

TULLYTOWN BOROUGH COUNCIL MEETING NOVEMBER 9, 2021

President Nina Chrzanowski called the meeting of the Tullytown Borough Council to order with the Pledge of Allegiance on Tuesday, November 9, 2021 at 7:00 P.M.

Present at the meeting:

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

Also present:

Thomas J. Walsh III, Esquire, Borough Solicitor
Joe McPadden, Borough Treasurer
Patricia Marks, Borough Secretary

MOMENT OF SILENCE

Mayor Cutchineal asked for a Moment of Silence for Mrs. Martino, a long time Tullytown resident who lived on Main Street and passed away at the age of 93. Please keep her in your thoughts and prayers.

PUBLIC COMMENT

There was no public comment.

COUNCIL MINUTES

October 12, 2021 Council Meeting Minutes—Approval

Mr. Pirolli made a motion to approve the minutes of the October 12, 2021 Council Meeting, seconded by Mrs. Kettler.

Roll call vote was taken:

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

Mr. Pirolli—for
Mrs. Kettler—for
Mrs. Chrzanowski—for

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

October 19, 2021 Council Meeting Minutes—Approval

Mrs. Kettler made a motion to approve the minutes of the October 19, 2021 Council Meeting, seconded by Mr. Pirolli.

Roll call vote was taken:
Ms. Gahagan—abstain
Mr. Shellenberger—against
Mr. Servis—abstain
Mr. Pirolli—for
Mrs. Kettler—for
Mrs. Chrzanowski—for

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

TREASURER'S REPORT

MONTHLY BILLS

Mrs. Kettler made a motion to approve the bills in the amount of \$41,904.97 seconded by Mr. Pirolli Mr. Servis questioned the Eckert Seamans' bill which is now in the amount of \$9,664.70. Mrs. Chrzanowski advised that payment of the bill is a separate line item under General Business.

Roll call vote was taken:
Ms. Gahagan—for
Mr. Shellenberger—for, with the exception of the Eckert Seamans' bill
Mr. Servis—against
Mr. Pirolli—for
Mrs. Kettler—for
Mrs. Chrzanowski—for

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

OTHER EXPENSES PAID IN OCTOBER, 2021

Mrs. Kettler made a motion to approve the other expenses for October, 2021 in the amount of \$181,855.30 seconded by Mr. Pirolli.

Roll call vote was taken:

Ms. Gahagan—for

Mr. Shellenberger—for

Mr. Servis—for

Mr. Pirolli—for

Mrs. Kettler—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 October, 2021, seconded by Mrs. Kettler.

Roll call vote was taken:

Ms. Gahagan—for

Mr. Shellenberger—for

Mr. Servis—for

Mr. Pirolli—for

Mrs. Kettler—for

Mrs. Chrzanowski—for

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

COMMUNICATIONS

Mrs. Marks advised that she received an email and two flyers from the project coordinator at TMA Bucks. The I-95 project website, 95revive.com, has been updated. It is a great resource for those who use I-95 to commute and it provides updates on the long term I-95 infrastructure project. Copies of the flyers will be put on the website and Savvy Citizen.

GENERAL BUSINESS

- a) One appointment to Parks and Recreation Committee—Consideration

Mrs. Marks advised that Becky Antolino's term on the Parks and Recreation Committee expired at the end of October. She has expressed a desire to continue to serve on the Committee.

Mr. Pirolli made a motion to reappoint Becky Antolino to the Parks and Recreation Committee for a 5 year term, seconded by Mrs. Kettler.

Roll call vote was taken:

Ms. Gahagan—for

Mr. Shellenberger—for

Mr. Servis—for

Mr. Pirolli—for

Mrs. Kettler—for

Mrs. Chrzanowski—for

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

b) Purchase of three (3) desktop computers—Consideration

Mrs. Marks requested the approval of Council to replace the existing laptop computers with desktop computers for herself, Karen and Joe. The desktops will be more efficient and provide additional memory and speed. The existing laptops often lose connections or freeze up. The quote from Advanced Innovations is included in the packet. For the 3 desktop computers, monitors, software and the cost of configuring the computers, the total amount is \$4,650.00.

