

# **TULLYTOWN BOROUGH COUNCIL MEETING**

## **October 12, 2021**

President Mary Ann Gahagan called the meeting of the Tullytown Borough Council to order with the Pledge of Allegiance on Tuesday, October 12, 2021 at 7:00 P.M.

Present at the meeting:

Mayor Cutchineal  
Councilwoman Kettler  
Councilman Pirolli  
Councilwoman Chrzanowski  
Councilwoman Slemmer  
Councilman Shellenberger  
Councilman Servis  
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 - absent  
Patricia Marks, Borough Secretary

### **PUBLIC COMMENT**

Kelli Donlen, 10 Lakeside Drive, commented that she was thankful for the police and it is not safe for one officer to be on duty by himself. At the last meeting Council voted to start the process to hire a full time police officer and she would like to know where that stands.

Mrs. Chrzanowski asked if the letter had been sent to the Civil Service Commission to begin the process. Ms. Gahagan indicated that she had not yet sent the letter because they were advised not to by the Labor Attorney. Mrs. Chrzanowski advised that the letter needs to be sent to Jim Powell, Chair of the Civil Service Commission, immediately since it was approved at the previous meeting. Police Officers and the public need to be safe.

Mr. Servis made a motion to advertise in the papers to hire a part time officer. Mr. Servis commented that we never officially advertised for the part time police officers, so this could be a quick fix. Mrs. Chrzanowski commented that this is not a quick fix. Chief Doyle explained he has advertised in the Courier, as well as Social Media and

tried to recruit from the Police Academies. Nationwide there is a shortage and no one wants the job. Police departments across the nation are down people. Mrs. Kettler explained that advertising in Courier Times is a waste of time. Job seekers are using Indeed or other job sites. Ms. Gahagan asked Chief Doyle if he had someone in mind for the full time police officer position. Chief Doyle explained that he does not have anyone in mind. It is whoever scores the highest through the Civil Service. He also explained that any advertising for a full time police officer is done through the Civil Service Commission. He has no control over that process.

Mr. Shellenberger asked how many part time police officers we currently have. Chief Doyle explain we currently have 10, with one currently out on a long term disability from another police job and several that have limited availability due to full time jobs elsewhere.

Mrs. Kettler asked why Council did not received a report on labor negotiations. She advised that there is an outstanding invoice for \$7012.50 from Eckert Seamans and asked what the amount is for since not one report has been received by Council members.

Mr. Servis explained that they had to meet with the Labor Attorneys after the last meeting because Council made an illegal vote to lower the pension age without an actuary study and it is against the law to do that.

Mrs. Chrzanowski commented that we still have not answered Ms. Donlen's question. Ms. Donlen replied that she was concerned about the police safety and it is embarrassing to see all of this political fighting going on. She asked that Council think of the residents. They don't all have to agree but the residents need to be safe.

Mr. Pirolli made a motion to amend the Agenda and reorganize, seconded by Mrs. Chrzanowski.

Roll call vote was taken:

Mrs. Kettler—for

Mr. Pirolli—for

Mrs. Chrzanowski—for

Miss Slemmer—for

Mr. Shellenberger—against

Mr. Servis—against

Ms. Gahagan—against

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

Mrs. Kettler made a motion to nominate Mrs. Chrzanowski for President.

Roll call vote was taken:

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

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

Miss Slemmer nominated Mr. Pirolli for Vice President.

Roll call vote was taken:

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

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

## **COUNCIL MINUTES**

### **September 14, 2021 Council Meeting Minutes—Approval**

Mr. Pirolli made a motion to approve the minutes of the September 14, 2021 Council Meeting, seconded by Mrs. Kettler.

Roll call vote was taken:

Mrs. Kettler—for  
Mr. Pirolli—for  
Mrs. Chrzanowski—for  
Miss Slemmer—for  
Mr. Shellenberger—for  
Mr. Servis—for  
Ms. Gahagan—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 \$39,153.40 seconded by Mrs. Kettler, except for the Eckert Seamans bill in the amount of \$7012.50 until an itemized invoice is reviewed.

