

MEETING MINUTES  
MORRISVILLE BOROUGH COUNCIL  
REGULAR MEETING

MONDAY, NOVEMBER 16, 2015  
7:30 p.m.

The Morrisville Borough Council met on Monday, November 16, 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. During the moment of silent prayer, please remember the victims of the terrorism over in Paris, France.

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  
Victor Cicero  
Jeffrey Johnson  
Corryn Kronnagel  
Ted Parker  
Todd Sanford  
Debbie Smith

Borough Officials: Tom H. Bates Jr., Borough Manager  
Robert A. Seward, Assistant Borough Manager/Code Enforcement  
Alyson Fritzges, Solicitor  
George McClay, Chief of Police

Not Present: Fred Kerner, Vice President  
Mayor Dave Rivella  
Scott J. Stoddard, Borough Engineer

Junior Councilperson: Anna C. Zuckerman

Mrs. Sherlock stated, first on the agenda we have the crownings of Master Winterfest 2015 and Miss Winterfest 2015. Would the Chairperson of the committee come forward?

### SPECIAL PRESENTATIONS

Mrs. Robyn Reithmeyer stated that she was here on behalf of the Winterfest Parade. I am here to present the winners of the Miss and Mr. Winterfest Contest.

The winner for *Miss Winterfest this year is Alexis Olson*. Alexis is a senior at Agora Cyber Charter School. She is in Color Guard and she volunteers at the dog park. She is planning on going to college for Veterinarian Technician. (audience claps)

*Junior Miss Winterfest is Fiona Harris*. Fiona is 10 years old. She is in fifth grade where she was recently elected to be on Student Government. Fiona dances with McCoy School of Irish Dancing. She is in her 6th year of Girl Scouts. She plays soccer and track for Holy Trinity. She likes to draw. She enjoys creative writing and for fun she likes to hula hoop and jump rope.

*Little Mr. Winterfest is Dylan Jackson*. Dylan is in first grade. He is at Grandview Elementary. He is one of five children. He has a twin. He has four sisters. Dylan is a little charmer, he has a huge heart. This past summer his twin sister saw a monkey that she wanted to buy so Dylan asked his neighbor George to help make a Lemonade stand so that he could sell Lemonade to raise money to help his sister buy the monkey. He is very sociable. He has won first place for two years in the Fire Prevention poster contest in his grade level.

Mrs. Reithmeyer stated, I would like to congratulate all three of them. (audience claps)  
The Winterfest Parade will take place Saturday, December 5th. Everybody is invited to attend and participate if they'd like. All you need to do is let me know you are participating so I can get you in the line up. If you'd like to give me a call, you can give me a call at 267-573-9160, or you can drop a note off at my house at 335 Hamilton Boulevard. The parade will start promptly at 10:30 a.m. on West Post Road at Templo Cristiano Jireh. It will start on Post Road to Delaware Avenue, left onto Washington, left onto Bridge Street, right onto Pennsylvania and left onto Palmer. It is \$20.00 to register your float, the winner will receive \$250.00. Thank you all for supporting us.

### HEARING OF THE PUBLIC

1. Ed Tashjian - *227 W. Franklin Street*  
He spoke about the Municipal Building being used for a political partisan group. He suspects the usage is in violation of Resolution 620. He would like to know who authorized people to use the Borough facility for meetings. He would like to know if the usage is going to stop. He asked if there are any other groups or persons using the property in violation of Resolution 620.
2. Kurt Holthenrichs - *300 Melvin Court*  
He thinks we should not approve the Republic Services bid for waste removal. He thinks their reviews are bad, and hopes they don't get the contract.

