

MINUTES

MORRISVILLE BOROUGH COUNCIL MEETING

NOVEMBER 16, 2009

The Morrisville Borough Council met on Monday November 16, 2009 at 7:37 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 – Absent
Kathryn Panzitta, Vice President
David Rivella
Jane Burger
Eileen Dreisbach
Rita Ledger
Edward Bailey
Stephen Worob

BOROUGH OFFICIALS: Mayor Thomas Wisnosky, Mayor
James Downey, Solicitor
Dorothy Gaydula, Acting Borough Secretary
Robert Seward, Acting Assistant Borough Secretary

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

Dorothy Gaydula took roll at this time.

Ms. Panzitta mentioned that Items 10F, 10G, and 10H were added to the agenda tonight by Ms. Burger. They are open for Council's discussions.

SPECIAL PRESENTATIONS

Mayor Wisnosky presented Annie Milionis with a certificate of appreciation. Ms. Milionis made Morrisville a more beautiful place. She planted perennials and shrubs throughout the Borough. Ms. Milionis and her family not only dedicated their time, they also dedicated their money and often purchased many of the plants and flowers. Her time, effort, and talent is greatly appreciated.

Ms. Milionis thanked Mr. Mount, Ms. Gaydula, and Mr. Seward. She also wanted to thank the EAC and the Public Works Department. Ms. Milionis thanked her husband and her son as well. She encourages everyone to use their talents to make a positive difference in the world.

Mayor Wisnosky also crowned Mrs. Winterfest, Miss Winterfest, Jr.-Miss Winterfest, and Little Miss Winterfest at this meeting.

HEARING OF THE PUBLIC

1. Bill Setzer, Chairman of the EAC: Mr. Setzer and the EAC would like to Mr. Downey for helping with the first draft of the Dog Park. Although this first draft is good, it is missing pieces that are essential for the final draft. The EAC would like to set up a time to meet with the Borough Council so that they can compose a final draft.
2. Sharon Hughes, 121 Mercer Avenue: Ms. Hughes said that the cameras are stabilized tonight because they are working on fixing them. Ms. Hughes said that Wednesday December 2 at 7:00 will have their annual Christmas Carol sing along with Jim Gafgen. She also mentioned that three days later they will have their Colonial Christmas at Summerseat. Saturday is Winterfest. The activities last all day long. It will be a great time.
3. Linda Kerner, 315 N. Lafayette Avenue: Ms. Kerner is here on behalf of the Morrisville Student Loan Fund. They do an annual Thanksgiving Breakfast to raise money to give to Morrisville High School Seniors. They will host their breakfast on Thanksgiving morning before the annual Morrisville vs. Bristol football game. It begins at 7:00 a.m. and ends at 10:00 a.m.

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

APPROVAL OF THE MINUTES

Motion to remove the following from the table: Motion to approve the minutes of the Special Meeting of September 15, 2009.

Motion made by Mr. Rivella and seconded.

Motion carried 6-0-1 by roll call. Mr. Bailey abstained because he was not at that meeting.

Motion to approve the minutes of the Special Meeting of September 15, 2009.

Motion made by Mr. Worob and seconded.

Motion carried 6-0-1 by voice vote with 1 abstention from Mr. Bailey.

Motion to approve minutes of the Regular Meeting of August 17, 2009.

Motion made by Ms. Ledger and seconded.

Motion carried 6-0-1 by voice vote with 1 abstention from Mr. Bailey.

Motion to approve the minutes of the Special Meeting of August 19, 2009.

Motion made by Mr. Rivella and seconded.

Motion carried by voice vote 6-0-1 with 1 abstention from Mr. Bailey.

Motion to approve the minutes of the Special Meeting of October 13, 2009.

Motion made by Ms. Burger and seconded.

Motion carried by voice vote 6-0-1 with 1 abstention from Mr. Bailey.

REPORTS

Mayor's Report: the Mayor's Report was included in the packet. Mr. Wisnosky said that he congratulated Mayor-Elect Ledger. They will be meeting in order to make a smooth transfer. They will be working together.

