

MEETING MINUTES
MORRISVILLE BOROUGH COUNCIL
REGULAR MEETING

MONDAY, OCTOBER 17, 2016
7:30 p.m.

The Morrisville Borough Council met on Monday, October 17, 2016 at 7:30 p.m. in Council Chambers at the Morrisville Municipal Borough, 35 Union Street, Morrisville, PA for a Regular Council Meeting.

Mr. Kerner stated, we will begin this meeting with a moment of silent prayer followed by the pledge of allegiance.

Mr. Kerner stated, I will now ask the Borough Manager, Bob Sooby for a roll call.

Mr. Sooby took roll call at this time.

Those in Attendance:

Borough Council: Fred Kerner, President
Ted Parker, Vice President
Victor Cicero
Corryn Kronnagel
Danielle Larison
Bill Pepitone
Todd Sanford
Debbie Smith

Borough Officials: Mayor David Rivella
Robert C. Sooby, Borough Manager
Robert A. Seward, Assistant Borough Manager/Code Enforcement
Sean Kilkenny, Solicitor

Mr. Kerner stated, we will have an executive session with the Mayor after the meeting.

SPECIAL PRESENTATIONS

There were no special presentations this evening.

HEARING OF THE PUBLIC1. Nancy Sherlock - *424 West Bridge Street*

She stated good evening Council, Mayor and guests. After listening to the last council Meeting of September 19th, I am asking for a few minutes of your time to clarify some of the misinformation, and I have a couple of questions and comments as well. First I would like to comment that council added 2 motions at the top of the meeting on September 19th and there was no push back from anyone for last minute motions, I see things have changed and I think that is for the better and I am glad that everyone was comfortable with that. Regarding Landmark Towns, it seems that there is a great deal of buzz about the Landmark Towns position of resident representative. I was never voted to that position, I have not represented myself as a member of the board and no need to remove me immediately as Mr. Holthenrichs has suggested. If it states that on their website, that will need to be corrected, but I do not administer their website. And I'm not sure who Mr. Holthenrichs was referring to when he talked about lying and fraud. I don't believe that it's the administration, and it is certainly wasn't me. Regarding the Enterprize Zone, again, Mr. Kurt Holthenrichs said, he was referring to -- I think he was referring to the June 23, 2010 article in Yardley News, that talked of the Enterprize Zone and the extension of it going west on Bridge Street. That was discussed, but my opposition to that was that there are 6 blocks of homes and the neighborhood as it existed at that time, didn't seem to make sense. All you have to do is ask the neighbors around and see if they wanted more businesses in their neighborhood. Going to the canal or to Morris Avenue certainly would have made sense and eventually that's what happened. I not only had the right but had an obligation to bring that forward. Regarding vendor permits for National Night Out, that was discussed at the last meeting. I requested a right to know to see what Vendors had paid. There were numerous vendors who participated and paid nothing to the borough. According to the right to know, only the food vendors paid the vendor fee, and I was wondering why the others did not pay? I also understand and this I don't have verification of this but was told that Town Watch was charging a \$25.00 fee to each of it's vendors to participate. Ms. Jones was here at the last meeting and she had made mention about signs and where they are placed and how they had to come down. While I would agree with her that I still don't need to know about the yard sale from August 20th that's still hanging up, but as far as the Jazz Fest signs go, they were put up at noon on Saturday and they were taken down within 24 hours. Regarding the sidewalk over the canal by the Towpath on Trenton Avenue that was done by our public works, the Senator didn't have anything to do with that. Regarding the Jazz Fest, The Michael Sherlock Foundation would like to thank all of those that showed their support and came out. It was a successful afternoon into the evening and we appreciated that support. We'd also like to thank those who attended and those who assisted in making it a success. I appreciate Jane Burgers comments regarding the festival. The purpose of the Jazz Festival is to make Morrisville a destination, and with continued support we can make that happen. Regarding the Mayor's Report - The Labor Day picnic was a success, and has been growing over the years. I enjoyed overseeing the Zucchini race, and everyone had a great time. The winners were especially excited. I appreciate the Mayor's comments regarding the casino money, I hope that we receive that this year,

