

TULLYTOWN BOROUGH COUNCIL MEETING

MAY 3, 2016

Vice President Joe Shellenberger called the meeting of the Tullytown Borough Council to order on Tuesday, May 3, 2016 at 7:00 p.m.

Mayor Cutchineal asked for a moment of silence for Hannah Brandimarto and Howard Stover who recently passed away.

Present at the meeting:

Mayor Cutchineal
Councilwoman Grady
Councilwoman Kettler
Councilwoman Slemmer
Councilman Pirolli
Councilwoman Gahagan
Councilman Shellenberger
Councilwoman Kucher absent due to illness

Also present:

Michael T. Sellers, Esq., Borough Solicitor
Kurt M. Schroeder, P.E., Gilmore & Associates, Inc, Borough Engineer
Alison Smith, Borough Coordinator
Dan Doyle, Chief of Police
Judy Collings, Borough Treasurer
Nancy Conner, Borough Secretary

SOLICITOR'S REPORT ON EXECUTIVE SESSION

Mr. Sellers advised that in executive session before this evening's meeting, Council discussed the status of the pending action in Commonwealth Court of River's Edge vs. Borough of Tullytown.

PUBLIC COMMENT

Evan Darroch, 32 Silver Birch Lane, discussed his proposed Eagle project. He advised it would be a set of picnic tables with checker and chess boards and flower beds possibly. He added that he would like to complete by the end of the July and would like to do it in the Borough Park. Evan distributed his plans to Council.

Mrs. Kettler asked Evan Darroch if he is looking for something from Council. Evan advised that he is looking for Council approval. Mrs. Kettler asked Evan to explain what he is making and he proceeded to explain. Mrs. Kettler asked if we need an opinion on this project. Mrs. Smith advised the only thing is ADA accessibility and she advised we can work with him.

Mrs. Kettler commented this is a great idea—good recreation for kids other than computers or who can't participate in games, etc.

Mrs. Kettler made a motion to approve this project, seconded by Mrs. Grady. All of Council was in favor of the motion; the motion carried.

Elaine Franz, 320 Main Street, Tullytown, discussed the Memorial Day Parade—she will be coordinating the decorated bicycles. She advised they will be meeting on Levittown Parkway in front of Hesski's—she encouraged the older ones to walk the entire parade route—
younger can join up on Main Street--prizes will be awarded.

COUNCIL MINUTES

A motion was made by Mrs. Kettler to accept the minutes of the April 5, 2016 Council meeting, seconded by Mr. Pirolli. The motion carried with a unanimous vote of Council in favor.

TREASURER'S REPORT

MONTHLY BILLS

A motion was made by Mrs. Kettler to approve the monthly bills in the amount of \$48,680.93, seconded by Mr. Pirolli. 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 April, 2016, seconded by Mrs. Grady. All of Council was in favor of the motion; the motion carried.

COMMUNICATIONS

Mrs. Conner advised that we received a thank you letter from Bucks County Health Improvement Partnership for their donation.

Mrs. Conner also mentioned the 2016 Bucks County Household Hazardous Waste Collection Events for 2016 year.

Mrs. Conner advised a letter of resignation was received from Spencer Malloy who was a member of the Environmental Advisory Council. She added that Mr. Malloy is moving out of the Borough.

GENERAL BUSINESS

ACCEPT PROPOSAL—CERTIFIED ARBORIST FOR MAIN STREET TREE SURVEY

Mrs. Conner advised that she received a list of certified arborists from the Penn State Extension. She indicated that she contacted six (6) certified arborists to request proposals

and she received only 2 proposals; namely,

Shades of Green - \$650.00
Vincent Punches - \$3,650.00

Mrs. Kettler motion to accept the proposal of Shades of Green in the amount of \$650.00, seconded Mrs. Grady. All of Council was in favor of the motion; the motion carried.

ACCEPT PROPOSAL—FOOD PORTION OF BOROUGH PICNIC

Mrs. Conner advised that the food tasting was held a few weeks ago. She advised that samples were exhibited from Harvest Hospitality Group LLC, Cheryl Panzitta Catering and Christina's Catering—blind tasting was done.

Mrs. Conner advised that 6 people participated in the tasting and voted with 3 in favor of Christina's Catering and 3 in favor of Panzitta Catering.

