

MEETING MINUTES
MORRISVILLE BOROUGH COUNCIL
REGULAR MEETING

MONDAY, AUGUST 17, 2015
7:30 p.m.

The Morrisville Borough Council met on Monday, August 17, 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
Victor Cicero
Jeffrey Johnson
Corryn Kronnagel
Todd Sanford
Debbie Smith

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

Not in Attendance: Ted Parker
George McClay, Chief of Police

SPECIAL PRESENTATIONS

There was no special presentation this evening.

HEARING OF THE PUBLIC

1. **Mike Yager - 338 Melvin Court North**
He talked about the trash and blight ordinance, he spoke with residents about what they want in ordinances. They want them to be thorough, they want them to have punitive actions, they want them to be enforceable, they want them to be completely thought through so they aren't imposing on elderly neighbors or disabled folks in town and quickly. We should be using the solicitor right before it's implemented so we're not spending taxpayers dollars on something that may never happen. He talked about the new piece of equipment that's being purchased, and if there is a list of projects. He wanted to know if Council got a copy of the basic information regarding the costs of purchasing the equipment versus renting the equipment or farming it out to a company. How do we know we need to purchase the equipment? Please stop rubber stamping financial transactions, he needs oversight, he's about to leave.

2. **Kurt Holthenrichs - 300 Melvin Court**
He talked about the National Night Out being a terrific success, food trucks and Ivan sold out. He wanted to thank everyone that came out. With the money raised, we were able to donate \$1,065.00 to ambulance and rescue squad. Thank you for the support. Town Watch meeting is September 17th at 7:00 pm, at the Morrisville Italian American Club, Assistant District Attorney, Matt Weintraub will be out to talk about the heroin epidemic in Bucks. There will be a kickball tournament at the Labor Day Picnic. They are doing signups for teams at Buckssports@gmail.com. He talked about research he has done on stump grinders and whether we should buy a stump grinder? He would like to know how many stumps we are going to grind. He could rent a machine for \$300.00 and do 5-10 a day. Is it worth the upkeep, maintenance and insurance to buy one. Show us why we need and why it's going to save us money to buy it versus outsource or renting. He asked about the Welcome to Morrisville sign at the 32 split and asked why Nancy Sherlock had it ripped out and how much of our tax dollars were spent to do it.

3. **Eileen Dreisbach - 75 Harrison Avenue**
She asked if the meeting was being televised tonight? How long did we have this system, how much did it cost us?

Mr. Bates stated, the part that is broken is not a Johnson Controls part.

Ms. Dreisbach asked, why is it taking so long to get it fixed?

Mr. Bates replied, it was ordered.

Ms. Dreisbach stated, well, last month, the lightening hit it. Every month it's a different excuse.

Mr. Bates replied, Comcast had to find out what was wrong, and they did, and it's ordered.

Ms. Dreisbach asked if the police department receive their new computers for the acceptance of the body cams? They are up and running, someone should tell Channel 6 that because they just announced today that Lower Makefield is the first community in this area to have them, it would be nice to have them know that Morrisville had them first. She went to a Town Watch meeting and a meeting at the Sheraton where they had a representative from Elcon. She asked about the sewage at Elcon and their plan. They are going to have between 17-25 tanker trucks going down to that facility every day as well as rail cars. She wants to have a resolution against the project, she is against it.

4. *Marlene Burns - 118 Green Street*

She talked about open committees and wants to know why are they not televised. The Library and Planning Committee have openings, she wanted everyone to know, since they are not announced at the meetings. Why isn't the planning committee meeting for the months of August and September.

Mrs. Sherlock replied, if there is no business, they don't meet.

Ms. Burns asked, we don't have any planning going on in Morrisville for the next two months? So nothing is going on that we need to be concerned with, we don't need to plan for two months.

Mr. Seward stated, they are meeting Monday.

Ms. Burns stated, according to outside, it's not meeting. The notices need to go up.

Mr. Seward replied, we just got the information today.

5. *Dorothy Murphy - 41 Althea Avenue*

She supports Eileen and opposes the Elcon Project. She is hoping and praying and reaching out to the elected officials that they will have the same opposition as many of our town members do. She does not want toxic waste in the Borough. She supports Kurt and Mike and hopes this Council does it's due diligence and has the math and the numbers for the residents if you are planning on buying an expensive grinder. She thanked Ms. Sherlock for the letter she received, and asked her where the sign was and why the sign was removed from Bridge Street.