but as Dave mentioned, we have applied a few times in the past and are not considered close enough to the casino in order to receive that. This is just a notation, the only reason someone would abstain is if there's a conflict of interest or a personal gain. So, any abstention on the bill list for the Jazz Festival bill should have been a yes or a no vote, and when you are abstaining you need to provide that in writing to the Borough Secretary. I have a question about the hiring of the Portnoff Law Associates, I was just wondering how is that going to be different then when we were using Mr. Downey. And if you could address that some time during the meeting, I would appreciate that. Regarding the grant for the MEAC and how it was prepared, Ms. Smith had made mention in a comment that Mr. Bates never really did that right before. After speaking with Deborah Colgan, she said it was done correctly, it was signed by the Council President, the Secretary and the Treasurer, which was appropriate. I know Council can not do anything about the public comments and rants on the various Facebook pages and information pages, but do know that these pages are harmful to this Borough. You have people who do not live in town but follow the drama that is contrived for the readers pleasure, and you have residents who don't know or bother to know the truth. Just a couple -- positive notes, the Canal Festival was a success, even though we did not have the kayaks and they had to be nixed because we had no water in the canal. I would like to say thank you to all those businesses that helped sponsor this event. They are listed on a board down at the Borough Hall. Those who did not have an opportunity to decorate a duck, there's always next year. There were many creative entries. Thank you to the Borough, Borough Council, and all the residents who recognized Ovarian Cancer Month by showcasing teal colored bows. The Foundation was proud to show off the displayed bows, in particular the bows on the majestic trees near the shopping center and the ones at the Borough Hall. They were taken down on the 1st of October. Congratulations to Hal Wilcox for being recognized by Landmark Towns with a Community Achievement Award for his work on the Mega Sports Camp and his leadership in organizing the walk to bring attention to the drug epidemic. So lastly, I'd just like to say that if my name continues to be sullied and besmirched at these meetings I will be forced to file a defamation of character suit. I realize that council doesn't have a lot of control over what people say but we've always tried to make things respectful in the past. If you can answer the question about the collection I'd appreciate it. That will be all. Thank you and have a good night.

2. Kurt Holthenrichs - *300 Melvin Court North*

He stated that he wanted to have a little shout out to Town Watch, Friday night the Morrisville Fire Department hosted a front yard Friday in which the organizers of National Night Out Danielle Larison and my wife Jennifer Holthenrichs presented them with a check for \$3,500.00, that was raised from all the proceeds from National Night Out went right to our Fire Department \$3,500.00. I wanted to give them a huge thank you for all the work they put together for National Night Out for the donation for the Fire Department. I want to thank Ms. Sherlock for clarifying the Landmark Town thing. It's kind of odd that her name has been on the website for months as a Landmark Town representative as a resident representative, so that's weird that it just showed up there, but thank you for trying to clarify that. If you think you're being sullied, try living my end of it. That was it thought, I just wanted to say thank you for the Town Watch, Fire Department for hosting Front Yard Friday. Thank you.

