

MINUTES

MORRISVILLE BOROUGH COUNCIL MEETING

MAY 17, 2010

The Morrisville Borough Council met on Monday May 17, 2010 at 7:34 PM in Council Chambers of the Morrisville Building, 35 Union Street, Morrisville, PA as a Regular Council Meeting with the following in attendance:

BOROUGH COUNCIL: Nancy Sherlock, President
Kathryn Panzitta, Vice President
Victor Cicero
Rhonda Davis
Eileen Dreisbach
Fred Kerner
David Rivella
Todd Sanford

BOROUGH OFFICIALS: Mayor Rita Ledger
Todd Eisenberg, Solicitor
Dorothy Gaydula, Borough Secretary, Acting Borough Manager
Robert Seward, Acting Assistant Borough Manager

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

Dorothy Gaydula took roll at this time.

SPECIAL PRESENTATIONS

There was a special presentation honoring all the winners of the Art Poster Contest. The topic of the contest was Reuse, Reduce, and Recycle. This contest is sponsored by the MEAC. All participants will be displayed in the Borough Hall for a couple of weeks. Mr. Setzer announced the following winners:

- First Place Winners
 - 3rd Grade: Brianna Farmer
 - 4th Grade: Noah Collazzo
 - 5th Grade: Nick Runner
 - 6th Grade: Alexis Runner
- Honorable Mention Winners
 - 3rd Grade: Jamire Blackstone, Tarin Wright, Logan Markayus, Ian Watson, Brandon Pietro, Lindsay Murphy, and Molly McMennamin
 - 4th Grade: Lindsay Cannon and Charlie Beach
 - 5th Grade: Anthony Dilaplain and Cameron Barnes
 - 6th Grade: Lauren Borish, Robert Wright, and Jessica Wilson

Council interviewed Ms. Mary Morse for a position on the Library Board.

Ms. Morse has been a library user all her life. She worked in a library in high school and her father was on the Library Board in other towns that she lived in. Ms. Morse moved to Morrisville in 2001. She has been a regular patron of our library. She is a professor of English for Rider University. Ms. Morse has been upset by the budget cuts. She feels that libraries are more important than ever. She wants to help the libraries in this time of need.

Ms. Dreisbach asked Ms. Morse if she worked during the day and if that is going to interfere with the library board meetings.

Ms. Morse said she does work during the day, however she often teaches night classes. Thursday nights usually work for Ms. Morse.

Mr. Rivella thanked Ms. Morse for her interest in the position. He asked her as an avid user of the library, what ideas she has to bring more people in.

Ms. Morse said that she notices how much the computers are used. She would love to see the technology area updated. She thinks the library is great at keeping up to date in the fiction area, but she would like to see the nonfiction and the children's section updated.

Ms. Sherlock said that they will make the appointment later this evening. She thanked Ms. Morse for coming.

Council went into Executive Session at this time regarding the Stockham Interest Litigation.

The meeting resumed at 8:07 p.m.

Ms. Sherlock stated that the hearing of the public is can be about anything on the agenda tonight. This is also the public hearing regarding the following zoning issue:

To consider, and if appropriate, to enact an Ordinance amending the Morrisville Borough Zoning Map to rezone Bucks County Tax Map Parcels 24-8-628, 24-9-210-1, and 24-9-211 from R-2 Residential District to CS-1 Community Service District; to rezone bucks County Tax Map Parcel 24-12-67 from R-4 Residential District to CS-1 Community Service District; to rezone Bucks County Tax Map Parcels 24-12-83, 24-12-83-1, and 24-12-83-2 from CS-1 Community Service District to CS-2 Community Service Natural Lands Preservation Deistic; and to rezone Bucks County Tax Map Parcel 24-12-84 from RN Riverview Neighborhood District to CS-2 Community Service Natural Lands Preservation District.

HEARING OF THE PUBLIC

1. Maryls Mihok, 91 N. Delmorr Avenue: Ms. Mihok believes that we should have more open government. She would like to see it used more often. Ms. Mihok also wanted to know if anyone has read the Responsible Contractors Ordinance. Ms. Mihok is happy to hear that Council read the Ordinance numerous times. Ms. Mihok thinks it is a fine Ordinance, but it blocks out anyone who is not union. We need open competition to keep the prices down. She thinks bidding should be open to the most responsible and reasonable contractors.

