer than one week to complete the work. The work should be complete by the end of October, beginning of November.

GENERAL BUSINESS

- a) Resolution #460 - Disposal of Certain Administrative Records

Mrs. Marks requested Council approval to dispose of public records identified in the Resolution in accordance with the Retention and Disposition Schedule for Municipal Records.

Mrs. Kettler made a motion to approve Resolution #460 to dispose of certain administrative records, seconded by Mrs. Chrzanowski.

Roll call vote was taken:

Mrs. Kettler—for

Mr. Pirolli—for

Mrs. Chrzanowski—for

Mr. Servis—for

Mr. Shellenberger—for

Miss Slemmer—for

Ms. Gahagan—for

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

b) Resolution #461 -Disposal of Certain Police Records

Mrs. Kettler made a motion to approve Resolution #461 to dispose of certain police records, seconded by Mrs. Chrzanowski.

Roll call vote was taken:

Mrs. Kettler—for

Mr. Pirolli—for

Mrs. Chrzanowski—for

Mr. Servis—for

Mr. Shellenberger—for

Miss Slemmer—for

Ms. Gahagan—for

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

c) Acceptance of 2020 Audit

Mr. McPadden explained that the payroll was reduced by \$330,000 and for 2020 it should decrease by another \$60,000 – \$70,000. The MMO funding should save another \$400,000 per year. We are looking at about \$800,000 in savings. The only question the auditors had was concerning the use of a stamp to sign the checks. Mr. Walsh referred the Council to the 3rd page of the letter from the Auditors which lists

three recommendations. He suggested Council review the suggestions and dive a little deeper in to how they would handle it.

Mr. Pirolli made a motion to accept the 2020 Audit prepared by Lopez, Teodosio and Larkin, LLC, seconded by Mrs. Kettler.

Roll call vote was taken:

Mrs. Kettler—for

Mr. Pirolli—for

Mrs. Chrzanowski—for

Mr. Servis—for

Mr. Shellenberger—for

Miss Slemmer—for

Ms. Gahagan—for

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

d) Hiring of Part-time Crossing Guard—Consideration

Chief Doyle explained he advertised for the position and mailed out over 6 applications. One application came back with all the required information to be appointed. Her name is Jean Heyduk. Chief Doyle recommended Miss Heyduk be considered for the position of crossing guard.

Mrs. Kettler made a motion to approve of hiring of Jean Heyduk as a part-time crossing guard, seconded by Mrs. Chrzanowski.

Roll call vote was taken:

Mrs. Kettler—for

Mr. Pirolli—for

Mrs. Chrzanowski—for

Mr. Servis—for

Mr. Shellenberger—for

Miss Slemmer—for

Ms. Gahagan—for

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

e) Hiring of Part-time Police Officer—Consideration

Chief Doyle recommend hiring Lou Halas as a part-time police officer, pending final checks so they can receive his Mpoetc certification.

Mrs. Chrzanowski made a motion to approve hiring a part-time police officer, seconded by Mr. Pirolli. In response to Mr. Shellenberger's question, Chief Doyle explained that two officers are resigning and Mr. Halas has experience and is currently a part-time police officer for Morrisville.

Roll call vote was taken:

Mrs. Kettler—for

Mr. Pirolli—for

Mrs. Chrzanowski—for

Mr. Servis—for

Mr. Shellenberger—for

Miss Slemmer—for

Ms. Gahagan—for

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

f) Hiring of Part-time Zoning Officer—Consideration

Mr. Servis explained that the Personnel Committee met with a fellow that qualifies for the position and works out of Bristol Township. Mr. Servis explained that Mr. McTague works full-time for Bristol Township and will work part-time after hours for Tullytown.

Mr. Servis made a motion to approve hiring Bob McTague as a part-time Zoning Officer and Code Enforcement Officer for \$50 an hour, seconded by Mr. Shellenberger.

Roll call vote was taken:

Mrs. Kettler—for

Mr. Pirolli—for

Mrs. Chrzanowski—for

Mr. Servis—for

Mr. Shellenberger—for

Miss Slemmer—for

Ms. Gahagan—for

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

g) Digitization of Borough Records—Consideration

Mrs. Marks explained that the Borough file cabinets, offices and storage rooms are overflowing with documents that must be retained by the Borough. She asked Council to approve converting the paper files to digital electronic records. This conversion gives us access to files in event of emergency when they are unable to get to the

office and it also makes it easier and less time consuming to locate documents. The plan is to research companies and create RFPs for pricing and scope. Mr. Walsh advised he has helped other municipalities with conversions and will be able to provide guidance. He also suggested it be a budgeted cost for next year since the cost can be significant.

Mr. Shellenberger made a motion to approve researching and data gathering of information concerning the digitization of borough records, seconded by Mr. Pirolli.

Roll call vote was taken:

Mrs. Kettler—for

Mr. Pirolli—for

Mrs. Chrzanowski—for

Mr. Servis—for

Mr. Shellenberger—for

Miss Slemmer—for

Ms. Gahagan—for

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

h) AFSCME Custodian Position--Authorize Advertising--Consideration

Mr. Pasciullo suggested sending a thank you letter to Mr. Stroker.

