

**TULLYTOWN BOROUGH COUNCIL SPECIAL MEETING
SEPTEMBER 16, 2014 – 7:00 P.M.**

President Rick Adams called the work session/special meeting of the Tullytown Borough Council to order on Tuesday, September 16, 2014 at 7:00 p.m.

Present at the meeting:

Mayor Cutchineal was absent due to out of town commitment

Councilman Armstrong

Councilwoman Gahagan

Councilman Pirolli

Councilwoman Kucher

Councilwoman Kettler

Councilman Adams

Councilman Czyzyk was absent due to traveling commitment

Also present:

Michael T. Sellers, Esquire, Borough Solicitor

William Major, Wm. G. Major Associates, Inc., Borough Engineer

Alison Smith, Borough Coordinator

Emily Butler, Borough Clerk

PUBLIC COMMENT

There was no public comment for the evening.

**RESOLUTION OF THE COUNCIL OF THE BOROUGH OF TULLYTOWN ACCEPTING
DEDICATION OF AN EXTENSION OF KENWOOD DRIVE**

Mr. Sellers explained this resolution is to accept dedication of Kenwood Drive. He advised that Council received copy of the proposed resolution. Mr. Sellers advised that the description has the Borough taking over the roadway from the developer of the shopping center—all appropriate inspections were performed and the roadway found to meet the specifications of our Ordinance and of PennDOT.

Mr. Pirolli made a motion to adopt Resolution #311, seconded by Mrs. Kucher.

Mr. Armstrong asked what is being dedicated that we are accepting. Mr. Sellers advised that we are accepting the Kenwood Drive extension—where Kenwood Drive ends at the edge of the shopping center to the Levittown Parkway—curb to curb and includes the all the subsurface conditions as well. Mr. Armstrong also asked about the sidewalks that run adjacent to it along the one side. Mr. Sellers advised that the deed description does include subsurface things like conduits, any electrical wires and it would go up to the sidewalk but the roadway is a principal concern.

Mr. Armstrong asked if we are compelled to accept this. Mr. Sellers advised that Council is not compelled to accept. He did advise that the benefits of Council accepting this gives control of the roadway to the Borough which then allows us to apply for liquid fuels for purposes of maintenance. Mr. Sellers commented this is routine to accept this type of roadway by way of dedication.

Mr. Armstrong asked if Council would not accept this dedication, would DLC be compelled to keep the road in good order and repair. Mr. Sellers advised that is correct.

The vote of Council was as follows:

Mr. Armstrong—for
Ms. Gahagan—for
Mr. Pirolli—for
Mrs. Kucher—for
Mrs. Kettler—for
Mr. Adams—for

The motion passed with a unanimous vote of Council in favor of the motion.

RESOLUTION OF THE COUNCIL OF THE BOROUGH OF TULLYTOWN ACCEPTING IMPROVEMENT AND RELEASING FINANCIAL SECURITY

Mr. Sellers explained the proposed resolution of the Borough accepting improvements associated with the Levittown Town Center and releasing financial security. He advised this closes out the Levittown Town center project in two respects. He advised that first it acknowledges and accepts the improvements which were installed as part of the land development which have been inspected and found to be in good order and the developer has done what is required. Secondly, Mr. Sellers stated that the financial security is released.

Mr. Armstrong made a motion to adopt Resolution #312 to accept the improvements of the Levittown Town Center owned by DLC, seconded by Mrs. Kettler.

The vote of Council was as follows:

Mr. Armstrong—for
Ms. Gahagan—for
Mr. Pirolli—for
Mrs. Kucher—for
Mrs. Kettler—for
Mr. Adams—for

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

RESOLUTION ACCEPTING DEDICATION OF PEDESTRIAN EASEMENT

Mr. Sellers advised this proposed resolution is to accept the deed of dedication for pedestrian access to the Community Park. Mr. Sellers stated that this resolution is intended to address what is missing historically which is an access legally for pedestrians to go to that Park from Kenwood Drive. He added the property that would be required for the pedestrian access to the Park is owned by Wal-Mart and over the past months there have been discussion with Wal-Mart to secure their cooperation. Mr. Sellers advised that the easement which has been tendered by Wal-Mart and gives the Borough rights to pedestrian access across their property. Mr. Sellers advised that this gives the Borough legal pedestrian access to our park and it is a pre-requisite to the grant of open space monies which the Commissioners of Bucks County have approved and a pre-condition to a separate DCNR grant which is currently pending with the Commonwealth of Pennsylvania.

Mr. Pirolli made a motion to adopt Resolution #313, seconded by Ms. Gahagan.

Mr. Armstrong asked how wide the easement is. Mr. Major advised it is almost a pie shape—it is wider along Kenwood Drive and it tapers down to almost nothing.