3. Eileen Dreisbach - *75 Harrison Avenue*  
She was glad that the vote for the Borough Manager is not on the agenda. It should be done in January. She wanted to know if there were applications, how many if anyone has been interviewed yet. Thank you to the two Council members and members in the audience who stood up last Tuesday to recite the pledge of allegiance. She read a quote. "When you disrespect our flag, you disrespect those who died for our freedom".
4. Dominic Fulginiti - *Republic Services Representative, 56 White Mill Road, Telford PA*  
He spoke about the bid for sanitation. He stated that their company serviced the account for two bid cycles up until 2010. The Supervisor who will be monitoring the account, he lives in Morrisville, so we have a local presence. He feels very confident that they put together a good cost savings bid for the Borough. They have full confidence that they vetted their bid with the appropriate parties because of the challenging bid environment that we live in. Thank you for the opportunity, we look forward to servicing the Borough.
5. Bill Farrell - *347 N. Pennsylvania Avenue*  
He discussed the agenda and wanted to know which one is the correct one? He wants to know why F and G were taken off the agenda. He had a copy of Friday's Agenda, it had an F and a G, and today there is no F and G, which is correct, tonight it is different. Where is F and G? Facebook has too much nastiness. There is an election coming in two years and more purging needs to be done. He asked Mr. Cicero what the difference was between a controller and an auditor. He said the Controller is elected and the biggest difference is \$3,600 for each audit. RIP to the Chicago 5 and the Shanghai 6, I'm glad to see they aren't a part of Morrisville any more.
6. Jane Burger - *90 W. Maple Avenue*  
She stated that she hopes the leaves that weren't picked up today will be picked up tomorrow. There are lots of leaves up and down West Maple Avenue and they are going to stay there until they get picked up. She was glad to see the appointment of Borough Manager is off the agenda this evening. Why don't we have the resignation from Tom Bates yet? She spoke about the sinking fund, and that the borrowed money should be paid back. She wanted to know if Mr. Bates renegotiated with PECO for the poles that were installed with LED lights in December. She said it's time to remove the residency clause in the Borough Manager Ordinance. She spoke about the budget and the increase in staffing, she feels Borough should have waited. Also, we should officially appoint Anna.
7. Al DeGennaro - Deputy General Council for *J. P. Mascaros & Sons*  
He was challenging the signature of the bid by Republic Services, he stated that there was no signature on the bid. He stated that you can't award a bid that's not signed.
8. Sam Augustine - Director of Sales for *J. P. Mascaros & Sons*  
He stated that he's been in the business for over 30 years. He stated that Republic Services bid was 17% below. He stated that Republic Services did not sign the bid, he

would be concerned with their bid. We appreciated servicing the Borough and we have the resources to continue serving the Borough should you award it to us tonight.

9. Dorothy Murphy - *41 Althea Avenue*  
She wanted to know when the October meeting minutes will be posted. She asked about the position that Council Presidents daughter received going from part-time to full-time, she wanted to know how many applicants were interviewed. How is the Town Manager going to be promoted. What is the procedure for appointing a Borough Manager? She stated, there will be a recall.

***There being no further comments, public comment portion was closed.***

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

**Manager's Report - Tom Bates** - He wanted to thank Joe Cavanaugh and all the Public Works people for cleaning up the Downtown. They did a nice job in the center City. He wanted to add to the question on Resolution 620, the use of public property. When you say the use of public property, the Democratic Club and the Republican Club have been using the Library which is a Borough property for years. For some reason they couldn't use the Library any more and when the Democratic Club asked me if they could use this, since they were basically Council people divided with Democrats and Republicans and I thought that both of them could use it also. That was my decision. If it was wrong then we will not let anybody use this.

Mrs. Sherlock used the gavel and stated if you are going to have discussion, please leave the room.

Ms. Kronnagel stated, you skipped the minutes.

Mrs. Sherlock replied, thank you. May I have a motion to approve the minutes?

### **APPROVAL OF MINUTES**

**Motion 6A** - Motion to pass the minutes of the Regular Borough Council Meeting of October 19, 2015.

**Motion** made by Ms. Kronnagel.

Mr. Johnson seconded the motion.

Mrs. Sherlock stated, are there questions or comments on these minutes?

Ms. Smith stated, I have no problems what was drawn up, it was exactly what was said at the meeting. It is stated in there that you said we appointed the Junior Councilperson and if you do that,

that really has to be done by a motion, so I really wish you would put that motion up and do it. Other than that, I am okay with the minutes.

Mrs. Sherlock stated, when we met on Tuesday, October 13, 2015 at the Agenda Meeting/Special Meeting, there was much discussion regarding how we were going to vote for the Junior Councilperson and how we were going to go about it. Were we going to put it on paper, would we verbalize it? Because we were dealing with a student. At that time, we voted for the Junior Councilperson, it's a special meeting and you can have votes.

Ms. Smith stated, okay, so we took a vote and it went around and we have that recorded in our minutes, because then you didn't open it for public comment, if you did that, because I was there. We picked the name and that was the Agenda meeting, we weren't voting at that one.

Mrs. Sherlock replied, okay, I'm not denying that.

Ms. Smith replied, okay, all I'm saying is it's a simple procedure, so when you come here you say okay, this is the person then you put up the motion and we officially vote it.

Mrs. Sherlock asked, okay, how about we put up a motion this evening -- I'll open the public comment again so they can come and talk about our Junior Councilperson. That's what you're saying, you're saying in order for us to vote, we have to open up to public comment, so if you want to open up the public comment and redo this, you've now put a student in the middle of an argument. We could make her sit back down again until we appoint her, is this what you want to do?