Mrs. Chrzanowski made a motion to approve advertising of AFSCME custodian position, subject to any CBA requirements, seconded by Mr. Pirolli.

Roll call vote was taken:

Mrs. Kettler—for

Mr. Pirolli—for

Mrs. Chrzanowski—for

Mr. Servis—for

Mr. Shellenberger—against

Miss Slemmer—for

Ms. Gahagan—for

The majority of Council was in favor of the motion; the motion carried.

i) Resolution #462 -Minimum Municipal Obligation (MMO) Non-Uniformed Pension Plan 2022—Consideration

Mr. Walsh explained that Resolution #462 and Resolution #463 are related to the Minimum Municipal Obligation that the Borough would ordinarily make toward the

pension plans. You are obligated to announce this at a meeting every year that this is the obligation that you pay next year for both the police pension plan and the non-uniformed pension plan. Mr. Walsh explained that the Resolution was created and numbers added based on our prior experience because we do not have access to the actual figures from the actuary, who is supposed to provide them. The actuary has gone through a transition period of ownership and we are not sure if they completely understand what the pension plan funding did. He explained that even though there are negative numbers on the Resolution, there will probably be an obligation that will be mostly State Aid. This is what was anticipated when the loans were taken out. Mr. Walsh advised that we have to announce something at a public meeting that the Borough will meet its MMO for next year. If we get actual numbers from the Actuary, we will update the Resolutions.

Mr. Servis made a motion to approve Resolution Number 462, MMO for Non-Uniformed Pension Plan, seconded by Mr. Pirolli.

Roll call vote was taken:

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

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

- j) Resolution #463 - Minimum Municipal Obligation (MMO) Police Pension Plan 2022—Consideration

Mr. Servis made a motion to approve Resolution Number 463 for the MMO for the police pension plan, seconded by Mr. Pirolli.

Roll call vote was taken:

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

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

- k) Miss Slemmer made a motion for the Solicitor to draft an Ordinance for a change to the police pension plan to change the retirement age from 55 years of age and 25 years of service, to 50 years of age and 25 years of service, seconded by Mr. Pirolli, subject to pending contract negotiations with the CBA.

Roll call vote was taken:

Mrs. Kettler—for

Mr. Pirolli—for

Mrs. Chrzanowski—for

Mr. Servis—against

Mr. Shellenberger—for

Miss Slemmer—for

Ms. Gahagan—against

The majority of Council was in favor of the motion; the motion carried.

- l) Authorize Advertisement of Property Allocation Ordinance

Mr. Servis made a motion to approve advertising of the Property Allocation Ordinance #402 in the amount of \$2500, seconded by Mr. Pirolli.

Roll call vote was taken:

Mrs. Kettler—for

Mr. Pirolli—for

Mrs. Chrzanowski—for

Mr. Servis—for

Mr. Shellenberger—against

Miss Slemmer—for

Ms. Gahagan—for

The majority of Council was in favor of the motion; the motion carried.

COMMITTEE REPORTS

There were no committee reports.

BOROUGH REPORTS

MAYOR'S REPORT

Mayor Cutchineal said the 9-11 Remembrance Service went very well this year. It was one of the largest turnouts to date. Thanks to all who participated and thanks to Dave Pearl for all he did. A reminder that if you plan to vote in the November election, the last day to register is October 18th. Election Day is November 2nd.

SOLICITOR'S REPORT

Mr. Walsh reported that Waste Management is moving forward with construction of their modular building. All of the conditions that were in the approval have been worked out so they are moving forward. It is a very low profile job.

INTERIM BOROUGH COORDINATOR'S REPORT

Mr. Pasciullo reported that in the packet you received there is an estimate from Flanagan Mechanical. They have had some issues on the Police side with the air conditioning unit. The estimate says that the electronic expansion valve has failed and the cost to repair is \$6,245. The other issue identified is when the technician found mold on the exterior of the insulation throughout the entire building in the duct work above the ceiling. Mr. Flanagan would like to bring in an insulation technician to provide an estimate for replacing the insulation. Mr. Pasciullo advised that Mrs. Marks has filed a claim for remediation of the mold with the insurance company.

Mr. Pirolli made a motion to approve the repair of the electronic expansion valve for the police side air conditioning unit in the amount of \$6,245, seconded by Mr. Shellenberger.