Mrs. Sherlock replied, I don't have the sign, I believe it is down at the garage. It was not on Borough property.

Ms. Murphy replied, so it wasn't on Borough property and the sign didn't belong to the Borough, but we illegally removed that sign. That's no different then me removing a campaign sign from someone's property. Why was it legal for you to do it, and why would you do that when I stood here so humbly wanting to now what I could do to fix this town up and then two days later after that you went and had it removed and never mentioned it to me. It was a smack in the face Ms. Sherlock, a real smack in the face.

Mrs. Sherlock replied, thank you for your comments.

Ms. Murphy replied, come November, you're going to be out of office, trust me.

Mrs. Sherlock replied, thank you.

Mr. Holthenrichs (audience member) replied, you're welcome, you're very welcome.

6. *Bill Farrell - 347 N. Pennsylvania Avenue*

He stated that a neighbor asked if he has a parking spot designation in front of his house on Stockham Avenue and he told him no, it's public property. Is that correct?

Ms. Sherlock replied, all parking spots are open to the public.

Mr. Farrell stated, he could not find a copy of the agenda on the website and Mr. Seward told him it was a virus and it's fixed now. He said he tried to get answers for four years about the pool. He is still not satisfied with the police lawsuit. He asked about the lighting for the Johnson Controls and if anyone had the bids. He said they were never made available to the public. He wanted to know if anyone put in for the Controller. He asked about an auditor and what their limit to charge is.

Mrs. Sherlock replied, as an elected official, those are the limitations.

7. *Jane Burger - 90 W. Maple Avenue*

She talked about the amendment to the sanitation ordinance that was on the Agenda. She agrees that folks should not be putting their trash out to sit all weekend. She wanted to thank Councilwoman Corryn Kronnagel, she emailed her as the point person with a suggested phrase to add to the ordinance. She thanked her for getting back to her assuring her that the provision they are going to put to make it 4:00 will take care of everything. She mentioned the international property maintenance code. She agrees that it's time to say goodbye to the old BOCA codes. She wanted to know what the reasonable annual fee would be for annual license for landlords and annual U & O inspections. She wanted to thank Council for turning the microphones on at the Agenda sessions. She stated that at the last Agenda session, the Council President began the meeting saying, let's get started and proceeded to go to the first item of discussion and did not ask for public comment I then stood up to speak and recite the pledge of allegiance. That was an error, I should have asked for a point of order, but regardless, at the time, since it was not public comments, Mrs. Sherlock informed me that I was out of order. I stopped speaking and I sat down. I do believe her additional remarks were unwarranted, but they are forgiven. I was out of order speaking at the wrong time, it won't happen again. I am confident that Council President would also acknowledge her error and slight oversight in not asking for public comment. She asked about page 4 GL1507 the \$712.00 payment to Johnson Controls from the sinking fund. She said it is incorrect and not authorized by Borough Code or under Title 53. She asked that Council remove the bill from the list, it would give the Borough Manager the chance to change this cost to the appropriate funds. She quoted Title 53, sinking fund. The only expenditures for the sinking fund can be the principle and interest of that debt.

APPROVAL OF MINUTES

Motion 6A - Motion to pass the minutes of the Regular Borough Council Meeting of June 15, 2015.

Mrs. Sherlock asked, may I have a motion?

Motion made by Mr. Kerner.

Ms. Kronnagel seconded the motion.

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

Ms. Smith stated, on 6A and 6B, she sent the email, supposedly these minutes were sent through, she didn't get them on her tablet, she didn't review them, so she won't be voting on those particular minutes tonight.

Mrs. Sherlock stated, okay, thank you. May I have a roll call please?

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

Motion 6B - Motion to pass the minutes of the Special Borough Council Meeting of June 23, 2015.

Mrs. Sherlock asked, may I have a motion?

Motion made by Mr. Kerner.

Ms. Kronnagel 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, 5-2. (nay votes being Mr. Sanford and Ms. Smith)

Motion 6C - Motion to pass the minutes of the Regular Borough Council Meeting of July 20, 2015.