Ms. Smith replied, it's not an argument. How about she's a lovely girl and I'm glad she's here. All I'm saying is there's a two ? procedure when you appoint someone no matter who it is. That's all I asked you to do. Thank you Anna.

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

**Motion** carried by roll call vote, 7-0.

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Mrs. Sherlock stated, before we move on to reports, we have Ms. Pam Coleman here with Landmark Towns.

### **HEARING OF THE PUBLIC**

1. Pam Coleman - *Landmark Towns Director*  
She worked with the Bucks County Planning Commission and the Morrisville Business Association to gather data as part of a Bucks County Community College project. The value of the data is \$3,300.00. She announced the Canal Vision Study Meetings. She said that the signs Morrisville used on the canal are being used as a model for the rest of the norther piece of the canal. Delaware Council Festival has increased attendance. There is a new program, Art on the Trail, it has not been decided where they will be.

She gave a very comprehensive report and asked Council for their financial support of \$7,500.00 for the year.

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

**Junior Councilperson's Report - Anna C. Zuckerman** - She stated the Morrisville Bulldogs football team had their last home game on Friday, we lost 19 to 20, but it was an honorable loss. The girls have a Powderpuff flag football game on the A-Field at 7:00 on Wednesday, November 25th. The students in Morrisville are pleased to announce that we have a National Honor Society again, we haven't had a Chapter since 2010 and we are very pleased to say we had our first meeting today. The Morrisville Chorus is holding a small concert at the Methodist Church on December 1st at 7:00 pm, directed by my mother, Shelly Zuckerman. My fellow Junior, Emma is being honored, she worked through a program in Philadelphia called New Studies with Piu Radio, she has written a radio broadcast about our Middle School Science Symposium Team, it will be on 1060 AM November 29th at 4:24 pm.

**Solicitor's Report - Alyson Fritzges** - She stated, thank you Ms. Sherlock I don't have any reports tonight. I am happy to address the trash contract when Council is ready to make that motion and answer any questions you have.

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

**Mayor's Report - David Rivella** - There was no Mayor's Report this evening.

**Police Chief's Report - Chief George McClay** - He stated our crime rate stays at a negative 37% for the year. We've had four burglaries this past month, but most of those burglaries were shed burglaries. We put a lot of guys out on Halloween, we got a lot of compliments from a lot of people. We had no incidents on Halloween night. Apparently there was an email sent out to Council about me requesting the financial statement. I have been asking to have meetings over the budget for the past month and a half with the Council President and with our Borough Manager, which I was never replied to. I asked for the latest numbers so I could give you an accurate count, because I am the Police Chief who looks at this every month. My budget is at 71% and if everybody does the math, 71% is very very good. That's why I asked for the financial statements. I think the financial statements should be available on the 5th of the month like the crime stats are, but it is not set up that way. I don't know why anyone would think I would ask for anything different. I proposed to the Mayor, \$137,000 in cuts on the police department side. That will cover the increases in the professional insurance that we did not have for last year. We were only budgeted \$20,000.00, we should have been budgeted \$40,000.00. It will cover the \$50,000.00 in contractual agreements that we have for salaries. It will cover the new SRO, which I'm hoping to finish that process this week. That should have been sent along to the Borough Manager, that was sent to the Mayor last week. I am very on top of our budget numbers, that is the only reason I asked for those numbers. If you really look at it, at this point we should be at 83%. So we still have a lot of money that the Borough can spend through the police department, but I have not yet, because I have been very conservative with it. I just purchased two AED's, which I hope will be in this week, the officers will start carrying them on the road with them along with the first aid kits and everything else they do carry now. I just

got in today, a fixed speed limit sign, which will be solar powered on Pennsylvania Avenue. I hope to have money to purchase a second one. That's the biggest amount of complaints we get is that road. It has worked, it has slowed the cars down there. He went to a conference in Chicago which cost the Borough zero dollars for him to attend. On November 31st, he has a police officer going to Philadelphia for bike training. One of my recommendations next year is we will have a bike. Lastly, we will be doing active shooter this year starting in January at Haverford College, it will cost the Borough, nothing. I was able to secure those services through the Haverford Police Department, just through the connections that we made with the MERT team. The police department is doing very well, I thank you for your support and I hope as we go along with the Borough finances, that we continue to have your support.

Ms. Smith asked, Chief, you are saying that the actual Financial Statement that we get once a month you're not getting that -- you are requesting that, not the bill list, right? The financial sheet.

Chief McClay replied, no. You had an email this week, right?

Ms. Smith replied, yeah, I just had an email that said that you requested it, but I'm thinking it was this, the financial sheet.