Roll call vote was taken:

Mrs. Kettler—for

Mr. Pirolli—for

Mrs. Chrzanowski—for

Mr. Servis—for

Mr. Shellenberger—for

Miss Slemmer—for

Ms. Gahagan—for

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

Mr. Pasciullo advised that he and Mark Snyder met with Gene Blaum from PennDOT on August 17th about the issues at Route 13 and Levittown Parkway. There is a letter in the package that explains why they put the striping there and they have no plans to remove it. The meeting was productive because they were provided with a new contact at PennDOT. Mark Snyder sent in a list of items that PennDOT needs to address in the Borough. The next day Mark got a call that PennDOT is working on those issues including cutting the brush back and repairing some pot holes. They also submitted a request for the repaving of Main Street and Fallsington-Tullytown Road but have not received an answer on that request. PennDOT also plans to build a pedestrian bridge from the train station to the shopping center. Mr. Pasciullo was asked by Councilman Shellenberger to address traffic cameras. When Mr. Pasciullo

addressed this with PennDOT, they got a copy of a letter that was sent by Representative Galloway's office on August 4, 2021 regarding traffic cameras on Route 13, not just in Tullytown Borough but in Bristol Borough and Bristol Township. This included a copy of the letter from PennDOT that says it is up to the police chiefs to find the grant funding for the cameras.

CHIEF'S REPORT

Chief Doyle reminded everyone that on Saturday, October 16th beginning at 5:00 P.M. they will have their Camping with the Cops Program. Any resident that would like to help with that would be greatly appreciated. Prescription Drug Takeback will take place at the Municipal Building on Saturday, October 23rd from 10 A.M. to 2 P.M. Chief Doyle will also make sure there is an officer in the Lobby of the Macintosh to make it easier for the elderly to dispose of their unused medications. In connection with the water emergency discussed earlier, as part of our notifications to residents, we asked Bucks County 911 System to do what is called a reverse 911 contact. Everyone's phone in this geographical area were notified of that water emergency. He encourages our residents to sign up for Savvy Citizen so they can get the most up to date notifications. The Chief also mentioned that they also put notifications of emergencies on the TV and the website. The residents can also check out the Police Facebook Page, which is loaded with information.

September is emergency preparedness month. If the residents want information on emergency preparedness, go to www.Ready.gov to get the information on how to prepare for weather related emergencies.

Resident Rich Hart had a question for Mr. Pasciullo inquiring where they stand on completion of street sealing. Mr. Pasciullo responded that the crack sealing will begin when cooling temperatures come in, around October.

FIRE MARSHAL'S REPORT

Mr. Pasciullo reported that since 2018, he has brought in a total of \$22,966 for fire inspections fees. The only additional cost for the fire marshal vehicle is the yearly payment.

MISCELLANEOUS COUNCIL BUSINESS

Mrs. Chrzanowski made a motion for the civil service commission to start the process for the hiring of full time police officer, seconded Mr. Pirolli. Miss Slemmer suggested that Council put this off for the time being since they are currently in negotiations for a contract. Mr. Pirolli explained that this motion is just to start the process, not for the actual hiring. Mrs. Kettler explained that the police officers are working by themselves on their shifts and response time could be delayed and you may get an officer from a

neighboring town. Mrs. Chrzanowski stated that it is not safe for the officers and it is not safe for the community.

Mr. Shellenberger questioned the recent change to the Sunshine Law that said if any major changes are made, that it has to be on the Agenda.

Chief Doyle explained the process that would be involved, at the request of Council. The Civil Service Commission would be notified by the Administration to start the process for a full time police officer. The Civil Service would convene and put together an examination process. After the examination process, the civil service will put together a list of eligibles, which would be forwarded to the Municipality upon completion of that testing process for consideration for hiring. This is just an Administrative procedure to get a current, active list. Chief Doyle explained that the police department operates 24/7 365 days. We have part time police officers that have other jobs, some work two other jobs. It is very difficult to fill the shifts and this is one reason why they are down to one officer a shift at times. The Chief has worked weekends and midnights to make sure the Borough has been covered. We really need to look at hiring full time. When you have part timers that are unavailable and full time officers who cannot get off because we don't have the coverage, it is going to create other additional issues when they don't use their time off and start filing grievances. He is willing to sit down with Council, the Police Committee or Personnel Committee, to discuss the issues they are facing.

Roll call vote was taken:

Mrs. Kettler—for

Mr. Pirolli—for

Mrs. Chrzanowski—for

Mr. Servis—against

Mr. Shellenberger—against

Miss Slemmer—for

Ms. Gahagan—against

The majority of Council was in favor of the motion; the motion carried.

Ms. Gahagan questioned Chief Doyle as to how much the Borough would have to pay for the tank and all the stuff for the fiasco on Kenwood Drive. The Chief explained that the Borough does not pay anything for that because they participate in the South/Central emergency response team. We have personnel that are dedicated to that team. The only thing the Borough is on the hook for the emergency response team is if the team purchases equipment. Each Agency pays a percentage of the cost of the equipment. The equipment used was donated. The Chief explained that it was an unfortunate incident but he is glad it worked out peaceably and that's the reason why we have that team.

ADJOURNMENT

There being no further business, a motion was made by Mr. Servis, seconded by Mr. Shellenberger to adjourn the meeting.

Roll call vote was taken:

Mrs. Kettler—abstain

Mr. Pirolli—for

Mrs. Chrzanowski—against

Mr. Servis—for

Mr. Shellenberger—for

Miss Slemmer—for

Ms. Gahagan—for

The majority of Council was in favor of the motion and the motion carried. The meeting was adjourned at 8:01 P.M.

Respectfully submitted,

Patricia Marks
Borough Secretary