

TULLYTOWN BOROUGH COUNCIL MEETING JUNE 2, 2015

President Rick Adams called the meeting of the Tullytown Borough Council to order on Tuesday, June 2, 2015 at 7:00 p.m.

Mayor Cutchineal asked for a moment of silence for Chip Howard, Michael Murphy, and Peggy Monti who recently passed away.

Present at the meeting:

Mayor Cutchineal
Councilman Armstrong
Councilwoman Gahagan
Councilman Pirolli
Councilwoman Kucher
Councilwoman Kettler
Councilman Czyzyk
Councilman Adams

Also present:

Michael T. Sellers, Esq., Borough Solicitor
William S. Major, P.L.S., Borough Engineer
Alison Smith, Borough Coordinator
Judy Collings, Borough Treasurer
Nancy Conner, Borough Secretary

Mr. Sellers advised that Council met in executive session prior to this meeting to discuss four (4) separate matters as follows:

1. Pending litigation of Armstrong vs. Borough of Tullytown; 2. Fox vs. Borough of Tullytown; 3. Prior boundary line litigation in Bucks County Court; and 4. Recent renewal of permit for the Tullytown landfill by the DEP.

PUBLIC COMMENT

Nina Chrzanowski, 6 Stonybrook Drive, Levittown, advised that she read about the landfill closing and asked what this means for our gift checks. Mr. Sellers advised DEP has renewed the permit until May 22, 2017. He advised the landfill has been operating since 1988. He commented that Council will have to take up the decision of the property allocation check at time of budget as they normally do.



COUNCIL MINUTES

A motion was made by Mr. Pirolli to approve the minutes of the May 5, 2015 Council meeting, seconded by Mr. Czyzyk. All of Council was in favor of the motion. The motion carried.

TREASURER'S REPORT

MONTHLY BILLS

A motion was made by Mrs. Kucher to approve the monthly bills, seconded by Mr. Czyzyk. Mr. Armstrong asked the treasurer what the cost of the Armstrong litigation is to date. Mrs. Collings advised that cost is \$8,282.10. Mr. Armstrong also asked the cost of the Fox litigation. Mrs. Collings advised that cost to date is \$6,498.00. Mrs. Collings advised that Mr. Seller's invoices for the Armstrong litigation is \$6,168.00 and Lavery Faherty invoice is \$8,282.10—total \$20,948.10.

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

RECONCILIATION STATEMENT

A motion was made by Mr. Czyzyk to approve the Reconciliation Statement for May, 2015, seconded by Mrs. Kucher. All of Council was in favor of the motion; the motion carried.

COMMUNICATIONS

Mrs. Conner advised that she sent a thank you letter to Waste Management for their generous donation of purchasing the portable toilets for the Borough Picnic.

GENERAL BUSINESS

2014 AUDIT—PRESENTATION/APPROVAL

Mr. William Coyne, Spear Coyne & Co Ltd presented the 2014 Audit to Council. He advised that we are required by PA Law to submit this to Department of Community and Economic Development, a copy to the County of Bucks and publish summary of financial condition in our local paper of general circulation.

After presentation and discussion, a motion was made by Mr. Pirolli to approve the 2014 Annual budget, Ms. Gahagan seconded the motion. All of Council was in favor of the motion; the motion carried.

TAG DONATION—REQUEST

Mrs. Conner advised that the Council received a request from Towns Against Graffiti (TAG) for a donation of \$1,500 for the year. Mrs. Conner read the list of areas that the TAG has cleaned up for the Borough in the past 2 years. Mrs. Kettler made a motion to give TAG a donation in the amount of \$1,500, seconded by Mr. Armstrong. All of Council was in favor of the motion; the motion carried.

BOROUGH PICNIC EXPENDITURE—FACE PAINTING \$550

Mr. Pirolli made a motion to approve face painting invoice to Creative Face Painting \$550. for the Borough picnic. Mr. Czyzyk seconded the motion. The motion carried with a unanimous vote of Council in favor of the motion.

BOROUGH PICNIC EXPENDITURE—AIRHEADS \$450

Mrs. Kucher made a motion to enter into contract with Airheads for \$450.00, seconded by Mrs. Kettler. All of Council was in favor of the motion; the motion carried.

Chris Shellenberger, 229 Kenwood Drive, S, commented that no one on the Park & Rec Committee knows anything about this. She is concerned that the balloon man will not be able to handle 500 to 600 kids that register for the picnic. She commented they are all for new things for the picnic but she thinks there will be long lines and would like the Park & Rec to know what's going on.

Mrs. Kucher commented that she suggested this company for last year's picnic—she commented she is on Council Park & Rec Committee and has never been invited to a meeting.

Mrs. Shellenberger commented that she mentioned that their meetings are held immediately following their events so members are all present.

