

MEETING MINUTES  
MORRISVILLE BOROUGH COUNCIL  
REGULAR MEETING

MONDAY, OCTOBER 19, 2015  
7:30 p.m.

The Morrisville Borough Council met on Monday, October 19, 2015 at 7:30 p.m. in Council Chambers at the Morrisville Municipal Borough, 35 Union Street, Morrisville, PA for a Regular Council Meeting.

Mrs. Sherlock stated, I will ask everyone to stand for a moment of silent prayer followed by the pledge of allegiance.

Mrs. Sherlock asked, may we have a roll call please?

Mr. Bates took roll at this time.

**Those in Attendance:**

Borough Council: Nancy Sherlock, President  
Fred Kerner, Vice President (by phone 7:50)  
Victor Cicero  
Jeffrey Johnson  
Corryn Kronnagel  
Ted Parker  
Todd Sanford  
Debbie Smith

Borough Officials: Mayor Dave Rivella  
Tom H. Bates Jr., Borough Manager  
Robert A. Seward, Assistant Borough Manager/Code Enforcement  
Sean Kilkenny, Solicitor  
Scott J. Stoddard, Borough Engineer  
George McClay, Chief of Police

Junior Councilperson: Anna C. Zuckerman

Mrs. Sherlock stated that Fred Kerner will be attending by phone after we come out of our second executive session

***Council recessed for executive session at 7:35 p.m. to discuss litigation and personnel.***

Mr. Bates called Mr. Kerner on his cell phone and put him on speaker.

***Council returned from executive session at 7:52 p.m.***

Mr. Kilkenny stated, excuse me Council President Sherlock, I just want to say that Council went into executive session to discuss Bucks County Court of Common Pleas # 2015 05 640, and we -- I believe Councilman Kerner has joined us by phone and is now participating in the meeting.

Mrs. Sherlock stated, so you can add him to the roll call at 7:50.

Mrs. Sherlock stated, we are moving Motion 8G up right after the approval of the minutes. A motion to adopt an Ordinance to eliminate the position of Controller and appoint an independent auditor at the November Borough Council Meeting. We are also adding 8H, a motion to direct Civil Service to proceed with advertising for the hiring of a new police officer.

**SPECIAL PRESENTATIONS**

We are going to appoint our new Junior Councilperson for the school year 2015-2016, her name is Anna C. Zuckerman. We already have the resolution in place. At our agenda meeting we voted for Anna. I would like to thank Anna. Would you like to say a couple of words at this time?

Ms. Zuckerman stated, next time I'll be more prepared, but I am really excited to be here.

Mrs. Sherlock stated, I'd like to welcome her. (audience claps)

**HEARING OF THE PUBLIC**

1. Eileen Dreisbach - *75 Harrison Avenue*  
She asked about changes to Civil Service. Nancy said she will announce them.
  
2. Bill Farrell - *347 N. Pennsylvania Avenue*  
He stated that politics are the root of all evil. It's too difficult to get answers to questions. He hopes one day it will happen. Everyone should be respectful. Pool fiasco, lighting upgrade, lawsuit of Mayor, police and controller. Hire a public auditor, it is going to cost so much more. #1035B of the Borough Code, you would only be required to pay \$1,000 for the auditor. People look to see what you want. There's too much voting for names, go by what has been done. People should be held accountable for their actions. Make the change. Vote on November 3rd.

3. Jane Burger - 90 W. Maple Avenue  
She gave Council a lesson on the voting process. Loan from the TAN for street lighting fund, where will it come from, street lighting fund, why is the budget short? Why did we borrow money from the TAN.

Mayor Rivella stated, thank you Madam President, I'd like to address just one comment that we heard this evening. A resident addressed everyone and said that there has been a problem in the past with some information not being disseminated and included me from 2011, four years ago. First of all, the resident did not serve on Council, so would have no first hand knowledge of that and I would like to assure this resident and everyone else who wants to go back four years ago, I did something different back when I was Council President, we used a paper packet and because of my employment, what I did was, I set this up with Ms. Dorothy Gaydula, everything that came into the Borough was collected and was given to me on Wednesday. Thursday I called the Borough, we had a conversation to see if anything new came in and if there was she explained what came in. Usually there wasn't anything on that last day. And every Friday, the Council members received a hard copy delivered to their home, so I don't know why someone would say four years ago would say I didn't disseminate information. I assure everyone it was handled properly. Thank you.

Mrs. Sherlock stated, I would agree Dave.