Chief McClay replied, right, the financial sheet, that's what I was requesting and that's what I did get, but I did get it on the 13th, which is apparently before you guys got it and that didn't go over very well. It's very hard to do a budget when I'm working off a month old budget, that's why I asked to have this so I could have the accurate numbers.

Ms. Smith replied, right. And you should have this, because it's the running tally of our budget.

Chief McClay stated, oh, I do get these every month, but when the Council gets it, so when I was asked by the Borough Manager to have my budget done, I wanted the most accurate numbers that were available, that's why I was asking for them.

Ms. Smith stated, yeah, I understand it now. Personally I think you've done a great job with the budget. When you came in last year, you were real prepared, you sat down and you knew exactly what you needed to tell us and we could ask you any questions and you're right on board with that. And you stayed under budget.

Chief McClay asked, when are we having budget meetings?

Ms. Smith stated, I asked myself, I am still waiting for a date. With Halloween, a lot of good feedback, the coverage that you do with the officers, fantastic job. I thank you for that.

Mrs. Sherlock stated, Chief, just for clarification, I never received an email from you about financial meeting -- about budget meeting.

Chief McClay replied, about sitting down and doing the budgets.

Mrs. Sherlock replied, correct.

Chief McClay stated, okay, well, I will bring it up I will print it back out for you, from back in the beginning of October. I sent it to you, and I sent it to your Borough Manager and I sent it to the Mayor. I always include everyone on my emails.

Mrs. Sherlock replied, okay, alright.

Mr. Bates asked, are you finished with your budget?

Chief McClay replied, it was sent to the Mayor, yes.

Mr. Bates replied, I need a copy, because we want to put the figures in.

Chief McClay replied, you know the way this works. I send it to my Mayor and he sends it to you. So they are done, yes.

Mrs. Sherlock stated, thank you.

Chief McClay asked, when are we having a budget meeting, do you know?

Mr. Bates replied, I need your figures to put in the budget.

Chief McClay stated, I will make sure he gets it to you very soon. Thank you.

Mrs. Sherlock stated, that concludes our reports portion.

### **FINANCE**

Mr. Bates read the bill list.

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

**Motion** made by Ms. Kronnagel.

Mr. Parker seconded the motion.

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

**Motion** carried by roll call vote, 7-0.

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**Motion 8B** - Motion for an Ordinance to elect to amend the Pennsylvania Municipal Retirement System Morrisville Uniformed Pension Plan per Pennsylvania State Requirement.

**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, 7-0.

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**Motion 8C** - Motion to approve the annual municipal contribution of \$7,500 to support the Landmark Towns program for 2016 (Per the letter from Elissa M. Garofalo, President/Executive Director of Delaware & Lehigh National Heritage Corridor, dated October 28, 2015).

**Motion** made by Ms. Kronnagel.

Mr. Johnson seconded the motion.

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

**Motion** carried by roll call vote, 7-0.

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**Motion 8D** - Motion to approve the land development plan on MY Lane for Britton Realty. (This plan has been approved by Planning and Zoning).

**Motion** made by Mr. Cicero.

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, 7-0.

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**Motion 8E** - Motion for the Borough Solicitor to prepare and the Borough Manager to advertise an ordinance amending Chapter 65-5 of the Morrisville Borough Code to remove the residency requirement for the Borough Manager's position.

**Motion** made by Mr. Parker.

Ms. Kronnagel seconded the motion.

Mrs. Sherlock asked are there any questions or comments on this motion?

Ms. Smith stated, first of all, it says to prepare, and we did prepare an ordinance before. That is prepared, do you remember that? It was done several months ago for the -- it's not dated, it had to be at least two, three months ago, I think probably September and then it was not brought on the table to vote because we were talking about whether it was going to get changed. So, we do have it already drafted instead of paying to do it again. I brought up my issue that I had with this that some of the other language should be changed, I think it should be changed, It definitely -- the residency clause has to come out. If you're going to do a policy to correct some of this stuff, then the ordinance itself should have some of those things just general language put in. The bond amount we said could just be an amount set by the Council so that \$25,000.00 would have to be removed and this ordinance only states just for the residency right now. The other one, as far as we've gone back and forth for a year now about the hiring practices on the manager and if it's going to be done by a policy, then at least in the ordinance before it's advertised and we have to pay to do it again is to just put in there that the Council is going to adopt a policy for the hiring practices, so it at least says it in the ordinance instead of what it does, because you're going to be paying to bringing it back off and correct it even if you do a policy later, so I would just wish that some of these things would be changed as that ordinance goes out instead of wasting the taxpayers dollars again to re-advertise.

Ms. Kronnagel stated, I don't see why the ordinance has to mention a policy, we could just have a policy, it doesn't have to be in the ordinance. That's the whole point of having a policy.