Nina Chrzanowski, 6 Stonybrook Drive, commented that other committees such as Planning Commission, EAC, etc. have meetings set for a certain day—why isn't Park & Rec doing the same. She thought that might be a good idea.

BOROUGH PICNIC EXPENDITURE—PRIZES FOR GAMES NOT TO EXCEED \$500

Mr. Pirolli made a motion to approve the prizes for games not to exceed \$500, seconded by Ms. Gahagan. Mrs. Smith advised this is in lieu of using Team Unity for the games as they were charging us for the rain date. She added that she has contacted some gym teachers and expecting to pay them a stipend. All of Council was in favor of the motion; the motion carried.

BOROUGH PICNIC EXPENDITURE—EQUIPMENT FOR GAMES

Ms. Gahagan made a motion to approve the expenditure of equipment for the games not to exceed \$400, seconded by Mr. Pirolli. All of Council was in favor of the motion; the motion carried.

ONE APPOINTMENT TO PARK & RECREATION COMMITTEE

Mrs. Conner advised that Patty Stevens resigned from the Park & Recreation Committee—that term is due to expire December, 2018. She advised that four (4) people are interested in volunteering; namely, Michele Hammar, Nina Chrzanowski, Michael Shellenberger and Tina Grady.

Ms. Gahagan made a motion to appoint Michele Hammar to the Park and Rec Committee for a term to expire December, 2018. Mr. Armstrong seconded the motion. The motion carried with a unanimous vote of Council in favor of the motion.

Mrs. Kucher commented that there is no limit to number of members on the Park & Rec committee. Mr. Sellers advised that the Park & Recreation Committee is not authorized by ordinance so there is no limit to how many members Council wants to put on the Committee.

Mrs. Kucher made a motion to appoint Nina Chrzanowski to the Park & Recreation Committee for a 5-year term, seconded by Mrs. Kettler. All of Council was in favor of the motion.

Chris Shellenberger, 229 Kenwood Drive South, commented that her son has been very involved with Easter celebration and his name is on the list and Tina Grady also.

Mrs. Kettler appointed Michael Shellenberger to the Park & Recreation Committee for a 5-year term, seconded by Mr. Pirolli. All of Council was in favor of the motion; the motion carried.

Mr. Czyzyk nominated Tina Grady. Tina advised she is not interested any longer but said thank you. Mr. Czyzyk withdrew his nomination.

MEMORIAL DAY PARADE EXPENDITURE—AQUA STRING BAND \$1,800

Mrs. Kucher explained that there was some delay in obtaining the contract as the manager had a family emergency but they did show up and participated in the parade as they have done in the past. Mr. Sellers advised that it would take a vote of Council to spend this money as there was no time to do it before the event. Mr. Sellers stated that because there was no contract there was no promise to pay them so as of tonight there is no contractual obligation to pay them. He advised that if Council was satisfied with their performance and wishes to pay them someone may make a motion to that effect.

Mrs. Kucher made a motion to pay the Aqua String Band in the amount of \$1,800 for their services performed on our Memorial Day Parade. Mr. Czyzyk seconded the motion. Ms. Gahagan commented that a string band is not appropriate for a Memorial Day parade. She feels \$1,800 is pricey—she remembers there was arguing over bands in the past that cost \$750 and played for 4 or 5 hours. Mrs. Kettler commented that since the band performed services for the Borough, they should be paid—we can discuss next year if we want to have a string band. All of Council was in favor of the motion; the motion carried.

PAVILIONS FOR BOROUGH MUNICIPAL PARK

Mrs. Smith presented a power point to Council showing the different sizes of pavilions and the costs. A copy of that power point is attached to the minutes. She advised that the cost

of the two (2) 20' x 40' structures is \$87,560. – the cost of one (1) 40' x 40' structure is \$84,340.

Mr. Anthony Andruzzi, 449 Lovett Avenue, advised that he built a pavilion out of aluminum. The meeting was recessed while Mr. Andruzzi obtained the information.

The meeting was reconvened.

Mike Hammar, 237 Kenwood Drive South, advised that the Borough could approach Home Depot to see if we can get some wood donated. He added that he works part-time for them and they are good on doing community projects.

Mrs. Kettler commented that she likes the idea of 2 pavilions because you can have 2 parties renting the park simultaneously. Council agreed with 2 pavilions.

George Maples 578 Main Street, Tullytown, suggested that the Borough try to build it ourselves—have the Borough to pay for the materials and obtain some volunteers.

Mrs. Smith commented that we can continue to develop this, come up with the best price for materials based on the setting.

Mrs. Kettler asked if the tents are good enough to use for the Borough picnic this year if the pavilions aren't built by then. Mrs. Smith advised that if the weather is decent and not windy—they should be sufficient.

This matter was tabled until another meeting.