### APPROVAL OF MINUTES

**Motion 6A** - Motion to pass the minutes of the Regular Borough Council Meeting of September 21, 2015.

Mrs. Sherlock asked, may I have a motion?

**Motion** made by Ms. Kronnagel.

Mr. Cicero seconded the motion.

Mrs. Sherlock stated, are there questions or comments on these minutes? May I have a roll call please?

**Motion** carried by roll call vote, 8-0.

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**Motion 8G** - Motion that adopt an Ordinance to eliminate the position of Controller and appoint an independent auditor at the November Borough Council Meeting.

Mrs. Sherlock asked, may I have a motion?

**Motion** made by Ms. Kronnagel.

Mr. Cicero seconded the motion.

Mrs. Sherlock asked are there any questions or comments on this motion? May I have a roll call, please.

**Motion** carried by roll call vote, 7-1. (nay vote being Ms. Smith)

### **REPORTS - ADMINISTRATIVE/MANAGEMENT**

**Manager's Report - Tom Bates** - There is no Manager's Report this evening.

**Solicitor's Report - Sean Kilkenny** - There is no Solicitor's Report this evening.

**Engineer's Report - Scott Stoddard** - There is no Engineer's Report this evening.

**Mayor's Report - David Rivella** - He stated thank you. Good evening. This evening I would like to read a Proclamation, it is for Teen Driver Safety Week. (He read the Proclamation) He wanted to thank Mr. Blake Alderfer, he is a teacher from the Bucks County Technical School. Blake and his students were very helpful as the Morrisville Police Department has created a web page, it's MorrisvillePD.org. I will encourage everyone to take a look at it.

**Police Chief's Report - Chief George McClay** - He stated good evening Council. This months crime has decreased 39% from this time last year. Our revenues this time last year were \$132,000, this year we are at \$219,000 an increase of 40%. The mileage this year so far, we are up 8%, from 51,000 to 56,000. Our arrests this year are down 13%. I can say that our truancies are down 68% and our DUIs are down 44%, our two largest groups of arrests that we have. You would have to think your arrests are going to go down when you crime decreases as much as it has over the last year. If the crimes not out there to arrest people, it's obviously going to go down. We do have a new website, it's MorrisvillePD.org, it is up and running. It is a nice site. We had a lot of help from the Tech School, without them I could not have done that. Our radios have been switched over this past week. All of Bucks County is now up and running on a new megahertz system. We have \$91,000.00 in the fund that has to be paid immediately or we will start paying interest on that, from there I have to make up \$15,000.00 next year somewhere in the budget, because we were short overall on that budget over the last 5 years. Halloween is coming up, I will have extra patrols out on Halloween just like we did last year. I expect no problems. November 7th is the Trenton Half Marathon, a lot of roads that morning will be closed close to the river. I will be speaking tomorrow night at the Business Meeting Association. Sunday, I leave for Chicago for the International Association Chief of Police Conference. Thank you.

Mrs. Sherlock stated, have a safe trip.

Chief McClay responded, thank you.

Mr. Cicero asked, how long are you going to be away?

Chief McClay responded, I don't know, I thought you were going to be with me.

## **FINANCE**

Mr. Bates read the bill list.

**Motion 8A** - Motion to pay the bills.

**Motion** made by Mr. Johnson.

Ms. Kronnagel seconded the motion.

Mrs. Sherlock asked are there any questions or comments on the bill list?

Mr. Bates stated, I have a comment. On the street lighting fund and on the TAN fund, why we took \$29,700.00 from the TAN fund to transfer to the street lighting fund, the reason was the normal bill for the street lights is normally \$94,000.00, when we did the budget last year in October, Johnson Controls was supposed to be done the project in January, December 31st. Johnson Controls didn't finish the street lights until almost April or May, so in the electric bill, we only put \$48,000.00 in there to pay for the lights, because we thought we were going to have all LED lights for a total year and we were going to have the energy savings. We actually transferred \$43,000.00 to the sinking fund to pay back the loan, but since they didn't finish the project on time, our energy bills were higher. So now that the energy bills were higher, our electric bills were higher for the year. We ran out of money in the street lighting fund, so we borrowed money from the TAN fund for the rest of the year, we calculated that it would be another \$29,000.00. That money is sitting in the sinking fund, so next year, we know that the savings won't be 2 mils. to put in the sinking fund, we'll only put in 1 mil and a half in the sinking fund next year. We'll put more money in the street lighting fund next year and we'll pay back the TAN immediately in January, when we get our -- well, we can't do it right away, not until money comes in next year. We will reverse the action and pay back the TAN fund. That's actually what the TAN fund is for. The TAN fund is actually when we don't have enough tax money or we run out of a fund, we borrow from the TAN to make it up for the year. Usually we do it for payrolls in January, February and March because we don't have any tax money coming in and we borrow from the TAN to make payroll. So, when Johnson Controls didn't finish the project, those lights were burning at a high rate and it cost us more money, but it will all be made up.