Roll call vote was taken:

Mrs. Kettler—for

Mr. Pirolli—for

Mrs. Chrzanowski—for

Miss Slemmer—for

Mr. Shellenberger—for

Mr. Servis—for

Ms. Gahagan—for

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

### **OTHER EXPENSES PAID IN SEPTEMBER, 2021**

Mr. Pirolli made a motion to approve the other expenses for September, 2021 in the amount of \$180,783.12, seconded by Mrs. Kettler.

Roll call vote was taken:

Mrs. Kettler—for

Mr. Pirolli—for

Mrs. Chrzanowski—for

Miss Slemmer—for

Mr. Shellenberger—for

Mr. Servis—against

Ms. Gahagan—for

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

### **RECONCILIATION STATEMENT**

Mr. Servis made a motion to approve the reconciliation statement for September, 2021, seconded by Mr. Pirolli.

Roll call vote was taken:

Mrs. Kettler—for

Mr. Pirolli—for

Mrs. Chrzanowski—for

Miss Slemmer—for  
Mr. Shellenberger—for  
Mr. Servis—for  
Ms. Gahagan—for

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

d) Authorize Transfer of Funds \$2,900,000 via Resolution #464

Mrs. Marks explained that the amount of funds was calculated to include the funds required to pay bills through the end of the year and includes the approximately \$1,625,000 required to cover the property allocation checks and the \$833,000 pension loan payment. The funds will be transferred as needed so the remaining funds will continue to earn interest.

Mr. Pirolli made a motion to approve Resolution #464 to transfer funds from Investments to the General Fund in the amount of \$2,900,000 seconded by Mrs. Kettler.

Roll call vote was taken:

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

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

## **COMMUNICATIONS**

There were no communications.

## **GENERAL BUSINESS**

### **Public Hearing-Property Allocation Ordinance**

Mr. Walsh advised that this is a public hearing for Council to consider the property allocation in the amount of \$2,500. He added the proposed ordinance was properly advertised on October 5, 2021 in the Bucks County Courier Times. We also received proof that the Ordinance was filed with the Bucks County Law Library. All public notice requirements have been met. The Ordinance is ready for a public hearing and public comment.

Rich Hart, 50 Stream Lane, commented that PEL recommended that Council stop the property allocation give away. He is asking who chose to ignore their recommendation and bring up the giveaways again. Mrs. Chrzanowski explained that it was included in the 2021 budget. Mr. Hart expressed concerned that this allocation will further drain the account. He explained that there is no more room in the Borough to build anything to make up for this loss of revenue. Kettler explained that this money helps a lot of residents with their taxes and keeps a lot of residents in their homes. Miss Slemmer advised that the residents of Tullytown Borough are smart and realize that the landfill has closed and it will probably be the last year that checks will be given out. Mrs. Chrzanowski mentioned that we did follow the PEL recommendation for the Pension Funding Loan and saved the Borough \$400,000 per year.

Mr. Pirolli made a motion to adopt Ordinance #402 for the property allocation in the amount allocated of \$2,500, seconded by Mrs. Kettler.

Roll call vote was taken:

Mrs. Kettler—for

Mr. Pirolli—for

Mrs. Chrzanowski—for

Miss Slemmer—for

Mr. Shellenberger—against

Mr. Servis—for

Ms. Gahagan—for

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

### **BCPC Household Hazardous Waste Collection Program 3 Year Contract— Consideration**

Mrs. Marks advised that Bucks County Planning Commission sent a new rate contract for participation in the regional Household Hazardous Waste program for the next 3 years. The rates are based per person and the contribution for Tullytown Borough is: 2022 \$351.38/year, 2023 is \$368.73/year, 2024 is \$433.80/year and 2025 is \$433.80/year.

