

**Minutes**  
**Morrisville Borough Council**  
**December 21, 2010**

The Morrisville Borough Council met on Monday, December 21, 2009 at 7:30 pm in Council Chambers, 35 Union Street, and Morrisville PA

Ms. Sherlock brought the meeting to order and began with a moment of silent prayer and the Pledge of Allegiance.

Mrs. Gaydula took roll call. The following were in attendance: Council President Nancy Sherlock, Council Vice President Kathryn Panzitta, Victor Cicero, Rhonda Davis, Eileen Dreisbach, Fred Kerner, David Rivella, Todd Sanford, Mayor Tom Wisnosky, James Downey; Solicitor, Dorothy Gaydula, Acting Borough Manager, Robert Seward, Acting Assistant Borough Manager.

**Special Presentations:** Recognition of service for: Mayor Thomas Wisnosky; Councilwoman Jane Burger; Councilman Edward Bailey and Councilman Stephen Worob. Mrs. Sherlock presented small gifts to the Mayor and outgoing Councilwoman Jane Burger and Councilmen Edward Bailey and Stephen Worob.

Mrs. Sherlock thanked Mr. Bailey for his contributions and his interest in serving the Borough. She thanked him for his continuing support as a Library Board member and wished Mr. Bailey the best.

Mrs. Sherlock thanked Mr. Worob who has been a Councilperson for 8 years in the 4<sup>th</sup> Ward, during that time Steve was a member of the Vacant Property Review Board, Public Works Committee Chair and a member of the Planning Commission. On behalf of the Mayor, Council and the Borough Employees she thanked him for his dedication, commitment and concern for the Borough, and wished him the best in the future.

Mrs. Sherlock thanked Mayor Tom Wisnosky who has been Mayor for 6 years and a Councilperson for 2 years before that. During that time Tom has involved himself in many aspects of the community, too numerous to mention. Tom made it his mission to be the best Ambassador of Morrisville that he could be. Tom is well spoken, articulate, and always viewed issues with an open mind. His intentions were always to do the best for an entire community. She thanked him for his years of dedication and commitment to Morrisville and she is sure he will continue to serve even as a private citizen. She said that he would be missed.

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Mayor Tom Wisnosky spoke a few words about outgoing Councilwoman Jane Burger. Jane was appointed to Council in October, 1992, and has served as vice president and president over the years. He said she is a strong leader, single minded in her devotion to the town. He said that there is no one more dedicated to the Borough. He was proud to have served with her and accomplish many things. He wishes her the best.

Jane Burger spoke a few words to say she is looking forward to taking a rest. She had a good run, and a lot has been done. She was grateful to serve the residents of Morrisville, particularly the 3<sup>rd</sup> ward residents. We are blessed to be American citizens and she is proud to be an American.

Rita Ledger presented a recognition award from the Pennsylvania State Association of Boroughs to Jane Burger and she listed her achievements through the PSAB organization.

Mayor Tom Wisnosky said a few words regarding his tenure, how fantastic everyone has been, all of the employees and the public. He really enjoyed the job. He mentioned that Morrisville is all about the service organizations, Firefighters and the Ambulance Squad. Baseball, Visiting Nurses, Friends of the Dog Park, Historic Society and many more he was afraid to start mentioning because he did not want to leave anyone out. He said the future of Morrisville rests in the hands of the new Council. A challenge to the new Council; remember there are 10,000 residents in town, please listen to everyone carefully. He wished Mayor Ledger well. He thanked his wife Ellen and his son Michael for their support throughout the years.

**Hearing of the Public:**

**Bill Setzer:** representing the EAC has a couple of changes he thinks should be included in the Memorandum of Understanding with the Friends of the Dog Park. He would like to address re-seeding and the cost; the parking; planting of future trees; protecting the drip line of the current trees and the location of the entrance. He believes the entrance should be on Philadelphia Avenue; this would eliminate parking on the grass. Please consider these issues.

**David Stonburner:** he wanted to inform Council of a fender bender at the High School that involved a student; she was almost hit last week. He would like to see a crossing guard there or a police officer. There are 505 students at the High School and 340 at Grandview. That is a great deal of traffic to contend with. Mrs. Sherlock asked him if he has approached the school Board about it yet. He has not had the opportunity; they do not meet until next week. The Mayor spoke about people being responsible and the possibility of an officer there next year. The new Mayor can work on that.

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**Approval of Minutes:**

Motion to approve the minutes of Special Meeting of October 6, 2009 was made by Dave Rivella and seconded. Motion passed by voice vote 8-0.

Motion to approve the minutes of Special Meeting of November 23, 2009 made by Jane Burger and seconded. Motion passed by voice vote 7-1. Abstention by Dave Rivella

Motion to approve the minutes of the Special Meeting of September 21, 2009 made by Dave Rivella and seconded. Motion passed by voice vote 7-1. Abstention by Ed Bailey.

**Reports:**

All reports were presented to Council in their Friday packet of December 18, 2009.

Mrs. Gaydula mentioned the form regarding the request from the Census Bureau that is due back by Friday. It was decided to put the item on the agenda as 10C.

Questions on the reports:

Rita Ledger said she was disturbed about some of the corners, and she will talk to Bob Seward after the meeting to give him a list.

**Finance:**

8A. Motion to pay the bills was made by Kathryn Panzitta and seconded, questions on the bills were as follows; Eileen Dreisbach asked about the bill for the Hillcrest storm drain, would we be reimbursed for the Engineering work? Mrs. Gaydula told her yes. Kathryn Panzitta asked about the Metro bill and the Lower Makefield bill. Mrs. Gaydula explained that the Lower Makefield bill was in error.