Ms. Smith stated, well, you're not putting in there what it would be, you're just stating that you're doing a policy.

Ms. Kronnagel replied, but we don't have to do that. We could just make a policy, it doesn't have to be -- we don't have to change anything else in the ordinance.

Ms. Smith stated, but the ordinance says certain language in there. We went back and forth about this.

Mrs. Sherlock stated, the motion on the floor is a motion for the Borough Solicitor to prepare and the Manager to advertise an ordinance amending Chapter 65-5 of the Morrisville Borough Code to remove the residency requirement for the Borough Manager's position, that's what we have on the floor.

Ms. Smith stated, okay, pass this to Alyson, and ask her if it was paid to at least draw that back up again.

Mrs. Sherlock stated, I'm writing prepare, prepare could mean -- we always leave prepare in there because it's part of the process.

Ms. Smith stated, well that's what I'm asking, because this did come from Mr. Kilkenny's office. I'm saying, is that what it's going to be?

Alyson Fritzges replied, this is in our files, I promise you, I will not reinvent the wheel.

Ms. Smith stated, okay, alright, I just wanted to make sure that that's the one then.

Mrs. Sherlock asked, may I have a roll call, please.

**Motion** carried by roll call vote, 6-1. (nay vote being Ms. Smith)

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**Motion 8F** - Motion to award the contract for collection of refuse and recyclables to Republic Services for the amounts as outlined in the bid proposal dated October 30, 2015, contingent upon Republic Services providing a performance bond in the amount of 100% of the total contract price.

**Motion** made by Ms. Kronnagel.

Mr. Cicero seconded the motion.

Mrs. Sherlock stated, we will have questions or comments but our Solicitor will now also comment.

Alyson Fritzges stated, I also received a letter from Mr. DeGennaro on Friday, I took a look at the bid again, did a little bit of brief research myself on Procurement Statue, the Borough Code and some Case Law, I am very confident that what Republic has submitted, which I have in front of me is a valid bid and unfortunately as the gentleman stated, there are challenges with these trash bids, but this will absolutely hold up in court. It has a notary, it has a signature. I also looked at what our bid asked for and they did comply with all the specs. So, I would recommend that Council award the contract to Republic as the lowest bidder.

Mrs. Sherlock asked, are there questions or comments on this motion?

Mr. Cicero asked, so it is your legal opinion that this is a valid bid?

Alyson Fritzges replied, it is.

Mr. Cicero replied, thank you.

Mrs. Sherlock asked, may I have a roll call, please.

**Motion** carried by roll call vote, 7-0.

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**Motion 8G** - Motion for the Borough to submit a \$15,000 invoice to Morrisville Baseball for the 2016 Baseball Season Park fees.

Mrs. Sherlock stated, this wasn't on the agenda Friday, it was brought up by Mr. Bates just today, so that's why you didn't see it Friday.

Mr. Bates stated, Council hadn't discussed this in the past, I wanted to put something on there and have them talk about it tonight, and then vote on something. We have to tell baseball something. Last year you guys didn't tell baseball anything -- or soon enough, and they have to put out their registration prices and stuff like that for the little leaguers, T-ball players and all their participants. I think it's mandatory that we settle something now and settle some kind of price you want to charge baseball.

Ms. Kronnagel asked, we charged them \$10,000.00 last year, correct?

Mr. Bates replied, that's correct. The price that we talked about last year, what it cost us. It cost us \$32,000.00. That's what it cost us to take care of the grass, mow the fields, to take care of the bathrooms. We pay guys overtime to come in and clean the bathrooms on the weekends. I'm not saying we should charge them that much money. It was a new thing for them. They didn't actually pay the \$10,000.00 until the end of -- some time in September, right Bobby. Now they are forewarned, but I think we have to tell them some kind of price up front, so I think Council should talk about it right now.

Ms. Smith stated, I would have appreciated having this for the agenda meeting to talk about it instead of just put it up here and say here let's have a debate about this now and vote on it. How did you come up with the \$15,000.00, how did you figure that?

Mrs. Sherlock replied, because it was \$10,000.00 last year.

Ms. Smith asked, okay, and how did you get the extra \$5,000.00?

Ms. Kronnagel replied, I thought that we discussed before that it would be --

Mr. Parker replied, incremental.

Mrs. Sherlock replied, incremental.

Ms. Kronnagel stated, incremental.