Mrs. Conner advised the proposals as follows:

Harvest Hospitality Group LLC -- \$8,911.49
Cheryl Panzitta Catering - \$11,950.00
Christina's Catering - \$7,000

Mrs. Conner advised that Mary Ann Gahagan is now present at the meeting.

Mr. Pirolli made a motion to accept the proposal for Christina's Catering in the amount of \$7,000.00, seconded Mrs. Slemmer. All of Council was in favor of the motion; the motion carried.

ACCEPT PROPOSAL—FUNNEL CAKES FOR BOROUGH PICNIC

Mrs. Conner advised that we received proposals from:

KC's Funnel Cakes (formerly worked with Fun Foods LLC) - \$3,000.00
Cheryl Panzitta Catering - \$3,200.00

Mr. Pirolli made a motion to accept the proposal of KC's Funnel Cakes in the amount of \$3,000.00, seconded by Ms. Gahagan. All of Council was in favor of the motion; the motion carried.

RESOLUTION #345—AUTHORIZING ACT 10

Mr. Sellers advised that this has to do with Act 10 which is legislation signed into law by Governor Tom Wolff on March 25, 2016. He added this law allows municipalities to be authorized to make certain types of investments which generate a better interest rate.

A motion was made by Mr. Pirolli to adopt Resolution #345, authorizing Act 10, seconded by Mrs. Kettler. All of Council was in favor of the motion; the motion carried.

ACCEPT BID FOR SALE OF 2009 FORD CROWN VICTORIA

Chief Doyle advised that we did not get the minimum bid requirement. He asked Council to reject all bids and to re-advertise. Mr. Pirolli made a motion to reject all bids and re-advertise for the sale of the 2009 Ford Crown Victoria. Mrs. Grady seconded the motion. All of Council was in favor of the motion; the motion carried.

AUTHORIZE AMENDMENT TO MAXIMUM LIMIT OF EXPENDITURES FOR PARADE

Mrs. Conner advised that Council made a motion in March to approve expenditures for parade not to exceed \$15,600. Mrs. Conner added that the Parade Committee has received donations in the amount of \$3,400 which should be added to the maximum limit to reflect the donations. Mrs. Conner mentioned that we do not have the donations in hand—some are commitments at this time.

Mr. Pirolli made a motion to authorize expenditures for the Memorial Day parade not to exceed \$19,000. Mrs. Kettler seconded the motion. All of Council was in favor of the motion; the motion carried.

HIRING OF 2 PART-TIME POLICE OFFICERS

Chief Doyle advised we are replacing a few part-timers; one has left—three more will be leaving shortly. He indicated that Jacob Blickley and Gerard Russi are the applicants to be hired.

Mr. Pirolli made a motion to hire Jacob Blickley as part-time police officer, seconded by Mrs. Grady. All of Council was in favor of the motion; the motion carried.

Mr. Pirolli made a motion to hire Gerard Russi, seconded by Ms. Gahagan. All of Council was in favor of the motion; the motion carried.

Mayor Cutchineal asked to recess Council meeting to swear in Gerard Russi.

The meeting was reconvened.

COMMITTEE REPORTS

There were no Committee reports.

BOROUGH REPORTS

MAYOR'S REPORT

Mayor Cutchineal congratulated Gerard Russi and explained that his father was from Tullytown who recently retired as a corrections officer after a career in criminal justice.

Mayor Cutchineal congratulated the Police Department as last week there were 3 Narcan saves in 2 nights in Kenwood.

Rick Johnson, parade chairman, advised the Memorial Day Parade will be held on May 28th starting at 12 noon at McGinty's ice cream, proceeding down to Rt. 13 over the Tullytown Bridge to end at Borough Hall for closing ceremonies. He added there will be 3 or 4 speakers at the closing ceremonies. Rick mentioned there are approximately 49 units participating in the parade. He added this will be a full day event as it is the Borough's 125th anniversary this year. Mr. Johnson mentioned there will be hot dogs after the parade, barbecue in the park later for purchase and DJB (Daisy Jug Band performing after closing ceremonies and WitzEnd Band performing at 6 pm.

Ms. Gahagan asked that once the parade is over, can people drive into town. Rick Johnson advised that is correct.

Mayor advised that he presented a signed proclamation to the Police Department recognizing Police memorial week of May 15th.

Mayor Cutchineal also advised that our Police Department will be participating in the May 14th clean up day. He encouraged residents to come out and help.

Mayor congratulated Joann and Ashley Mazzocchi who completed the Broad Street Run on Sunday, for the second year in a row.

