

MEETING MINUTES  
MORRISVILLE BOROUGH COUNCIL  
REGULAR MEETING

MONDAY, SEPTEMBER 21, 2015  
7:30 p.m.

The Morrisville Borough Council met on Monday, September 21, 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  
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  
Alyson Fritzges, Solicitor  
Jim Watson, Borough Engineer  
George McClay, Chief of Police

Not in Attendance: Jeffrey Johnson

**SPECIAL PRESENTATIONS**

Mayor Rivella read a Proclamation recognizing the Morrisville Little League 9-10 year old girls softball team, the 2015 Winners of the Pennsylvania State Title.

(The girls names were announced individually and then photos were taken)

Mrs. Sherlock thanked the girls and their families for their dedication.

***Council went into and executive session at 7:50 p.m.***

***Council returned from executive session at 8:19 p.m.***

Mrs. Sherlock stated that there are a few motions that have been added to the agenda this evening. She read the motions.

### **HEARING OF THE PUBLIC**

1. George Mershon - *133 Center Street*  
He asked about the Fair Share Fee. He also asked why we don't have private trash pick up in the Borough. He is not in favor of the M. R. Reiter School Open Space project.
2. Greg Ventresca - *330 Farm Lane, Doylestown*  
*(Keystone Construction Advisors/U.S. Owners Representative for ELCON)*  
He read some of the issues regarding ELCON. ELCON is not an incinerator. No wastewater from ELCON will be discharged into the Delaware River. Air omissions from the facility are 99.9% and free from contaminates. The site is not located in a floodplain. Truck traffic will not go through Morrisville.
3. Kelly Henry - *2115 Yardley Morrisville Road*  
She works in Community Relations and is speaking on behalf of ELCON. She had read the article about ELCON and she wanted to be informed and to know what was going on in her own backyard. She feels this technology is needed. She presented the Mayor with a letter.
4. Kurt Holthenrichs - *330 Melvin Court N.*  
He asked about whether we will be reimbursed for the Cornerstone Report from the Insurance Company. He stated that Nancy said that at a meeting. Corryn was asked about her speaking with Amtrak and cleanup.
5. Bill Farrell - *347 N. Pennsylvania Avenue*  
He congratulated the girls and their families. He asked when the best time was to go online and get the agenda, because it always changes.

Mrs. Sherlock stated motions E, F and G, were added late in the day with our Solicitor.

Mr. Farrell asked about the Controller position. He talked about Act 90 and International Property Maintenance Code. He stated that there's close to 50% rentals in this town. He wants people in Morrisville to get out in two months and vote. Morrisville has been going down for years and it's up to the people of Morrisville to change it.

6. Jane Burger - *90 W. Maple Avenue*  
She stated it's nice to have the girls baseball team recognized. She addressed Mr. Ventresca about the trucks from ELCON, she asked what happens if they do come

down South Pennsylvania Avenue. She explained how we handle their routes. She wanted to know what recourse the Borough has if these trucks mistakenly find their way into the Borough. She recognized the young students sitting in the audience that are interested in the Junior Borough Councilperson position. She supports the program. She discussed the purchase order policy. She feels that the Borough Manager should come before Council. She congratulated Mrs. Sherlock for her work on PSAB Policy and Resolutions. She talked about the settlement from Judge Baldi and that it required Borough Council to put in place a policy for access to documents by elected officials. She believes that a committee has not been put in place and that the recommendation was to establish a committee of Borough Council members to develop that policy.

### **APPROVAL OF MINUTES**

**Motion 6A** - Motion to pass the minutes of the Regular Borough Council Meeting of August 17, 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 she drafted all the ordinances subject for approval tonight for the massage establishment ordinance as well as the trash collection ordinance, also drafted the demolition contract that's on Council's Agenda tonight for M. R. Reiter, which is contingent upon us receiving all the grant funding that Council has discussed previously. Also, the motions from executive session she will be happy to comment on if Council has any questions when the motion is made.

**Engineer's Report - Jim Watson** - He stated that the ADA Williamson bathroom renovation -- we notified the County that an acceptable bid was received. They asked for the bid package, bid results and then sent us also a three page contractor questionnaire which we forwarded and got back and sent it to the County. The County says we are good to go. He introduced Scott Stoddard from Remington Vernick and Beech, he will be the main contact for Morrisville Borough and I will be back up.