Mr. Pirolli made a motion to approve the purchase of 3 desktop computers in the amount of \$4,650, seconded by Mrs. Kettler.

Roll call vote was taken:

Ms. Gahagan—for

Mr. Shellenberger—for

Mr. Servis—for

Mr. Pirolli—for

Mrs. Kettler—for

Mrs. Chrzanowskii—for

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

c) Tullytown Lakeside & Low Inlet Replacement Proposal Recommendation—
Consideration

Mrs. Marks advised the entire storm drain inlet at Low Lane and Lakeside Drive needs to be replaced as soon as possible. This has been ongoing since the beginning of the year and we have had numerous complaints from the school. In July the drain was opened and the engineer, Gilmore & Associates, prepared the specifications to fix the issue and put it out to bid. Council has a copy of the bids, pictures and Gilmore's

recommendation. The lowest bid is below the bidding threshold and Donato Spaventa and Sons has been recommended by the Engineer to do the work.

Mr. Shellenberger asked who was responsible for the drain and inlet. Mr. Walsh advised that because the inlet is in the public street and has deteriorated because of its age, it is the responsibility of the Borough. Mr. Servis inquired as to whether the Covid ARF funds could be used to reimburse the Borough for the cost. Mr. Walsh replied that it would need to be looked into.

Mr. Pirolli made a motion to approve the proposal for replacement of the Inlet from Donato Spaventa for \$17,400, seconded by Mr. Shellenberger.

Roll call vote was taken:

Ms. Gahagan—for

Mr. Shellenberger—for

Mr. Servis—for

Mr. Pirolli—for

Mrs. Kettler—for

Mrs. Chrzanowski—for

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

d) Insulation of bare refrigeration piping tie-ins proposal—Consideration

Mrs. Marks advised that we have a proposal by Foley Insulation for insulating the bare refrigeration piping tie-ins for the HVAC system. The water dripping due to the bare piping condensation is the cause of the mold that is spread throughout the building. The base price is \$6,750, and additional pricing is included if additional work is required. This insulation will resolve the cause of the mold, but does not take care of the mold problem.

Mr. Shellenberger made a motion to approve the insulation of the bare refrigeration piping tie-ins in the amount of \$6750 by Foley Insulation, seconded by Mr. Pirolli.

Mrs. Kettler asked if there was a certain amount that we would cap these repairs. Mr. Shellenberger replied that we should pay the cost for all repairs required and he would like to take action against the original installer to reimburse the Borough for these expenses.

Roll call vote was taken:

Ms. Gahagan—for

Mr. Shellenberger—for

Mr. Servis—for

Mr. Pirolli—for

Mrs. Kettler—for
Mrs. Chrzanowski—for

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

Mr. Shellenberger made a motion to amend the Agenda, seconded by Mr. Pirolli. All of Council was in favor of the motion, the motion carried.

Mr. Shellenberger made a motion to pursue action against the original HVAC installer for the cost of repairing the system due to poor installation, seconded by Mr. Pirolli.

Roll call vote was taken:

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

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

e) Resolution #470 - Minimum Municipal Obligation (MMO) Police Pension Plan
2022 Revision—Consideration

Mr. Walsh explained that the MMO Obligation for 2022 has been revised with the Pension Loan Funding taken into consideration. When the original Resolution was passed September 14, 2021 we did not have accurate figures reflecting the amount of the Minimum Municipal Obligation that would be for both the Police Pension Plan and the Non-Uniform Pension for next year. We now have Resolution #470 for the Police Pension Plan with accurate figures that takes into account the funding that was done by the Pension Funding Loan. The Obligation is now \$32,669.58. Before the loan, the MMO for 2020 for the Police Pension Plan was \$315,000. For 2021, it was \$320,000.

Mr. Pirolli made a motion to approve Resolution #470 revising the MMO for the Police Pension plan for 2022, seconded by Mrs. Kettler.