Ms. Smith stated, well they offered \$10,000.00 wanted to go up \$1,000.00 a year and do some kind of a contract with us and weren't to do that. We were supposed to get together and discuss that and including, in my opinion, I think we should be doing a memorandum of understanding. Because besides the money end of it, you also have to know what areas that they are using. That's nothing against baseball, but they change coaches all the time, so as new people come in, they're not aware of what our regulations are I think, and so you can't put the full blame on them but with a memorandum of understanding, they would know whoever the coaches change up to in the beginning of the season what's expected on our end and what's expected on theirs to make sure that we know that. When I attended the meeting with their board, which Mr. Kerner also went to I did mention that to them that it's a -- they don't seem to know some of the things they shouldn't be doing according to what -- their idea was just take out your ordinance it's outdated. It's not, it's in there for a reason. We had gone back and forth about the roster, they said they weren't giving a roster, so when I'm asking about the \$15,000.00, they were supposed to be giving us the schedule. Whether they were going to do fall ball made a difference on the amount of money. Whether they were going to do any tournaments. There was going to be a field charge, now did any of that change? Anybody know, before you vote this tonight?

Mr. Bates replied, last year we didn't charge them for fall ball, we only charged them for the summer. Last year I asked this Council, Fred and I think you two at least talk to them for the year and I don't know if anything ever happened.

Ms. Smith replied, well, Fred was the one that took that on and I asked him if he spoke with them and he said no.

Mr. Bates replied, we have to do something. We have to sort of warn them or sort of charge them something.

Ms. Smith replied, I agree but there has to be a basis for how you come up with the \$15,000.00 is what I'm saying. Because what do you do next year, you're giving them -- like next year they could say, what are you going to charge \$16,000.00 next year, what is the basis on how you came up with that?

Mr. Bates replied, if you don't want to do this, then just charge them what you charged them last year and then you guys are going to have to get together and start working with them this year. You should have worked with them last year.

Mr. Cicero asked, what did you say your costs were, Tom?

Mrs. Sherlock replied, wait a second, \$32,000.00.

Mr. Bates replied, it actually cost us \$32,000.00 a year to cut the grass, man the bathrooms and do all the maintenance that we do, to buy the toilet paper, to do everything. It cost \$32,000.00 for the year. We've always paid for that.

Mr. Cicero stated, but actually, you would have to do some of that anyhow.

Mrs. Sherlock stated, correct.

Ms. Kronnagel stated, absolutely.

Mr. Bates replied, we cut the ball fields for them and everything too.

Mr. Cicero stated, that's why you went down to \$15,000.00 which I think is fairly reasonable.

Mr. Bates replied, I think it is too.

Ms. Smith stated, and we do pay part of the electric bill every month too on the clubhouse, because I've been watching that too. There's a fee every month that we pay a part of the electric down there and according to the season it goes up and down. If you add that and deduct it from that, we're also paying for that. We know that they can't possibly meet the requirement of having Morrisville kids here so I would say, we're taking my estimate I would say probably 85% or maybe a little bit more are not from Morrisville.

Ms. Kronnagel asked, do you have anything to base that off of?

Ms. Smith replied, they weren't showing any roster, remember?

Ms. Kronnagel asked, so you came up with that?

Ms. Smith stated, the coaches told me at the meeting.

Ms. Kronnagel stated, what coach?

Ms. Smith replied, the coaches, when I went to the meeting last year.

Ms. Kronnagel asked, all of the coaches came up with that, not just one?

Ms. Smith replied, they were saying that was their estimate. That's what they told the Borough last year. Do you know, Corryn?

Ms. Kronnagel replied, I don't know, but I didn't throw out a number.

Mr. Bates stated, \$15,000.00 is very reasonable. I think it is. It's fair for them. I think it's fair for us. I don't think you should raise it any higher or anything. We went through this whole discussion last year, you don't want to get rid of your Morrisville Little League.

Ms. Kronnagel replied, no.

Mr. Bates stated, this is the kids playing baseball.

Ms. Smith asked, where do you get that was ever said anyway?

Mr. Bates asked, what's that?

Ms. Smith asked, where did you get that was ever said, it was never said about them not being here.

Ms. Kronnagel stated, you can price them out of here if you want to keep making it higher and higher.

Mr. Bates replied, we didn't do our due diligence by negotiating with them all year, but they aren't doing their due diligence by coming to us either and sending us a letter asking what do you want to do this year.

Mrs. Sherlock replied, they're not going to ask you how much you're going to charge them.

Mr. Bates stated, they are when we charged them last year

Mrs. Sherlock stated, when we spoke last year, they knew there was going to be an incremental raise this year, we never said how much. I don't know where the \$1,000.00 came from.

Mr. Bates stated, they turned down that \$1,000.00 a year raise.

Mr. Cicero stated, this motion is only calling for us to send them an invoice.

Mr. Bates replied, that's correct.

Mr. Cicero stated, that's all it says, send them an invoice.

