

MEETING MINUTES
MORRISVILLE BOROUGH COUNCIL
SPECIAL MEETING

MONDAY, NOVEMBER 23, 2015
7:00 p.m.

The Morrisville Borough Council met on Monday, November 23, 2015 at 7:00 p.m. in Council Chambers at the Morrisville Municipal Borough, 35 Union Street, Morrisville, PA for a Special 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
Victor Cicero
Jeffrey Johnson
Corryn Kronnagel
Ted Parker
Todd Sanford (arrived at 7:04)
Debbie Smith

Borough Officials: Mayor Dave Rivella
Tom H. Bates Jr., Borough Manager
Robert A. Seward, Assistant Borough Manager/Code Enforcement
Alyson Fritzges, Solicitor

Not in Attendance: Fred Kerner, Vice President
Scott J. Stoddard, Borough Engineer
George McClay, Chief of Police
Anna C. Zuckerman, Junior Councilperson

Mrs. Sherlock stated, we have no special presentation, next we have the hearing of the public. If anyone would like to speak please come forward and state your name and address.

HEARING OF THE PUBLIC

1. Kurt Holthenrichs - *300 Melvin Avenue*
He stated that he was hoping that the vote for the Borough Manager meets the criteria, not a person with no Borough Manager experience. He stated that he found it interesting that the Solicitor donated some campaign contributions to one of our Councilpersons this year.
2. Eileen Dreisbach - *75 Harrison Avenue*
She stated that you are a lame duck council and you should not be voting on any Borough Council or Manager without having the proper people sitting up there to vote on. The ones that are going to be overseeing him and working with him. I don't think it should be voted on tonight. I believe you said you had 21 applications,

Mrs. Sherlock replied, correct.

Ms. Dreisbach asked alright, has everyone reviewed them? Has anyone reviewed them?

Mrs. Sherlock replied, I would hope they have reviewed them.

Ms. Dreisbach asked, have you done any interviews?

Mrs. Sherlock replied, that's what we are doing this evening.

Ms. Dreisbach replied, you are doing interviews?

Mrs. Sherlock replied, yes.

Ms. Dreisbach replied, well, I still hope that you wait, because I think it's ridiculous to hire one tonight when you only have a little over a month before these new people get in. Wait and let them decide who they want to work with.

3. Bill Farrell - *347 N. Pennsylvania Avenue*
He stated he doesn't know what's on the agenda but he assumes you are going to hire or appoint a Borough Manager and vote on and hire tonight. At the last meeting he had a couple of different copies of the agenda, one had appoint a Borough Manager, the one he finally got, it was removed. He wants to know why it was removed. Lame duck is a political term used for people who are leaving with new people coming in. So what they do, it's not just here, they try to pass legislation or put in things that the new group will have to deal with in the coming year. I don't know what to say. Personally, I don't have anything against any of you people sitting up there. My gripe is your politics. By the way, I am one of those D's, but that's in name only, and that's what's wrong, this town has been voting D's for too many years and years and years and this is where were at. Whatever turns you on, but it's about time everybody in this town and this whole

country gets their act together and stops voting these party lines, these party lines have gotten us where we're at right now and guess what, it's not getting any better. You've got problems in Harrisburg, you've got problems in Washington, all over the place, and this upcoming election for the President is going to be a joke. I don't know where you stand with this manager, but I hope if you do you are able to pick a qualified manager. I hope he is not a friend of this guy or that guy. I believe Borough Council was going to be given copies of the resumes last Friday or last week sometime, that was stated at the monthly meeting.

Mrs. Sherlock stated, I don't mean to interrupt, but Council was given the resumes October 3rd.

Mr. Farrell asked, October 3rd, did you guys sit down together, the whole Council, go over the resumes and pick out the three people or whatever you're going to vote on tonight?

Mrs. Sherlock replied, not yet.

Mr. Farrell asked, well, you're going to do that tonight, right?

Mrs. Sherlock replied, yes sir.

Mr. Farrell stated, okay, all I have to say is, when I leave the barn, I close the barn door. The barn door has been open in this town for so long, it's just crazy. Thank you.