**Mayor's Report - David Rivella** - He stated that the Annual Labor Day Picnic was held this month. It is the longest running Borough Event that I am aware of. It was very well attended. We offered quite a few activities for the kids such as a moon bounce, balloon animals, the reptile show and so on. I'd like to thank everyone who worked hard on the event, especially my wife Janet. Thank you to everyone who participated in the raffle baskets which raised \$516.00 for the Emergency Services and of course those who purchased plants from Janet's plant sale. Along with a donation from our family there was enough for the MV Aviators to purchase another bird sign if they choose. The car show was a huge success, over 100 cars were registered. The proceeds for the car show will be going to help the Wounded Warriors program. For the second year in a row, we handed out 200 free grab bags to help local business with some free advertising. This year we partnered with Brud Anderson who brought a great sports tournament and was able to raise money for Morrisville Little Bulldogs. Thank you to Brud and everyone who participated. The fundraising is a side note, that's not what the picnic is about. In August, I held a Borough wide contest called, "Mayor Dave's Bird Town Challenge" asking residents to locate three Bird Town signs. The winner was a young man named Zachary he received a \$25.00 gift card. On September 16th the MV Aviators and the Borough of Morrisville were presented with this plaque for the efforts of making the Community of Pennsylvania a Bird Town. During the presentation, I presented the MV Aviators with an award from a program that I started called Morrisville Borough Youth Excellence and Achievement Award. I also presented to the young ladies that were here this evening the same award. He just received an email from the Department of Justice stating that Morrisville was awarded the Cops Grant, we will be sharing that information and will be working with the School District to get the MOU together and there will be more details to follow.

**Police Chief's Report - Chief George McClay** - He stated that last month was another successful month. Our crime rate dipped to 37 points below where we were this time last year. The officers are doing a fantastic job. I will be deployed Saturday morning at 4:00 to Philadelphia, I became the Commander for the MERT team in Bucks County. There are 30 officers from Bucks County going to Philadelphia.

Ms. Smith asked Mr. Seward about the expansion project on the canal.

Mr. Seward replied, that will be the ramp that we are working on that's going to come from the canal and go directly up to 7-11 and then they want to cross there or bring them down to the traffic light and bring them back up and down another set of steps, which will be ADA compliant.

Ms. Smith asked if that's the one through the grant and if we heard about the grant.

Mr. Seward stated, correct, the first question I asked the individual we are dealing with is, is it was going to cost us any money and I was told no.

Mrs. Sherlock replied, Tony Spagnoli from PEC. He's given us the verbal that it's all paid for.

Mr. Seward stated, correct. As far as they are concerned, they have money to put the coordinator together in order to go out and draw up specifications.

Mr. Cicero asked, have they given up the idea of crossing the people in the middle of the street up there?

Mr. Seward stated, our suggestion and PennDot's suggestion is that they go down to the traffic light and they would come back up and down the steps.

## FINANCE

Mr. Bates read the bill list.

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

**Motion** made by Mr. Kerner.

Ms. Kronnagel seconded the motion.

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

Ms. Smith stated, page 5, GL-1509 recreation, Ameriblast, the sandblasting for the overhang in the Park for \$4,500. Originally we were told our Borough workers were going to do that, but I'm guessing they weren't able to do that? My problem is when I looked at this in the budget under recreation fund, that 706 is a line item for contingency, we only put in that budget for this year \$390, so we can't possible be taking \$4,500 out of that line item, because 706 is contingency, I looked it up in our budget.

Mr. Bates stated, we deposited the baseball money in there.

Ms. Smith stated, page 7, GL-1509 capital reserve, for the stump grinder, our favorite subject. For me, the only thing I have to say about that, I know that there is money in the capital reserve, if it's not done by a cost analysis to my liking where I got information that several tree companies could give an idea off season what they could do for us compared to buying something for almost \$38,000 and then our guys actually doing that work as compared to getting it either rented or a company come in to do it. I'm not good with that.

Mrs. Sherlock asked, anyone else?

Mr. Sanford stated, I am not going to vote on page 5, vendor #114 Ameriblast 05454 sandblasting with the park pool pavilion. I also thought that our Borough workers were going to work on that they were going to take care of it instead of bringing an outside person and this hasn't been discussed in front of Borough Council, so I'm not voting on that to pay that bill. Also on GL-1509, page 7, vendor #571 Cherry Valley tractor Sales, Invoice # 29435, check number 1375, for the sum of \$37,688.00, I don't know why you had to go and buy this, you could have rented this out for a day, a week or a

month and we never discussed doing any analysis what's most cost effective for this, so I'm not voting for that.

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

Ms. Smith notated her objections when she voted yes.

