

## **TULLYTOWN BOROUGH COUNCIL MEETING NOVEMBER 14, 2017**

Council President, Joe Shellenberger, called the meeting of the Tullytown Borough Council to order on Tuesday, November 14, 2017 at 7:00 p.m.

Mayor Cutchineal asked for a moment of silence for Lorraine Kline, Robert Browning and Theresa Brown Perkins who recently passed away.

Present at the meeting:

Mayor Cutchineal  
Councilwoman Chrzanowski  
Councilwoman Kettler  
Councilwoman Slemmer  
Councilman Pirolli  
Councilwoman Gahagan  
Councilwoman Johnson  
Councilman Shellenberger

Also present:

Michael T. Sellers, Esq., Borough Solicitor  
Elora Das, Gilmore & Associates, Inc, Borough Engineer  
Alison Smith, Borough Coordinator  
Joe McPadden, Borough Treasurer  
Nancy Conner, Borough Secretary

### **SOLICITOR'S REPORT ON EXECUTIVE SESSION**

Mr. Sellers explained that Council met in executive session before this evening's meeting to discuss status of judgment enforcement in the matter of Tullytown vs Lukoil, 2 Zoning Hearing Board matters listed for November 15<sup>th</sup> hearing; namely, applications of Mizenko and Malloy, Zoning Hearing Board matter scheduled for December 13<sup>th</sup> regarding 798 Oxford Avenue and also discussed the recently concluded litigation of Armstrong et al vs. Tullytown Borough.

### **PUBLIC COMMENT**

Tiffany Doyle, 502 Lakeside Drive, Levittown, commented on the loitering after hours and speeding on the Drive around the Lake. She advised she has property damage from someone hitting the large trash cans that landed on her front yard. She further advised that she has called the police.

Mrs. Kettler commented that she has valid concerns—people do drive faster than ever. Mayor Cutchineal advised he will speak with Chief Doyle regarding this matter.

Donna O'Rourke, 498 Lakeside Drive, Levittown, commented that she has lived in the Borough since 1983. She also stated that there has been speeding but lately it's horrible. She advised that a few weeks ago a small black sports car almost hit a tree and almost went into the lake. She added that on November 1<sup>st</sup>—a car came upon her lawn and left tire tracks on the lawn and left car parts. She commented that something has to be done.

## **COUNCIL MINUTES**

Mrs. Kettler made a motion to accept the minutes of the October 3, 2017 Council meeting, seconded by Mrs. Johnson.

Roll call vote was taken:

Mrs. Chrzanowski—abstain as she was not present at that meeting.

Mrs. Kettler—for

Miss Slemmer—for

Mr. Pirolli—for

Ms. Gahagan—for

Mrs. Johnson—for

Mr. Shellenberger—for

The vote was 6 in favor, 1 abstention; the motion carried.

## **TREASURER'S REPORT**

### **MONTHLY BILLS**

A motion was made by Mr. Pirolli to approve the payment of the monthly bills in the amount \$60,032.26, seconded by Mrs. Kettler.

Roll call vote was taken:

Mrs. Chrzanowski—for

Mrs. Kettler—for

Miss Slemmer—for

Mr. Pirolli—for

Ms. Gahagan—for

Mrs. Johnson—for

Mr. Shellenberger—for

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

## **RECONCILIATION STATEMENT**

Ms. Gahagan made a motion to approve the Reconciliation Statement for October 2017, seconded by Mr. Pirolli.

The vote of Council was as follows:

Mrs. Chrzanowski—for

Mrs. Kettler—for

Miss Slemmer—for

Mr. Pirolli—for

Ms. Gahagan—for

Mrs. Johnson—for

Mr. Shellenberger—for

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

## **COMMUNICATIONS**

Mrs. Conner advised that Council received 2 thank you letters from the Egan family and the Trice family for the property allocation checks they received.

## **GENERAL BUSINESS**

### **ONE APPOINTMENT TO VACANCY BOARD CHAIR**

Mrs. Conner advised that Victoria Bleistein was interested in being appointed as Vacancy Chair.

Miss Slemmer made a motion to appoint Victoria Bleistein as Vacancy Chair by way of adoption of Resolution #379. Mrs. Chrzanowski seconded the motion.

The vote of Council was as follows:

Mrs. Chrzanowski—for

Mrs. Kettler—for

Miss Slemmer—for

Mr. Pirolli—for

Ms. Gahagan—for

Mrs. Johnson—for

Mr. Shellenberger—for

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



#### **ONE APPOINTMENT TO PARK & RECREATION COMMITTEE**

Mrs. Conner advised that Becky Antolino expressed interest in being appointed to the Park & Recreation Committee.