3. *Bill Farrell - 347 North Pennsylvania Avenue*
 He stated his wife gets the Courier Times and reads it and they had an article last week, it was from the former controller, not Eric Hellman, but his father. He was a controller for 20 some years, he mentioned that he tried to make suggestions about the garbage problem back then when it was in its infancy it was there, but he said nobody would listen to him. So a result of that, now you have this \$700,000.00 bill that should be payable and I see that Council is going to do something about it finally. There was a suggestion made by one of the members of the Borough Council, they should do like Philadelphia did. Philadelphia had outstanding bills, there's a number of penalties that were attached to these bills. They gave people amnesty if they would come forward and pay their principal which they hadn't paid over the years and they would forgive the fines. Now you're going to have a lawyer, a collection agency involved and I -- maybe you could do better with the amnesty policy. I don't know, who knows, but you're still going to spend more money. The only thing I come up and like people say well why do you talk and I say I have the right to talk, I am a citizen anybody has a right to talk, you have the right to say what you believe, but you don't have the right to defame anybody. I don't do that and I don't think anybody should. But this gives you an opportunity to look into the eyes of the council face to face and if you've got any questions, sometimes they answer them and sometimes they don't. That to me that's acceptable. The last and final thing is, we've got about three weeks until the circus is out of town for four more years and there's a lot of people like me that you hear about. Do you want to shoot yourself or take poison, because that's what you've got. This country is in big trouble no matter where you go no matter which one you pick. There's going to be winners and there's going to be losers, and I hate to tell you people, the public is going to be losers. Everybody is going to be losers no matter where you go. My own opinion, and like I said, my concern is for the local, like the Borough and the state and sometimes I have a problem with the state too. The bottom line is, get out and vote, you've got three weeks. Pull your favorite lever you D, R, Independent or whatever, because that way you have the right to express your opinion. You can't tell people what to do. Like I said, I'll be glad when the circus leaves town, then maybe I can get a better seat in four years and maybe I'll have a different circus with a different ringmaster, because the two ringmasters you have right now, it ain't happening. Everybody have a good night and get out and vote.
4. *Jane Burger - 90 W. Maple Avenue*
 She stated, I know we paid to have an audit done of the Borough funds of 2015. I'm wondering when the auditor will be in to Council to present that. Usually they go over it and that is done at a public meeting, so I will be looking forward to hearing that. Second, I am still not seeing any minutes from the second Tuesday of the month special meetings called agenda work sessions, they are recorded under the sunshine law. They should be able to be done in one page. It's out on youtube, I'd certainly be able to help at no cost to the Borough since it's my issue to get this done. I was pleased at the agenda meeting to hear the talk about the budget process and your plans to begin it as early as possible in November. What happened under the prior management was egregious, incompetent and there are several other adjectives. There's no excuse for this Council to get a budget to begin discussions of a preliminary budget in December. It becomes critical now because we know in the general fund we can not cover all the

cost for 30 mils. I'd love it if you wouldn't need that extra 2 1/4 mils. I'm hopeful you will not need more, but that would require you to go to court up until the county revalued, it was a fact of life in this Borough for about 30 years and we always had our preliminary budget by Thanksgiving or by the end of November so it was done, we knew what the proposed milage was, so our attorney could do the paperwork and get it on the calendar up at the Bucks County Court of Common Pleas. I know that you didn't want to be here December 31st, and I know you will do everything you can to avoid that this year so you can enjoy your holiday. When that's ready, it doesn't have to wait for a Friday packet, since you all have your drop boxes, whenever it's there. Fred I know your agenda meeting next month is bumped back a week, because election day is the 8th, so if the budget is ready prior to that, you can set up your budget meetings. You don't have to wait until that agenda meeting or squeeze into that week in between, it gives you more time in case you do have to make changes and that gives your manager more time to do that, so I just thought I'd share that with you. Also I see we are paying a quarterly management thing to JCI, did we ever get the annual evaluation to find out how much money we saved by making the changes over the cost of the loan we took out. It would be nice to know that information and I'm sure that is a public document, there may be some interested in looking at that. I'm pleased to see on the agenda tonight, the appointment by Council of the Junior Councilperson. There are so many things you have to do that are difficult, it's nice when the Borough Council gets to vote on something that's positive and of a benefit and of a learning experience for our youth. I did have a couple of questions on some of the bills. On page one of GL-1609 the tractor sales of the chipper for trees, it's not a large cost \$132.00, I imagine that's just a maintenance, but the next item down we paid Davis Trucking \$2,000.00 for the leave clean up, I'm guessing that may be the compost area and I'm wondering if there isn't something to be done that compost could be available for some of the residents to use so that you wouldn't have to incur that cost in the future if that is indeed what that cost represents. Again, I'm just pointing out to you on page two, the bill for Johnson Controls, the energy savings, well they call it a warranty, for \$733.50. I'm not familiar with Britton Industries, but they did some work in the parks, several items, they are all \$70.00. Again, it's just something that I'm not familiar with. That's as far as I was able to go, I couldn't get through the checks between the council meetings. Thank you very much.

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

APPROVAL OF MINUTES

Motion 6A - Motion to pass the minutes of the Regular Borough Council Meeting of August 15, 2016.

Motion made by Ms. Kronnagel.

Ms. Smith seconded the motion.