Rick Johnson also mentioned that Levittown Parkway eastbound will be shut down in the area of Hesski's approximately 10:30 am the day of parade –he advised that westbound traffic will be open.

COORDINATOR'S REPORT

Mrs. Smith presented the Coordinator's report, a copy of which is attached to the minutes.

Regarding the second pavilion, Mrs. Smith advised that Council previously approved \$2,500 for the lights and electric service for the first pavilion—they held off as it would be cheaper to do both pavilions at the same time. She advised a total estimate of \$4,500 to do lights and electric for the 2 pavilions. Mrs. Smith asked for motion to approve \$2,000 for Ferraro Electric.

Mr. Pirolli made a motion to approve \$2,000 for Ferraro Electric to do the lights and electric for the 2 pavilions, seconded by Mrs. Kettler. All of Council was in favor of the motion; the motion carried.

Regarding the Canal's End report, Mrs. Kettler asked Mrs. Smith what she means by "the only issue now is how the project management will be handled" Mrs. Smith commented that either we would put it out to a general contractor who would manage everything or handle it as piecemeal and it would be managed by the Borough and the second part is the question of who would do the project management. Mrs. Smith advised we need to have a Council park & rec committee meeting to discuss. Mrs. Kettler asked for a time frame. Mrs. Smith advised that if they submit at the end of this week it's a 60 day turn around. She feels that by the end of July we should be able to go out to bid and award in August.

Mrs. Smith also elaborated on the parade. Mr. Pirolli commented that he hopes Penndot will fill in the potholes for the parade route.

Regarding the Borough Hall, Mrs. Smith commented that the lights above the dais were out at last meeting. She advised the electrician needs to replace a "Lutron" panel with a cost of \$1,128. She suggested we purchase 2 panels. Mr. Shellenberger mentioned that the fans in the Council meeting room do not work. Mrs. Smith advised that was a part of it.

Mr. Pirolli made a motion to purchase one Lutron panel in the amount of \$1,128.21 to Denney Electric Supply, seconded by Mrs. Slemmer. All of Council was in favor of the motion; the motion carried.

Mrs. Smith discussed the canopy lights outside the front door of Borough building. She added that in order to replace the fixtures and go to LED lights, we would have to take out the transformer and ballast and replace with another fixture which would allow the use of LED lights.

Ms. Gahagan made a motion to approve the expenditure of \$1,750.00 to Ferraro Electric, seconded by Mrs. Kettler. All of Council was in favor of the motion; the motion carried.

Regarding the parking lot lights that Mrs. Smith discussed, she explained that there are 6 lights remaining to be changed out—the cost to bypass the ballasts and change the fixture to hold new LED bulbs is \$1,750.00 to Ferraro Electric.

Mrs. Kettler made a motion to authorize the expenditure to Ferraro Electric in the amount of \$1,750.00 to convert the remaining 6 poles in our parking lot to LED's. Mrs. Grady seconded the motion. All of Council was in favor of the motion; the motion carried.

Mrs. Smith also mentioned Clean up Day is May 14th. She added the police officers have always volunteered—she added its fun and its helpful—free hot dogs and soda and chips.

SOLICITOR'S REPORT

Mr. Sellers advised he had nothing to report.

ENGINEER'S REPORT

Mr. Schroeder discussed the FEMA matter. He advised that last month they tried to gather more data to submit to FEMA to refute their maps—we are claiming that their flows coming through Martin's Creek are more than what actually occurs and that is resulting in a lot more properties being added to a floodplain than what we think are appropriate.

Mr. Schroeder advised they submitted a letter to FEMA outlining the Borough's concerns—he feels they think they found some good data that they should consider to lower their flows on their maps.

Mr. Schroeder also engaged the Congressman's office to reach out to FEMA as we are up against the time clock—FEMA has a regimented time frame.

He added that FEMA advised that we are out of time as they need to move forward, but indicated at any time we can go back to them and can revise the map. Mr. Schroeder indicated that we are also waiting for response back from the information we just submitted to them—we would like to hear from them what their viewpoint is. Mr. Schroeder commented that there is a uniqueness to this watershed—about 11 square miles—there are large bodies of water, ponds, lagoon and lakes and they are treating that as if it's a parking lot where any water that lands on that lake is running off. He added that some of the information we provided to FEMA is that some of those lakes and ponds have a lot of freeboard in them which would store water so they should be accounting for water that is stored in there is not coming down immediately as flow into the Borough.