Mr. Bates replied, it gives them a fair warning.

Mrs. Sherlock stated, we have a Borough employee who's in constant contact with them and that's Bob Seward. So if they don't know what they are supposed to do and not supposed to do, and we have a schedule of all their games as well.

Ms. Smith stated, what I'm saying when it comes to that is we've been talking for a while now about actually doing improvements for the Borough residents also down there and using some of that for the Borough Residents. Some of the areas of the baseball that are multi-fields are not multi-fields, they are developed diamonds now along the Delmorr and that was supposed to be a tradeoff between the fields that are there and the T-ball and what ended up over on Delmorr side. Now they're still doing T-ball in front of the stage and now their developing two diamonds on the other side. I know what a diamond looks like. So the sand and dirt that we have given them permission to put in the back of the batting building never happened and now that pile of sand and dirt is on the side of the building and they are now developing diamonds across from there along with seeding and fencing and I don't know how anybody else looks at it, but it looks like a developed field to me. So how do you -- everybody has to have written permission, correct? I don't remember ever saying that that was allowed to happen, so what I'm saying is, in order for us to get some of that land for us to develop for our residents, there has to be a boundary on it. It just can't be that a Borough worker says okay, that's what you're going to do. Do you know that, I mean, how are you possibly going to put in a track that we've been talking about with the MEAC or is that off the table, because nothings ever been said.

Mrs. Sherlock stated, I don't think a path is off the table in thought, but we have no money for that. The area you are referring to, I don't know if that's going to interfere with --

Ms. Smith stated, what's going to happen is they are now using that going to develop it and a working diamond and a year or two down the road they are going to say, oh it's always been that way and that's our field and it's not, it's never been approved to be that way.

Mrs. Sherlock stated, here comes Bob. If you want those back drops taken out, we can take them out.

Mr. Bates stated, they don't think they are their fields. They come and asked Bob and I if they could use some of the multi-purpose fields.

Ms. Smith asked, Bob did they ever put in what we gave them permission for?

Mr. Seward stated, The fields that they are using for T-Ball was approved by Council, they came here and we talked about it. They were told that they can not put anything there permanently. I told them personally that anything they put there permanently and this Council wants to use the field for, if it does not come out by them, it will come out by our backhoe.

Ms. Smith asked, okay, you're talking about the Delmorr part.

Mr. Seward replied, the Delmorr part. They are well aware that that field is used for multi-purpose. I just spoke with Tony last week about that. There were some improvements they wanted to make to the field and I told them no, they cannot, that is a multi-purpose field, it is not exclusively baseball. The island is not exclusively Morrisville Baseball they are aware of that. We have had some problems and I will admit with them being a little overzealous with doing things. Any time they do anything, it is brought to my attention, I go down and I ask them very nicely, if you don't remove it, the Borough will. It is Borough property, we run the fields, if they don't like it, I tell them very nicely with the smile that I always have, I'm very sorry, but these are our fields. They are for the residents of the Borough of Morrisville.

Ms. Smith replied, okay, that's why I'm saying in order for that to define that, it would be a good idea to have that memorandum of understanding. I could ask the Attorney about that, I think it would be good to have that.

Mr. Seward replied, we could do that

Ms. Smith stated, and that way, it kind of takes it off you too, they know.

Mr. Seward replied, well, I don't mind that, I've been trying to run the fields for the Borough and we have had some hiccups going down the road but that's understandable because if you've ever been involved in baseball, once you get going it doesn't stop until somebody puts your brakes on.

Ms. Smith replied, right, that's why I'm saying, put the brakes on.

Mr. Seward stated, I've been involved with baseball for 9 years and a lot of guys take it as major league. It is not major league baseball, but some people really take it that way. The fields, the park is for the Borough, the residents, all of our residents.

Mrs. Sherlock replied, and non Morrisville residents.

Mr. Seward replied, and non residents.

Mrs. Sherlock stated, the motion on the floor is to submit and invoice for \$15,000.00. Is someone wishing to change that figure? Reduce it, increase it during the discussion? If not, I am going to call for the vote.

**Motion** made by Mr. Cicero.

Ms. Kronnagel seconded the motion.

Mrs. Sherlock asked, may I have a roll call, please

**Motion** carried by roll call vote, 5-2. (nay votes being Mr. Sanford and Ms. Smith)

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Mrs. Sherlock stated there is no scheduled zoning meeting for December.