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

---

**Motion 8B** - Motion to acknowledge receipt of the Minimum Municipal Obligation Forms (MMO) for both the Police (Uniformed) and Non-Uniformed Pension Plans to submitted to the Pennsylvania Municipal Retirement System by October 9, 2015.

**Motion** made by Mr. Cicero.

Mr. Kerner 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.

---

**Motion 8C** - Motion to approve payment in the amount of \$95,000 to the Morrisville Fire Company, as per 2015 Fire Fund Budget.

**Motion** made by Mr. Kerner.

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, 7-0.

---

**Motion 8D** - Motion to approve payment in the amount of \$35,000 to the Morrisville Ambulance Squad, as per the 2015 EMS Fund Budget.

**Motion** made by Mr. Kerner.

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, 7-0.

---

**Motion 8E** - Motion to award the M. R. Reiter demolition contract to Premium Excavating & Demolition for a bid of \$270,000.00 and to enter into the contract with Premium Excavating & Demolition for the demolition of the M. R. Reiter School. This award and contract is conditioned upon the Borough's receipt of \$250,000.00 in DCED grant funds for the demolition and final approval of \$202,000.00 in Bucks County Open Space funds for acquisition.

**Motion** made by Mr. Kerner.

Ms. Smith 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.

---

**Motion 8F** - Motion that Borough Council adopt the Ordinance amending Chapter 360-36(A) of the Morrisville Borough Code to reflect that refuse containers shall be placed at the curb no earlier than 4:00 p.m. on the day prior to scheduled collection and no later than 6:00 a.m. on the day of the scheduled collection.

**Motion** made by Mr. Kronnagel.

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, 7-0.

Mrs. Sherlock asked, Mr. Seward, would you like to comment on this particular motion so that the public know how we will notify them.

Mr. Seward stated, what we're going to do is, we're going to have a regular form letter that we're going to mail out to the property owner and just explain to them the highlights of the ordinance asking them to comply with this with their property that's in town.

Mr. Bates stated, we will send it out with the next trash bill.

Mr. Seward stated, yes, we are going to add it on the new trash bills so it has the times and the dates and if we get any complaints or anything else then we will mail everybody out a nice reminder letter.

Mrs. Sherlock stated, that leads me to believe that the grace period will until the end of this year. We talked about 60, I don't know that we need 90.

---

**Motion 8G** - Motion that Borough Council adopt the Ordinance amending the Morrisville Borough Code to add new Chapter 208 entitled Massage Establishments to regulate such establishments within the Borough.

**Motion** made by Mr. Kerner.

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.

---

### **UNFINISHED BUSINESS**

There was no Unfinished Business to discuss this evening.

### **NEW BUSINESS**

**Motion 10A** - A Resolution stating Borough Council's concerns to the proposed ELCON facility.

Mayor Rivella shared a letter from a resident who runs the food center at the Presbyterian Church requesting that Council table the motion.

Mrs. Sherlock read the resolution.

Ms. Smith expressed her concerns and opinion on the proposed ELCON facility. She agrees that the resolution should use the wording "concerns".

Mr. Parker stated, there is another meeting on the 30th, there are some inconsistencies in what's in this and he is asking that it be corrected with any new information that we get from the next meeting.

**Motion** to table made by Mr. Parker.

Mr. Sanford seconded the motion.

Ms. Smith stated, the residents of Morrisville want that stuff addressed, and I will be following it like a hawk.

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

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

Mr. Cicero asked, George doesn't the County have a hazmat team? So we do have a hazmat team.

Mr. Parker stated, I think that's one of the issues that needs to be addressed to ELCON at their hearing whether or not they are going to establish their own internal Hazmat.

---

**Motion 10B** - Motion to award the Williamson Park ADA Bathroom Renovations to Noble Roofing & Sheet Metal, Inc. for a base bid of \$14,950.00, conditioned upon the Borough's receipt of funds from the Bucks County Department of Housing and Community Development as outlined in the agreement for the project dated 3/13/15.

**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 10C** - Motion that Borough Council approve the filing of preliminary objections in the matter of Eric Hellman v. Borough of Morrisville and authorize Insurance Counsel to take any other steps necessary in furtherance of the litigation.

**Motion** made by Ms. Kronnagel.

Mr. Kerner 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 10D** - Motion that Borough Council authorize the execution of a settlement agreement in the matter of the Borough of Morrisville v. Metro Spa Et. Al. in final form as agreed to by the Borough Solicitor.

**Motion** made by Mr. Kerner.

Ms. Kronnagel seconded the motion.

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

Ms. Kronnagel stated, I think that the language, when you say settlement, for some people they might think money. I just want to make sure everybody knows, this doesn't have anything to do with money. We are not paying out any money for this settlement agreement.