Mr. Schroeder advised that the challenge is to try to convince them to accept this data and redo their model—they have exhausted all their funding in that study so they are not willing to continue to work with us at this moment. He added it is now our burden to go back to FEMA and convince them otherwise. He stated that if we can't get them to agree in this route there may be other alternative avenues where we can find public funding that they can use to continue a more detailed study.

Mrs. Smith added that she is a little more optimistic that there is something that can be done so we will be looking to schedule a meeting with the regional administrator. She commented that one of the biggest things is that Martin's Creek is forced under the canal in 2 pipes that significantly reduces the flow that comes down to us and it's not part of FEMA's model.

Mrs. Smith advised that Bristol Borough has gone to the Army Corps of Engineers and are trying to get funding and the Corps to completely re-study the whole way that FEMA did this. She added they too are also looking at many properties that historically never flooded that are now being placed in the floodplain.

Mr. Schroeder mentioned that FEMA consultants admitted that something was off with this watershed—they did the same model in every other watershed in the area and they got reasonable results. He added that FEMA applied that model to this watershed and literally they said the flood map went off the page. He further added that they went to this New Jersey regression formula and it has some subjectiveness as what inputs they put into their formula which they thought looks more reasonable. However, Mr. Schroeder commented that it put a lot of properties into a floodplain that has a detrimental effect to economic growth, property values, etc.

Mrs. Smith advised that Falls Township did what we are doing now—they protested and that's what finally got FEMA to do this study which pushed the water out of Falls and down the creek. She added it took Falls Township quite a while to get FEMA to this and we need to be aggressive.

Mr. Pirolli commented that we need to contact our Congressman again. Mrs. Kettler asked if their office was any help. Mrs. Smith advised that they wrote the letter that we needed but we didn't get the extra time. She added that if we can get the Congressman's office more energized it would be helpful to do that and getting him more involved in it even than before would be more helpful.

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

The meeting was adjourned at 8:00 p.m.

Respectfully submitted,



Nancy Conner
Borough Secretary

COORDINATOR'S REPORT

May 3, 2016

1. PAVILION:

- a. The construction of the second pavilion structure has been completed. We saved \$6,500.00 from the approved cost. Staining of the second building, and landscaping and walks to each will be handled in-house; lighting and electric service for each are also still needed.
- b. We had previously approved \$2500.00 for electric service and lighting for the first pavilion; we held off until the second building was finished as it would be cheaper done together. The total cost for both, which includes taking the 2 floodlights out of the trees and mounting them on the back pavilion, is \$4500.00. We need a motion to approve the remaining \$2000.00 to do the job.
- c. We will need to develop procedures concerning renting to more than one party and the appropriate charges.

2. CANAL'S END:

- a. Penoni has completed the redesign of the storm water and associated grades and walks and will be ready to take the next big step and submit the plans to NPDES for storm water review and to DCNR for review of the whole plan set. There were no additional charges for the work.
- b. The final design had pushed the cost of the project much higher, which would have meant eliminating some of the elements that were originally included. The new design is sufficiently lower in cost that this may not be needed. The only issue now is how the project management will be handled.

3. ELCON:

- a. The Safety Committee met with Elcon concerning holding all trucking away from both Route 13 and Main Street in Tullytown, should the project be approved. They will send a letter committing to avoiding those streets.

4. WEBSITE:

- a. Nancy Conner led the effort to improve the Borough website, and it looks so much more professional. Take a look and let us know what else you would like to see. We are continuing to develop it.

5. PARADE:

- a. The Memorial Day Parade is shaping up to be a wonderful celebration of 125 years of Borough history.
- b. It will kick off at 12 noon from Stonybrook. Chief Doyle was able to secure the permits to close the Levittown Parkway and Route 13 so the route will be down the Parkway, north on Route 13 to Fallsington Avenue, over the bridge to Main Street to make the left down to Borough Hall. Imagine standing at the base of the Bridge and watching the marchers coming up over the crest of the hill and down into town!
- c. Our Veterans will be accompanied by two bagpipe bands, two string bands, the Pennsbury High School Marching Band, Drummers With Attitude, and the Daisy Jug Band (now known as DJB) along with the Queen and her Court, area fire companies, and numerous groups and organizations.
- d. At the Borough Hall there will be a ceremony led by our Grand Marshall Mayor Dave Cutchineal and including interesting speeches.
- e. After the ceremony free hot dogs and soda will be available in the park. At 4:00 the DJB (formerly Daisy Jug Band) will play and at 6:00 WitzEnd will take the stage. Both bands

are favorites from past engagements. There will be activities for people of all ages available to play.