Roll call vote was taken:

Ms. Gahagan—for
Mr. Shellenberger—for
Mr. Servis—for
Mr. Pirolli—for
Mrs. Kettler—for

Mrs. Chrzanowski—for

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

- f) Resolution #471 - Minimum Municipal Obligation (MMO) Non-Uniformed Pension Plan 2022 Revised—Consideration

Mr. Walsh advised the adjusted MMO for 2022 for the Non-Uniform Pension is now \$17,392.69

Mr. Pirolli made a motion to approve Resolution #471 revising the MMO for the Non-Uniformed Pension plan for 2022, seconded by Mrs. Kettler.

Roll call vote was taken:

Ms. Gahagan—for

Mr. Shellenberger—for

Mr. Servis—for

Mr. Pirolli—for

Mrs. Kettler—for

Mrs. Chrzanowski

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

- g) Bucks County EMS Chief's Association request for ARPA Funds—Consideration

Mrs. Marks explained that Tullytown Borough received a letter and spreadsheet from the County outlining the requested funds from the EMS Chief's Association for each municipality from the ARPA funds. The attached spreadsheet shows the amount paid by the County and whether the municipality currently provides a donation to the EMS.

Mr. Servis made a motion to table the request, seconded by Mrs. Kettler.

Roll call vote was taken:

Ms. Gahagan—for

Mr. Shellenberger—for

Mr. Servis—for

Mr. Pirolli—for

Mrs. Kettler—for

Mrs. Chrzanowski—for

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

h) Public Hearing – Police Pension Ordinance

Mr. Walsh explained that this is a public hearing to consider an amendment to the Police Pension Plan to change the retirement age for officers from 55 to 50 and 25 years of service. We have proof of publication for advertising the Ordinance in the November 2, 2021 edition of the Bucks County Courier Times and it was also sent to the Bucks County Law Library. Pending public comment, the Ordinance is ready for Council's consideration.

Scott Saunders, Lovett Avenue, questioned whether the Borough can afford this option going down the road. Most pension plans are headed in the opposite direction.

Mr. Pirolli made a motion to approve **Ordinance #403** for the Police Pension Amendment, seconded by Mrs. Kettler.

Roll call vote was taken:

Ms. Gahagan—against

Mr. Shellenberger—against

Mr. Servis—against

Mr. Pirolli—for

Mrs. Kettler—for

Mrs. Chrzanowski—for

The vote was 3 in favor, 3 against. Mayor Cutchineal voted to break the tie in favor of the Police Pension Ordinance.

i) 2022 Tentative Budget—Consideration

Mr. Servis suggested that, since Miss Slemmer was absent, the discussion on the tentative budget be tabled until the December meeting. Mr. Walsh explained that if the budget is tabled to next month, it will require several meetings in December. The budget needs to be advertised and available for review for 10 days as well as a tax ordinance that is required to put the rates into effect. Mrs. Chrzanowski stated some things were changed from the first budget that was included in the Agenda package of November 4, 2021 to the budget that was given to Council today. Mr. Servis explained that certain items were changed by the police chief and this latest budget was to change it back. Mrs. Chrzanowski stated that other things were changed as well, including the occupational tax was changed from \$10 to \$52 and the property allocation check was lowered to \$1,500.

Mr. Shellenberger asked what the total difference was in the two budgets and Mr. McPadden advised it was \$800,000.

Mr. Pirolli made a motion to approve the tentative 2022 Budget dated 11/4/21, seconded by Mrs. Kettler.

Roll call vote was taken:

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

The vote was 3 in favor, 3 against. Mayor Cutchineal voted to break the tie in favor of the tentative 2022 budget.

j) 2022 Tentative Budget—Authorize Advertising

Mr. Shellenberger made a motion to authorize the advertising of the tentative 2022 Budget with corresponding Tax Ordinance available for inspection, seconded by Mr. Servis.

Roll call vote was taken:

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

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

k) Eckert Seamans' Invoice for Services—Approval

Mrs. Marks commented that payment of this invoice was tabled at the last meeting until Council had received and reviewed an itemized copy of the invoice. Council has received a copy of the itemized invoice in the amount of \$9,664.70, and a copy is included in your packet.

Mr. Pirolli asked if the itemized bill indicated who they spoke with in the itemized bills and Mrs. Chrzanowski advised that Ms. Gahagan and Mr. Servis spoke with the attorneys.