Ms. Gahagan made a motion to appoint Becky Antolino to the Park & Recreation Committee for a 5-year term, seconded by Mrs. Kettler.

The vote of Council was as follows:

Mrs. Chrzanowski—for

Mrs. Kettler—for

Miss Slemmer—for

Mr. Pirolli—for

Ms. Gahagan—for

Mrs. Johnson—for

Mr. Shellenberger—for

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

#### **RATIFY ADOPTION OF RESOLUTION #378**

Mr. Sellers advised that at the October 3<sup>rd</sup> meeting, there was resignation of a Council member and creation of a vacancy upon acceptance of that resignation by Council which occurred. He added that a series of motions followed in accordance with requirements of the Borough Code. He added that in order to confirm procedure being followed, he suggested that Council ratify the adoption of Resolution #378.

Mr. Pirolli made a motion to ratify the adoption of Resolution #378, seconded by Mrs. Kettler.

The vote of Council was as follows:

Mrs. Chrzanowski--abstain

Mrs. Kettler—for

Miss Slemmer—for

Mr. Pirolli—for

Ms. Gahagan—for

Mrs. Johnson—for

Mr. Shellenberger—for

The vote was 6 in favor, 1 abstention; the motion carried.

#### **2018 FINAL BUDGET – CONSIDER ADOPTION**

Mr. McPadden, Borough Treasurer advised there were 2 changes to the 2018 budget for Council to consider upon adoption as the expenditures were merely estimated until the actual figures were obtained.

The changes were as follows:

Police Pension – Line item 410.197 – decreased to \$313,004.

Non-Uniformed Pension – Line Item 430.180 – increased to \$89,082.

Mr. Pirolli made a motion to adopt the final 2018 Budget with the following changes:

Police Pension – Line Item 410.197 – decreased to \$313,004.

Non-Uniformed Pension – Line Item 430.180 – increased to 89,082.

Mrs. Johnson seconded the motion.

Roll call vote was taken:

Mrs. Chrzanowski—for

Mrs. Kettler—for

Miss Slemmer—for

Mr. Pirolli—for

Ms. Gahagan—for

Mrs. Johnson—for

Mr. Shellenberger—for

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

#### **2018 TAX LEVY ORDINANCE – PUBLIC HEARING/CONSIDER ADOPTION**

Mr. Sellers commented that both the 2018 budget and tax levy ordinance were both duly advertised as required by law.

Mr. Pirolli made a motion to adopt Ordinance #386, as the Tax Levy Ordinance for 2018. Mrs. Kettler seconded the motion.

Roll call vote was taken:

Mrs. Chrzanowski—for

Mrs. Kettler—for

Miss Slemmer—for

Mr. Pirolli—for

Ms. Gahagan—for

Mrs. Johnson—for

Mr. Shellenberger—for

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

#### **PURCHASE NEW VEHICLE – STREET DEPARTMENT**

Mrs. Smith advised it is proposed that we replace one of our dump trucks. She added the truck box will be about 30% larger than the existing box so we will be efficiently handling both trash and salt. She commented that the truck is old but we will be able to sell it and we are using \$60,000 from liquid fuels funds and \$23,000 from the sale of the truck.

Mr. Pirolli made a motion to authorize the purchase of F750 dump truck from Winner Ford in the amount of \$82,627.00, seconded by Mrs. Kettler.

The vote of Council was as follows:

Mrs. Chrzanowski—for

Mrs. Kettler—for

Miss Slemmer—for

Mr. Pirolli—for

Ms. Gahagan—for

Mrs. Johnson—for

Mr. Shellenberger—for

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

#### **RESOLUTION - DISPOSAL OF CERTAIN POLICE RECORDS**

Mrs. Conner advised that Chief Doyle presented a list of records to be disposed. She added the proposed resolution does indicate the records to be disposed.

Mr. Pirolli made a motion to adopt Resolution #380. Mrs. Kettler seconded the motion.

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

#### **D.A.R.E. GRADUATION DONATION – REQUEST OF WALT DISNEY SCHOOL**

Mrs. Kettler made a motion to donate \$500 to Walt Disney School for purposes of D.A.R.E. graduation. Mrs. Chrzanowski seconded the motion.



The vote of Council was as follows:

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

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

**D.A.R.E. GRADUATION DONATION – REQUEST OF ST. MICHAEL’S SCHOOL**

Mrs. Kettler made a motion to donate \$500 to St. Michael’s School for purposes of D.A.R.E. graduation, seconded by Ms. Gahagan.

The vote of Council was as follows:

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

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

**D.A.R.E. PROGRAM DONATION TO FALLS TOWNSHIP**

Miss Slemmer made a motion to donate \$4,000 to Falls Township for D.A.R.E. program, seconded by Mrs. Kettler.