Motion passed by voice vote 8-0.

8B. Motion to approve final payment in the amount of \$1,000.00 to the Morrisville Ambulance Squad per the 2009 EMS Fund Budget was made by Dave Rivella and seconded. Motion passed by voice vote 8-0.

8C. Motion to accept the bid from Bethlehem Pre-Cast, Inc., in the amount of \$5,000.00 for the pre-cast concrete steps for the Delaware Canal Rehabilitation Project through the Delaware & Lehigh National Heritage Corridor Grant was made by Eileen Dreisbach and seconded. Motion passed by voice vote 8-0.

8D. Motion to adopt the 2010 Budget Resolution was made by Eileen Dreisbach and seconded. Roll call vote was taken. Motion did not pass due to a tie. Those opposing the budget were: Ed Bailey, Jane Burger, Dave Rivella and Steve Worob. Those for the budget were: Nancy Sherlock, Kathryn Panzitta, Eileen Dreisbach and Rita Ledger. It was then the Mayor's decision to break the tie. The Mayor broke the tie and voted for the Budget, we are legally bound to have the budget passed by December 31, 2009.

8E. Motion to adopt the 2010 Tax Rate Ordinance was made by Eileen Dreisbach and seconded. The motion passed 5-3 in favor. Those opposed were: Jane Burger, Ed Bailey, and Steve Worob. Those in favor were: Eileen Dreisbach, Rita Ledger, Dave Rivella, Kathryn Panzitta, and Nancy Sherlock

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8F. Motion to adopt the 2010 Salary Resolution was made by Eileen Dreisbach and seconded. Motion passed by voice vote 8-0.

8G. Motion to adopt the 2010 Fee Schedule Resolution was made by Eileen Dreisbach and seconded. Motion passed by voice vote 8-0.

8H. Motion to adopt the Resolution listing the Borough Holiday Schedule for 2010 was made by Rita Ledger and seconded. Motion passed by voice vote 8-0.

#### New Business:

It was recommended by our Solicitor James Downey that we remove the scheduled two appointments that were scheduled to be made. The recommendation comes on the heels of new case law regarding lame duck decisions. There was some discussion regarding lame duck Councils or Supervisors making decisions that bind the new Councils. Mr. Downey cited the recent case and said that it is legal to vote but you may be leaving yourself open for litigation.

Regarding the next motion, (10A) a poll was taken to see if we should remove the motion from the agenda. Dave Rivella, Ed Bailey, Kathryn Panzitta and Nancy Sherlock wanted it removed. Eileen Dreisbach, Steve Worob, Jane Burger and Rita Ledger did not want to remove it from the agenda. This created a tie and the Mayor broke the tie and said to keep the motion on the agenda.

10A. Motion to adopt the Resolution for the License Agreement between the Borough of Morrisville and the Friends of the Dog Park was made by Eileen and seconded. There was much discussion regarding timelines and EAC's concerns. Nancy Sherlock had a concern that if the park loses its usefulness, (nothing to do with anything wrong that The Friends of the Dog Park did or did not do) do we need something in the Memorandum to state that Council may dismantle the park? Mr. Downey is confident that #10 in the Agreement covers that issue. The Friends of the Dog Park, Bill Setzer, Mayor Wisnosky and various Council members spoke their piece and how they felt about this vote. Nancy Sherlock believes that it is being pushed through while there are still questions and concerns. There is still debate about the size and Nancy Sherlock believes we never voted on the actual size, we only had Pennoni verify the setbacks and measurements from the street. Nancy Sherlock read a portion of the minutes from April, 2009; she believes that the minutes explained that the size would be determined by the Borough Manager and staff. Rita Ledger wanted to know why we waited from April until now to vote on this. Eileen believes we have worked hard on this for quite some time and we should go forward. Mayor Wisnosky felt this was an eleventh hour roadblock to something that already seems settled. A roll call vote was taken and the motion passed 7-1. Kathryn Panzitta being the nay vote.

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10B. Motion to donate Borough Hall space to the US Census Bureau for the purpose of testing and servicing the residents was made by Kathryn Panzitta and seconded. Motion passed by voice vote 8-0.

Before voting on the following motion, the public session was open for comment. No one from the public wished to speak.

10C. Motion to approve an extension to the Morrisville Municipal Authority Service Agreement with the Borough beginning January 1, 2010 and ending 60 days later was made by Kathryn Panzitta and seconded. Motion passed by voice vote 8-0.

**Announcements:**

Nancy announced there is an open position for an intern at the Landmark Towns office in Bristol. While some of the duties will be office related, the person should have some marketing skills as well. Please contact Donna Boone at Landmark Towns or the Borough Hall.

Mrs. Gaydula gave an update on the tax collector situation and an update on our AMS Upgrade status.

Dave Rivella mentioned that Boy Scout Zack Hough is working on an Eagle Boy Scout project that involved refurbishing old musical instruments that he will then donate to Morrisville High. Anyone with an old instrument they are willing to donate can contact the school, or take the instrument to Ivins House. Money is also acceptable.

There was some discussion about cars that remained on the streets during the snow. Rita mentioned the fact that the emergency snow removal signs are missing on our State Highways. Mr. Seward said he would check to see if we have any. She said that she has spoken about this for 2 years and nothing has happened. Kathy asked her where was this mentioned and at what meeting? Rita said that she brought this to Council because not everyone attends the Emergency Services Meeting.

Eileen Dreisbach wished everyone a Merry Christmas and A Happy New Year.

Motion to adjourn was made by Rita Ledger at 10:03 pm and seconded. Motion passed by voice vote 8-0.

Submitted,

Dorothy Gaydula  
Acting Borough Manager