## UNFINISHED BUSINESS

Mrs. Sherlock stated, unfinished business is the meeting room. Using the Borough Chambers here as a meeting room. The resolution 447 was quoted this evening as well as 447 as revised, which was actually 620. In number 4, it says persons or groups or persons who wish to use (this is the revised version) who wish to use the community room for other than meeting purposes shall make written application to the Borough Manager who shall permit or deny such use. Appeals from the Managers decision shall taken to the Borough Council. Mr. Bates made the decision to let them meet there and it wasn't exclusive to the Democratic Club it would have been to the Republican Club as well. So, if this Council chooses that this room not be used by anybody for anything, then we need to move forward and do that or we change the resolution to allow them. What's your pleasure?

Ms. Smith asked, you're saying we have to change the Resolution so that Mr. Bates doesn't have permission or any other manager to that, is that what you're saying?

Mrs. Sherlock replied, no, I'm saying you change it to allow political parties.

Mr. Bates replied, allow the political club to meet here. If you don't want to do that then fine, we'll just kick them out.

Ms. Smith stated, no, they shouldn't meet here.

Mr. Bates replied, no Borough building, that means the Library or anywhere.

Mrs. Sherlock stated, it can't be the Library because we don't have any --

Mr. Bates replied, it's a Borough building.

Mrs. Sherlock replied, yes.

Mr. Bates stated, so they can't meet there either.

Ms. Smith stated, the difference here, if you're gonna have other residents come here, if you're going to have the democrat/republicans then that means the dog park can meet here the boy scout can meet here, the seniors could use a Bingo room, this is big enough, they could meet here, they're losing their place.

Mr. Bates stated, it's at the discretion of the manager.

Ms. Smith stated someone would have a key to let them in. Because that's discriminatory.

Mrs. Sherlock stated, so we can't do that, so I say no one meet here. If that's what you want, then no one meets here. We are not going to pay overtime for someone to open up the building and have the lights on and so forth and so on. So nothing changes, the resolution remains the same, and nobody meets here.

Ms. Smith asked, you do realize it also cuts off you're revenue for your Library that you've had all these years, right?

Mrs. Sherlock stated, I'm sorry.

Ms. Smith stated, that cuts off your Library from and revenue that they've gotten.

Mrs. Sherlock replied, you've cut off \$250.00 this year, your absolutely right.

Ms. Smith stated, we'll here you weren't going to be paying, because that's what you stated at the Agenda meeting that you wouldn't have to pay if you came here.

Mrs. Sherlock replied, that's correct.

Ms. Smith stated, because there's no fee schedule set up for here, but you'll charge for a Borough building over there for someone.

Ms. Kronnagel stated, I thought we already made the decision to not change the resolution.

Ms. Smith replied, please, don't be rude.

Ms. Kronnagel replied, I think that this is rude to keep continuing the discussion after the --

Ms. Smith stated, well isn't this what we -- after this we talk about this.

Ms. Kronnagel replied, after the decision has been made.

Mrs. Sherlock stated, we just said we weren't going to change anything.

Ms. Smith stated, alright, then don't, don't meet here.

Mrs. Sherlock asked, we're not going to, are we?

Ms. Kronnagel stated, we just said that.

Mrs. Sherlock stated, okay, so unfinished business is now finished. That portion.

Ms. Smith replied, done.

Ms. Kronnagel stated, we already said that.

### **NEW BUSINESS**

There was no New Business to discuss this evening.

### **ANNOUNCEMENTS**

Mrs. Sherlock stated, I would like to have a meeting next Monday at 7:00 to review the resumes and to discuss and/or vote possibly for a Borough Manager. It will be advertised.

Ms. Smith asked, we are going to review and pick on Monday?

Mrs. Sherlock replied, I said and/or, I didn't say we had to but we may come to a conclusion that night.

Mr. Sanford asked, are we going to set up for any interviews, Nancy?

Mrs. Sherlock replied, I don't know Todd.

Mr. Cicero stated, we will discuss it at that meeting.

Mrs. Sherlock replied, yes, we will discuss it at that meeting.

Ms. Smith stated, I just want to make sure that this is advertised right. It would be advertised as executive and then maybe a vote, or something like that?

Mrs. Sherlock replied, that's correct, yes. Actually, Alyson can address that.

Alyson Fritzges replied, it will be advertised --

Mrs. Sherlock used the gavel.

Alyson Fritzges stated, If there is a potential vote on it, we are going to advertise it. So we will advertise the meeting of Interviews of the Borough Manager, you'll have to advertise executive session, and we will announce executive session and a potential vote on the Borough Manager because in a special meeting, you have to in the advertisement outline more specifically than you do in a regular meeting what you're discussing at the special meeting.

Mrs. Sherlock asked, okay, so you're taking care of that?

Alyson Fritzges replied, I will, yes.

Mrs. Sherlock asked, any other business? 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 Ms. Kronnagel.

Meeting adjourned at 9:05 pm.