Mr. Armstrong asked if we would be able to get emergency vehicles through there. Mr. Major advised that it includes the area where the curb cut is and it is used as a roadway.

Mrs. Kucher questioned if that area was wide enough for vehicles to go there-especially emergency vehicles. Mr. Major advised that the row of trees will remain and he again commented that it is widest at Kenwood Drive and it tapers back to nothing towards the Community Park.

Mrs. Kucher asked if the Borough could remove all of those trees so vehicles can access that area. Mr. Major advised there is a sidewalk there and along the sidewalk is a pressed curb with the modified and the dirt that Mr. Armstrong was discussing.

Mr. Sellers advised that he has actually walked through there and there is plenty of space not only for pedestrian but vehicular access. He added that repaving and relocating the paving will be something widening it for our use and appropriate needs for the future will be done. Mr. Sellers advised that he feels those issues will be satisfactorily addressed.

The vote of Council was as follows:

Mr. Armstrong—for

Ms. Gahagan—for

Mr. Pirolli—for

Mrs. Kucher—for

Mrs. Kettler—for

Mr. Adams—for

The motion carried with a unanimous vote of Council in favor of the motion.

RESOLUTION ACCEPTING DEDICATION OF A PARKING EASEMENT FOR THE COMMUNITY PARK

Mr. Sellers advised that vehicles coming to the Park to use the Park must have a place dedicated for parking. He advised there is such a location that has been laid out behind Home Depot. Mr. Sellers stated that the Borough has to secure an easement—land that is currently owned by Levittown LP, which is the owner of the shopping center. He added that the owner of the shopping center has provided to us two (2) separate parcels which are detailed in the resolution.

A motion was made by Ms. Gahagan to adopt Resolution #314, seconded by Mr. Pirolli.

The vote of Council was as follows:

- Mr. Armstrong—for
- Ms. Gahagan—for
- Mr. Pirolli—for
- Mrs. Kucher—for
- Mrs. Kettler—for
- Mr. Adams—for

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

RESOLUTION OF THE COUNCIL OF THE BOROUGH OF TULLYTOWN GRANTING A DEED OF CONSERVATION EASEMENT AND DECLARATION OF RESTRICTIVE COVENANTS TO THE COUNTY OF BUCKS

Mr. Sellers advised this resolution accepts the deed of dedication for the Bucks County open space program. He added that this deed of dedication is a little different from the last two that Council approved. Mr. Sellers indicated that the Borough is receiving Bucks County open space program monies of approximately \$250,000; part of that arrangement is for the Borough to give easement rights to the County of Bucks.

He added that this resolution authorizes the execution of the deed of dedication which acknowledges the money being received for the open space program for development of the park and to grant Bucks County a recreation easement for that park that we will develop in the future.

Mr. Armstrong made a motion to adopt Resolution #315, seconded by Ms. Gahagan.

The vote of council was as follows:

Mr. Armstrong—for
Ms. Gahagan—for
Mr. Pirolli—for
Mrs. Kucher—for
Mrs. Kettler—for
Mr. Adams—for

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

BOROUGH TRAFFIC ENGINEER CONSULTANT—SEPTA

Mrs. Smith advised that Council discussed at the last meeting the issues that we see with the intersection of Fallsington Avenue and Rt. 13 north and south. She added that as currently planned by SEPTA, it would have a light for the northbound traffic but not for the southbound traffic. She added that they believe it is a safety issue and would like to hire a traffic engineer to help us present the case to SEPTA and PennDOT.

Mrs. Smith advised that they researched different firms from both Bucks County Planning and Bristol Borough who has had some experience with Penndot about getting a traffic light in the Rt. 13 project. She added that this particular engineer was recommended by Mr. Dillon from Bristol Borough as being very effective with Penndot. Mrs. Smith advised that the contract would be for \$4,400 and it is paid for by SEPTA.

Ms. Gahagan made a motion to accept the professional services proposal of Gilmore & Associates, dated September 16, 2014 relating to the SEPTA project. Mr. Armstrong seconded the motion.

The vote of Council was as follows:

Mr. Armstrong—for
Ms. Gahagan—for
Mr. Pirolli—for
Mrs. Kucher—for
Mrs. Kettler—for
Mr. Adams—for

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

OTHER BUSINESS

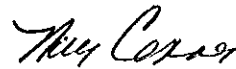
Mrs. Kettler would like to ask our Borough coordinator to send a thank you letter to the three businesses that made these resolutions possible. Mrs. Smith advised that she will do so.

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 approximately 7:23 p.m.

Respectfully submitted,



Nancy Conner
Borough Secretary