Mrs. Sherlock asked, and you haven't paid them, is that correct? Completed payment.

Mr. Bates replied, no we haven't completed paying them. We've made one payment to them. We haven't completed paying Johnson Controls yet.

Mrs. Sherlock asked, does anyone else have any questions regarding the bill list?

Ms. Smith stated, yeah. The TAN fund is always paid back before the end of the year. You're going to carry that into the next cycle. For two years in a row, you've had to borrow \$300,000.00 because there wasn't enough to pay the bills until tax time, so some of that didn't get paid back until spring.

Mr. Bates stated, you can't say we borrowed \$300,000.00, there's only \$300,000.00 in the TAN.

Ms. Smith stated, I know, but that's what you borrowed.

Mrs. Sherlock stated, that's every year for 20 years though, Debbie. It's not changed.

Mr. Bates replied, we do that every year.

Ms. Smith stated, but we've never had to take \$29,000.00 because we were short at the end and didn't have it paid back. We've always had to have that paid back by the end of the year, now we don't have to? We're making an exception for this?

Mr. Bates stated, the TAN fund is the Borough's money. It's not like -- we're only moving money from one fund to another fund, that's all. It's not like we are borrowing from a bank, we are borrowing from the Borough.

Mrs. Sherlock stated, and please remember, we started this years budget, January 1, 2015, with \$35,000.00 in our bank account.

Mr. Bates stated, and if I took the money out of the sinking fund to pay back the TAN fund, Jane Burger would be very mad at me, because you're not allowed to take money out of the sinking fund to pay a debt.

Mrs. Sherlock stated, we are going to be doing the budget. The figures aren't in yet, we still have weeks left until the end of the year. Something may shake out and there will be money to pay it back sooner.

Ms. Smith asked, when does Johnson Control do this analysis report? They are supposed to give it to you, right, when they're done the year, so do we get anything? Where do we stand with that? When is that coming in?

Mr. Bates replied, we are getting an analysis report from them and we stand pretty well.

Mrs. Sherlock stated, I thought that we had to have a full 12 months in first, though.

Mr. Bates stated, actually, it runs from April 1st to March 31st, because the project wasn't finished until April 1st. It was late, it was supposed to be January to December 31st, but they didn't finish the lighting until April, so our savings didn't start until April.

Mrs. Sherlock stated, it's my understand also, that our guarantee doesn't start until then as well.

Mr. Bates replied, in fact, Johnson Controls gave us another whole year on the guarantee, 100% guarantee on everything, on the boiler, on the air conditioning, on everything.

Mrs. Sherlock asked, anything else on the bill list, Debbie?

Ms. Smith stated, after I recover from that, I see that the 7 yard truck I guess is in, because part of the payments there, that would be in the Capital Reserve Fund. \$33,986.00, but I think that truck comes in at about \$187,00.00 with the liquid fuels money. Is that truck delivered?

Mr. Bates stated, no, the cab and the chassis was delivered, and that's the \$54,380.84 and the \$33,986.00, for just the cab and the chassis and that's about eighty some thousand dollars. Then the cab and the chassis get sent to the body shop and then the actual body gets put on the truck.

Ms. Smith asked, what I'm asking is, that's the 7 yard truck?

Mr. Bates stated, that's the 10 yard truck, that's the \$153,000.00 truck.

Ms. Smith stated, I though it was 7 yards, it's 10 yards?

Mr. Bates stated, it's 10 yards.

Mr. Sanford asked, it that a tandem dump truck?

Mr. Bates replied, I don't know if you call it tandem.

Mrs. Sherlock asked, anyone else or anything else?

Mr. Sanford stated, yeah. On recreation, GL 1509, 114 Ameriblast, prime and paint, invoice #1043, \$2,500.00.

Mr. Bates stated, that was sandblasting and painting. He sandblasted so it wouldn't rust. He hired him to prime and paint the project.