Mrs. Sherlock asked, may I have a motion?

Motion made by Mr. Kerner.

Ms. Kronnagel 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, 7-0.

REPORTS - ADMINISTRATIVE/MANAGEMENT

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

Solicitor's Report - Alyson Fritzges - She stated that they worked on the massage parlor ordinance with the Chief and the Mayor that's up for advertisement tonight. We've also been working on all the ordinances I believe the public has mentioned regarding Act 90, the International Property Maintenance Code and the Rental License Ordinance that should be before Council hopefully in the next two months.

Engineer's Report - Jim Watson - He stated that last week was a busy week for the projects in Morrisville. On Monday, we had the bid opening for the Reiter School Demolition and then on Thursday was the Williamson Park ADA Bathroom Renovation bid opening. I have attached the recommendation letters that we have sent to the Borough and we have a recommendation to award the school demolition to Premium Excavating in the amount of \$270,000.00. We then have the Williamson Park ADA Bathroom renovation recommendation for Nobel Roofing and Sheet Metal Inc., for the base bid of \$14,950.00.

Mrs. Sherlock stated, we do have the one on this evenings Agenda and that will be the one regarding the demolition, it's 10D, but I think we will hold off from the second one until our Solicitor has time to review it and we just got it this evening, all of us did. Are there any questions for Mr. Watson?

Mayor's Report - David Rivella - He talked about a contest called Mayor Dave's Bird Town Challenge, the winner will be announced on September 7th at the Labor Day Picnic, more information can be found on a Facebook page called Mayor Dave's Bird Town Challenge. The 2015 Labor Day Picnic is Monday, September 7th, more information can be found on Facebook page called Mayor's Labor Day Picnic. Local businesses that want to participate, please feel free to contact him at morrisvillelabordaypicnic@aol.com through the Facebook page. We have partnered with Bucks County Sport and Social Club which is hosting the kickball tournament that day which begins at 9:00 am. We also partnered with the Delaware Valley Road Runners Car Club who will be helping us with the car show from 10 am to 2 pm. The picnic itself will be from 10 am to 5 pm. Chief McClay won't be with us this evening so I will report on some issues. About two weeks ago there was a robbery at an appliance store in town. I am happy to report that the suspect has been caught,

he's in custody. The body cameras are working. The computers have been installed. Three one week camps at our School have taken place, our School Resource Officer did a fine job teaching some policing and physical fitness to the campers. That was actually a free program to the children. Crime stats, 34% year to date reduction in part one crimes and July of 2014 we had a 37.1 crimes in comparison to July of 2015 where we had 15 part one crimes. The mileage on the vehicles has increased 18% for 2015. Revenues from the Police Department are up 45%. Things are continuing to improve and stay that way. I'd like to note that I see on tonight's Agenda, item 10E is a motion to advertise the Ordinance, Chapter 208, known as the Massage Establishments Ordinance, I appreciate the Council putting that there. I had asked them to do so and I hope that Council supports that.

Mr. Cicero stated, about the body cameras, Morrisville was the first to have body cameras. If I heard the news report correctly, where Chief Coluzzi said, they were the first in Lower Bucks County where every police officer had a body camera. Every officer does not have one. That was the comment that I heard on television, unless you heard a different program. I heard Ken Coluzzi quite distinctly say they are the first Police Department in Bucks County where every police officer has a camera. We've had cameras before them.

Ms. Smith asked the Mayor about the car show and if anyone had to register a car if they are going to bring it in on Labor Day?

Mayor Rivella, replied that Delaware Valley Road Runners Car Club is taking care of the registration. They do have a Facebook page.

Police Chief's Report - Chief George McClay - Report was given by Mayor David Rivella.

FINANCE

Mr. Bates read the bill list.

Motion 8A - Motion to pay the bills.

Motion made by Mr. Johnson.

Mr. Kerner seconded the motion.

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

Ms. Smith stated, yes. I will be exempting that payment to the Johnson Controls for the energy savings and sinking fund, but I'll do it at the time of the vote. Thank you.

Mr. Sanford stated, same thing for me on the GL-1507, page 4, the 1204 Johnson Controls, I will not vote on that, but I will vote on paying the other things on the bill.