Alyson Fritzges stated, Council has seen in Executive Session, the almost final draft of this agreement. Not that I'm driving the whole thing and Council hasn't seen it, it's with opposing Counsel right now for their comments so based on that which I don't anticipate any major differences as to what Council has seen that's why it's approval with my final minor revisions.

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

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

---

**Motion 10E** - Motion to authorize the Solicitor to prepare and advertise an Ordinance to amend the Morrisville Borough Code to eliminate the position of Controller.

**Motion** made by Ms. Kronnagel.

Mr. Kerner 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, 4-3. (nay votes being Mr. Parker, Mr. Sanford and Ms. Smith)

---

**Motion 10F** - Motion to approve payment of \$400.00 to the band Shure Shotz for services rendered on September 20th, at the 13th Annual Music Festival.

**Motion** made by Mr. Kerner.

Mr. Cicero seconded the motion.

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

Ms. Smith asked, were we short money in the event fund for this, you threw in an extra band, or how did that happen?

Mrs. Sherlock stated, there is money in the fund, it's under special -- we didn't hire an extra band, one band was paid for by the Michael Sherlock Foundation, it's always been a joint effort, this was the other band. There is money in the special events line to pay for this band.

Mr. Parker asked, we are voting on it because it wasn't on the bill list?

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

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

### **ANNOUNCEMENTS**

Mrs. Sherlock stated she wanted to hand out a flyer that has to do with the Canal Visioning Meetings. There is one very local at the Washington Crossing Visitor Center. I'd like to say thank you to all those who came out to the Music Jazz Festival yesterday. We had a great time. The bands were good and it was a beautiful evening. Thank you to all those who are adorning the teal ribbons around town and to the soccer teams that are wearing the teal socks.

Ms. Kronnagel stated, Professor Edward Lengel will be speaking at Summerseat. He is with the University of Virginia, he is in charge of the George Washington papers and he will be giving a lecture at Summerseat on the importance of Summerseat to the beginning of our Country this Saturday, September 26th. I believe there is an open house at 1:00, the lecture begins at 2:00. The Morrisville Business Association is having a business card exchange and a general membership meeting October 20th at the First Baptist Church at 6:00, our Police Chief will be the speaker. The cost is \$20.00, which includes a family style dinner.

Mr. Parker stated that the Senior Center has to leave the Municipal Court Building by the end of the year because of structural issues and the cost involved in it. The public was asked to reach out to the County Commissioners which I did. I wrote to all three Commissioners, I've heard back from two of them, they both expressed that the County is still willing to fund the Senior Center but not at the current location. I asked them since it was such short notice, would they allow them to stay on a temporary basis until they are able to secure another location. The response from one Commissioner was as long as they have another location to give them time renovate or do whatever they need to do to move into that space.

Mayor Rivella stated, I was told by one of the Commissioners that they would certainly entertain and provide busing if that's what it would take to keep our Seniors from Morrisville going to another Senior Center in Bucks County.

Ms. Kronnagel stated, if anybody else has still not reached out to the County Commissioners, another concern that I have being that this building is in the first ward, is that this will be another empty building in the first ward. This is a County owned and run building and they let it get to this state, so again, if you reach out to them, just let them know it's not just a matter of pushing the seniors out of the building, are they just going to lock up the building and walk away.

Mr. Parker stated, I think the more residents they hear from, the better.

Ms. Smith asked I thought there was going to be something on the agenda tonight about the full-time position. We were going to have some kind of statement made about it. Was that position fulfilled or enacted today?

Mr. Bates replied, the only thing I can say is I regret that Council had some difficulty with my decision to increase the hours of the part-time position due to compelling need for coverage in the office. I will provide Council with a funding source.

Ms. Smith state, as part of your ordinance, you're actually supposed to let us know about this stuff and we don't get that or who -- we don't even get a memo any more that it's being done, when it was advertised, it's not, anything we don't get anything, we just get a memo saying so and so. Nothing, we get nothing until we hear through the grapevine or something. So it's now full-time this position that you gave to whoever, I still don't even know who it is, so it's full-time is what you're saying?

Mr. Bates replied, I didn't fulfill the position yet.

Mr. Parker asked, but you will advise Council when it's time?

Mr. Bates replied, I will.

### **BOROUGH OFFICIALS**

There were no Borough Officials comments this evening.

### **ADJOURNMENT**

**Motion** to adjourn.

**Motion** made by Mr. Kerner and seconded by Ms. Smith.

Meeting adjourned at 9:45 pm.