4. *Jane Burger - 90 West Maple Avenue*

She stated, we've known for some time that there was going to be a change in the Manager, I don't know the exact date that Mr. Bates sent a letter in indicating that he would not be continuing past the end of this year. I certainly wish him well in his future endeavors. You started the process in the spring, you received resumes, if Council wanted, they had the opportunity five or six months to put a person into the office, give them a chance, get their feet wet and then hopefully come January everyone would be happy with the competency of the person that was chosen. To wait until the absolute end of the budget year to put a person in is suspect and I guess when we see who the majority vote for we'll know whether or not you are voting for someone who meets the experience and qualifications that you put out in your advertisement or whether we are going to get someone with very little or no experience with local government and maybe has never written a grant successfully or other things that need to be done, including budgets and finance without continuing to bring back retired employees. This also puts the person you are going to select into a difficult position come January, because we all know the Borough Council that is seated in January has to again vote on this at-will employee as well as pick other professional services, so I am just wondering who would accept this job on those particular terms and I'm not saying any promises were made, but everything is suspect now. The main thing being the process. When you go into executive session, you absolutely do not have to permit the two Council people elect, but it would be I say it's ethical, I say it's the wise thing to do since those two people will be on the Council voting for who was selected as Borough Manager. With regard to finances, I know some time ago, particularly in the general

fund, that Mrs. Sherlock I guess made the remark that the Borough is broke, don't have a lot of money. But in addition to making part-time into full-time and whatever, you've got money still illegally spent out of the sinking fund that totals up \$4,300.00 that needs to be put back from some account before the end of the year or I can assure you it will be made known to your auditor, and I really don't want you to throw the treasurer under the bus for that expenditure she made probably at the direction of a key administrator in the Borough Hall. If you hire someone, how soon will they begin? Will they be subject to a background check? And now, this broke Borough is going to be paying two managers for the month of December, certainly you can clarify that and if the person isn't starting until January, then they should have been hired under the organization night. Look to your conscience, I know it falls on deaf ears to ask people to do the right thing for the Borough and for good Government and to put politics aside or personal feelings about wrongs, imagined wrongs or whatever. Thank you very much and we're all watching and will continue to watch.

Mrs. Sherlock stated thank you. That completes the hearing of the public. At this time we will be going into an executive session to discuss personnel. We have three interviews this evening. One will be at 7:30, one is at 8:00 and one is at 8:30. After such time, about 9:00, we will come back out and -- we will deliberate for a bit, we will come out and we will make that decision.

Council went into executive session at 7:12 p.m.

Council returned from executive session at 9:17 p.m.

Mrs. Sherlock stated, we interviewed three people. We interviewed a Miss Linda Becker, a Mr. Justin Yaich and a Mr. Bob Sooby. We are going to open up public comment again for any questions.

HEARING OF THE PUBLIC RE-OPENED

1. Kurt Holthenrichs - *300 Melvin Avenue*
He asked, do any of these three have Borough Management experience?

Mrs. Sherlock replied, yes.

Mr. Holthenrichs stated, okay. They have been a Borough Manager or an Assistant Borough Manager? Have they been a Manager themselves of a Borough or Assistant Borough Manager?

Mrs. Sherlock replied, they are qualified candidates, yes.

Mr. Holthenrichs asked, they meet all qualifications you advertised for?

Mrs. Sherlock replied, yes.

Mr. Holthenrichs asked, six, seven million dollar budgets, college degrees or work experience and they have also managed work forces and things like that. Thirty minutes is enough time to make a decision for an important job in the Borough. Thirty

minutes on a Monday night. This is how you are going to proceed to run our town, is on a 9:00 decision, on a thirty minute interview. One is on the phone interview, that is how you are going to handle it? That's ridiculous, ridiculous. You should be ashamed of yourselves if that's how it's going to go on a thirty minute interview on a Monday night.

Mrs. Sherlock asked, anyone else this evening?

2. Jane Burger - *90 West Maple Avenue*

She stated, the ad stated that you have some local government experience, because you can work in a Borough or a Township, the laws are very similar and someone who has been an Assistant Township Manager or Township Manager I would find acceptable. The three that you interviewed, not to say anything against any individuals but of those three, I do know for a fact one of the individuals this evening has never worked in local government. Political connections are wonderful, I don't know that marshaling grants through a process means you have successfully prepared a grant that has been awarded, so I am not expecting an answer but it would be nice if you know the individual that had no direct government experience actually prepared grants, that was in your advertisement, one of the things that you all said you were looking for, you all said you were looking for someone with local government experience. Everybody has their niches their areas of expertise the last thing we need is a political appointment that needs a long learning curve to learn and certainly don't want people being taught by the wrong individuals because we can't afford anybody else doing things wrong in this Borough. We've lost some valuable ground. You're going to do what you're going to do because you have a majority tonight, I only can hope once again you are going to do the right thing for the future of this Borough and appoint someone that really has legitimate experience operating and working in a Borough or a Township. We'll all see you in January, read your Borough Code.

Mrs. Sherlock stated, thank you. Anybody else this evening? Public comment is closed. Council, any comments?