Mr. Shellenberger made a motion to approve the 3 year contract for the Household Hazardous Waste Collection Program, seconded by Mr. Pirolli.

Roll call vote was taken:

Mrs. Kettler—for

Mr. Pirolli—for

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

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

### **Resolution #465 Adopting the Bucks County 2021 Hazard Mitigation Plan Update—Consideration**

Mrs. Marks advised that the Bucks County Planning Commission has asked all municipalities to formally adopt the Hazard Mitigation Plan by Resolution in order to be eligible to receive post disaster grant program funds. A copy of the Hazard Mitigation Plan Update has been included in your packet.

Mrs. Kettler made a motion to approve Resolution #465 formally adopting the Bucks County Hazard Mitigation Plan, seconded by Mr. Pirolli.

Roll call vote was taken:

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

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

### **Resolution #466 –Minimum Municipal Obligation (MMO) Non-Uniform Pension Plan 2021—Consideration**

Mr. Walsh explained that the Resolution #445 adopted in September of last year did not have the benefit of an actuarial study that took into account the loan payment that was made earlier this year. We finally got those figures in the last two weeks. We are restating those resolutions. Resolution #445 had an MMO of \$85,261.52 and Resolution #466 has an MMO of \$21,186.00, \$64,000 less.

Mr. Pirolli made a motion to approve Resolution #466, revising the MMO for the Non-Uniformed Pension plan for 2021, seconded by Mr. Shellenberger.

Roll call vote was taken:

Mrs. Kettler—for

Mr. Pirolli—for

Mrs. Chrzanowski—for

Miss Slemmer—for

Mr. Shellenberger—for

Mr. Servis—for

Ms. Gahagan—for

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

### **Resolution #467 - Min. Mun. Obligation (MMO) Police Pension Plan 2021— Consideration**

Mr. Walsh explained that the Resolution #446 adopted in September of last year did not have the benefit of an actuarial study that took into account the loan payment that was made earlier this year. We finally got those figures in the last two weeks. We are restating those resolutions. Resolution #446 had an MMO of \$321,887.81 and Resolution #467 has an MMO of \$40,524.00, \$260,000 less.

Mr. Pirolli made a motion to approve Resolution #467 revising the MMO for the Police Pension plan for 2021, seconded by Mr. Shellenberger.

Roll call vote was taken:

Mrs. Kettler—for

Mr. Pirolli—for

Mrs. Chrzanowski—for

Miss Slemmer—for

Mr. Shellenberger—for

Mr. Servis—for

Ms. Gahagan—for

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

### **Sale of 2013 Ford Interceptor Sedan through Municibid—Consideration**

Chief Doyle explained that the top bid through Municibid was from Alex Sherman for \$3400.

Mrs. Kettler made a motion to approve the bid for \$3400 for the 2013 Ford Interceptor, seconded by Mr. Pirolli.



Roll call vote was taken:

Mrs. Kettler—for

Mr. Pirolli—for

Mrs. Chrzanowski—for

Miss Slemmer—for

Mr. Shellenberger—for

Mr. Servis—for

Ms. Gahagan—for

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

### **Sale of 2016 Ford SUV through Municibid—Consideration**

Chief Doyle explained that the top bid through Municibid was from Peter Bajuz in the amount of \$7700.

Mr. Pirolli made a motion to approve the sale of the 2016 Ford SUV for \$7700, seconded by Mr. Shellenberger.

Roll call vote was taken:

Mrs. Kettler—for

Mr. Pirolli—for

Mrs. Chrzanowski—for

Miss Slemmer—for

Mr. Shellenberger—for

Mr. Servis—for

Ms. Gahagan—for

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

### **COMMITTEE REPORTS**

Mrs. Chrzanowski reported on the Senior Citizens committee. Mrs. Chrzanowski reported that the residents of the MacIntosh would like the Borough to provide transportation for them to vote on Election Day. She suggested we contact Bucks County Transport to see if they would be able to provide the transportation for Election Day for a cost of \$6 roundtrip.