- f. The Council President, Chief, and Coordinator have made different fundraising visits to local businesses and are starting to see the results. Lucisano Brothers donated \$800.00, WalMart donated \$2,500.00, TLC Nursing donated \$100.00.

6. BOROUGH HALL:

- a. The lights over the Council dais were out last meeting; our electrician found that the Lutron panel that controls the lights for this room is bad. The lighting design for the building won an award when it was built, it used a lot of unique high end fixtures. Lutron had stopped manufacturing these panels before the building was finished, so finding spare parts is difficult.
Right now the lights are using the panel in the library as a temporary fix but that is not sustainable. After an extensive search the electrician found a last repository that has 11 of these panels left. They are \$1,128.21 apiece, it would be a good idea to get two now which can carry us for a few more years, that would be \$2,256.42. Eventually we will have to change out the system. The vendor is Denney Electric Supply.
- b. The canopy lights outside the front door have three fixtures that are burnt out, light bulbs in the others burn out rapidly. This was a unique design and the bulbs that match the transformer/ballast installation are no longer available. In order to fix it and be able to use LED bulbs the transformer and ballasts need to be removed and new light fixtures installed. The cost is \$1,750.00 to Ferraro Electric. We will use our Public Works department to remove and replace the soffit to facilitate the work.
- c. Over time we have been changing the parking lot lights to LED's, they are much brighter and reduce maintenance costs as they last so much longer. We need a bucket truck to change the bulbs so it is expensive each time. The cost to convert the remaining 6 poles, which involves bypassing the existing ballast and changing the fixture, to the much brighter LED's is \$1,750.00 to Ferraro Electric.

7. CLEAN UP DAY:

- a. The Borough's annual clean-up day is scheduled for Saturday May 14th, from 9am to 1pm. Clean-up supplies will be provided as well as free food and drink. It's a good cause, our police are always a large part of the volunteers which makes it a fun community event.

8. ST. MIKE'S CROSSING PROTECTION:

- a. Gilmore has been working with PennDOT to see what configuration for the flashers would be acceptable. Their position has been that too many warnings are distracting. Gilmore's Mike Shinton has put forth the idea that the warning signs still do not give notice to people turning out of either the shopping center or the school/shopping on the opposite side. Two possible options, which would be allowed for that purpose are attached. We will work with Council to make a decision and move forward.

9. FEMA:

- a. The survey found a major point that was not considered by FEMA in their model:
 - i. In Falls Township Martin's Creek is piped under the canal which severely restricts its flow down to Tullytown. When it backs up it cascades back to the lake which is currently not modeled as being able to hold water.
- b. There are a number of other lakes in the drainage area with the physical freeboard to hold significant runoff which also were not modeled.

- c. Separately, when their existing model didn't work in the area – predicting unbelievable flooding – they used a New Jersey model which has a very conservative coefficient for the Delaware River watershed. We would like to look at that again.
- d. They are not yet being very open to discussion but we will continue to work with Representative Fitzpatrick's office.

10. ZONING/CODE ENFORCEMENT:

- a. We are developing an informational chart to help residents understand the zoning/planning and code enforcement process.

11. PUBLIC WORKS:

- a. Along with their usual work they:
 - i. Did the site work in preparation for the pavilion pad.
 - ii. Are building the soundproof interview room.
 - iii. Are developing a ventilation plan for the room.
 - iv. Are researching bunting, banners, and flags for the parade route

12. STREET LIGHTS:

- a. We are continuing to research purchasing the streetlights from PECO and it still looks like we would save significant money. The Streets and Buildings Committee will meet next week to consider the next steps.

13. LANDFILL CLOSURE:

- a. We received notification from Waste Management that the free curbside trash pick-up will end when the landfill closes in the spring of 2017. The Streets and Buildings Committee will meet next week to consider options.

14. SEPTA:

- a. A contact person was identified by SEPTA and their information is on the Borough website for any resident having issues with the project.
- b. Our emergency response companies found the temporary installation at the base of Fallsington Avenue had a curve that was too tight for vehicles to make the turn. SEPTA's Project Management met with the Fire Department officers and said they would work to mark the stop line earlier. The new road was completed before they made those corrections.