Mrs. Johnson stated yes. I listen to the rhetoric in the back room. There were good candidates. All three of them, I thought. But, there was some stipulations within those peoples decisions on taking the job. That's upon their decisions. Some of the decisions were good decisions of what they were saying of how they want to move Morrisville forward. That's been the whole problem here in Morrisville. Morrisville needs to move ahead in a direction with resources coming into the Borough with people that know how to make connections and manage. Granted, I see smiling faces, this isn't an easy decision for me or for anybody here, but when I look at a decision, it has to be for the direction of what Morrisville has been founded on. Not just who we are today, but from Robert Morris and that's how I'm going to make my decision.

Mrs. Sherlock asked, anyone else this evening?

Ms. Smith stated, wow. I'm speechless. (laughing)

Mrs. Sherlock asked, okay?

Ms. Smith replied, sure.

Mrs. Sherlock asked, is that it for Council comment?

NEW BUSINESS

Mrs. Sherlock asked, may I have a motion to appoint Robert Sooby as Assistant Borough Manager.

Audience Members (inaudible)

Mrs. Sherlock used the gavel.

Mr. Cicero stated, I'll make that motion.

Audience Members (inaudible)

Mrs. Sherlock stated, I didn't finish the motion. If you are going to be disruptive, please leave the room.

Audience Member (inaudible)

Mr. Cicero stated, you're not going to leave.

Mrs. Sherlock stated, I've asked you to not be disruptive.

Audience Member (inaudible)

Mr. Cicero stated, don't answer him Nancy. I made a motion, I don't need a second on this kind of a vote.

Mrs. Sherlock stated, that's correct, but I'd like to read it. Robert Sooby as Assistant Borough Manager effective November -- would you like to explain that, please.

Alyson Fritzges stated, my recommendation would be if you want to appoint Robert Sooby as Manager, to appoint him as Assistant Borough Manager tonight to become effective Immediately on January 1st so you don't have two Borough Managers because your Borough Code only appoints for one Borough Manager, so my recommendation would be to appoint him Assistant Borough Manager effective tonight to become Borough Manager effective January 1st.

Mrs. Sherlock used the gavel.

Mr. Cicero stated, so moved.

Alyson Fritzges asked, Mrs. Sherlock would you like to put that in the form of a motion, what I just said?

Mrs. Sherlock stated, I'd like to finish the motion, please.

Motion 5A - Motion to appoint Robert Sooby as Assistant Borough Manager effective November 23, 2015 and further move that Robert Sooby be appointed Borough Manager effective January 1, 2016.

Motion made by Mrs. Sherlock.

Mrs. Sherlock stated, I need a second for that motion. Victor made that motion. I didn't think I made the motion, I was calling for a motion.

Alyson Fritzges stated, you made a motion.

Mr. Cicero seconded the motion.

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

Mr. Johnson stated, I don't know how to vote now. Because you said Borough Manager, now it's Assistant Borough Manager until the first of the year and then --

Mr. Bates replied, Manager.

Mr. Johnson stated, Manager and then the other Council that's taking --

Ms. Smith stated, because the Council --

Mr. Bates replied Manager, January 1st.

Ms. Smith replied, the Borough Code only allows one and we have one, that's what the problem is.

Mr. Bates stated, my contract is up December 31, 2015.

Mrs. Sherlock used the gavel.

Audience Member (inaudible)

Mr. Cicero stated, there is no point of order. This is a vote. Nancy, call the vote.

Mrs. Sherlock stated, maybe we can let Alyson explain it again. I would like the audience to please be quite.

Audience Member (inaudible)

Mrs. Sherlock used the gavel. She stated, we are done with public comment please.

Alyson Fritzges stated, Mr. Sooby would be Borough Manager effective January 1st. Mr. Bates would be Manager, right now Mr. Sooby would be Assistant Borough Manager, my understanding is

to train him and transition him into becoming Borough Manager January 1st. So he would still be the same thing he interviewed for come January 1st and the only reason he is not Borough Manager right now is because you have a Borough Manager right now who you are paying as Borough Manager under contract.

Audience Member (inaudible)

Mrs. Sherlock used the gavel. You know what, we are recessing. I'm not going to put up with this or I'm going to call the police to have them come up and remove them.

Audience Member (inaudible)

Mrs. Sherlock stated, we're done.

Mr. Cicero stated, call the police officer up here. You are out of line.

Audience Member (inaudible)

Mr. Cicero stated, you are out of line.

Audience Members (inaudible)

Mr. Cicero stated, you can't come here and disrupt the meeting.

Mrs. Sherlock asked, may we finish with the roll call, please?

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

ADJOURNMENT

Motion to adjourn.

Motion made by Mr. Johnson and seconded by Ms. Kronnagel.

Meeting adjourned at 9:28 pm.

Audience Members (inaudible)