Mr. Sanford stated, I mean all is said and done, when you look at the numbers, wouldn't it have been more economical to go put a new roof on it? You're putting paint and primer on it, you'll probably get 10 years out of it. Had you gone with a new roof, you probably would get 30 years out of it.

Mr. Bates stated, he said we will get another 30 years out of this.

Mr. Sanford stated, well it's not galvalume steel there, it's the old process. The paint will hold up 10 years.

Mr. Bates replied, it's going to last a long time Todd.

Mr. Cicero asked, how much was it? What was the bill?

Mr. Bates replied, \$7,000.00 total, I think. Having the whole structure sand blasted, primed and painted.

Mr. Cicero replied, oh, that's that beautiful structure -- blue. That looks really nice.

Mr. Bates replied, the nice blue one, the one that matches everything in the park.

Mr. Sanford stated, I would have done it a different color myself, it looks like its part of the ballpark.

Mr. Cicero stated, well, those are the two colors that are down there.

Mrs. Sherlock stated, it is in the park.

Mr. Sanford stated, I know.

Mr. Bates replied, everything in the ballpark is painted that color. Everything in Williamson Park is painted that color.

Mrs. Sherlock stated, okay. Let's not talk about color, it's already painted. Anybody else have any other questions regarding the bill list? May I have a roll call, please.

**Motion** carried by roll call vote, 8-0.

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**Motion 8B** - Motion to acknowledge receipt of \$53,336.06 from the PA Department of the Auditor General, and to approve distribution of 100% to the Morrisville Fire Company.

**Motion** made by Mr. Johnson.

Mr. Parker seconded the motion.

Mrs. Sherlock asked are there any questions or comments on this motion? May I have a roll call, please.

**Motion** carried by roll call vote, 8-0.

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**Motion 8C** - Motion to award the 2015-2016 Consortium Salt Bid (as bid through the Bucks County Consortium) to: Morton Salt, Inc. (merged w/International Salt Company, LLC, 09/01/14) per their bid of \$63.97 price per ton (delivered) and \$63.00 price per ton (undelivered); Contract to run to September 30, 2016.

**Motion** made by Ms. Kronnagel.

Mr. Johnson seconded the motion.

Mrs. Sherlock asked are there any questions or comments on this motion? May I have a roll call, please.

**Motion** carried by roll call vote, 8-0.

**Motion 8D** - Motion to prepare and advertise an Ordinance to elect to amend the Pennsylvania Municipal Retirement System Morrisville Uniformed Pension Plan per Pennsylvania State Requirement.

**Motion** made by Mr. Cicero.

Mr. Parker seconded the motion.

Mrs. Sherlock stated, these are requirements -- does the chief want to say something?

Chief McClay replied, I don't know anything about that.

Mrs. Sherlock replied, this is something that was sent to us from Pennsylvania. We have no say over their changes.

Mr. Cicero stated, I will explain to him Nancy.

Chief McClay replied, that was never forwarded to the Police Department.

Mr. Cicero stated, it doesn't have to be. This is a statutory regulation. What the state is essentially saying is they can grab our money if they want.

Mrs. Sherlock stated, that's right. To bail out other towns.

Mr. Cicero stated, to bail out other towns.

Chief McClay replied, I just think it would have been nice if you could have forwarded that email or that information to the department.

Mrs. Sherlock stated, okay. I will have Virginia send it to you. May I have a roll call, please.

**Motion** carried by roll call vote, 8-0.

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**Motion 8E** - Motion to approve a Resolution with the recommended changes and additions to the Civil Service Regulations.

**Motion** made by Ms. Kronnagel.

Mr. Johnson seconded the motion.

Mrs. Sherlock asked Ms. Kronnagel if she would like to go over the changes.

Ms. Kronnagel stated that the Civil Service met back in August and let the Council know they were making the following changes to the Civil Service Rules. We are proposing a new section regarding

alternate members, there's nothing in the Civil Service Regulations and Rules regarding alternate members, so we were just adding language regarding that. There was also no language regarding a quorum, so we tightened up that and added that. We removed the residency requirement. I apologize, the Civil Service Rules are regarding the Police Officers in our town. We were removing the residency requirement for Police Officers. We were adding a grievance procedure regarding applicants for promotion. These are the only changes we were making, again this is the Civil Service Rules and this is for our Police Department. We discussed it I believe at length at the last agenda meeting.

Mrs. Sherlock stated, thank you. We did change from the original text, we changed it to 90 days is when we will fill the unexpired term after vacancy.

Ms. Kronnagel replied, correct.