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. The date should be November instead of October on the report.

Mr. Rivella asked Mr. Seward to clarify the leaf collection for the public again.

Mr. Seward said that the leaf collection will continue until all the leaves are picked up. It all depends on Mother Nature. People can continue to put their leaves out.

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.

Ms. Burger asked about the sidewalk on the alley. It may need some work. Ms. Burger asked if Mr. Seward could share his findings and possible solutions with the public.

Mr. Seward stated that they are going to repair it on a temporary basis until the weather gets better.

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

There is a December meeting for Americorps. It has not been published yet, but Council received paperwork.

Mr. Seward said he was approached by Mr. Fletcher today requesting that the tree lighting be moved to Borough Hall. The tree at Robert Morris Plaza is diseased. If there is not objections, they will move the tree lighting. This will work out for the Ambulance Squad and the church because everything will be close. They are going to close off a portion of Washington Street.

Mr. Wisnosky asked if Mr. Seward if he was aware of any activity going on at the old Picciottis' area.

Mr. Seward said that to the best of his knowledge it is not an active business at this time.

Mr. Rivella heard that there has been weekend evening activity there.

Mr. Seward said that they are a licensed catering hall. He does not know of anything specifically happening.

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Ms. Dreisbach asked if Mr. Seward could give information about the new business in the shopping center.

Mr. Seward said that it was in his report. The new store is a South Philly pulled pork and cheesesteak restaurant.

Solicitor's Report: Mr. Downey thanked Mr. Setzer for his kind words. Mr. Downey stated that he did hear from the Friends of the Dog Park Committee. Mr. Berman has the letter and will get back to him. Mr. Downey will set up a time for Council to meet. Mr. Downey is calling a brief executive meeting to discuss personnel matters and collective bargaining.

Committee Reports:

Policy Committee Meeting: Ms. Sherlock was not here to talk, so this report will be postponed.

Finance Committee: This committee did meet on October 14, 2009. They discussed the budget. They went through and updated the financial statements. Ms. Panzitta will have a written report ready soon. The budget will be tight this year. A preliminary budget is ready.

Treasurer's Report: Ms. Diretto-Weik read the Treasurer's report.

Motion 9A (TAKEN OUT OF ORDER) to approve the preliminary/final subdivision land development plan for Janzer Subdivision, Tax Map Parcel #24-010-100, and #24-010-102 prepared by J.H. Mixer dated January 14, 2008 (Revised 7/31/09 and Stormwater Management Analysis revised 8/03/09). *Contingent upon compliance of all issues addressed by Pennoni Review Letter MORR0100 dated September 17, 2009.

Motion made by Mr. Worob and seconded.

Mr. Marte spoke on behalf of the Janzers. This combines two lots and half of another lot. One house is already on the lot and a single family home will be placed on the other lot. Mr. Marte received a corrected letter that was given to Mr. Seward and to Council. Pennoni and Associates also approved the escrow amounts that were submitted. They are asking for Preliminary and Final approval. They are happy to answer any questions.

Mr. Seward stated that all the requirements are complete at this time.

Ms. Burger said that since all the requirements were met, there is really no reason not to grant preliminary and final approval.

Motion carried 7-0 by roll call.

FINANCE

Motion 8A to pay bills.

Motion made by Mr. Worob and seconded.

Motion carried by roll call, 7-0.

Motion 8B to approve payment in the amount of \$39,036.00 to the Morrisville Fire Company, as final payment per the 2009 Fire Fund Budget.

Motion made by Ms. Ledger and seconded.

Motion carried by roll call, 7-0.

Motion 8C to approve the payment in the amount of \$38,001.00 to the Morrisville Ambulance Squad per the 2009 EMS Fund Budget.

Motion made by Mr. Rivella and seconded.

Motion carried by roll call, 7-0.