Mrs. Sherlock asked, anyone else? May I have a roll call, please.

Ms. Smith stated, yes except for vendor 204 Johnson Controls Energy Savings Warranty payment and sinking fund for \$712.00.

Motion carried by roll call vote, 7-0.

UNFINISHED BUSINESS

Motion 9A - Motion to advertise an Ordinance to Amend Chapter 360-36(A) of the Morrisville Borough Code to Change the time for refuse containers to be placed at the curb for collection no earlier than 4:00 p.m. the day prior to collection day.

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.

Mayor Rivella asked for clarification, is that what is on the cards?

Mrs. Sherlock replied, yes, that is what's on the bill. She asked Corryn to clarify Ms. Burgers earlier question regarding this ordinance.

Ms. Kronnagel replied, it was just regarding the wording of the ordinance regarding the day prior to collection day.

Mrs. Sherlock stated, excuse me Ms. Burger, I'm going to read this, we are not putting any new sections in. She read the ordinance and stated this is not a new ordinance. We aren't changing the whole ordinance, all we were adding is one sentence to the current ordinance.

Motion to table carried by roll call vote, 7-0.

NEW BUSINESS

Motion 10A - Motion to approve the Pennsylvania Department of Transportation "Winter Traffic Services 5-Year Agreement" and the Resolution.

Motion made by Mr. Kerner.

Ms. Kronnagel seconded the motion.

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

Motion carries by roll call vote, 7-0.

Motion 10B - Motion to approve a Proclamation to declare September 2015 as "Ovarian Cancer Awareness Month" and to support Turn The Towns Teal awareness campaign.

Motion made by Mr. Johnson.

Ms. Kronnagel seconded the motion.

Ms. Sherlock read the proclamation. **(see attached)**

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

Motion carried by roll call vote, 7-0.

Motion 10C - Motion to approve Advertising for Sanitation Bid.

Motion made by Ms. Kronnagel.

Mr. Johnson seconded the motion.

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

Mayor Rivella asked for consideration from a resident to have pickup once a week.

Mr. Seward spoke about the reasons why it is not cost effective to have pickup once a week, and he is suggesting we use the same pick up schedule we have now.

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

Motion carried by roll call vote, 7-0.

Motion 10D - Motion of intent to award the M. R. Reiter demolition bid to Premium Excavating & Demolition for a bid of \$270,000 subject to review under Section 164 of Morrisville's Borough Code relating to responsible contractor qualifications. This intent to award and any final award is conditioned upon the Borough's receipt of \$250,000 in DCED grant funds for the demolition and final approval of \$202,000 in Bucks County Open Space funds for acquisition.

Motion made by Mr. Johnson.

Ms. Smith seconded the motion.

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

Motion carried by roll call vote, 7-0.

Motion 10E - Motion to advertise an Ordinance amending the Morrisville Borough Code to provide for a new Chapter 208, to be known as the "Massage Establishments Ordinance".

Motion made by Mr. Kerner.

Ms. Kronnagel seconded the motion.

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

Motion carried by roll call vote, 7-0.

Motion 10F - Motion to advertise for a Full Time Borough Manager.

Motion made by Mr. Johnson.

Mr. Kerner seconded the motion.

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

Ms. Smith read a statement. **(see attached)**

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

Mr. Sanford stated, I don't think it makes sense at this time, because it's election time.

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

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

ANNOUNCEMENTS

Ms. Kronnagel stated, Morrisville Girls Softball nine to ten year olds are State Champs. We hope to have them here at our next meeting and celebrate their amazing ride. Congratulations to them.

Mr. Kerner stated, I believe it's the farthest any Morrisville team has gone since 1955.

Mrs. Sherlock asked Council to reconsider in the fall since folks want to wait until after the election, the possibility of supporting a resolution to support medical cannabis. She stated that there is a meeting at Michael's Restaurant but it is not affiliated with the Borough of Morrisville or any of the Officials of the Borough of Morrisville. This is a private meeting open to all the public as I understand. It is advertised in the paper as the Borough of Morrisville.

Ms. Smith wanted to clarify that the advertisement in the back of the newspaper was put in as a public notice, that was done by the paper, it wasn't done by Restore Morrisville.

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 8:52 pm.