Mr. Kerner asked, are there any questions or comments on those minutes? All those in favor, say aye. Opposed?

Motion to carried by voice vote, 8-0.

Motion 6B - Motion to pass the minutes of the Regular Borough Council Meeting of September 19, 2016.

Motion made by Ms. Smith.

Mr. Pepitone seconded the motion.

Mr. Kerner asked, is there any discussion on those minutes? All those in favor, say aye. Opposed?

Motion to carried by voice vote, 8-0.

Mr. Kerner stated we move on now to reports for the administration and the management. We have moved announcements into the Manager's report and if we have any he will announce them.

REPORTS - ADMINISTRATIVE/MANAGEMENT CONTINUED

Borough Manager's Report - Robert C. Sooby - He stated for the residents today who did not have their recycling picked up, our recycling providers had a couple of their employees sick today, however, they will be back tomorrow and it will get picked up. Also, on our website, I don't know how many people saw that we have a new website, however, on Friday we usually post our agenda for the meeting and we are still trying to work the bugs out with that, so it didn't show up on the calendar. We will fix that and have that done in the future. That's all for me right now.

Solicitor's Report - Sean Kilkenny - He stated, thank you very much President Kerner, just a couple of matters. Over the past month our office has assisted the Manager and staff on right to know requests. We've also worked with the Borough Manager and staff with several real estate matters as well as following up on litigation and personnel matters. That concludes the solicitors report.

Mayor's Report - David Rivella - He stated, good evening everyone. Chief McClay will not be with us tonight, the Chief is in San Diego with Officer Dilanni who is receiving an award from the International Chief of Police Association. You may recall, he is being awarded with the auto theft job of the year. On October 27th, there is actually a breakfast event that the Chief will be honored as the Good Scout of the Year Award, presented by the Washington Crossing Bucks County Boy Scouts of America. Tonight on the agenda, Council will be voting on the Halloween Policy, this is done every year as a reminder to everyone in our Borough during the evening of Halloween. This year we will have officers out in vehicles as well as on the bicycles. It will be getting cold soon, so a friendly reminder to try to remember to lock your car doors if you are leaving it warming up and unattended. Saturday, October 27th, from 10:00-2:00, Morrisville will be participating in the National Prescription Drug Take Back Day. Please remember that we do have the prescription drop off box all year long, it's downstairs next to the police department window in the hallway. That is the extent of my report.

Police Chief's Report - Chief George McClay - No report this evening.

FINANCE

Mr. Sooby read the bill list.

Motion 8A - Motion to pay the bills.

Motion made by Mr. Parker.

Ms. Smith seconded the motion.

Mr. Kerner asked, is there any discussion on the bills?

Mr. Sanford, stated, yes. On 100716 GL-1609 on page 3, I am abstaining from voting on invoice #012489/012 in the total amount of \$161.98 for vendor Sanford Motors, Ltd., due to family member conflict of interest.

Mr. Kerner asked, any other questions or comments on the bills?

Ms. Smith stated, if I could clarify something I think was what Jane asked about when it came to Britton, further down on the bill list there was entries from the same amount from Britton for topsoil, I believe that was for topsoil entries that's on there. It didn't say in the first part of the bill. Yeah, because I questioned it too.

Mr. Kerner stated, that is at Imagination Island?

Ms. Smith replied, yeah. That was all the top soil being brought in. Yeah, that's what that was. And if I could just ask Mr. Sooby, the Stouch Lighting one for the LED repair lights, is that for the two that were the surcharge, it was surgered and then they were messed up or the one that was knocked down?

Mr. Sooby replied, no that's not the one that was knocked down. It was from the power surge.

Ms. Smith replied, okay. Alright, thank you.

Mr. Kerner asked, any other questions on the bills? All those in favor of the bills say aye. Opposed?

Motion carried by voice vote, 7-0 with one abstention (Mr. Sanford abstained from invoice #012489/12)

Motion 8B - Motion to acknowledge receipt of \$52,970.82 from the PA Department of the Auditor General, and to approve distribution of 100% of the funds to the Morrisville Fire Company.

Motion made by Mr. Parker.

Mr. Sanford seconded the motion.

Mr. Kerner asked, are there any questions or comments on that motion? All those in favor say aye. Opposed?