Motion 8D to approve Change Order No. 1, and Pay Request No. 1 (FINAL) in the amount of \$58,705.85 due Gore Con, Inc. to be submitted to Bucks County Office of Community & Business Development for CDBG Project #08-36 (Municipal Parking Lot) as recommended by Pennoni and Associates on November 5, 2009.

Motion made by Ms. Dreisbach and seconded.

Motion carried by roll call, 7-0.

NEW BUSINESS

Motion 10A to approve the March to Summerseat on December 5, 2009, following the previously-established route with the starting point at the Morrisville Shopping Center.

Motion made by Ms. Ledger and seconded.

Motion carried by voice vote, 7-0.

Motion 10B to approve the Winterfest Parade on December 5, 2009, following the route submitted on November 12, 2009.

Motion made by Mrs. Dreisbach and seconded.

Ms. Panzitta read the parade route.

Motion carried by voice vote, 7-0.

Motion 10C to accept the Landmark Towns Strategic Wayfinding Plan dated September 2009.

Motion made by Mr. Rivella and seconded.

Motion carried by voice vote, 7-0.

Motion 10D to reaffirm the Maintenance Agreement with the Delaware River Joint Toll Bridge Commission for assignment of maintenance responsibilities for the traffic median on Bridge Street.

Motion made by Mr. Rivella and seconded.

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Mr. Downey stated that this had been an agreement that was acknowledged by management. The DRJTBC has asked that the Borough Council reaffirm the agreement.

Motion carried by voice vote, 7-0.

Motion 10E to authorize the Borough Engineer and Acting Borough Manager to submit an application to the Delaware River Joint Toll Bridge Commission requesting the final balance of \$31,896.02 be approved for light heads on Bridge Street.

Motion made by Ms. Dreisbach and seconded.

Motion carried by voice vote, 7-0.

Motion 10F to authorize the Borough Solicitor to attend the next Zoning Hearing Board meeting scheduled for December 7, 2009.

Motion made by Ms. Dreisbach and seconded.

Mr. Rivella wanted to know why they are doing this.

Ms. Burger said that he would be there for the issues regarding land development. Cases can end up in litigation when the Solicitor does not attend. The solicitor would not speak one way or the other on the subject matter.

Mr. Rivella asked if there was a stenographer at the meetings.

Ms. Burger said that it is very expensive to request transcripts of the meetings.

Mr. Rivella stated that he is not suggesting that. He is just clarifying because there are no recordings.

Ms. Burger thought that since the subject matter is a major project, it might be beneficial for the solicitor to be there.

Mr. Rivella said he's not sure that the public is even aware of the latest plan.

Mr. Downey said that Mr. Rivella could share the plan.

Mr. Rivella said there have been three plans for townhomes and condominiums. They go in front of Zoning December 7 if you want to hear the entire plan.

Ms. Burger stated that they could put 75 townhouses originally, and then they determined that they could fit more.

Ms. Panzitta said that this motion is to allow the solicitor to attend, however Council has not talked to the solicitor regarding their opinions. This authorization would only be to attend the meeting and to charge for it. Not to make a stance.

Mr. Downey said that this is correct. He would come back with a report for Council.

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Mr. Worob said that Terry Phillips had a goal to put something in that area years ago. Mr. Worob would like to see the solicitor show up with his expertise. He would like to see this project move forward.

Motion carried by voice vote, 7-0.

Motion 10G to authorize the Borough Solicitor to prepare the required ordinances to reflect actual expenditures for the 1998/2002 Capital Improvement Loan and the 2004 Capital Improvement Loan and to include any allocations of remaining funds.

Motion made by Ms. Burger and seconded.

Ms. Burger stated that she asked for this to be added so that the solicitor could begin to do the required work. He could have the authorization to work on it while they are working on the budgets. When you borrow funds you need to have an ordinance.

Ms. Panzitta stated that she agrees with Ms. Burger that the solicitor needs to look at it. However, Ms. Panzitta thought that this was going to start in December. They were going to look at the reallocation. She is not sure that everyone is prepared tonight to discuss. She said that it is up to Council. Ms. Panzitta was taken off kilter with this motion.