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2. Claire Wischusen, Fox Rothschild Bucks County Housing Group: Ms. Wischusen is representing the Bucks County Housing Group which is committed to the betterment of Morrisville Borough. She is here tonight regarding a zoning matter. There is a hearing scheduled for June 7, 2010. She is asking for Council's support in this matter. Ms. Wischusen called the solicitor today to see if she could come tonight. The solicitor explained that he has recommended that Council not take a position on this matter at this time. Ms. Wischusen should present her case to the Zoning Board.
3. Jeff Zay, (ABC) Associated Building Contractors, S.E. Chapter: Mr. Zay stated that he does not oppose the Responsible Contractors Ordinance; however he does not want to see anyone excluded from the bidding process. He said that unions usually use federal or state contracts which include all the training requirements. Mr. Zay stated that only 25% of the industry uses apprenticeship programs.
4. Jack Buckman, 617 Rutland Road: Mr. Buckman stated that it has been over 25 years since Nolan Avenue was redone. How come we can't come together with Falls Township to fix Nolan Avenue? Mr. Buckman also mentioned that Plaza Boulevard was done with CBDG money.
5. Jeff Johnson, 607 Hillcrest Avenue: Mr. Johnson would like to see Council pass the Ordinance. He stated that regarding the training and efficiency of workers, 8,000 hours of training is beneficial. Mr. Johnson also stated that journeymen continue their education.
6. Ron Stout, 129 S. Delmorr Avenue: Mr. Stout asked about the zoning changes. Mr. Stout thinks that anyone who bids is bonded or certified. He does not feel that you need anything else. He feels that what we have is okay. Do not fix what is not broken.
7. Jane Burger, 90 W. Maple Avenue: Ms. Burger proposed the zoning changes. She supports them. They are in concert with the Comprehensive Plan. Regarding the Responsible Contractors Ordinance, she feels that the smaller threshold is a problem. Ms. Burger is also going to submit her resignation letter to the Landmark Towns. Ms. Burger is going to resign so that someone from Council can join this group. She recommends Ms. Sherlock. She feels that Council should also send a letter to George Mount to see if he would step down.
8. Debbie Colgan, 120 W. Hendrickson Avenue: Ms. Colgan stated everyone who is on a track goes to an accredited program as a measure of training. The Responsible Contractors Ordinance does not only address unions. There are more non-union sectors than union sectors.
9. Mike Tangrini, District Council 21: He represents the IBEW. Mr. Tangrini stated that the state apprenticeship committee is set by the governor. The wages are set by the law. If a bid is 20% less then the wages are underpaid.
10. Sharon Hughes, 121 Mercer Avenue: Ms. Hughes stated that in regards to the Responsible Contractors Ordinance, competition is good. There is nothing falling down, so why change this. Ms. Hughes also commented on the Dog Park. She feels that conversations need to be expedited so that they can move forward. Five months has already been wasted. Ms. Hughes also reminded everyone that Summerseat is having Patriot's Day on June 5, 2010, starting at 8:30 a.m.
11. Bill Setzer, Chairman of the MEAC: Mr. Setzer wanted to thank everyone who came out to the Graystone Woods Cleanup. They had a total of 17 people, including 4 council members, and some of the native species are coming back. The Graystone is mentioned in the Comprehensive Plan.

Motion (MOTION ADDED) to open public hearing to consider, and if appropriate, to enact an Ordinance amending the Morrisville Borough Zoning Map to rezone Bucks County Tax Map Parcels 24-8-628, 24-9-210-1, and 24-9-211 from R-2 Residential District to CS-1 Community Service District; to rezone bucks County Tax Map Parcel 24-12-67 from R-4 Residential District to CS-1 Community Service District; to rezone Bucks County Tax Map Parcels 24-12-83, 24-12-83-1, and 24-

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12-83-2 from CS-1 Community Service District to CS-2 Community Service Natural Lands Preservation District; and to rezone Bucks County Tax Map Parcel 24-12-84 from RN Riverview Neighborhood District to CS-2 Community Service Natural Lands Preservation District.

Motion made by Mr. Rivella and seconded.

Motion carried by voice vote, 8-0.

The solicitor thanked the stenographer for coming this evening. He started with evidence M1, copies of the notice of proof of publication. A public hearing is opened to only these matters. The solicitor suggested that Council not discuss whether they are for or against the motion until it is time to actually vote.

Mr. Seward stated that in researching the zoning district, there were two parcels of land that were zoned R2 residential in the Williamson Park area. They were going to ask to rezone these parcels to CS1 which is Community Service Parcels. The Environmental Council has asked to rezone parcels along the Delaware River from CS1 and RN to CS2 which is Community Service and Natural Land. This would allow this land to stay natural land.