INVESTMENT ACCOUNT—REQUEST FOR PROPOSAL

Mrs. Smith commented that the proposal is in conjunction with our treasurer and auditor to put together a request for proposal to go out to bid to solicit another management firm in lieu of Valley Forge.

Mr. Pirolli made a motion to authorize the Coordinator to prepare a request for proposals to replace Valley Forge Asset Management Corporation as Manager for the Borough investment fund and solicit submissions for consideration by Borough Council. Mr. Czyzyk seconded the motion. The motion carried with a unanimous vote of Council in favor.

PROPOSAL-WEBSITE—CONSIDERATION OF ANNUAL RENEWAL

A motion was made by Mrs. Kettler to accept the proposal of BizProMedia in the amount of \$2,300, seconded by Mr. Armstrong. All of Council was in favor of the motion; the motion carried.

PLAQUE FOR MUNICIPAL BUILDING—CONSIDERATION OF EXPENSE

Mrs. Smith advised there are three (3) options for the plaque:

1. In bronze – 41 x 38 inches (same size as previous plaque) - \$4,600 – Tullytown Plastics
2. In bronze – 36 x 36 inches - \$3,300
3. Mr. Maples offered to donate a plaque which his firm would manufacture

Mr. Armstrong asked Mr. Maples if his plaque would be brass. Mr. Maples commented no, but it would look nice. Mrs. Kettler asked Mr. Maples if he could present a design. Mr. Maples advised that he could do that. Mr. Armstrong commented that the bronze would be more appropriate.

Mr. Pirolli made a motion to table this matter until the July Council meeting. Ms. Gahagan seconded the motion. All of Council was in favor of the motion; the motion carried.

CONSTRUCTION OVERSIGHT OF SEPTA PROJECT—CONSIDERATION

Mrs. Smith advised that SEPTA is ready to start their construction late this summer. She added that the Borough would want to have oversight of the construction as it will affect our residents, etc. and will be paid for by SEPTA.

Mrs. Kettler made a motion that we appoint Gilmore and Associates as special engineer for the Levittown Train Station Project construction in accordance with the services proposal of June 1, 2015, all costs to be paid by SEPTA pursuant to the Professional Services Agreement between SEPTA and Tullytown Borough. Mrs. Kucher seconded the motion. All of Council was in favor of the motion; the motion carried.

ACCEPTANCE OF BUILDING AND FINAL PAYMENT

Mrs. Smith advised that renovation of the Borough Municipal Building is complete six (6) weeks ahead of schedule. She added that the contractor has provided the proper certifications, and the Borough has performed its inspections.

A motion was made by Mrs. Kettler to accept the building and approving the final payment of \$735,650, seconded by Mrs. Kucher. All of Council was in favor of the motion; the motion carried.

BOROUGH REPORTS

MAYOR'S REPORT

Mayor Cutchineal thanked everyone who worked on and participated in Borough Parade—thanked Rick Johnson who went above and beyond. Mayor also commented that the Delaware Valley Donnie Jones Flag Memorial will be held June 12, 13, 14. Mayor also advised that St. Mike's Fair will run June 23rd to July 5th.

Mayor Cutchineal congratulated May Kucher, Tina Grady, Joe Shellenberger and Mike Hammar for their victories in the May primary election.

COORDINATOR'S REPORT

Mrs. Smith presented her report, a copy of which is attached with the minutes.

SOLICITOR'S REPORT

FALLS-TULLYTOWN BOUNDARY LINE

Mr. Sellers advised that there is a final determination of host fees from the Falls/Tullytown Borough boundary line decision. He added there is a shortfall to Tullytown Borough in the amount of \$242,520.41 which represents host fees that are to be made up in payment to Tullytown Borough, by way of a deduction of monies otherwise owed Falls Township in the amount of \$207,361.05. Separately, Waste Management will pay the Borough an additional \$35,159.36 which will end the boundary line issue.

Mr. Armstrong asked Mrs. Collings what the legal costs were regarding this boundary line issue. Mrs. Collings advised she would have to look into this matter.

Mr. Armstrong made some comments regarding the Borough previously not approving sidewalks along Rt. 13 in connection with the renovation project. He commented that he understood that Bristol Township will not have a sidewalk from Haines Road North to Tullytown because it would terminate onto the shoulder of the road in Tullytown Borough.

Other Council members noted approval of the project without sidewalks was unanimous by Council at the time, including Mr. Armstrong.

ENGINEER'S REPORT

Mr. Major distributed his report to Council, a copy of which is attached to the minutes.

MISCELLANEOUS COUNCIL BUSINESS

Mr. Adams commended the Park & Rec Committee on the wonderful band on Memorial Day. Chris Shellenberger advised that Rick Johnson obtained the band.

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 8:37 p.m.

Respectfully submitted,



Nancy Conner
Borough Secretary