Mr. Rivella said they were going to look into the rates. He thinks it is a good thing to explore, but it doesn't tie into this motion. Is it necessary for tonight's meeting?

Ms. Burger said that is for the Solicitor during the budget meetings so he can have authorizations. They need to give him the information.

Mr. Rivella said that they don't have the information for Mr. Downey this evening.

Mr. Downey stated that he does not know the history of this. Looking at the dates, he would put emphasis on what Ms. Panzitta said. They can authorize him to begin the process.

Motion carried by roll call 6-1, with Ms. Panzitta voting no.

Motion 10H to advise the Morrisville Municipal Authority that the Borough wishes to enter into a Service Agreement for the calendar year 2010 utilizing the Borough's public works to work on behalf of the Authority.

Motion made by Ms. Dreisbach and seconded.

Mr. Downey said that there is an existing contract until the end of this year. It is a service agreement that exists prior to Mr. Mount's retirement. When Mr. Mount retired the agreement had to be redone. Council saw fit to extend its service agreement and all its parts. It has been made effective by both parties that it remain effective until the end of this year. They are continuing the process in the same format of who begins the process. Mr. Downey suggests the Borough begin this. It went on with an automatic renewal.

Mr. Rivella asked if this motion is authorizing the service agreement as is or if it is authorizing the public works to work for the authority.

Mr. Downey perceived that it continue in its present format through 2010. Back in July, everyone agreed to extend the whole service agreement.

Ms. Burger said that is refers to the Public Works, primarily the water system.
Mr. Downey said it strictly sharing of labor.

Mr. Rivella would like to take another look at the service agreement.

Ms. Burger said that someone needs to take a look so action can be taken. It is part of the budget discussion right now.

Ms. Panzitta asked if the chairperson of the MMA was consulted on this.

Ms. Burger said no, he is out of the country right now.

Ms. Panzitta said that it was her understanding that they would have sat down with the MMA to discuss this.

Mr. Rivella asked if there is a way they can discuss the agreement.

Mr. Downey said they can put in that the Borough can add that they want to have dialogue.

Ms. Panzitta apologized for the motions being added at the last minute.

Mr. Downey said they can change the “the service agreement” to “a service agreement.”

Ms. Dreisbach and Mr. Worob were in agreement with this change.

Motion carried by voice vote 7-0.

ANNOUNCEMENTS

Ms. Burger announced that Wednesday the Ordinance Committee Meeting would be canceled because there is a Budget Meeting that day too.

Ms. Ledger asked what would happen if Ms. Sherlock was still under the weather for Wednesday’s budget meeting.

Ms. Panzitta said they are going to keep moving forward regardless.

Ms. Burger said that she could keep the Ordinance Committee Meeting on the calendar in the event the Budget Committee meeting doesn’t meet. If the Budget Committee meets, there will be no Ordinance Committee Meeting.

Mr. Rivella wanted to thank the Bridge Commission for the trees they planted. They put stone on top and Mr. Rivella thinks that they did a great job.

BOROUGH OFFICIALS

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Ms. Panzitta said they have to entertain their own personal calendars for the budgets. They need to go out and advertise it. Ms. Panzitta hopes there are not a lot of changes to the schedule. They have to advertise on Monday November 23, 2009 to have a Special Meeting. This would give time to get an advertisement ready for the paper. They can also wait and discuss tomorrow.

Ms. Burger suggested advertising for 11/23 and 11/24 (if needed), if needed.
Mr. Rivella thinks this is a good idea. It would be better to do it all of once.

Ms. Panzitta said the worst case scenario would be 11/30 (if needed). They are going to add this date as well.

Mr. Downey said to advertise all of them.

ADJOURNMENT

Motion to adjourn.

Motion made by Mr. Rivella and seconded.

Motion carried by voice vote, 7-0.

Meeting adjourned at 9:15 p.m.

Submitted by:
Dorothy Gaydula
Borough Secretary