The vote of Council was as follows:

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

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

#### **VIDEO REPAIR ADDITIONAL EXPENDITURES – CONSIDERATION**

Mrs. Smith advised that we have been experiencing issues with our video recordings with sound and quality of picture. She added we obtained a new provider, Video Gold, who is saving us a minimum of \$2,900 a year. She commented that we asked Video Gold to do an assessment of the system and they indicated items that needed to be repaired in order to make the system work well. Mrs. Smith indicated in her report, what items were necessary, items not so necessary, etc.

She asked Council if tonight they would approve repairs in the amount of \$1,304 to Video Gold.

Mr. Pirolli made a motion to approve the expenditure of \$1,304.00 payable to Video Gold for upgrades to the Borough's video and broadcast system. Mrs. Johnson seconded the motion.

Mrs. Kettler asked if they will guarantee an improvement in the sound. She commented many residents complain the sound is horrible. Mrs. Smith commented the first item to be repaired is the "shielding" of cables as they are intertwined. She added this main cable is unshielded which they will work on—we don't know yet if we have to put a new cable in as yet.

The vote of Council was as follows:

Mrs. Chrzanowski—for

Mrs. Kettler—for

Miss Slemmer—for

Mr. Pirolli—for

Ms. Gahagan—for

Mrs. Johnson—for

Mr. Shellenberger—for

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

#### **COPY MACHINES – AUTHORIZE AGREEMENTS**

Mrs. Smith advised that the cost of the lease for our existing copy machines is \$1,032 a month. She commented that we previously received approval from Council on a "not to exceed" value of \$800 per month for 3 years. She advised we have gone out for bids and looking for "scanning" of documents to be a necessity. Mrs. Smith commented this machine, Sharp, ranks with another one that is more expensive and the cost is \$505 a month for 5 years—we will save \$33,120. She added we will have a non-escalation clause—they will absorb the cost of returning our old machines and there will be no shipping costs for supplies throughout the 5 years.



Mrs. Smith recommended we award to Associated Imaging Solutions of \$505 a month contract for 5 years. She added this is for 2 copy machines.

Mrs. Kettler made a motion to approve entry by the Borough into a service agreement with Associated Imaging Solutions for new copy machines. Mr. Pirolli seconded the motion.

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

Mrs. Kettler made a motion to authorize the Borough to enter into a lease agreement with DeLage Landen Financial Services, Inc. for the new copy machines. Ms. Gahagan seconded the motion.

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

#### **AUTHORIZE SOLICITOR TO DRAFT AMENDMENTS TO ORDINANCES**

Mrs. Smith advised she distributed an assessment of the ordinances regarding both fire inspection and beginning on the property management. She advised it is complicated so she asked that Council review and can possibly discuss at next month's meeting.

#### **COMMITTEE REPORTS**

There were no Committee Reports.

#### **BOROUGH REPORTS**

##### **MAYOR'S REPORT**

Mayor congratulated all the winners on Election Day. He advised that 352 residents came out to vote in Tullytown and all the incumbents will return to office.

##### **CHIEF'S REPORT**

There was no report for the evening.

##### **COORDINATOR'S REPORT**

Mrs. Smith presented the coordinator's report, a copy of which is filed with the minutes.

Mrs. Smith announced the Tree Lighting/Caroling to be held December 1<sup>st</sup> and the Season of Unity on December 9<sup>th</sup>.

She also discussed the PECO street lights joint survey. She advised they agreed on the 289 lights on the poles; however, we were being billed for 321 for over 25 years.

### **SOLICITOR'S REPORT**

Mr. Sellers requested Council to authorize a letter to be sent to the Tullytown Borough Zoning Hearing Board in opposition to the application of Mizenko, scheduled for November 15, 2017.

Mr. Pirolli made a motion to send that letter, seconded by Miss Slemmer.

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

Mr. Sellers commented that there is a required action of Council for an expenditure of monies involving service recognition for employees.

Mr. Pirolli made a motion to authorize an expenditure for service recognition for Borough employees in an amount not to exceed \$800. Mrs. Chrzanowski seconded the motion.

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

### **ENGINEER'S REPORT**

Ms. Das of Gilmore Associates advised she had no report for the evening.

### **MISCELLANEOUS COUNCIL BUSINESS**

Mr. Shellenberger announced the toy drive being held again this year by Tina Grady, our former Council member. He asked Mrs. Conner to advertise this on our website as well.

### **ADJOURNMENT**

There being no further business, a motion was made by Mr. Pirolli to adjourn the meeting, seconded by Miss Slemmer.

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

The meeting was adjourned at 7:41 p.m.

Respectfully submitted,



Nancy Conner  
Borough Secretary