Mrs. Sherlock asked are there any questions or comments on this motion? May I have a roll call, please.

**Motion** carried by roll call vote, 8-0.

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**Motion 8F** - Motion to accept the Memorandum of Understanding between the Borough of Morrisville and the Morrisville School District for District Utilization of a Borough Employee to be known as the "School Resource Officer".

**Motion** made by Mr. Parker.

Mr. Johnson seconded the motion.

Mayor Rivella stated, I would just like to thank Council for placing item 8F and 8H on the agenda this evening. For those who missed it, Morrisville Borough was granted the Cops Award which is \$125,000.00 grant that our Police Department was able to bring into the Borough and I am happy to say I was able to sign that grant, and that also started the process that we had, a time limit to get the MOU completed, so it looks like that's going right now as well as 8H for the hiring of a new police officer. I just want to thank Council for listening to my request at last weeks meeting.

Mrs. Sherlock replied, you're welcome.

Mrs. Sherlock asked are there any questions or comments on this motion? May I have a roll call, please.

**Motion** carried by roll call vote, 8-0.

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**Motion 8H** - Motion to direct Civil Service to proceed with advertising for the hiring of a new police officer.

**Motion** made by Mr. Johnson.

Ms. Kronnagel seconded the motion.

Mrs. Sherlock asked, are there any questions or comments on this motion? May I have a roll call, please.

**Motion** carried by roll call vote, 8-0.

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### **UNFINISHED BUSINESS**

There was no Unfinished Business to discuss this evening.

### **NEW BUSINESS**

**Motion 10A** - Motion to adopt the 2015 Halloween Policy.

**Motion** made by Ms. Kronnagel.

Mr. Johnson seconded the motion.

Mrs. Sherlock read the Halloween Policy.

Mrs. Sherlock asked, are there any questions or comments on this motion? All those in favor say aye. Opposed.

**Motion** carried by voice vote, 8-0.

Ms. Kronnagel stated, Just to add to that real quick Nancy, I don't think you mentioned, Halloween shall take place until 8:00 pm.

Mrs. Sherlock stated, there is a Halloween that's happening at the School, a trunk or treat, is that correct? What day is that, is that the same, is that Halloween? High School parking lot, Friday, 6:00 to 7:30.

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**Motion 10B** - Motion to approve the iPad Use Form for the Morrisville Public Library.

**Motion** made by Ms. Kronnagel.

Mr. Johnson seconded the motion.

Mrs. Sherlock stated, the Library has purchased iPads and these are for use inside the building. People will have to give identification and it's a way for them to not only track it while it's in the building, but their use while in the building.

Mrs. Sherlock asked, are there questions or comments on this motion? May I have a roll call, please.

**Motion** carried by roll call vote, 8-0.

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### ANNOUNCEMENTS

Mrs. Sherlock stated there is a zoning hearing meeting for November, I think it has to do with Britton Industries, it has to do with stormwater. The annual conference for the PSAB will be next year at Hershey and it will be June 5th to June 8th. Some of the subjects will be a Right To Know Update, How do you keep people off of Facebook and get involved physically, MS4 Funding, Pressure for the legislators to consolidate School Districts, Opportunity Zones, Pollution Prevention, Rental Ordinances, Electric Grid, Bird Flu and Act 89. Those are some of the subject matter. Are there any other announcements?

Mr. Johnson stated, I'd like to congratulate the Volunteer Fire Department and their volunteers for such a nice event that they put on for our Community for Fire Awareness Month. Just a reminder to the public to check your smoke detectors for batteries and any debris that might be close to your heaters that are coming out for the winter. I would just like to say thank you again to the Fire Department.

Ms. Kronnagel announced that the Police Chief is the speaker for the Business Card Exchange for the Morrisville Business Association meeting that will be at the First Baptist Church tomorrow at 6:00 pm. They will be serving a family style dinner for \$20.00 per person. On October 30th, after the trunk or treat, there is a home game at the A Field, that would be a nice cap to your evening.

Mrs. Sherlock asked, do you know if there are still open spots for the MBA Business Card Exchange?

Ms. Kronnagel replied, yes. I don't believe you have to register, I think you can just show up.

Mrs. Sherlock asked, does anyone have any other announcements? May I have a motion to adjourn?

**BOROUGH OFFICIALS**

There were no Borough Officials comments this evening.

**ADJOURNMENT**

**Motion** to adjourn.

**Motion** made by Mr. Johnson and seconded by Mr. Kerner.

Meeting adjourned at 8:42 pm.