The solicitor asked if there were any public comments on this matter. Since there were no public comments, the solicitor asked if there were any Council comments. The solicitor asked Ms. Sherlock for a motion to close the public comment.

Motion to close the public hearing.

Motion made by Mr. Rivella and seconded.

Motion carried by voice vote, 8-0.

As no one else wished to speak, the public session was closed.

APPROVAL OF THE MINUTES

There were no minutes to approve.

REPORTS

Mayor's Report: the Mayor's Report was included in the packet.

Manager's Report: the Manager's Report was included in the packet.

Assistant Borough Manager's Report: The Assistant Borough Manager's Report was included in the packet.

Police Chief's Report: the Police Chief's Report was included in the packets.

Public Works Report: the Public Works report was included in the packets.

Code Enforcement Report/Emergency Management Report: the Code Enforcement Report/Emergency Management Report was included in the packets.

Solicitor's Report: There is no Solicitor's report this evening.

Committee Reports: No committee reports this evening

Treasurer's Report: The bill list is included in the packet.

FINANCE

Motion 8A to pay bills.

Motion made by Mr. Rivella and seconded.

Motion carried by voice vote, 8-0.

Motion 8B to approve payment in the amount of \$80,000.00 to the Morrisville Fire Company, as per 2010 Fire Fund Budget.

Motion made by Ms. Panzitta and seconded.

Motion carried by voice vote, 8-0.

Motion 8C to approve payment in the amount of \$50,000.00 to the Morrisville Ambulance Squad, as per the 2010 EMS Fund Budget.

Motion made by Mr. Rivella and seconded.

Motion carried by voice vote, 8-0.

Motion 8D to approve \$600 contribution to the Visiting Nurse Association, per the 2010 Budget.

Motion made by Ms. Panizitta and seconded.

Mr. Cicero said that we have been giving \$600 for 35 years now. Is there is a way to modify that amount?

Ms. Sherlock said that we can bring this up at budget time.

Motion carried by voice vote, 8-0.

Motion 8E to approve \$1,100 contribution to the Morrisville Senior Servicer, per the 2010 Budget.

Motion made by Ms. Dreisbach and seconded.

Motion carried by voice vote, 8-0.

Motion 8F to approve Pay Request No. 1 in the amount of \$24,480.00 due GEM Mechanical Service, Inc., for CDBG Project #09-33, as recommended by Pennoni Associates on May 11, 2010.

Motion made by Ms. Davis and seconded.

Motion carried by voice vote, 8-0.

Motion 8G to approve reimbursement in the amount of \$22.78 to Mayor Rita Ledger per the total PSAB Conference expenses submitted above the \$800 CAP.

Motion made by Ms. Panzitta and seconded.

Ms. Sherlock asked Ms. Ledger if she was claiming any money for food.

Mayor Ledger stated she did not wish to claim food or transportation.

Motion carried by voice vote, 8-0.

Motion 8H to approve reimbursement in the amount of \$23.20 to Councilman Todd Sanford per the total PSAB Conference expenses submitted above the \$800 CAP.

Motion made by Ms. Dreisbach and seconded.

Ms. Sherlock asked Mr. Sanford if he wanted to claim food.

Mr. Sanford said he does not.

Motion carried by voice vote, 8-0.

UNFINISHED BUSINESS

Motion 9A to adopt the Responsible Contractor Ordinance.

Motion made by Mr. Cicero and seconded.

Ms. Ledger stated that when looking over this Ordinance, she did not see anything in there in regards to the new EPA regulations were not included.

The solicitor said that it is a federal law, so it would have to be followed regardless of the Ordinance.

Ms. Panzitta wanted to comment to Mr. Zay, but he left. She said he can read 10A for more information.

Ms. Dreisbach said that in section 1C it states that they are required to have formal apprenticeship training. Also, it says that they need to be responsible contractors and abide by the law and be in good standing. Ms. Dreisbach does not think that contractors need to have an apprenticeship program for a \$25,000 job. She will be voting no to this Ordinance.

Ms. Panzitta does not want any position that the Borough hires to have just some sort of training; she wants them to be fully trained and prepared. Ms. Panzitta stated that she is not part of a union.

Ms. Dreisbach stated that some people do go to school for training. Her son went to school for welding, but his current employer does not have an apprenticeship.

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Mr. Sanford said that maybe they should wait because there may be conflicts in interest because certain parties took money from unions.

Mr. Cicero said he has a lot of experience as far as contractors in the Borough are concerned. Mr. Cicero does not care who gains or loses with this ordinance as long as the residents of Morrisville are protected. He encourages everyone to vote for this ordinance.