Mr. Shellenberger made motion to approve the cost not to exceed \$300, Mr. Pirolli seconded.

Roll call vote was taken:

Mrs. Kettler—for

Mr. Pirolli—for

Mrs. Chrzanowski—for

Miss Slemmer—for

Mr. Shellenberger—for

Mr. Servis—for

Ms. Gahagan—for

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

## **BOROUGH REPORTS**

### **MAYOR'S REPORT**

The Mayor thanked the Bucks County Commissioners for appointing Bobby Jones and him to the Solid Waste Consortium for two years. He also thanked St. Michaels for once again inviting him to participate in their annual 2 ½ mile walk around Lakeside Drive. They saw a lot of residents as they walked by and he got a lot of great questions from the kids. October 30<sup>th</sup> marks 61<sup>st</sup> anniversary of Kennedy's speech at the Levittown Shopping Center. The crowd to see him was estimated at 50,000 and it remains one of the biggest events in the history of the town. The Mayor asked Mrs. Marks to play the speech throughout the day on the government channel to commemorate the event. The Mayor asked Council to remember Main Street when the Steel Mill was in full operation. Main Street had 3 bars, a gas station, a breakfast café and lots of traffic. With the development of the North Point Project, it is projected that between 5,000 and 10,000 new jobs will be created. We may have an opportunity to redevelop Main Street and the responsibility to keep it safe with the increased traffic. This, along with the Wawa development and potential St. Michael's development, could go a long way to resolving budget shortcomings in the future. Reminder that Election Day is November 2<sup>nd</sup>. Poles are open from 7:00 A.M. to 8:00 P.M.

### **SOLICITOR'S REPORT**

There was no Solicitor's Report.

Mr. Shellenberger asked Mr. Walsh to provide a memo to all of council about the new Sunshine Law. Mr. Walsh explained that the Amendment to the Agenda was handled pursuant to that new law and he will prepare a memo for Council explaining the new provisions.

## **INTERIM BOROUGH COORDINATOR'S REPORT**

Mr. Pasciullo presented an estimate for additional work on the HVAC system by Foley insulation through Flannigan Mechanical to rectify the condensation issue in the building. Mr. Pasciullo indicated the bid was around \$12,000 but there is no need to act on it this evening because we are still waiting for insurance company to get back to us. Mr. Walsh advised that anything over \$11,000 up to \$23,000 only requires 3 telephone bids. Mr. Pasciullo advised that on Thursday, October 14<sup>th</sup>, there will be a public meeting on the Pedestrian Safety Study Public Meeting #2 from 6:00 P.M. to 7:15 P.M. Anyone who is concerned about the intersection of Route 13 and the Levittown Parkway should attend. The plan is to construct a pedestrian walkway from the train station over to the shopping center.

## **CHIEF'S REPORT**

Camping with cops is this Saturday starting at 5 P.M. Saturday, October 23<sup>rd</sup> is the Drug Take Back Day. Mr. Shellenberger asked to change policy for speeding tickets to only 5 miles over in residential areas where speed limit is below 25 miles per hour. Chief will check vehicle code and see if traffic survey needs to be done and report back to Council. On Kenwood Drive North Bristol Township just lowered the speed limit to 15 miles per hour.

## **FIRE MARSHAL'S REPORT**

Council has received a copy of his report.

## **MISCELLANEOUS COUNCIL BUSINESS**

There was no miscellaneous council business.

## **ADJOURNMENT**

There being no further business, a motion was made by Mr. Shellenberger to adjourn the meeting, seconded by Mr. Pirolli. All of Council was in favor of the motion and the motion carried. The meeting was adjourned at 7:53 P.M.

Respectfully submitted,

Patricia Marks  
Borough Secretary