Mr. Pirolli made a motion to approve payment of the Eckert Seamans' invoice in the amount of \$9,664.70, seconded by Mrs. Kettler.

Roll call vote was taken:
Ms. Gahagan—against
Mr. Shellenberger—against
Mr. Servis—against
Mr. Pirolli—for
Mrs. Kettler—for
Mrs. Chrzanowski—for

The vote was 3 in favor, 3 against. Mayor Cutchineal voted to break the tie in favor of payment of the Eckert Seaman's invoice.

l) Reimbursement of Expenses due to Covid-19 Mitigation Efforts through ARF Funding—Consideration

Mr. Shellenberger made a motion to table the approval of reimbursement of Covid related expenses under ARF, seconded by Mr. Servis.

Roll call vote was taken:
Ms. Gahagan—for
Mr. Shellenberger—for
Mr. Servis—for
Mr. Pirolli—for
Mrs. Kettler—for
Mrs. Chrzanowski—for

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

m) Waste Management Contract for 2022—Consideration

Mrs. Marks advised that Waste Management has agreed to extend the contract through December 31, 2022. A copy is included in your packet. The pricing for the year is \$95,576.00.

Mr. Pirolli asked if this was the full amount for the contract and asked if there were any other monies due to the Borough from Waste Management.

Mrs. Kettler made a motion to approve the 2022 Contract for Waste Management in the amount of \$95,576.00, seconded by Mr. Pirolli.

Roll call vote was taken:

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

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

COMMITTEE REPORTS

There were no committee reports.

BOROUGH REPORTS

MAYOR'S REPORT

The Mayor extended congratulations to all who competed in the November 2nd municipal election. He received a request from resident Kelli Donlan who helps run the annual Relay for Life festival at the Pennsbury High School. She has asked if they can hold the Relay for Life next year in the park behind Borough Hall. Their traditional site at Falcon field will not be available in 2022 due to reconstruction. There will be roughly 400 or 500 people. Ms. Donlan explained that the Relay for Life is typically a 24 hour event and a fund raiser for the American Cancer Society. All the money that is raised stays in the tri-state area. It is the 20th anniversary this year but Falcon field cannot hold the event. It will not be 24 hours this year because it is not cost effective. It will end around 10:00 P.M. Generally, there are two teams and one person from each team is on the track at all times. The date is June 18, 2022. The Mayor advised that a lot of Tullytown residents take part. Ms. Donlan advised that they fight to honor all who have been through it including caregivers and survivors. Mrs. Chrzanowski indicated that a large event application will need to be completed and Ms. Donlan advised the American Cancer Society will take care of it. Mr. Servis made a motion to approve and waive the fee, seconded by Mr. Shellengerger.

Roll call vote was taken:

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

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

The Mayor asked if there will be a Christmas tree lighting this year. Friday, December 10th is the date that was suggested and Council was in agreement.

The Mayor asked if there are plans to hold the annual Memorial Day parade. It was cancelled the last few years due to Covid. In order to pull it off in time, we need to start planning and fundraising. Mr. Hammar, Chair of Parks and Recreation, indicated that the committee is willing to participate.

The Mayor said he was asked while campaigning if Tullytown was planning on having the town picnic. Due to Covid, Council indicated that it would not be held next year.

SOLICITOR'S REPORT

Mr. Walsh indicated that at the last meeting he was asked to send a memo summarizing the recent changes to the Sunshine Law and he wanted to make sure that all Council received a copy of his explanation. Any questions, let him know.

MISCELLANEOUS COUNCIL BUSINESS

Mr. Shellenberger advised that he received a complaint from a resident about vegetation on Low Lane. They said when they go on the on ramp from Low Lane to Route 13, the vegetation is getting bad. He will give the information to Mrs. Marks for Mr. Snyder to check out.

Mr. Pirolli asked if someone can take a look at the Waste Management Agreements to see if they owe the Borough \$4 million.

ADJOURNMENT

There being no further business, a motion was made by Mr. Pirolli to adjourn the meeting. All of Council was in favor of the motion and the motion carried. The meeting was adjourned at 7:51 P.M.

Respectfully submitted,

Patricia Marks
Borough Secretary