Motion carried by roll call, 6-2 with the nay votes from Ms. Dreisbach and Mr. Sanford.

NEW BUSINESS

10A Appointments:

- Economic Development Corporation: an unexpired term to expire on 8/18/11
 - Ms. Panzitta nominated Mr. William A. Pepitone for the position.
- Library Board: One 3-year term to expire 3/1/13
 - Ms. Panzitta nominated Ms. Morse
 - Mr. Kerner nominated Ms. Marone
 - Ms. Morse received 7 votes; Ms. Marone received 1 vote
- Landmark Towns Board of Directors: Local Elected Official position
 - Ms. Dreisbach nominated Ms. Nancy Sherlock
 - Ms. Sherlock stated that she is currently the alternate, so if she moves up they need an alternate

Motion to appoint Mr. Pepitone to the unexpired term to the Economic Development Corporation to expire on 8/18/11.

Motion made by Ms. Panzitta and seconded.

Motion carried by voice vote, 8-0.

Motion to appoint Ms. Mary Morse to the one 3-year term on the Library Board to expire 3/1/13.

Motion made by Mr. Rivella and seconded.

Motion carried by voice vote, 8-0.

Motion to appoint Ms. Sherlock to Landmark Towns Board of Directors.

Motion made by Ms. Dreisbach and seconded.

Motion carried by voice vote, 8-0.

Motion 10B to adopt the Ordinance amending the Morrisville Borough Zoning Map for tax Parcels: 24-8-628, 24-9-210-1, 24-9-211, 24-12-67, 24-12-83, 24-12-83-1, 24-12-83-2, and 24-12-84 as advertised.

Motion made by Ms. Dreisbach and seconded.

Ms. Sherlock said the EAC worked hard to make this happen. She thanks them for their hard work.

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Ms. Panzitta said that she disagrees with the comment that this was work started years ago. She said it started with two parcels that needed to be done immediately.

Ms. Davis agrees with Ms. Panzitta.

Motion carried by voice vote, 8-0.

Motion 10C to grant permission to the Morrisville Fire Company for the Memorial Day Parade (May 31, 2010) using the same route as pervious year, and to approve \$1,500 contribution as per 2010 Budget.

Motion made by Mr. Rivella and seconded.

Motion carried by voice vote, 8-0.

Motion 10D to adopt the Resolution to approve the Final Plan for the Subdivision of the Andrzej Gosek & Dariusz Luczak Property, 100 West Post Road, for the plan submission last dated August 27, 2007, and revised March 18, 2010, per the letter dated April 7, 2010 from Remington & Vernick Engineers.

Motion made by Ms. Davis and seconded.

Ms. Sherlock stated that all paperwork is complete in this matter.

This is just a subdivision, no plans to rezone or develop.

Motion carried by voice vote, 8-0.

Motion 10E to grant permission for a Block Party at 239 Bank Street on Saturday, June 5, 2010, from 6 p.m. until 10 p.m., as requested by Eileen Hartzell on May 10, 2010.

Motion made by Ms. Dreisbach and seconded.

The Police Chief is aware of this.

Motion carried by voice vote, 8-0.

Motion 10F to grant permission for the Morrisville Little League to use the Council Chamber meeting room in the Municipal Building on Friday, July 23, 2010, to conduct team check-ins for the Pennsylvania State Eastern Division Baseball Tournament, as requested by Morrisville Little League on April 24, 2010.

Motion made by Mr. Rivella and seconded.

Motion carried by voice vote, 8-0.

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ANNOUNCEMENTS

Ms. Sherlock announced that the Redevelopment Authority is coming the June meeting to discuss changes in the Enterprise Zone, adding the Bridge Street Parcels. They are sending paperwork that Council will receive in their packets.

Ms. Sherlock also said that they received a letter from the Planning Commission regarding putting things in order for zoning. Ms. Sherlock would like to start working on that.

Cable Advisory meeting is cancelled.

There is a Planning Commission meeting next Monday.

The Public meeting regarding historic preservation is next Wednesday at 7 p.m.

Next Thursday is the Green Committee meeting and the Arts and Events Committee.

Ms. Sherlock wished everyone a happy Memorial Day.

Ms. Dreisbach reminded everyone that the DRJTBC is closing the Calhoun Street Bridge May 24th. Make sure to plan alternate routes.

ADJOURNMENT

Motion to adjourn.

Motion made by Ms. Panzitta and seconded.

Motion carried by voice vote, 8-0.

Meeting adjourned at 9:28 p.m.

Submitted by:
Dorothy Gaydula
Borough Secretary