Motion carried by voice vote, 8-0.

UNFINISHED BUSINESS

There was no unfinished business this evening.

NEW BUSINESS

Motion 10A - Motion to adopt the 2016 Halloween Policy.

Mr. Kerner read the Halloween Policy.

Motion made by Mr. Parker.

Ms. Kronnagel seconded the motion.

Mr. Kerner asked, is there any discussion on Halloween? All those in favor say aye. Opposed?

Motion carried by voice vote, 8-0.

Mr. Kerner stated, next we have 10B, an appointment of the Junior Councilperson.

Motion 10B - Motion to nominate Junior Councilperson.

Ms. Kronnagel stated, I just want to for the public's knowledge, we had three great candidates and this is a program that I hope continues to build up, hopefully in the next couple of years we will have a dozen -- 20 applicants. For the future for Council to know who everybody is in case they can't make the interviews, I'm just going to ask each candidate to write maybe one or two paragraphs on why they want to be Junior Councilperson.

Mr. Kerner replied, I think that good for both us and for the students.

Ms. Kronnagel stated, I would like to nominate and get the person today so that I can let them know because now this is going to be pushed back to November. Are you going to ask for nominations?

Mr. Kerner replied, if Council feels they have enough information to make nominations, I will do that. I don't know that we all feel that we know enough about the candidates to appoint. I know you, Danielle and I do, because we made the meeting.

Ms. Kronnagel stated, well, I didn't have any other Councilpersons ask me questions did you?

Mr. Kerner replied, I did not.

Ms. Kronnagel stated, we did the interviews last month, so like I said, I would like to move forward because the PSAB only recognizes the Junior Councilperson if they are here for the entire school year and again, now it's getting pushed back to November.

Mr. Kerner stated, I will say then, we will make a motion to appoint someone for Junior Councilperson. May I have a nomination?

Motion to nominate Garlie St Cyr made by Ms. Kronnagel.

Mr. Kerner stated, a nomination for Garlie St Cyr, are there any other nominations?

Ms. Larison stated, I'd like to nominate Garlie also. Garlie was a great candidate, she really was.

Ms. Kronnagel state, they were three really great candidates.

Ms. Larison stated, they were all great kids.

Ms. Kronnagel stated, they really do make us all proud.

Mr. Kerner stated, I would concur that she was the --

Ms. Larison stated, yes.

Ms. Kronnagel replied, only by this much.

Mr. Kerner stated, I agree, they were three wonderful students that came in. We have a nomination for Garlie St Cyr and no other nominations that I know of. Are there any other nominations? Are there any other nominations? We will now have a roll call on Garlie St Cyr.

Motion carried by voice vote, 8-0.

ANNOUNCEMENTS

Ms. Kronnagel stated, I just have a couple of quick ones. The Library is having it's Halloween party for the kids. I believe it's Thursday, October 27th. The other thing, the Seniorcenter continues to have a lot of programs, I believe their Designer Bag Bingo is maybe this Friday, that's a total guess on my part, so please check their Facebook page or give them a call.

Mr. Kerner stated, the Library is also showing The Great Pumpkin Patch Charlie Brown, it's the 40th, 50th Anniversary of it. 50th, it started in 66. That will be Friday night at 6:00, which I believe is also the same time as Trunk or Treat. So, it should be a busy weekend if you've got kids that are interested in these things. So, do we need to meet before adjournment or after adjournment?

Mr. Pepitone stated, Mr. Council President, if I could just make a quick announcement. This past Saturday the Morrisville Yardley Rotary Club held our first fundraiser with all proceeds going to the rebuild the children's playground project in Williamson Park. It was a tremendous success, the first in a series of fundraisers that we're going to put together to help put that playground back in Williamson Park and make it a great playground for everyone. Thank you to everybody who showed up. Thank you to everybody who donated. Thank you to everybody who chipped in and helped. It is greatly appreciated, thank you everyone.

Mr. Kerner stated, thank you for your efforts in spearheading that Bill.

Ms. Larison stated, I would like to say something. The Friends of Morrisville Dog Park will be holding a grand re-opening on Saturday, October 23rd, the rain date is the 30th from 2pm to 3pm to celebrate the latest improvements that have been done through the grant project. They realize they are not quite done yet, but the big ticket items have been completed. They would like to invite all of Council, the Mayor and anyone else who would like to attend the ribbon cutting. Also, I'd like to clarify a few things that were actually stated about National Night Out. Three years ago when National Night Out

was first formed, I got together with Lorraine and Bob back there and myself and Jen Holthenrichs put this event together and when we filled out our forms we were never told that all vendors, we were just told that food vendors had to pay. So, I filed a right to know request for all and everything that has to do with Williamson Park and events and there's nothing in there that states that all vendors have to pay \$25.00. So, non-profits, which is the majority of vendors that show up to National Night Out obviously, we do not charge. If there is a profit company that comes out, the \$25.00 goes to the Fire Company. No one, myself, Jen, volunteers, nobody, non of us take home any money, it goes to our emergency services. The first year it went to the police department, the second year it went to the ambulance squad, this year it went to the fire company. So, no one takes home any profits from this event, and it takes us six months, six months to put this event together. So had there been an issue with National Night Out not paying, I would imagine that Bob and Lorraine who have been working with us for the last three years, would have let us know about it. So, the fact that we didn't know, is not a mistake, it's just something that maybe was overlooked. It wasn't malicious, it wasn't meant to be anything but a nice event for everyone to enjoy. Thank you.

Mr. Kerner stated, thanks. Just one question. When is the ribbon cutting at the dog park?

Ms. Larison stated, October 23rd and the rain date is 10/30.

Mr. Kerner stated, thank you. On October 22nd, there is also a haunted dinner at Summerseat. I don't have any details about that, call Summerseat if you are interested in tickets.

Mr. Parker stated, on the 22nd at 6:00 pm, the Morrisville Historic Society is having a haunted dinner. Tickets are \$20.00 for general admission and \$25.00 for V.I.P. seating in the haunted crypt. For reservations, you can contact Sharon at 215-295-2900.

Mr. Kerner stated, the whole building is haunted though, you don't have to go down to the crypt.

Mr. Sooby asked, Mr. Parker, what was the date on that?

Mr. Parker replied, the 22nd.

Mr. Kerner stated, Saturday, and I believe there is going to be an open mic night if you have any haunted scary tales that have happened in your part of Morrisville. We don't all live in the same houses, we are not haunted by the same ghosts. Should we break, or adjourn.

Ms. Smith asked, well can I have something? Okay, just to clarify a couple of things too. Ms. Sherlock mentioned the two votes that were added to the agenda last week. The one was for the bond, have the bond put in \$100,000.00 on the Borough Manager and the reasoning for that is, it should have been a higher amount, it should have been something voted on us and of course all the council recognized that, so everyone knows that. Thank you Mr. Sooby, he did get on that right away. It's established, it's in and it's taken care of. The second one was the vote for the MEAC, they do great work. They do great work with the grant and Mr. Bates did do a lot of things he shouldn't have been doing -- the right way. The only thing that was was just to make sure that the Council was involved in showing our support also for that grant to be written under us first. It had nothing to do

with anything they weren't doing properly, but just a procedural thing and I believe everybody understood that.

Mr. Kerner stated, I believe we had to do that, because I signed it, and I'm signing it with the authority of this Council.

Ms. Smith stated, exactly, and lastly, it was brought up about abstaining from a vote, I'm assuming she means me. The only person voted against that for the payment for the Jazz Fest of that \$500.00 was myself and I didn't abstain, I voted no. I know exactly what an abstention is. I gave my reason. I didn't have to, but the President asked me what it was and I stated what it was so I do know what an abstention is, but it was a no vote.

Mr. Kerner stated, thank you. Any other Borough Official Comments? I will ask for a motion of adjournment.

Audience member, (inaudible)

Mr. Kilkenny stated, he said personnel after the meeting. He said it twice.

Mr. Kerner stated, it is a discussion with the Mayor.

BOROUGH OFFICIALS

There were no Borough Officials comments.

ADJOURNMENT

Motion to adjourn.

Motion made by Mr. Cicero and seconded by Mr. Parker.

Meeting adjourned.